D. D., favoring the enactment of a national prohibition law in view of the present war situation; to the Committee on the Judiciary.

Also, petition of members of the Free Methodist congregation, of Ellwood City, Pa., favoring the enactment of a national prohibition law in view of the present war situation; to the Committee on the Judiciary.

Also, petition of citizens of Beaver County, Pa., sent by the Rev. Charles O. Smith, Rochester, Pa., recommending the enactment of a national prohibition law in view of the present war situation; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota: Petition of W. H. Love and others, of Rolette, N. Dak., favoring universal military training; to the Committee on Military Affairs.

By Mr. ZIHLMAN: Petition of Woman's Club, of Bethesda, Md., favoring universal military training; to the Committee on Military Affairs.

SENATE.

FRIDAY, *April 27, 1917.*

(Legislative day of Monday, April 23, 1917.)

The Senate reassembled at 10 o'clock a. m., on the expiration of the recess.

INCREASE OF MILITARY ESTABLISHMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1871) to authorize the President to increase temporarily the Military Establishment of the United States.

Mr. JONES of Washington obtained the floor.

Mr. McLEAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Connecticut?

Mr. JONES of Washington. I yield.

Mr. McLEAN. I have a petition, signed by Prof. Henry W. Farnam and Prof. Irving Fisher, of Yale University, praying for a tax on special war profits, the lowering of the present income-tax exemptions, increases in the rates of the income tax, and a high consumption tax on luxuries. It is very brief, and I think contains suggestions which may be of great value at the present time. I ask to have it printed in the RECORD.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

Mr. SMOOT. It is a violation of the unanimous-consent agreement, but it is all right.

The PRESIDENT pro tempore. The Chair, however, calls attention to the fact that matters of this kind are not provided for in the unanimous-consent agreement, and he does not wish the request in any way to affect that agreement.

Mr. KENYON. Last night, before the recess was taken, the Democratic leader, the Senator from Virginia [Mr. MARTIN], remarked, when an attempt was made to introduce a resolution, that he would object to any resolution or anything of that nature until a vote was had, and I think that ought to be followed.

The PRESIDENT pro tempore. The Chair would be very glad to have the Senator from Connecticut withdraw his request at this time and will try to hold the agreement strictly in force. The Senator from Washington will proceed.

Mr. JONES of Washington. Mr. President, the very large number of Senators present at this early hour prompts me to say that I do not hope to influence any Senator in his vote upon the bill which is now pending. Their minds are pretty well made up upon the main issue that has been so fully discussed. I do deem it proper, however, to take just a few moments of the time that has been allotted for the consideration of this measure in presenting a sort of a summary of the conclusions to which I have come regarding the matter and of the reasons why I shall cast my vote as I expect to do. I shall not take the time to go into detail as to the facts and the reasons that have led me to this conclusion. That is not necessary, even if the time were not limited.

Mr. President, I hoped that our Nation would not get into this war. I did all I thought I could patriotically to keep it out. I thought I foresaw the awful consequences that would come from it; the cost in money, the poverty, privations, and sufferings at home and at the battle front; the desolated homes and broken hearts; the taking of thousands of our best manhood from peaceful, helpful pursuits to be slaughtered and to slaughter; the maimed bodies and wrecked minds lingering through delaying years of pain and wretchedness; the orphans and widows; the sightless eyes turned to strange skies above them; lifeless bodies rotting on foreign soil; and great national problems stretching far away into the dim future, taking us away from the landmarks of the past and wrenching us from the principles which we have long held dear and sacred and necessary for our highest development. To avoid all this I felt was worth striving for, and if death would have avoided it I would have gladly given my life to do it. If I erred, it was on the side of peace, and I have no apologies to offer.

The Constitution, ordained by the people as their fundamental rule of conduct, says:

> The Congress shall have power to declare war.

It has done so. We are at war. The past is passed. The future is our concern and problem. How long the war will last, what demands it will make upon us, what armies will be required, what battles will be fought, what sacrifices must be made, what sufferings must be endured, what problems must be met, no one can tell. We should prepare for the most severe task and test that can come to us to bring victory to our cause. We are not in the war to further the greed, ambition, or desire for territorial aggrandizement of any nation nor to gratify the vengeance of any people. We battle for our rights and our liberties under international law, the fundamental principles of democracy, and for a lasting world peace.

The war should be waged with all the vigor, energy, power, and strength this Nation has. We should act promptly, unhesitatingly, and unitedly. This is the surest way to bring victory and an early peace. To do this is humane as well as wise. It will save lives, lessen sorrow, prevent suffering, and economize in money and resources.

The President is our Chief Executive through the choice of the people. The Constitution says:

> The President shall be Commander in Chief of the Army and Navy of the United States and of the militia of the several States when called into the actual service of the United States.

Under his guidance, direction, and control must this war be waged. He must carry it on with the means and power which we place at his disposal. We can give him what he asks, or we can withhold it. We can adopt the plans he deems wise, or we can adopt plans of our own to control him in his actions. We declared war, but its conduct and its direction is his special duty. Democracy is again on trial. Lord Northcliffe says "Democracy is a bad war maker." That is true. It is true not only because democracy abhors war and is not trained to war but because of divided councils and responsibilities when it is forced into war. Let us profit as far as possible by the mistakes of the past. In my judgment, whatever the Commander in Chief deems necessary within the limits of the Constitution to prosecute this war efficiently and successfully it is my patriotic duty as a legislator to grant.

The same high purposes and patriotic love of country nerve him that move us. As Commander in Chief he is directly responsible for the success or failure of our Army. If victory comes to our arms, the special glory will be his. If we meet defeat or disaster, his will be the blame, unless it can be charged to us and our failure to do our duty or to give him what he thought necessary for success.

He has told us that he needs $7,000,000,000 to begin the war. We have given it to him. Its wise use is his responsibility. He says he needs 500,000 men at once, and authority for more if he finds that he needs them. No one questions his decision in this respect. We are going to give him authority to bring these men to the colors. How are they to be secured? That is the sole question of difference. With his knowledge of the task before him, the President urges that they be secured by Government selection, commonly known as "draft" or "conscription," rather than by self-selection, commonly called "volunteering." Upon this we are divided. Over this question the legislative battle wages.

The system urged by the President is denounced as "militarism." The other is held to be the time-honored and traditional method of raising an army in the Republic, and the essence of liberty and democracy.

No great war has ever been fought without one or both parties using conscription early or late. Should we use it now or when we are in an extremity? The man who must conduct the war, our Commander in Chief, urges it as a wise and necessary measure now. The military authorities, almost without exception, urge it now. The Senate committee that has fully examined into it recommends it. The honored Members of this body who have served in our wars as volunteers are for it. The lessons of this great war point to it as a wise course. Why should I not vote for it? What reasons can I give for failing to do so? I am not a military man, and it seems to me that strong, convincing, and compelling reasons should be presented to warrant me in going contrary to the mature opinion of these authorities,

who are as patriotic as I am and moved by the same hope of a glorious victory.

I know that many of my people are opposed to it. I know that many of them favor the volunteer system and feel that it is a system in accord with our traditions, institutions, and principles. I want to be in accord with the public sentiment of the people who have selected me to represent them, but I feel that I have a duty to perform that is not discharged by simply trying to find out what their sentiment may be and express it by my vote, and I think they expect me to perform that duty. They expect me to study this as well as other questions from every angle. They expect me to consider and weigh information that I have and which they may not have. They expect me to take into account the exigencies of which they may not know and, giving due weight to their opinions and my duty to represent them, they expect me to do what I believe to be right and for the best interests of the country, and that is what I am going to do while I am honored with their trust and confidence.

Mr. President, I have investigated this question as fully as possible. I have listened to the discussion with an open mind, and I have sought information from every possible source. I have set aside personal preferences. I have tried to cast aside all personal considerations, possible future effects, and to ascertain exactly what the merits of the two systems are as new propositions and consider them without sentiment or prejudice.

No substantial or overpowering reason is presented to me which warrants my voting against the recommendation of the Commander-in-Chief and those who recommend the provision in this bill for selective conscription.

It is said to be undemocratic. So is war undemocratic, and we must wage it with military efficiency, and effective methods must not be disregarded because they may seem contrary to our ideals in peace.

It is said to be odious to free, liberty-loving men. The conscription of the past was odious, because it was not used until its application reflected upon the courage and patriotism of those drafted. It is said to have led to riots, self-mutilation, and expatriation. Those who have resisted it by rioting, those who have tried to escape it by self-mutilation, and those who have sought to avoid it by leaving the country have been those who would not volunteer, and they were those who determined not to go into the Army though the country was in the greatest danger. No system should be condemned because it was odious to such men. If a nation's life depended upon their courage and sacrifices, it would not live long. No man who was willing to volunteer has resisted conscription. No man who was willing to volunteer has mutilated himself to avoid service in the Army, and no man who was willing to volunteer has sought refuge in Canada to avoid the draft.

This is not the draft or conscription of the past. It is not a measure to take the unwilling or the coward. It is a measure to select from the brave and the willing and those of equal obligation to the Government the number deemed necessary to meet the present emergency. It will reflect upon no man's patriotism, but will be a special badge of honor to the ones selected. It will disgrace no one, but it will save many from dishonor and reproach. It is truly democratic in principle and just in its application. It recognizes the duty of each to give his life for his country in times of stress and war, and takes impartially for that purpose. It attacks no one's patriotism, but assumes the patriotism of all.

Conscription is opposed because it is said to be militarism. Grant that it is the essence of militarism. Militarism is the essence of war. War is what we are to carry on. We can not fight battles and win victories without militarism, and a military machine composed of men who love liberty and the principles of democracy is the acme of militarism, and the more efficient such machines we organize the more quickly and surely will victory come to us. We are at war with the greatest military power of the world. To meet the militarism of that power with militarism is not to abandon liberty but to preserve it; is not despotism but wisdom.

It is urged that it means the permanent establishment of militarism. Not so. This legislation applies only to the war. When it ends whatever military machines we have will dissolve into the peaceful pursuits of the Republic just as did those great armies at the close of the Civil War. To think otherwise is to impeach the patriotism of our people and their devotion to democracy.

In peace the compulsory system should have no place in our military organization. Service in the Regular Army during peace should be entirely voluntary, and I would resist to the last any attempt to make such service compulsory. When I say this I do not condemn universal training. To my mind that is an entirely different matter and this bill should be acted upon independently of it. We are going to do many things now that we would not do in times of peace. We are going to invest executive officers with power and authority that we would not think of giving them in ordinary times. For the war we are going to establish practically an autocracy in order that democracy may live and spread throughout the world. There is no more reason to believe that the establishment of conscription now will make it a permanent policy than there is to believe that the establishment of such an autocracy as Germany and Russia never dreamed of means that such a system is to be continued when the war ends.

Unstinted praise has been bestowed upon the volunteer system. It belongs to the soldiers and not to the system. The patriotism and achievements of our volunteers are glorious and inspiring, but the system is unfair, unjust, inequitable, and undemocratic. The courage, sacrifices, and victories of our volunteers constitute the brightest pages of the world's history and are an inspiration to us in this world struggle for freedom and liberty, but should not blind us to the demerits of the system or the merits of another system.

These men, however, would have been the same invincible soldiers no matter how enlisted. When selected under this system our freemen will be the same true, loyal, brave, devoted, and patriotic soldiers of liberty, freedom, and democracy as if they had volunteered. It is not the manner of enlistment that inspires men like these but the purposes and objects for which they fight. If possible they will be better soldiers under this system because they will feel no injustice, because they will not feel that others have stayed at home to take advantage of their absence to make money and secure place and profit, and because they will know that if their ranks become thin reinforcements will come in men whose patriotism has never been questioned.

The system proposed permits no substitutes. It makes no distinctions and gives no special preferences. It treats all alike. It is thoroughly democratic and in harmony with the principles of equality. There are some details of the bill I want to see changed. The age limits should be increased. The boy who can not vote should not be taken to die by the country that gives him no legal rights. Men who have long enjoyed the blessings and privileges of free government should be required, if needed, to give their lives at the call of the country whose blessings they have so long enjoyed.

Ample provision should be made for the dependents of those who are called to the front. The Government can well afford to give assurances to its fighting men that those dependent upon them will be kept from poverty and privation.

Safeguards should be thrown around the boys at the front and at training camps to protect them from those vicious influences that always gather to prey upon them, and their loved ones at home should be assured that the sacrifices they have made are not to be nullified by such vicious influences. Other changes will be proposed for which I may vote.

My only fear is that the delay in getting the machinery ready to take the necessary census and to select the men needed will be greater than anticipated. I hope not. I hope this work will be done efficiently and expeditiously. Volunteers would be available for training and drilling almost immediately. That is a great consideration now, and if I did not think that those who have charge of actually assembling the men believe that in the end this is the most expeditious way to do it, I would hesitate about rejecting the volunteer system in this emergency. This is no time for "watchful waiting." I hope there will be none.

Whether volunteering has been a success or a failure I do not care to discuss. As I have said, I join in all the encomiums heaped upon the volunteer soldiers, but the system that is most effective, most equitable, most just, and best adapted to meet the present emergency is the one we should adopt.

Prompt action is needed. Our natural resources and industrial power should be mobilized under wise direction. Our military forces should be organized, officered, trained, drilled, and made ready for any service deemed necessary for victory. We should show Germany that we are earnest and united, and that all our power of wealth and men is behind our Government in this war, to be used to the utmost to vindicate the principles for which we entered it. To convince her of this is to hasten the war's end and to save our citizens, our wealth, and our resources, and bring peace to the world and democracy to aspiring millions.

Mr. President, there are three primary steps this Nation should take promptly to convince our enemies of the futility of continuing this terrible struggle.:

First. Select, drill, train, equip, and make ready at the earliest possible date an Army of a million men.

Second. Conserve our natural resources and human power by destroying throughout the Nation the liquor traffic.

Third. Stamp our professions of democracy with the seal of sincerity by enfranchising the integrity, intelligence, purity, strength, and lofty patriotism of our women.

Mr. KENYON. Mr. President, I held back from our entering this war perhaps as much as anyone, but I am now willing to go forward as far as anyone to help make it a success. A success it must be, for there is no such word as fail in the lexicon of America. Like other Senators in this body, I have approached this question with an open mind, and with a full realization of the responsibilities upon the part of all Senators who are called upon to vote on this momentous question.

I shall vote for conscription and against the volunteer plan. I do it with a full realization of how unpopular such a vote as that may be in my State; but I have tried in public life to view questions from the National standpoint and not the State standpoint, much as I desire to be in accord with the majority sentiment of my State. The people of my State may differ as to details of warfare, but they are to a man enthusiastically behind the Government in any steps it may take.

There is strong argument to be made, and strong argument has been made, for both sides of this question. Earnest, conscientious, thinking men who are equally patriotic may well differ. I have listened to the arguments on this subject on this floor, and they have been of a high character. The strongest argument that has been advanced for the volunteer system, and the strongest argument that appeals to me, is that the volunteer makes the best soldier. I believe there can be no doubt of that proposition. His heart and his soul are in his work; and in any line of human activity the man who has an enthusiasm for his work will always be better at that work than the man who has not. If we should attempt, for instance, to draft a chaplain from the membership of the Senate, I fear we would be rather unsuccessful. Men go into the ministry because they have a call for service. If we drafted men into the ministry they would not be successful. That is true, I think, of other professions.

There is more patriotism, generally speaking, in the man who volunteers and goes out to the service of his country than there is in the man who stays at home, though not always. We have learned to venerate the volunteer, to place a halo about him, from the days when as small boys we saw the old veterans march by on Memorial Day and our mothers told us what it meant. We have looked upon him as being different from the soldier who was conscripted, and we have had a right to do so.

I do not join in the criticism of the volunteer system or of the volunteer as that system has been criticized on this floor. The proudest pages of our country's military history record the achievements of the volunteer. Old "Pap" Thomas at Chickamauga, Joe Hooker at the Battle of Lookout Mountain, leading the boys above the clouds, where the stars of the flag twinkled side by side with the stars of heaven; Hancock on that immortal day at Gettysburg—volunteeer troops, nearly all of them. On the other side, "Stonewall" Jackson, Forrest—brilliant volunteers. The men who under Pickett came across Seminary Ridge for a mile and a half, exposed to the deadly fire of the Union guns until their ranks were almost swept away—90 per cent of them volunteers.

Volunteers have been the gallant fighters of our wars, and somehow or other we have learned to think of the volunteer as having the greater degree of patriotism, whether he be in the prison cell dying of starvation, with no sight of the flag to urge him on and rob death of its terrors, or on lonely picket duty, falling with only an opportunity to utter a prayer for the loved ones at home—we have thought of the volunteers as the men who have gone without being sent. All honor to them. Their names are enshrined among the immortals of the Republic.

Mr. President, I shall vote for one exception on the question of volunteers, and that is to permit a distinguished ex-President of the United States to organize his division or a number of divisions and to go to the front. Of course, it may well be said that this is an exception that gives certain privileges to him and to the men who desire to enlist with him not given to others; but it is a different situation, because there is no man in this Nation who can gather around him the same number of recruits with the enthusiasm that Theodore Roosevelt can. It would be an inspiring sight for our allies in the war if he could lead a division under the Stars and Stripes to fight side by side with the tricolor of France. He wants to go; those who will enlist with him want to go; the people are anxious that they shall have the opportunity. We want this war to come to a speedy end, and nothing, in my judgment, would help to bring it to a speedy end as much as that.

But it is said that would demoralize the Army. It might work some demoralization, but, Mr. President, it will demoralize the army of our enemy vastly more than it will demoralize our Army. I shall vote for that amendment, which, I understand, has been or will be proposed.

The strongest argument presented against the volunteer system is that the best of our blood under that system go to war—and that is a strong argument; that the "slacker" remains at home; that the best should not all be killed in war; that the virility of the race for succeeding generations is thereby lessened; and that the best brand of American manhood is taken. I have a couple of letters from my home State that express the thought in the language of the man in the smaller town. The writer of one of the letters says—I will not mention the town from which the letter comes:

> Many young men have gone to serve Uncle Sam and many others just as able to go are afraid they will have to go. Universal obligatory service is the fair thing. I speak as a father whose only son, aged 20, is a member of the Sixth United States Cavalry, now stationed at Presidio, Tex.

I read another from a small town in Iowa:

> Seven of our best young men leave to-morrow to join the Navy, most of them giving up good jobs, while about 40 of our undesirable young men stay at home holding down the loafers' bench, which shows the injustice of the voluntary system.

I want to say in respect to those letters that there is no difficulty in the State of Iowa in raising volunteers. Our companies in the National Guard are recruited up to peace strength. In my own city, of 20,000 or 22,000 people, two companies have been recruited to full strength, and there are enough desiring to enlist to organize a third company. There is no trouble there. I have been somewhat amused at distinguished lawyers of the city of New York and other places going out to wake up the patriotism of the Middle West. If they will study the recruiting statistics, they will discover that there is more response from the Middle West than there is in other sections of the country, and they had better employ their energies in their home communities. The people of the Middle West do not need to be instructed how to be patriotic.

The strongest argument for conscription is that expressed in these letters. It is the fairest method. It takes the rich and the poor alike, the willing and the unwilling. The boy of the hod carrier fights side by side with the boy of the millionaire. The strongest argument against it is the irritation which it has caused in the past and which it will cause in the future. There is something about the very words "draft" and "conscription" that goes against the American grain. As the Speaker of the House said in his argument the other day, the word "conscript" is much like the word "convict," and is regarded by a good many people in the same light. But if the people can understand that this is a system, as enforced jury service is a system—and there is nothing injurious to a man's reputation in being called to serve on a jury, for that is a part of the duty of citizenship—and our people become educated to that idea as to the conscription system about to be established, the prejudice may lessen.

This bill provides for the selective system. I am not certain, Mr. President, but that in the condition the bill is now it is worse than if there were absolutely no exemptions, and I think that the men who are fathering this bill, that the War Department and Senators, ought to give consideration to one thing particularly in this bill that is going to cause intense irritation. If you are going to exempt the agricultural classes, as the bill provides may be done, and is perhaps necessary, I sometimes wonder just what kind of an Army we are going to have without any farmer boys in it. The boy who stays at home on the farm and helps in production will be just as much a patriot as the man who goes to the front. I want to suggest and appeal to the chairman of the committee that there should be some different method provided for determining questions of exemption. Under this bill as it now stands a petty military officer will go into a community and decide as to exemptions. He can say to John Smith's boy, "You are exempt," and to Henry Jones's boy, "You must go."

Now, look down the line, Senators, to where that is going to lead us. There will be irritation enough about this in any event, without having a self-important little military officer in a community deciding whose boys are going to the war and whose boys are going to stay home. The air will be filled with suspicion; there will be charges of favoritism, charges of corruption. I do not believe any civilized nation in the world puts such power into the hands of any military officer. England does not do it; England has tribunals to decide such matters. Let us not, in the language of the Senator from California [Mr. JOHNSON] a few days ago, be so careful about the democracies of Europe that we lose democracy at home.

The Senator from Wisconsin [Mr. LA FOLLETTE] has presented an amendment on this subject, providing for the establishment of tribunals to determine the question and a proper system of appeals, so that there need be no delay. His amendment, I think, provides—I have not studied it closely—for a local board appointed by the President for each congressional district, an appeal board for each State, also appointed by the President, so that there may be uniformity, and a central tribunal. We ought to give consideration to this matter. The men who believe in the justice of this war and the men who are standing by this bill—and I am one of them—ought to have vision enough to correct this trouble now. So I appeal to the committee, through its distinguished chairman, to correct what I regard as a tremendous evil in this respect.

Mr. VARDAMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Mississippi?

Mr. KENYON. I yield.

Mr. VARDAMAN. Does the Senator think that the amendment proposed by the senior Senator from Wisconsin cures that defect?

Mr. KENYON. I think so. It provides for local boards appointed by the President of the United States for each congressional district to determine the question, with appeals to a State board and a central tribunal.

Mr. VARDAMAN. I understand the Senator will support such an amendment?

Mr. KENYON. I expect to do so; yes. I feel deeply on this question because of my interest in keeping the people of our country united behind this war. If in the communities of this country feeling is to be engendered over this question, we are going to have trouble; and what is the use of inviting trouble like that? I hope the chairman of the Committee on Military Affairs and the committee itself will do something to remedy that defect in the bill, if they are not satisfied with the amendments which have been offered.

Yes; we are going to have irritation. Conscription is irritating; war is an irritating thing. It is irritating to the men upon the firing line and it is irritating to the people at home who have to pay for it. I have heard it expressed in this Chamber that the men who go to the front should have no pay at all; that their service should be a supreme act of heroism. That is an irritating argument, too. Their pay ought to be increased.

I have not observed Members of Congress serving without any pay, and service in the Senate is no more dangerous, or not much more dangerous than service in the trenches, though I think that with the foul air we are compelled to breathe here, with all the doors consistently closed, it is about as dangerous to serve in the Senate as it is in the trenches, for the trenches, at least, have the advantage of fresh air. I have not observed that Members of Congress, instead of serving for nothing, were willing to divorce themselves even from mileage. It is heroic to talk about the men going to the firing line without any compensation, but heroism does not reduce the high cost of living or take care of the people at home.

This war must be fought somewhere else than at banquets, amid the clinking of champagne glasses and the disappearance of the elusive caviar sandwich. It must be fought somehow besides sending letters to the President offering services in a general way, without anything particularly specific, and then rushing to the nearest newspaper office and publishing the letter in the paper. Patriotism is too often exhibited by putting an extra flag on an automobile and then wiring a Member of Congress, for God's sake, not to tax any of these things that we are particularly interested in.

Mr. THOMAS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. KENYON. I do.

Mr. THOMAS. I interrupt the Senator at this point because of the last remark which he made; and with his permission I should like to read two short telegrams coming yesterday from the same community in my State, which show that even among the extreme advocates of this bill there are some cross currents of sentiment.

The first reads:

At largest mass meeting ever held here, last night, strong resolutions advocating administration's selective conscription bill unanimously passed. Your support of program is required.

The second telegram, from the same place, reads as follows:

War taxes in the form of stamp tax discriminatory, disturbing to trade conditions, and result in unfair methods of competition. We are willing to bear our fair share of war taxes, but this form highly objectionable. Will greatly appreciate your opposition to stamp tax.

Mr. KENYON. Mr. President, that illustrates some of the kinds of patriotism that will have to change in this country; that the people of this country will have to wake up to the fact that this war is not a Sunday School picnic, and is not going to be carried out by vocal volleys at banquets. They must get in their minds the fact that it is a hard, cold fact, irritating in the extreme; that we must fight, and fight hard. We voted to bring on this war; now let us never hesitate in every means to carry it forward to a successful conclusion. The harder we fight and the sooner we fight the quicker peace will come and the more enduring peace will be. We who vote for this conscription and we who vote for war must make our sacrifices. I have always felt that Members of Congress who voted for war ought to be willing to go to war. I believe in that philosophy and am ready to back it, as far as I am concerned.

We hear a good deal preached nowadays of what an awful thing it is to die for one's country. We used to believe and be taught that it was a glorious thing to die for one's country. A country that is worth having, a country with the ideals of our Nation, is worth dying for, and the man who goes out and dies for his country in a righteous cause does not really lose his life. The man who gives his life for others saves it. The man who saves his life for self loses it. It was the doctrine of the Master; it has been the doctrine of Christianity for nineteen hundred years; it is the truth.

Men have died willingly and happily for their country. It is a glorious way to go, and it is time we stopped preaching the doctrine that we are doing an unholy thing if we do give our lives for our country. In all time those who have given up their lives for a good cause, for the benefit of humanity, have not really died; no! David, the sweet singer of Israel, is not dead. Moses, the law giver, lives on. Abraham Lincoln is living in the hearts of millions of people who came from darkness to light.

They never die who fall in a great cause.
The block may soak their gore,
Their heads be sodden in the sun,
Their limbs be strung to city walls and castle gates,
And yet their spirit walks abroad.

Mr. President, as I have said, the argument presented is strong on both sides. In voting for conscription I do not vote against the volunteer system to place it in the discard forever. The time may come when it may be necessary. I vote for this equality-of-service proposition, weighing the arguments upon both sides, drawn to support it somewhat for the following reason:

I do not want to put my judgment against the judgment of the military experts. We have them for the purpose of studying war problems. We must trust them. If they are a class of men who have not the interests of the country profoundly at heart, we had better get rid of them. They have come to the conclusion that in this particular crisis conscription is the best thing. That it has been approved by the Secretary of War, and is asked by the President. It will get us an army. There is no question as to that. A volunteer system would probably get us an army, but it may not. We can run no risk in this time of emergency. As the Senator from New York [Mr. WADSWORTH] a few days ago said in substance, while it would take time to build an army in this way, we would be building upon a solid foundation; and it is better to take time and do that than to raise our structure and have to come back and rebuild the foundation. We must have an army here, and go at it just as we would if there were no British Navy or French Navy standing between the enemy and us. We must raise the structure of an army that can stand against the waves of Prussian militarism just as unaffected as Gibraltar is with the waves that lap the rocks at its base. As our military experts have decided that this is the way to do it, and as I do not feel competent as a layman to place my judgment against theirs, I shall follow the plan that the President has asked, and vote against the volunteer system, and cast my vote for conscription.

I want to say this in closing: This age limit ought to be raised. It is a shame and a cowardly thing to put the burden of this war on boys 19 years of age. Let us raise it so as to take in the slacker, who will be above 25. There will be no boys around college who are slackers, but we ought not to take them mostly from colleges.

Mr. JOHNSON of California. Mr. President——

The PRESIDING OFFICER (Mr. KNOX in the chair). Does the Senator from Iowa yield to the Senator from California?

Mr. KENYON. I do.

Mr. JOHNSON of California. May I, with the consent of the Senator, ask him whether or not this age is recommended as well by the War College?

Mr. KENYON. I do not know.

SEVERAL SENATORS. It is.

Mr. JOHNSON of California. Yes; I understand it is.

Mr. KENYON. It is recommended by the War College? I did not recall that.

Mr. JOHNSON of California. May I call the Senator's attention to the fact that if we ought to follow the War College in one aspect of the bill, if it ought to be a Procrustean bed upon which we must lie concerning this question, we ought as well to accept the plan of the War College in every aspect, for exactly the same reasons that the Senator gives.

Mr. KENYON. Oh, no; not at all. Let us accept the War College plan, not the War College details, just as I decline to accept the details of the War College as to the enforcement of the selective system by some Army officer. I regard that merely as a matter of detail, and not a part of the fundamental plan. Fundamentals are not the same as details.

Let me say right here, while I think of it, that when we draft these boys it is our business to see that camps are free from liquor and other contaminating influences. Let none of these boys go back home after service with drink habits acquired in the Army or with the unspeakable diseases that have followed the armies of Europe.

Mr. BRADY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. KENYON. I do.

Mr. BRADY. The Senator has just mentioned the matter of Army officers having charge of the exemptions. I think that point is well raised, and I have certainly listened with much interest to the very splendid and able argument of the Senator; but my understanding of section 5 is that the officers of the United States and of the several States and Territories will have that duty to perform.

Mr. KENYON. I understand it is under regulations that may be prescribed by the President.

Mr. BRADY. The first part of section 5 reads:

> The President is hereby authorized to utilize the service of any or all departments and any or all officers or agents of the United States, and of the several States, Territories, and the District of Columbia, in the execution of this act, and all officers and agents of the United States, and of the several States, Territories, and the District of Columbia are hereby required to perform such duty in the execution of this act as the President shall order or direct.

Now, I fully agree with the Senator that if some petty officer is going to say which young man shall be exempt and which shall enter the service, that power should not be given to him; but in the discussion of the matter in the committee my understanding was—and I should be glad to have the chairman of the committee, who is thoroughly advised on the matter, correct me if I am not right in my statement—that the thought was to pick out men in the different counties to have charge of this exemption.

Mr. KENYON. Why not say so in the bill, then? Why not have some plan in the bill?

Mr. BRADY. I think that would be very wise. I think it would be very wise for us, when we come to the amendments, probably to agree on who we thought should have charge of the exemptions. We discussed the matter thoroughly in the committee, and I think it was generally understood that the plan was to have the sheriff, the health officer, and one other party that we discussed take charge of these exemptions; and by doing that it would be in the hands of the local authorities rather than in the hands of some petty officer.

I fully concur with the Senator in the thought that this power should be given to a commission or board that will be just as liberal and fair as it is possible to be in considering these exemptions, for the reason that we are not going to need such a great number of men for actual service, and we will find that we will need just as many at home, on the farm, in the shop, and places of that character as we will need in the ranks. We should have local men who understand conditions, who know the men, and know what they would be best fitted for.

I think the suggestion made by the Senator is a good one.

Mr. KENYON. The Senator can call to mind men in his community in the State, in the congressional district, of such high character and respect among all the people that their decision on a matter of this kind would be readily accepted and there would be no dissent whatever.

Mr. BRADY. And it would do away with any friction that might be in the community on account of the selection of any particular young men.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Utah?

Mr. KENYON. I yield.

Mr. SMOOT. I have been somewhat worried in my own mind as to just what ages the conscription should apply. The bill provides that the ages shall be from 19 to 25. I note what the Senator said in relation to the increase of that age, but what has the Senator to say in relation to our past experiences, particularly in relation to the Civil War; for I notice that out of the total individual enlistments of 2,213,365 and the reenlistments amounting to 564,939, there were only 62,697 enlistments including and over the age of 25. I want to say to the Senator that that included the whole term of the Civil War; it included the volunteer system and also what few were drafted into the war.

Mr. KENYON. It is largely the result of the volunteer system.

Mr. SMOOT. All but about sixty-odd thousand.

Mr. KENYON. There were more soldiers along about 18 years of age than any other age in the Civil War.

Mr. SMOOT. Of 18 years and under there were 1,151,438. There were 2,159,798, 21 years and under, out of a total of 2,778,304.

Mr. BRADY. Twenty-one and twenty-two.

Mr. SMOOT. No; 21 and under. In other words, over two-thirds of the entire Army were of the age of 21 and under, with only 62,697 of the age of 25 and above.

Mr. KENYON. Mr. President, I just want to say I am glad to have these interruptions, but I am afraid they will not be fair to those Senators who are to follow. I do not want to get into an extended discussion. I have only a few words further to say. I think, answering the Senator from Utah, it is the result largely of the volunteer system to get younger men. At the same time I believe it is one of the things that shows the injustice of that system.

Now, I believe we ought to raise this age limit. In any event, for the unmarried men, you ought to raise it indefinitely for them. A man who has lived to be 45 years of age and has never married ought to be compelled to go to war or something worse, except that he might be excluded on the ground he had evidenced some cowardice because he was afraid to tackle the matrimonial proposition. There might be some objection on that ground; but I think there ought to be a difference made between married and unmarried men.

Mr. SMOOT. I think that is true. In my conversation with Army officers they have invariably told me, as demonstrated in every country in war, the best soldiers range in age from 18 to 25 years, and I suppose that that is the reason why the War College recommended the ages provided for in this bill.

Mr. KENYON. If we are compelled to go as low as 19, let us go above 25.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. KENYON. I yield.

Mr. THOMAS. Is it not a fact that one of the objections against the volunteer system is that it takes the younger, the more virile, and the patriotic young men, which we now wish to avoid in a bill which fixes that identical age for all who can be taken?

Mr. KENYON. Mr. President, I wish to conclude what I have to say. It will not take much time.

I want to add this, that while I am voting for conscription of these men I am going to vote later on for conscription of the great incomes of this country to help pay the expenses of this war. Conscription of incomes above the amount that any ordinary demands of life needs is just as logical as the conscription of men.

I want to just put in the RECORD a figure or two in showing the great profits that have come largely out of the war. The increase of millionaires in this country has been tremendous. I shall give the net profits after deduction for labor, material, interest, depreciation, and all other charges—in short, the amount available for dividends to stockholders.

In 1914 the net profits of the American Smelting & Refining Co. was $9,271,565; in 1916 they were $23,252,248. I will take only a few of them.

Armour & Co., in 1914 the net profits were $7,509,908; in 1916 the net profits were $20,100,000. Bethlehem Steel Corporation, in 1914 the net profits were $5,590,020; in 1916, $43,593,968. Central Leather Co., in 1914, $6,715,131; in 1916, $17,327,409. Crucible Steel Co., in 1914, $1,015,039; in 1916, $13,223,655. The E. I. du Pont de Nemours Powder Co., in 1914, $4,831,793; in 1916, $82,107,693.

The poor people of this country and the people of moderate salary ought not to be burdened with any of the expenses of this war. They are standing all they can stand, but the people whose

incomes and dividends have increased practically 500 per cent in two years ought to be compelled to bear a large portion of the expenses of this war. In my judgment every income above $100,000 should be commandeered or conscripted for the benefit of the Government to carry on this war. That proposition is going to come before we get through the tax bill, and we might as well commence to think about it. When it comes up for discussion I do not know whether there will be the same enthusiasm to conscript these great incomes that there is to conscript men.

The General Chemical Co., in 1914, net profits, $2,857,898; in 1916, $12,286,826. Phelps-Dodge Corporation, in 1914, $6,664,839; in 1916, $21,974,263. The United States Steel Corporation—listen to these figures—in 1914 their net profits were $23,496,768; in 1916, $271,531,730. That has gone in increased dividends, increasing the incomes of many people whose incomes are simply enormous now.

I merely refer to this, Mr. President, in passing, because I expect at some time to discuss it at greater length, simply to lay down a proposition that will come up later on, that conscription will be in order as to incomes over $100,000.

I have taken up more time than I intended and I now yield the floor.

Mr. McCUMBER. Mr. President, the commander of a dreadnaught calling his sailors and stokers and pilots for their daily drill, while the ship is drifting to the very rim of the vortex of a maelstrom of destruction illustrates but faintly the situation of this country in this great war at the present time.

Mr. President, this war will be won or lost by the submarines and not by an American Army. If we can overcome the submarine, we can win this war. If the submarine overcomes us, we can not win this war. If we can triumph over the submarine, this war can be won without the actual employment of a single American soldier in Europe. If the submarines triumph over us, we can not win this war, though we have 10,000,000 of the best trained and officered men under arms. This is the living, vital, imminent question which confronts every nation engaged in this life and death struggle.

Yesterday's report from the British Admiralty's weekly statement of vessels sunk brings home to us for our immediate consideration and action this most imminent and important problem of this war. I simply call attention to the fact that during the week ending April 22, 40 British ships over 1,600 tons and 15 of less than 1,600 tons went to the bottom of the ocean. I want to call the attention of the chairman of the committee to the fact that 2 weeks previous there were 17 of those over 1,600 tons and 2 of less sunk in one week; and in the next week there were but 19 of those over 1,600 tons and 9 of less; but the last week shows the enormous number of 40 over 1,600 tons and 15 of less than 1,600 tons sunk. This does not take into consideration any of the vessels of 100 tons or less, nor does it take into consideration any of the neutral vessels that have been sunk during that time.

Let me call attention to another clipping from this morning's issue of the Washington Post. Under the heading "Submarines may decide the war," the British Trade Board head says:

SUBMARINES MAY DECIDE THE WAR, BRITISH TRADE BOARD HEAD SAYS.

LONDON, *April 26.*

A grave warning that the submarine menace may be an important factor in deciding the outcome of the war was sounded to-day by Sir Albert Stanley, president of the British Board of Trade. Addressing a luncheon of business men, Sir Albert said:

"We have not yet found a way of dealing with the submarine as to remove the danger of their being an enormously important factor in determining the outcome of the war. The effect of the submarine war upon the existence of the British Empire is simply this, that we can not continue to bring into this country all the supplies and materials required for our existence for the continuance of the war and for the actual needs of our industries.

Mr. President, there is pending an amendment to this bill which, in its urgency, is far more important than the bill itself. The amendment provides for a board designated "board of merchant shipping defenses," the duty and purpose of which is set out in the amendment itself in the following words, which I beg to insert without reading at this time:

The duty of said board and the purpose of its creation is to provide for and perfect in the shortest possible time such mechanical device or devices as can be successfully used and employed upon a merchant ship while navigating the seas to check or deflect the course of a submarine torpedo and to prevent the same from coming in contact with the hull of the merchant vessel, or to explode the same before such contact, or the perfection of any other mechanical device to protect merchant vessels from destruction by submarine other than by use of defense guns.

I also wish to insert at this time the table given, from which I have quoted, showing the 64 British ships that went to the bottom of the ocean during the last week. I set it out in its details.

Mr. CHAMBERLAIN. May I interrupt the Senator for just a moment?

Mr. McCUMBER. Certainly.

Mr. CHAMBERLAIN. I wish to ask him if he has any list of ships of other nationalities than Great Britain.

Mr. McCUMBER. I have not; but I understand from the authorities it will bring the number up to about 80.

The table referred to is as follows:

[From the New York World, Apr. 26.]

BIGGEST WEEK OF U-BOATS; 64 CRAFT ON SINKING LIST.

LONDON, *April 25.*

The Admiralty's weekly statement of vessels sunk was issued to-night. It reads:

"Sinkings, by mine or submarine, over 1,600 tons, 40, including 2 sunk in the week ending April 15; under 1,600 tons, 15, including 1 sunk in the week ending April 1.

"Vessels unsuccessfully attacked, 27, including 1 attacked the week ending April 8.

"Fishing vessels sunk, 9, including 1 sunk the week ending April 15."

RECORD OF SINKING SINCE FEBRUARY 1.

This statement by the British Admiralty regarding the loss of vessels by submarines or mines since the German Government announced resumption after February 1 of ruthless submarine warfare shows that a greater number of vessels of over 1,600 tons each was lost during the past week than ever before. The record since February 1 follows:

	Over 1,600 tons.	Under 1,600 tons.
For first 3 days of February	5	3
Week ending Feb. 10	33	19
Week ending Feb. 17	17	10
Week ending Feb. 24	27	18
Week ending Mar. 3	14	9
Week ending Mar. 11	13	4
Week ending Mar. 8	16	8
Week ending Mar. 25	17	7
Week ending Apr. 1	18	13
Week ending Apr. 8	17	2
Week ending Apr. 15	19	9
Week ending Apr. 22	40	15
Total to date	237	117

Trawlers and vessels under 100 tons are not included in this list.

Mr. McCUMBER. Mr. President, we can not equip and train an efficient army of half a million men and put them on the battle front in less than one year. If the German submarine fleet increases in number and effectiveness during even one-half of that year at the rate it has increased in number and efficiency during the last few months we shall never be able to put that army on the battle front during the entire war. I make this declaration in no mere tone of prophecy but with assurances that the conclusion can be demonstrated with mathematical accuracy.

Mr. President, the appalling havoc of the submarine has not been half told or half realized. I want this Senate to divert its mind one moment from its contemplation of waving banners and martial strains, from the prospective panoply of war's array, and look upon the grim reality that is staring us in the face at this very moment. Let us realize that while we are dining and felicitating the great and honored representatives of our allies not an hour passes that there are not scores and hundreds of the brave sons of those allies struggling in the waves, going down to death with their fair ships, victims to these scourges of the sea.

Let us look a moment at what this submarine devastation means to the world's shipping, and especially what it means to the shipping of Great Britain, upon whose shoulders has rested the burden of financing the cause of the allies and whose ability to continue in this war and make a victory possible depends wholly upon her ability to keep open the channels of ocean trade, that her people may be fed and clothed and her armies supplied.

How many of us have stopped to consider what percentage of the world's shipping has been sunk during this war, and particularly during the months of February, March, and April of 1917, since relentless submarine warfare has been resumed? How many of the American people have given any consideration to the value or quantity of the world's products which have gone to the bottom of the sea, and what proportion of those products can still be fed to the yawning waves without weakening or rendering ineffective the nations which must depend upon them? We have no publications and no information or statistics except what we may gather outside of our bureaus and departments upon the subject.

Mr. President, the total merchant tonnage of the world at the beginning of this war in 1914 was 48,139,365. Of this Great Britain had 19,779,119. In round numbers her total tonnage was about 20,000,000 tons. With her shipbuilding facilities she

probably has maintained that tonnage, despite her enormous losses, up to February 1, 1917. Other maritime nations probably have met their losses in ships, so that the world's tonnage has been maintained up to February 1. It is perfectly safe to say, however, that the construction of ships since the beginning of February has not kept apace with the destruction of merchant tonnage of the world.

The Journal of Commerce, which has attempted to tabulate all the losses of the world's merchant marine from the beginning of the war, shows that up to March 1, 1917, the number of vessels destroyed was 2,573. The capacity of those vessels was, in tons, 4,711,100. This was about 10 per cent of the world's merchant marine at the beginning of the war.

This journal also shows that the destruction up to April 1 will bring the total tonnage to at least 5,500,000 tons. From the very best information which I can gain this will have probably increased by May 1 to more than 6,000,000 tons, or more than one-seventh of the world's tonnage.

The German report shows that during the month of February the submarines of that country sank 292 vessels, with a capacity of 781,500 tons. It is conceded by all that the destruction during the month of March exceeded very considerably the destruction during the month of February, and the British report of yesterday shows no diminution in this frightful devastation, but an enormous increase in the effectiveness of the submarines.

On March 27 Admiral Beresford stated that up to that date the March loss was more than 500,000 tons. Germany has not reported, so far as I am able to learn, just what her submarines accomplished during that month.

What these U-boats are accomplishing at the present time may best be illustrated by a comparison of their deadly work during the last two months with that of the previous 30 months of the war. The monthly rate of destruction prior to February 1 was about 150,000 tons. During the months of February and March, accepting the lowest estimate, the losses have been more than one-fifth of the total losses of the previous 30 months. What a heavy proportion of this loss in shipping is borne by Great Britain alone is shown by the following table, which gives the losses up to April 1:

	Number of vessels destroyed.	Tonnage.
All of entente powers	1,661	3,492,772
Great Britain alone	1,276	2,821,849
Teutonic allies	195	293,606
Neutral vessels	702	1,024,770

I have a table here showing the losses of both belligerents and neutrals, and call attention to the fact that out of a total neutral loss of 702 vessels the little country of Norway alone lost nearly one-half, both in number of vessels and in amount of tonnage, her number being 340 vessels destroyed and her tonnage 464,500.

I ask to insert at this point a table of details of all the losses of all the countries up to March 1, 1917.

The PRESIDING OFFICER (Mr. JOHNSON of California in the chair). Without objection, permission to do so will be granted.

The table referred to is as follows:

Merchant marine losses from the beginning of the war to Mar. 1, 1917.

LOSSES OF THE ALLIES.

	Number.	gross tons.
Great Britain	1,276	2,821,849
France	164	294,338
Italy	121	225,114
Russia	64	77,803
Japan	9	31,904
Belgium	16	23,683
Portugal	9	10,879
Rumania	1	3,688
Canada	1	3,464
Total	1,661	3,492,722

LOSSES OF THE NEUTRALS.

Norway	340	464,560
Holland	68	165,146
Denmark	96	101,475
Greece	52	100,972
Sweden	97	95,332
Spain	35	64,607
United States	12	29,001
Brazil	1	2,258
Peru	1	1,419
Total	702	1,024,770

Merchant marine losses from the beginning of the war to Mar. 1, 1917—Continued.

LOSSES OF THE TEUTONS.

	Number.	gross tons.
Germany	83	195,887
Turkey	101	55,282
Austria-Hungary	11	22,439
Total	195	293,608

Mr. McCUMBER. Mr. President, when Germany announced that if she could destroy a million tons of the world's shipping which had been supplying her enemies per month she could dictate terms of peace within 10 months, she made no vain boast. She has not reached a million tons a month, but she has reached more than two-thirds of that amount per month since February 1 and is steadily gaining.

It will be seen that the submarine is accomplishing but little less than was expected by the central powers, and that, therefore, while the time allowed to accomplish the result will have to be extended, the purpose and the end sought by this ruthless undersea war will be accomplished, though in a little longer time, unless that menace is met or neutralized. The amendment which I have offered inviting the inventive genius of the American people to be concentrated upon this great problem, providing for proper opportunity to test and develop appliances or mechanism designed to meet, deflect, or destroy the effectiveness of the submarine torpedo, and intensifying effort and ambition by suitable reward, purposes to accomplish this most important result.

This rapidly increasing annihilation of the world's commerce demands immediate attention. To-day it means more than all the armies and navies we could ever put into this war.

I think it a fair estimate to say that 750,000 tons of merchant shipping have been destroyed in the last 30 days. At this rate—and without any question the number of submarines is increasing—how long will Great Britain be able to hold out? The report that comes from Great Britain this morning answers to a certain extent this question; and, boiled down, that answer is that unless she can find some means of meeting the U-boat devastation she will be starved out of this war in a few months.

If it required 20,000,000 tons of British merchant shipping to meet her economic demands in times of peace, how much more will she need that 20,000,000 tons of shipping in time of war? And what proportion of that shipping can she lose and still maintain herself and her armies on a war footing? Remember that her shipping must also supply her allies. Remember also it is not necessary to destroy the entire tonnage of Great Britain to cut off her supplies of the necessities of life. The destruction of a third of such tonnage would probably accomplish the result.

I repeat, Mr. President, that unless we are able to cope with this submarine menace there will be no occasion for the use of the armies which we are preparing.

Mr. CHAMBERLAIN. May I interrupt the Senator from North Dakota?

Mr. McCUMBER. Certainly.

Mr. CHAMBERLAIN. I am very much interested in the Senator's statement, and I think there is very much force in his argument. Does the Senator know, from his examination of the subject, whether or not submarines are as dangerous and as destructive to a modern battleship as they are to the merchant ship, or whether or not the battleship is strong enough to resist a torpedo fired by one of these submarines? I have never had occasion to examine the question.

Mr. McCUMBER. I have examined the matter, Mr. President, and I will state that of course the battleship is much more immune from the danger of destruction than is the merchant ship, and possibly it would take at least several shots from a submarine torpedo to sink a battleship, unless a shot struck the battleship in a particularly weak place. Some battleships, however, have gone down from a single shot, for the submarine torpedo is about as powerful as is a mine, and many battleships have gone down from a single mine explosion. The great trouble, however, in the use of the dreadnaught and the battleship is that they can not go out and find the submarine and thereby protect the merchant ship from its ravages.

Mr. CHAMBERLAIN. Would it be possible, I will ask the Senator from North Dakota, to convoy either a merchant vessel or a number of merchant vessels with convoys from either navy?

Mr. McCUMBER. I would say it would be possible but almost improbable, in view of the number of submarines which are in the ocean to-day, and especially would that be true

during the hours of darkness. If by the use of these unseen instrumentalities of death, more dangerous than the Black Scourge or any other that has ever devastated any portion of the world, Great Britain could be eliminated from this war, what then? Demoralized Russia would fall in a week; brave France would be crushed and her sons and daughters suffer the fate of the Belgians; our foreign commerce would be destroyed; our mighty surplus of grain to be harvested this year would rot in the bins, and stagnation the most depressing and from which anarchy is most surely bred would hold in its death grip the populous cities of the country. Frightful as this result would be, we are bending our present energies not toward the most important and imminent problem of this war, not toward the most practical questions involved, but toward the accomplishment of a final end and purpose which must, from the very nature of things, be dependent upon the settlement of the preceding and most imminent one—the submarine problem.

Mr. President, this amendment provides for a board which I designate the "Board of Merchant Shipping Defenses." It makes little difference whether this be a board or a bureau, whether it be something ingrafted upon a board already created or a new board. The one important thing is that there shall be represented on that board men of more than one idea or line of thought, and to secure that end it shall be composed of men of different callings, but experts all in their particular callings or professions. I retain the chief constructor of the Bureau of Construction and Repair of the Navy Department, and the naval constructor of such bureau. I suggest the Commissioner of Patents as an additional member because in his department is every invention, every mechanical device and appliance used for every industry in the country. Because his bureau furnishes a most wonderful array of suggestions for appliances that may be utilized in a modified form for protection against the self-propelling torpedo. The reason for selecting one other of the highest recognized skill and experience in the construction of merchant ships, and still another with the highest recognized skill and experience in the navigation of such vessels, must be apparent to anyone. We want not only mechanical ingenuity, but practical knowledge as to whether any mechanical device can be used, either in the construction or in the navigation of such vessel. I assume that in the chief constructor and the naval constructor we have expert information concerning the torpedo itself, its powers and its weaknesses. I have added to these members of the board two others with the highest recognized skill, experience, and knowledge of mechanical devices used in the great steel industries of the country.

But, Mr. President—and I particularly address this to the Senator in charge of the bill—it may be asked, Why go outside the Regular Establishment in this matter? Because the tendency of every establishment is to rut itself and ever deepen the rut; because the situation demands the resourceful minds of the people of the whole country and not alone of some particular department.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator again?

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Does the Senator from North Dakota yield to the Senator from Oregon?

Mr. McCUMBER. Certainly.

Mr. CHAMBERLAIN. I will say to the Senator that for some time I have been trying to formulate some kind of an amendment with the object of getting the department out of the rut of which the Senator speaks, but I am frank to say that I never had in mind the question of the destruction wrought by the submarine. It has been my experience here that many of the departments do get into a rut. I will take for illustration, without meaning to criticize, the Ordnance Department. A man comes here with an appliance; if he gets a hearing at all he does pretty well, and if he ever gets his appliance tested he does remarkably well. As an instance of that, take the Lewis machine gun and other machine guns, over which there has been a controversy raging for years. If some board, such as that the Senator suggests, had had that matter in charge I am satisfied they could have made a report in a very short time. I am wondering if the Senator can not broaden his amendment so as to include other departments and other appliances that might be utilized in time of war.

Mr. McCUMBER. I have no objection to that, and I was going to mention just what the Senator has mentioned; but I confined the amendment to the defense of merchant ships against submarines, because that is the vital question in this war, the imminent question upon which all others depend.

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Oklahoma?

Mr. McCUMBER. I yield.

Mr. OWEN. My attention was called a few days ago to an interesting new device which was available for exhibit at Columbus, Ohio, by some people who invented a keyboard controlled by wireless, by which there could be controlled several different ships at once, moving by electricity, so as to take a net and put it ahead of a battleship and sweep mines out of the way without any danger to life whatever. It took quite a long time to get that examined, and I do not know whether it ever has been properly examined. I comment upon that because it is in line with what the Senator in charge of the bill has just referred to.

Mr. McCUMBER. There are a thousand men thinking this matter out to-day, but if they should go to the War Department or the Navy Department they would be told, "We have neither any law nor any appropriation that would allow us to investigate this matter." It is an important question, and there is knowledge and genius enough in this country, I believe, to secure the end desired if we will give them an opportunity.

Mr. President, human nature is the same whatever the line of employment may be, and one of its dominant characteristics is resentment of outside interference with what it may regard as its own special field. We are all afflicted with that weakness. The specialist nearly always views with disfavor any proposition which has not been suggested by his own investigation in his own field of endeavor. It very often happens that we have to go outside of a particular vocation to find originality, original ideas that are most valuable in that very vocation. We all remember that a few years ago no physician would ever allow a pneumonia patient to inhale a breath of cold air. By accident rather than by investigation it was lately discovered that the colder the air the better, and so to-day the course of treatment prescribed is that which was strenuously prohibited by the profession but a short while ago. Political jealousies, official jealousies, professional jealousies, Army and Navy jealousies should be brushed aside and the American people, not the Army and Navy alone, should be invited to assist in the solution of this most vital problem.

Accidental discoveries have played a far greater part in the realm of mechanical devices and inventions than has studied research. So, too, the military has generally adopted for its use that which the industrial world has conceived and brought out. Take, for illustration—and I call the attention of the Senator from Oregon [Mr. CHAMBERLAIN] and of the Senator from Oklahoma [Mr. OWEN] to this, because it is along the line concerning which they have interrupted me—the evolution of the explosive shell. The almost certainty of the shell exploding from the same power that sent it on its mission had to be overcome, and compressed air, already used in the industrial field, was utilized. This became obsolete almost as soon as utilized by the use of compartments filled with cotton, which absorbed the impact. Then some one, I think out in Tacoma, who was experimenting with blasts for work in the Alaskan mines, accidentally found that he had produced an explosive that was not affected by either cold or heat, that could not be exploded by the blow of a trip hammer or by a red-hot billet of steel, but which could be easily exploded by the percussion cap. This immediately eliminated the shell with its cotton packing, and so to-day we can send one of these shells through an ordinary steel armor and have it explode at any given distance beyond, according as it is timed.

Those who will follow the history of the use of the submarine—and I am coming down to that now—will recall that heretofore the possibilities of that vessel have been grossly underestimated, often scoffed at, by the naval authorities of the world. The Navy and Army authorities, I repeat, are human, just as much so as those engaged in other lines of endeavor, and they just as naturally fall into ruts, out of which they must be pried. We began the construction of submarines in this country against the judgment of our naval experts. I think the same thing is true of the Lewis gun, which is to-day proving its efficiency. And even to-day, Mr. President, we are spending hundreds of millions for the construction of mighty dreadnaughts, the most costly and the least effective craft used in this war.

Why was it, Mr. President, that every layman foresaw the mighty havoc that the submarine would produce in this war, and predicted it freely, while our naval authorities and the naval authorities of Great Britain as well, unable to divert their admiring glances from the grim superdreadnaught, practically ignored the little submarine with its far vaster possibilities? Why was it that the layman, knowing that the slightest mishap to a dreadnaught would destroy thousands of lives and send a score of millions of dollars and the product of the toil of years to the bottom of the sea, was the first to attempt to impress upon the naval authorities the necessity of spending a greater propor-

tion of our naval appropriation in the building of the cheaper and swifter armed cruisers, with more powerful and longer range guns? Why was it that the layman insisted all the while that the submarine would prove to be the most effective and most dangerous arm of sea war craft; that the swift cruiser would prove to be next in value and importance, and the mighty dreadnaught the least used, while the naval authorities of both the United States and Great Britain recorded their view of the importance of these several types in inverse order, and failed to consider the submarine as a matter of serious importance?

To the layman it was somewhat strange that with full knowledge of the potential power of the submarine, with its torpedo accompaniment, practically no consideration was given to that type of battle craft, whose possibilities seemed almost without limit, until its work of devastation was well under way. The superdreadnaught was the all-absorbing thought and topic of the Navy and of naval constructors. Billions of dollars have been expended upon this type of vessel, not only up to the beginning of this war, but continued almost up to the present time, only to find that they have become almost impotent; and during this time the whole sea has become infested with the submarine, against which every vessel from superdreadnaught to the smallest merchant craft has found no means of defense.

Against the continuous protests of the layman and in the face of his warning we have sacrificed effectiveness for grim appearances. We have rested our faith on bigness and mighty names. The naval authorities of Great Britain had to be taught by the sacrifice of thousands of her brave sons that naming a war ship *Invincible* did not make her invincible. The Dardanelles catastrophe, worse than a failure, was not the blunder of laymen.

It is well, Mr. President, to be sanguine and courageous, but overconfidence in one of these monster battleships, based upon its bigness or the millions of dollars that have gone into its construction, is too often far more disastrous than excessive caution. We have seen enough of this war, we have seen and read enough to know that all the wisdom and good judgment are not lodged in the minds of our Military or Naval Establishments.

A layman would have said that pitting a battleship against a land battery, with guns of equal power and range, was almost equivalent to suicide. He would have insisted that a land gun could carry a shell seaward just as far and with far greater accuracy than a gun on board a ship could carry a shell landward; that if a shell from a 16-inch gun on a warship should strike a land battery it might dismount one of its guns; but that if a like shell from the gun of a land battery should strike the ship, the chances would be ten to one that within 10 minutes $20,000,000 and thousands of brave men would be at the bottom of the ocean.

By this bill we are providing for a vast army. We need 1,000,000 men in arms. It will take more than a year to secure, train, and equip these men for service. It will take that long before we can develop an efficient fighting machine that we would dare send into the conflict. Now, what will all this vast army avail us at the end of the year if the German shipyards, spending all their time and energy in the production of standardized submarines, pour into the ocean every month a new spawn of these hell-born demons of slaughter, capable of sending every transport we could fill with our soldiers to the bottom of the sea? Unless we find some way to check these submarine ravages we will not be sending these armies into the trenches in any effective numbers. Unless we devise some sort of mechanism to meet their torpedoes, American mothers may still their fears that their sons will be fed to the cannons' mouths. It will rather be the cold waves that will strangle out their young lives, and the shark's jaws that will close on their nearest and dearest.

While, Mr. President, we are preparing our Army we should give our first, our greatest consideration, our deepest concern to the submarine problem, which must be effectively dealt with before the Army can be used. We should not wait until some independent measure could be devised and put through. We should make this a part of this bill, so that the work can go on contemporaneously with the creation of our Army.

Mr. President, the first step taken by this Government before beginning the construction of the Panama Canal was to deal with the problem of yellow fever. Little as were the mosquitoes which infested that region, our first effort was to battle these insects. We began to study and investigate the cause of the yellow fever. Men sacrificed their lives to test out the truth of the proposition that this deadly contagious disease was contracted through the bite of an infected mosquito. The mosquito with its yellow-fever germ, destroying thousands upon thousands of workmen, had defeated the dream of de Lesseps. We gave our first attention to the mosquito and made that dream a reality. So, Mr. President, the dictates of reason point our course in this war. Our first attention, our first and greatest effort should be to meet this awful peril of the sea.

And how are we proposing to meet the situation? I want the attention of Senators on this line. They say, "Let us build more ships. If we can not build steel ships rapidly enough, let us build wooden ships. Let us see if we can not build more rapidly than the submarine can destroy."

I wish, Mr. President, that thinking business men would stop a moment and ponder that proposition, that method of solving the submarine problem. Think of it as an original proposition. We propose to founder this sea monster by overfeeding him. We propose to choke him to death by crowding more ships down his rapacious throat than he can swallow. We hope to keep him so busy that a sufficient number of these ships will get away while he is swallowing others. We have not in that proposition even contemplated how rapidly the number of these throats are increasing. Strange as it may seem, I have not heard one single suggestion, and the thought has never seemed to have occurred to those who propose this solution, that the all-important thing to Great Britain and our allies is the cargo that is in the ship; that every time we feed a ship to this sea monster we feed a cargo that is worth many times the value of the hull that takes it; that the world's capabilities in the production of food, clothing, and munitions have a limit, and the present supply of food is exceedingly short; and that we can not feed a quarter of that food, clothing, and munitions to the waves and have sufficient left to feed our allies and supply their armies. The thing we want to get across the ocean is the food. These terrible losses should be measured in cargoes rather than in hulls, and though we should increase our hulls, if we can not lessen the number of cargoes that are sent to the bottom of the ocean, the hull without the cargo is of little value.

Now, Mr. President, I want to impose again upon the attention of the Senator from Oregon [Mr. CHAMBERLAIN] by asking him to listen to the report of Mr. Hoover, whom we have chosen to take charge of the conservation of our foods.

Under the headlines, "Eat less or war is lost; Hoover warns America; Says allies will starve before September unless United States helps now," in the New York Tribune of Sunday, April 22, Herbert C. Hoover, chairman of the American Commission for Relief in Belgium, now head of the American food board, states that the food situation is one of the utmost gravity, which, unless solved, may cause us to lose this war; that if America continues its present rate of consumption, the total stock of food in the allied world is not sufficient to last until September; that the allies will need a minimum—now, listen to this—a minimum of 90,000,000 bushels of wheat from North America, more than twice to-day's apparent surplus on a normal export basis.

Mr. GORE. How much?

Mr. McCUMBER. Ninety million bushels; that to carry the allies over until the next harvest we must reduce our wheat consumption 30 per cent; and that conclusion, Mr. President, is based on the assumption that we get safely across the ocean all that we can export. We have not got in North America to-day 90,000,000 bushels to export and still supply our own wants. The winter-wheat crop may come in before the middle of July, but it must be harvested, thrashed, and marketed, and then it must be carried across the ocean. If any important part of that which we have hulls to transport should go to the bottom of the sea, we could not by any possibility supply their demand.

Mr. Hoover's observations were made after three weeks' consultation with members of the British, French, and Italian cabinets. He also investigated the food and shipping situation and plans for American cooperation.

So little consideration has been given to the more important subject of cargo that not one of our bureaus—neither the Department of Commerce nor the War Department, neither the Shipping Board nor the Bureau of Statistics—has attempted to secure or record any data whatever upon the value or quantity of food material that has been sunk, and yet that is the all-important thing at this time. It but demonstrates what I have been insisting upon, that our governmental bureaus are inclined to burrow themselves. I was compelled to go to the Journal of Commerce to secure the only information obtainable concerning even the tonnage and number of ships that have been sunk.

Mr. President, would it not be better to stop and see if we can not produce and equip our vessels with that which will protect them from these sea serpents? A torpedo working its way through the waves at a speed of about 30 miles per hour presents a very different problem from a shell shot from a gun with a velocity of several hundred feet per second. The

torpedo has no guiding mind to control it the moment it leaves its tube. To say that there can not be devised some mechanism that will deflect or enmesh or explode the torpedo before it comes in contact with the hull of the vessel is, in my opinion, paying scant respect to the inventive genius of the country.

Mr. President, the mind of man has never produced an instrument of destruction which the same mind can not devise means to counteract. Our great error, grown now to be a great misfortune, is that we have given so much attention to the question of instrumentalities of ever increasing destructive power that we have neglected the equally important question of defense against such power. Germany alone seems to have comprehended the possibilities of the submarine and governed her warfare accordingly. At the beginning of the war she created as much havoc as possible to the merchant marine of her enemies by the use of her cruisers. Then she withdrew her dreadnaughts and her battleships from the seas, fenced them with her chain of mines under the shadow of her land batteries; and then she gave her whole attention—the constructive capabilities of all her shipyards—to the production of this weapon, the submarine. Those rattlesnakes of the sea, whose unseen stroke is always death, have driven every warship into port and have rendered the billions of dollars spent in building up what were thought to be invincible armadas almost useless so far as the defense of the merchant marine is concerned.

Mr. President, we have suddenly awakened to a new era—absolutely new—in naval warfare. It is worse than folly to go on as we are going to-day, spending hundreds and hundreds of millions for dreadnaughts, until we have devised some means to combat this new instrumentality. We can not conduct a successful warfare by attempting to produce a surplus greater than the submarine can destroy. We can not do it. And at present we have found no successful means of submarine destruction. The ocean is too large, and we can not destroy that which we can not see, or at least only to a most limited extent.

There are hundreds and hundreds of inventors ready and eager to spend their energies in the solution of this problem. They have not the means to test out their theories. Some of their propositions, of course, may have little or no merit. An intelligent board will be able immediately to cast those aside. Some propositions may presage great possibilities, but their efficiency or lack of efficiency can only be determined by proper trials and tests. Many of our most useful mechanical contrivances, in fact most of them, have been but the application of some older mechanism to new purposes and ends. The Patent Office contains thousands of these. The business world constantly has to deal with problems seemingly as desperate as the U-boat problem is to warfare. In the great steel factories of the country new mechanisms and new machinery are being constantly devised and constructed to meet new requirements. Given proper opportunity with proper inducement and I believe the U-boat problem can be solved. If we solve it, it will not be necessary for us to send one man to Europe. If we do not solve it, and if it increases, as it has been increasing, this war will be over before we have an army ready to send to Europe.

There should be constituted immediately an unbiased board composed of men with minds capable of investigation and open to conviction to weigh and measure these suggestions and propositions. The naval authorities of Great Britain and of the United States have so far been compelled to acknowledge their inability to meet the situation. Let them have the advice of the great mechanics, of the inventors, of the designers of this country, and let their energies be spurred on by promise of reward that will measure up in some little degree to the importance of the problem. If they succeed, we end this war in a few months; if they fail, it at least has cost the Government almost nothing. Is it not well worth the trial?

When the *Merrimac*, with ribs of steel and an impenetrable iron hull, threatened the devastation of all our northern commerce an Ericsson came to the front. There are many men of equal genius, power, and capability. We should call upon them, and we should call upon them now.

It has been suggested by the Senator from Oregon that this amendment would be more appropriate if offered to another bill which is upon the calendar. I concede that, but no man can say when that bill may become a law. This measure will become a law in a few days. This work can go on while you are creating the Army. Who can say that before another month we may not have devised some new mechanism that will protect the hull of a merchant vessel against the torpedo? We should not delay action simply because the amendment would be more closely related to the provisions of another bill. In the meantime famine and starvation stare our allies in the face. We can not afford to wait. Every energy of this country and its people—all the genius of this great Republic—should be brought to bear, and to bear immediately, upon the solution of that problem, which must be solved or we lose this war.

Mr. CALDER. Mr. President, Senators have quoted from different authorities in the discussion of this measure, and so I shall speak of the views of some gentlemen to whom I have written recently on this important question.

I addressed a communication to the presidents of several of our larger universities in the eastern part of the country requesting their views on this legislation, and if the Senate will bear with me for a few moments I will read their replies. They indicate, as I expected, the fact that these institutions of learning, where men have given years of study to the great problems of government, where as much as in any other place in the country you can find the true democratic spirit, are a unit in favor of raising an army by the selective draft system.

I am advised that in these great universities 90 per cent of the boys are ready and anxious to answer the country's call. The opinion of these gentlemen is all the more interesting in view of the fact that practically every student in these colleges are within the ages from which the new army will be drafted.

I will read first a telegram received from Dr. Nicholas Murray Butler, president of Columbia University:

Earnestly favor selective draft provision in the Army bill. Hope it will be followed by permanent provision for universal national training for national service, which I regard to be quite as necessary in time of peace as in preparation for war. About 8,000 students and younger alumnis of Columbia University have registered as willing to accept some form of national service for which they may be found fit. Over 500 students and more than 600 alumnis are now taking voluntary military training. About 100 engineering students are preparing for coast patrol work. Others have gone to Newport Naval Training Station. Other large groups preparing for aviation work and Red Cross work.

Here is one from Dr. John G. Hibben, president of Princeton University:

I am very strongly convinced that this measure will tend to equalize the burden of service and to increase throughout our whole citizenship the feeling of obligation to the country both in time of peace and in war.

One hundred and fifty of our students have enlisted in active service, and upward of 900 of them in addition are taking the regular daily drill under Capt. Heintzelman, with additional military instruction of a theoretical nature, preparatory to offering their services to their country. In addition to this number, also, we have between 75 and 100 who are taking the course in aviation, which the alumni have established at Princeton, having procured an aviation field, two machines, and instructors and mechanics.

Dr. Jacob Gould Schurman, president of Cornell University, among other things, writes:

Thanks to the statesmanship of President Lincoln and of Senator Morrill and his associates in Congress, there is in every State in the Union one university or college having a military department whose principal object is the training of undergraduates so as to qualify them in case of war to become at least lieutenants of volunteers. Cornell University has this military department in the State of New York, and we require military training of all our young men three afternoons a week for the first two years of their course. Since the danger of war appeared we recognized that some of our young men would be needed for military service and others for industrial, agricultural, and other labor, and on March 28 the university faculty, on my recommendation, adopted a resolution granting leaves of absence, without prejudice as to residence, scholastic standing, or degrees, to all students who might enroll in the land or naval forces of the State or Nation or in industrial or other enterprises contributory to the efficiency or success of such forces. Since that date we have granted leaves of absence to about 400 students to engage in farm labor and farm management, to about 200 students to engage in other kinds of labor contributory to military efficiency, such as labor in munition plants, in chemical establishments, etc., and to about 400 students who intend to enroll in various branches of the Army or Navy.

I must, however, call attention to the fact that these 400 students who have already enrolled in the various branches of the Army or Navy represent only a small fraction of the students at Cornell University who are ready to enlist. At the present time I know no place in the country where young men have better opportunities for military training than those afforded by the military department at Cornell University, thanks to the personnel, equipment, and facilities supplied by the United States and the State of New York. I have consequently advised our students to remain in training under the military department of Cornell University until they were summoned to service in the Army or Navy. And in order that their opportunities for training here might be raised to the highest potency, I asked the faculty, and the faculty unanimously voted, to excuse all students of the university who would devote either a considerable portion or the whole of their time and energies to military training from a considerable portion or the whole of their academic work. Over and above the 1,400 students who still remain in the corps of cadets taking the required military training we now have a considerable number of men taking this intensive military training, and the number of these is daily increasing. I am glad to report, also, that my advice to students to continue their military training at Cornell University is in accord with instructions that have been issued by The Adjutant General to students in Cornell and similar institutions throughout the Union.

May I end with a personal remark?

Dr. Schurman says:

I have said to the students of this university that in all my experience and reading I know of no cause better worth fighting for and dying for than that which our country is now maintaining. I have

said to them that if my life were of any good to the cause and the Government could use it I would willingly give it. I have no right, however, to urge other men's sons to enlist for battle or for death, nor have I done so. I have not even urged my own sons to enlist; but they are enlisting just the same, one of them a graduate in this year's class and another who graduated in 1913.

In the name of the young men of the country and for the sake of the young men of the country, I beg Congress to adopt the plan of organization of our military forces recommended by the President and his expert advisers—the only plan which will assuredly bring us success in the warfare we have deliberately and on high grounds decided to wage for the sake of freedom, civilization, and humanity.

Mr. President, here are the views of some of the great college presidents of our Nation, at the head of institutions where all the young men are eligible for draft. They see the wisdom of requiring men from every walk of life taking their share of the burden now facing the Nation and not permitting it to fall upon a very few.

I have some observations of my own on the subject to submit.

Mr. President, enlistments in the Regular Army since April 1, given by States, indicate the failure of the volunteer system. The Regular Army on April 1 required 183,898 enlisted men to bring it up to its full authorized strength. After 20 days of enlistments all over the country, the greater part of this period being after war was declared on April 6, the Regular Army had gained only 25,842 men. The figures of recent date do not show any appreciable increase in the rate of enlistment. It required 20 days to raise one-seventh of the quota for the entire country. At that rate it would take 140 days to complete the quota, or nearly five months. This is only the quota needed to bring the Regular Army to full strength, and takes into no account whatever the National Guard and the new army which is planned in this bill. It sustains completely the argument that the United States can not raise an adequate force by the volunteer system.

The selective-draft system is the only one which distributes the burden equally and scientifically. It levies the draft proportionately among the States, and each State must do its share. Likewise, no State can do more than its share, except by volunteering either in the Regular Army or the National Guard. It provides an Army not made up of classes—conscripts and volunteers—but wholly of drafted men, all on an equal footing.

It is the only system which will assure the United States of being able to engage in the war on a large scale without disturbing its industrial and agricultural balance. By the selective draft the Government will be able to take only those men, of the required military age, who can best be spared for service in the ranks. Under a volunteer system there is no way of preventing men from leaving necessary industries and crippling resources that are just as important as an army itself. The Government, in order to keep the Nation's industries at a high point of efficiency must have the power to reject men for service in the ranks who are needed more elsewhere. Such rejection will be no reflection upon these men, but will be a tribute to the fact that they can do better service for their country outside of the Army.

The selective draft is the only method by which the Nation's great industrial machinery can be safeguarded against deterioration. There are many patriotic men who will want to enter the military service and who ought not to be permitted to do so; not because they will not make good soldiers but because they can do more for their country by continuing in their occupations. The exemptions from draft provided in the pending bill, and the discretion which is left in the hands of the President to make additional exemptions, make certain that the Nation can not cripple itself, particularly when one of our first and greatest duties in the war is to assist our allies in maintaining living conditions in Europe rather than fighting conditions.

As an example, one of the first things this country faces is the construction of a very large fleet of cargo ships in addition to increasing the Navy. It would be a grave mistake, both from a military and economic standpoint, to take any man into the ranks whose services are needed in building ships. There is a shortage of such labor now. No man needed to help build ships ought to be allowed to volunteer as a soldier, and under the selective-draft system such a mistake will be prevented. The same thing applies to other industries directly affecting the war and also to agriculture.

Although none can predict the duration of the war, the only safe and sensible course for the United States to follow is to prepare for a long war; that means the raising of a large army; it means proceeding upon the principle that ultimately this country will be required to send an army to the European battle fields. The volunteering figures published from day to day by the War Department prove conclusively that no army of a size worth while sending to Europe can be raised by the volunteer system. Talk about raising a million volunteers overnight is nonsense. The United States has been actually at war for three weeks, and the ranks of the Regular Army and National Guard have been open to more than 600,000 volunteers; they are still open—wide open—and the volunteers are coming in slowly.

Mr. President, my attention has been called to certain facts regarding the enlistment of volunteers in the Civil War which has not yet been discussed in this Chamber. I am informed by the War Department that the loyal States of the country paid in bounties to volunteers the sum of $288,000,000, and the Federal Government also paid for the same service in the days of the Civil War the sum of $360,000,000. These two amounts together aggregate the enormous total of $648,000,000. It was necessary then, even in the hour when men were moved by great patriotic impulses, for the States and the Nation to contribute this vast sum for the purpose of obtaining volunteers. This fact, it seems to me, is worthy of very serious consideration.

Mr. WEEKS. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Massachusetts?

Mr. CALDER. I yield.

Mr. WEEKS. May I suggest to the Senator from New York that that was more than one-fifth of the total cost of the military operation of conducting the Civil War?

Mr. CALDER. I thank the Senator from Massachusetts for his suggestion. The figures are certainly very large and go to show how important it is that this bill should be enacted.

Of this amount alone New York State paid in bounties to her volunteers the sum of $80,000,000. The State of New Jersey, a neighboring State to New York, contributed a sum exceeding $22,000,000.

The army that the United States must possess in order to wage successful war must be a large one; it must not be sectional; it must fall equally upon all States; it must be so organized that it does not in any way drain or impair the industrial resources of the United States; it must be raised upon a basis of equality and universal obligation, with full power to the Government to take into it those men who can best serve their country as soldiers and leave out of it those who can do more for their country by continuing in the occupations where their services are imperatively needed.

Mr. President, it is my purpose to vote for this measure, and for two reasons: First, it is the only certain way of raising an army of sufficient size, and, second, I can see no reason, Mr. President, why one man who is patriotic enough to take up his share of the burden should do his service while another, less patriotic, should be permitted to shirk his duty.

This is not a partisan war. It is a war in which all the people are united behind one leader, and is to be fought with all the might that the country possesses, in the end that peace may soon be accomplished. Mr. President, I make no complaint against any individual, but I trust the President will take advantage of the experience of England and France and in the very beginning place in charge of the departments of Government men who have been tried, men who are able to handle matters of large concern, so that the very best results can be obtained as we take each successive step.

This war upon which we have entered is the biggest business being transacted in the world to-day. Europe has organized for it on a business basis. It is paramount to every other form of human activity. The United States must organize for war in the same way. While there is high and noble sentiment in the aims for which we are fighting we can not permit sentiment to interfere with the building up of the organization that will carry on the work. It must be scientific; it must be effective and democratic; one under which no man can do more than his just share, while at the same time making sure of the fact that no man can be a slacker.

Mr. NEW obtained the floor.

Mr. GORE. Will the Senator yield for a moment? I wish to ask the Senator from New York if he has the figures showing the amount of bounties paid to conscripts in the Civil War?

Mr. CALDER. I have not, I will say to the Senator. I particularly inquired of the War Department as to the sum paid to volunteers, and they informed me that the totals indicated by me were paid for volunteers only.

Mr. President, I ask to insert in my remarks a telegram from the chairman of the recruiting committee of the mayor's committee on national defense of the city of New York.

The VICE PRESIDENT. Without objection, permission to do so is granted.

The telegram is as follows:

NEW YORK, *April 26, 1917.*

Hon. WM. R. CALDER,
Washington, D. C.:

Notwithstarding tremendous efforts and intensive campaigning on behalf of the regular recruiting officers and men assisted by numerous citizens' committees as well as thousands of volunteer women workers, supported by press, theaters, and motion-picture houses of New York, as well as comprehensive display of posters and window cards, the results to date are totally inadequate to meet military requirements. We consider the volunteer system an absolute failure. We know you are supporting the measure approved by the President, but we are furnishing you the above facts in the hope that they may be of some value to you in assisting the administration to pass the legislation which they consider essential for the purpose of increasing the military forces by the draft system, which is the only fair, efficient, and democratic way by which an army can be raised.

ALEXANDER J. HEMPHILL,
Chairman Recruiting Committee of the Mayor's Committee on National Defense.

Mr. NEW. Mr. President, it is not my intention to deliver anything like an address to the Senate; I have not the purpose to do anything of that sort; but, as a member of the Committee on Military Affairs, I have given to the pending bill the best thought and attention of which I am capable, and I have some ideas concerning it on which I should like to express myself very briefly.

In the first place, Mr. President, I think it is true that in the part of the country from which I come there is a considerable misapprehension as to the real character of this bill. At least half of all the mail I get refers to the bill as "a universal-service bill," which it is not. For the last 20 years, Mr. President, or nearly so, I have individually favored a system of universal military training, a service which goes a great deal further than this bill does. I do not think it is understood by the public in my section, for instance, that this bill does not provide for anything that even approaches universal military training. It falls far short of that, certainly. For instance, it is proposed to take 1 man in every 12 between the ages of 19 and 25 years; those who obtain military training are but the 1 in 12 who are drafted into the service. The other 11 receive nothing of the kind. Of course, they may be used in the manufacture of munitions or there may be a good reason why they are exempted; but the fact remains that they are exempted, and that they do not get any military training.

Mr. President, the newspapers seem to think that there is no opposition to this measure; that the opinion about it is all one way. I think that I could prove to any of the editors of such papers by the mail which I get in my office that they are mistaken about that. Half of the mail which I get, perhaps, is in favor of this bill; the other half is against it. The opinions that are expressed are by people who differ diametrically, and one set of them is as much entitled to consideration as is the other. I have tried to give proper weight to both sides.

I have now been a member of this body long enough to discover that a Senator gets a good deal of advice, to all of which he should listen, of course, and to all of which I have listened. I have also discovered that there is only one safe guide a Senator should follow, and that is his own judgment, and I shall follow mine. In taking my position on this bill I shall vote exactly as I think the exigencies of the occasion require. I am going to support the measure. I have had no thought at any time of doing anything else, and yet, Mr. President, there are some things about it that I confess I do not like.

For instance, I think too much is left in some respects to the discretion of the War Department. It is, Mr. President, just as important that after this bill has passed it shall remain the law as it is to pass it in the first instance. In this country no law will remain in force beyond the day when popular approval of it is withdrawn. It is important that every feature of this bill to which there is reasonable objection and which can be removed or modified without impairing the efficiency of the measure should be so removed or modified at this time.

For instance, one feature of the bill of which our people in Indiana complain is the section that provides that under the operation of the bill the Indiana man who is conscripted after the time the National Guard units are taken over into the Army of the United States may be assigned, and probably will be assigned, to commands in different parts of the country in which there are no Indiana men serving.

I am willing, Mr. President, to defer to the General Staff and to accord superior wisdom to it in most of the recommendations that they have made with reference to this bill, but neither the General Staff nor any other authority can make me believe that the 19 or 20 year old soldier from Indiana will serve as well—that he will make as good a soldier—if he finds himself in a command with a soldier from North Dakota on one side and one from New Hampshire on the other as he would if he found himself with soldiers from his own State, his own companions, with whom he has some community of interest.

The senior Senator from New York [Mr. WADSWORTH], in the very able exposition of the bill which he gave a few days ago, told us that it would be the policy of the War Department—and it was so stated before our committee also—to follow the plan of assigning the soldiers from a particular State to commands which had originally come from that State; but, Mr. President, if that is to be the policy of the War Department, why not write it into the law? The time to make a law right is when you make it in the first instance, and I think that should be written into the law. Departments sometimes change their minds; departments change their heads; the policy of one Secretary may not be the policy of the Secretary who preceded him; and so this policy should be made a part of the law and not be left to the varying whims of shifting department heads.

Another thing, Mr. President. I think the Senate of the United States ought not to pass a bill with a "joker" in it, and I think there is one in this bill. To that I am opposed, and I have prepared an amendment, which will be offered in due time, that is intended to provide that each State shall furnish its just proportion of the men who are to be conscripted into this army in the proportion that their population bears to the total population of the United States. It is not fair that one State should be required under any circumstances or for any reason to make up the quota that another State fails to provide. It is my opinion that no considerable element of our population should either be granted immunity from the draft, or to have immunity forced upon them, especially when that element is protesting against it, and where forcing it upon them in any particular State will result inevitably in the people of another State having to supply the deficiency thus created. There is in this bill a hidden provision which will result in exactly that very thing. The Senate and the people should know of this and know just what it is they are adopting and the difference it will make to the respective States if they do adopt it. I am opposed to it, and in the interest of the State I represent and those to be adversely affected by it I shall seek to have this measure amended to meet this objection.

Mr. McCUMBER. Mr. President, will the Senator from Indiana yield for a question?

Mr. NEW. I will.

Mr. McCUMBER. Why should not the same rule be brought down to the county or even to each township in the State? Why, for instance, should a State in making up its quota be allowed to take them from certain counties and leave other counties to not furnish any; or why should a township, or even a voting precinct, be relieved of furnishing its quota? Would it not be well to make the township the unit rather than the State?

Mr. NEW. I think it might be brought down to as fine a point as that without doing anybody any injustice, and I think that would probably meet with general approval. It certainly would meet with mine.

However, Mr. President, I do not wish to take up the time of the Senate. It was for the reason that I entertained the objections to the bill which I have just stated that I withheld my signature from the report of the majority of the committee. Those were the things which I had in mind when I withheld my name from that report. I shall at the proper time offer an amendment which will provide for meeting those objections.

Mr. President, that is all I now care to say.

Mr. FALL. Mr. President, to-day it is not a question which should be discussed for one moment as to whether the Congress of the United States or any citizen of the United States shall stand by his country and stand by the President of the United States as the representative of his country.

The measure now pending is one which is being advocated, through which an army is to be raised to be placed at the command of the President of the United States. Under the Constitution of the United States the Congress of the United States, and not the President of the United States, nor the General Staff, nor the Secretary of War, shall raise the armies of the United States. In debating this question the Congress of the United States is performing its constitutional duty. To follow, without consideration and without debate, any plan proposed by anyone else would be a further surrender than Congress, even, as yet has made of its constitutional duties. The impatience of some of the great newspapers, of some of the Senators, of some of the college professors, and of some of those who are holding meetings in the different States of the country with the action

of Congress in proceeding to debate this proposition is based upon the modern theory that the entire management of the affairs of this country is vested in one department.

I might admit, sir, that since four years ago the Congress of the United States, without rhyme or without reason, reversed itself upon a great matter of policy because the President told them to do so, and that Congress, surrendering then its prerogatives, has continued to yield its constitutional prerogatives to the executive department, therefore that Congress iself has given cause that there should now exist among the people of the country a misunderstanding of the duties of this body.

Mr. President, those of us who think that the pending measure should be amended at least are sincere in the belief that we are just as patriotic as are those Senators who take this bill as it comes from the committee without the crossing of a "t" or the dotting of an "i." I know that those of us who have the temerity to express the views which I am expressing may expect criticism, violent criticism, possibly denunciation; but for one, Mr. President, I have been for five years in the position where, by experience, to paraphrase Kipling, I have learned to hear the words I have spoken twisted by others to make a trap for fools.

Mr. President, we are to-day, in my judgment, confronted by the greatest emergency which our people have ever met or been called upon to meet in this country, with the exception of the days of the Civil War. I am so thoroughly impressed with the fact that it is an emergency that I object to the passage of this bill as it stands, because it is in no sense an emergency measure, except that it contains in its first line the word "emergency."

I propose to stand by the President of the United States. Not only as the President of the United States, but when we shall have raised an army as the constitutional Commander in Chief of the Army of the United States; but I know that when the Congress of the United States has by the passage of this measure, or any other measure or resolution, simply authorizing the President of the United States to raise an army—or as I conceive this bill, restricting the President of the United States in raising an army—when the Congress of the United States has done that, then the Congress of the United States has no further power of any character whatsoever in the matter of, in the conduct of, the war, of the direction of the war, of the removal of an incompetent from some important position, but that the power is vested in one man, and in one man alone; therefore, with due respect to the great press of the United States, to the college professors who are sending telegrams here, to those who are holding patriotic meetings and instructing us as to our duties, with great respect to the people of the United States who believe that this measure is an emergency measure and should be adopted, I propose to explain what it is in my conception.

The chairman of the Committee on Military Affairs, in interrupting the Senator from Missouri [Mr. REED]—I thought with some heat—stated that this had been his measure for one year and a half; that it was not an emergency measure offered now to meet an emergency, but had been the policy which he, as chairman of the committee, thought should have been adopted a year and a half ago in time of peace, when this country was yet pursuing the "watchful waiting" policy.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator there?

Mr. FALL. Certainly.

Mr. CHAMBERLAIN. I desire to say to the Senator that I did not intend to go quite that far, if I made that statement. My purpose was to state that the principle of universal military training, which I had been advocating for a long while, is fully recognized in this bill, and I stated, or intended to state, that the same principle was embraced in a bill which I had introduced more than a year ago and which was known as the universal military training bill.

Mr. FALL. Mr. President, I thank the Senator. I think that I did not misquote his words, but I thank him for his explanation, because if he could make it to every man who has sent a telegram here, if he could impress it upon the minds of Senators here, then this bill would never pass without such amendments as some of us are insisting upon.

Universal military training! Yes; the people of the United States have been aroused to the necessity of universal training, and the telegrams that are sent here to-day are upon the proposition of universal training and not with reference to the existing emergency, except in so far as they have been told by the great press of this country that this measure does meet an emergency. This is a measure for peace; it is a measure of preparedness; it is possibly a measure which should be adopted to prepare us for an emergency, but in no sense, as I have stated, is it an emergency measure in itself, except that it has the word "emergency" printed in the first line of the bill. That, sir, is my objection to it.

Mr. President, some of the Members of the Senate will remember that for four years or more I have been insisting that some emergency measure should be adopted, that some measure of preparedness should be adopted. Some of you who were here when the treaty with Denmark for the purchase of the Danish West Indies was under consideration will recall that at that time I told you almost word for word what you would be confronted with at this time, and urged the purchase of the Danish West Indies as a measure of preparedness.

I have been thoroughly impressed for a number of years that, governed solely by our own selfish, material, national interests, the United States of America should have prepared to enter this great war on the side of the allies. I have urged here time and again that if she did not prepare and selfishly take part with the allies in this war she would in all human probability be confronted with the serried armies of Germany upon the American Hemisphere; and, sir, I am sorry to say that I am not now an optimist. I believe now that unless the United States of America throws its men into the trenches of France in all human probability the United States of America must build trenches upon her own soil in the near future to resist an attack from an almost irresistible world power.

You can understand from my expressions that I am not one of those who seek to stand for one moment in the way when it is proposed to raise a great army; but, on the other hand, it has been astounding to me to note the insistence upon the passage, without any amendment, of a measure of this kind, which is avowedly a peace measure, a measure of preparedness, and, in my judgment, not a war measure, or, at least, an emergency measure.

As yet, sir, the people of the United States understand that we have made a declaration of war, and therefore we are at war; but the great mass of the people of the United States apparently do not understand that the United States of America, our loved country, is now in war, and the Senate and the Congress of the United States, in my judgment, do not yet understand that we are in war, and that every sacrifice must be made, every material resource must be used in its prosecution.

Why, Mr. President, we will win this victory; but, unless the German people rise up against the military régime now governing them, we will win it at a sacrifice that we did not make even from 1861 to 1865; we will win, because eventually right must triumph and civilization will not be extinguished; we will win, because soonor or later this great Nation, not a military Nation in any sense, but a Nation of great warlike people, will rise in its might and at least, through the pressure of public opinion, if not through the voices of their selected Representatives here, will force from office those who would tie their hands and shackle their feet and leave them, without experience, at the mercy of the military régime, which to-day is as absolutely unprepared to meet the emergency as it was four months ago, drilling men who are offering themselves in the service of their country with broomsticks; not able, they say, to arm the National Guard, which is offering itself day by day to fill up the ranks, using as an excuse that they have not authorized the recruiting to war strength of the present National Guard, and stating that they are not even able to supply the equipment which is needed. Why, Mr. President, some great calamity, possibly occurring immediately, might arouse the people of the United States and might arouse those who have charge of its present Military Establishment to the fact that the United States is in war.

France sent us money when we needed it. She sent her sons to serve under Washington. She sent her navy under Rochambeau. She sent her army to join us in the trenches at our call. The Congress of the United States has passed a bill providing for a loan to be made upon Government bonds to be issued by France as security; and the Senate of the United States is now proposing to pass a bill under which by August 1 it is proposed that the men who shall be summoned shall be registered, and that after August 1 the boys between 19 and 25 years of age who have been registered shall be considered by the recruiting officers; and, in the discretion of the President of the United States, any one of them who has any occupation of any kind or character can be exempted, or, if inadvertently he may have been enlisted, then he may be discharged. An emergency measure to allow or to direct the President of the United States to raise an army for the defense of this country! It is a restrictive measure, tying the hands of the President of the United States and shackling the people of the United States, which in the end will result, if fully carried out, in establishing a military caste among the people of the United States.

Mr. REED. Mr. President——

Mr. FALL. I yield to the Senator.

Mr. REED. If it will not interrupt the Senator, and because he has approached a part of this bill which I think is susceptible of a construction that I did not discover until a short time ago, I should like the privilege of asking the chairman of the committee his construction of the language I am about to read. I am addressing the inquiry to the chairman of the committee; and it is in point with what the Senator from New Mexico is saying, or I would not bring it up.

Mr. FALL. I am glad to have the Senator interrupt me.

Mr. REED. I call the Senator's attention to the language appearing on line 19, page 6. By way of preliminary I will say that the bill up to that point provides for filling the Regular Army by enlistment; and if the men do not enlist, then by draft; for filling the militia by enlistment and drafting the militia into the service; and then for raising 500,000 men by draft, with the privilege of raising a further 500,000 by draft, and then a further 500,000 by draft.

On page 5 the language is:

> Such draft shall be based upon liability to military service of all male citizens, or male persons not alien enemies who have declared their intention to become citizens, between the ages of 19 and 25 years, and shall take place and be maintained under such regulations as the President may prescribe not inconsistent with the terms of this act.

Now, coming to the language to which I especially call attention, section 3 provides for an absolute exclusion from the draft of certain officers of the United States, persons of certain religious opinions, and then this language follows:

> And the President is hereby authorized to exclude or discharge from said selective draft and from the draft under the second paragraph of section 1 hereof—

Which is the militia draft—

> or to draft for partial military service only, persons of the following classes: Customhouse clerks; persons employed by the United States in the transmission of the mails; artificers and workmen employed in the armories, arsenals, and navy yards of the United States, and such other persons employed in the service of the United States as the President may designate; pilots; mariners actually employed in the sea service of any citizen or merchant within the United States; persons engaged in industries, including agriculture, found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency; those in a status with respect to persons dependent upon them for support, which renders their exclusion or discharge advisable; and those found to be physically and morally deficient. No exemption or exclusion shall continue when a cause therefor no longer exists.

Now, to explain what I am trying to get at, notice: "The President is hereby authorized to exclude or discharge from said selective draft" these people; but there is the other clause: He is authorized to exclude or discharge or to draft for partial military service only. Now, I want to know from the chairman of the committee if those words, "or to draft for partial military service only," were not put in this bill after it was prepared, if he can tell me?

Mr. CHAMBERLAIN. Does the Senator mean whether they were put in after the bill came from the committee?

Mr. REED. Oh, no; whether they were put in after the bill was drawn, either before it actually went to the committee or in the committee?

Mr. CHAMBERLAIN. I am not so sure about that; but I think I have the original draft of the bill, as it came to the chairman of the committee. I do not think any change was ever made after it came to the committee.

Mr. REED. If the Senators will take the bill and read it with the words "or to draft" in it, the presence of those words makes a part of the language almost meaningless; but the point I am trying to get at is an important one: I want to know if, under that clause, "or to draft for partial military service only," an additional power is not conferred upon the President, a power in addition to the ordinary military draft, and if it is not possible under that power for the President, if he saw fit, to draft, we will say, every engineer upon the railroads into the military service and simply call upon them——

Mr. CHAMBERLAIN. Mr. President, I will say to the Senator that in nearly every military act that has been passed since the first act of 1792 all of the classes named in the language to which the Senator calls attenion have been entirely exempted from military service.

Mr. FALL. Mr. President——

Mr. REED. Oh, I am not speaking of an exemption; I am speaking of an additional power to draft. Does not this language give the President the power to call upon anybody outside of those who may be ordinarily drafted?

Mr. FALL. Mr. President, I am going to ask the indulgence of the Senator from Missouri. I think the proposition which he is now advancing must be settled before this bill is ever voted upon. I think it is very important, and I have been struck with another phase of it; but at this particular moment, if the Senator will allow this to go over until I come to the conclusion of my remarks, I should be glad to continue my statement.

Mr. REED. I perhaps ought not to have interrupted the Senator.

Mr. FALL. I am very glad the Senator has called attention to the matter, because it will give other Senators an opportunity to look into it and possibly be able to meet some of the objections which I can see, as well as those which the Senator has read.

Mr. CHAMBERLAIN. May I just say, in conclusion, that I presume that language was put in to exclude from the partial military service these individuals.

Mr. FALL. Mr. President, I will say that I do not know whether this was intended to enable the President of the United States to draft some people for military service and then to draft other people for partial military service, or whether coming under this exclusion proposition there was no provision for his drafting for partial military service; but this was a provision to enable him to exclude certain people from partial military service. I will say that I can not understand it.

Now, Mr. President, I desire to have it stated as strongly as words will express it, that it may appear in the RECORD without any equivocation whatsoever, that I hope not to vote for any measure which does not contain a conscription proposition. At the same time I hope not to be compelled to vote for a half-prepared, half-way peace measure, half-preparedness measure at this critical moment unless there is along with it a provision to meet the present emergency, which, in my judgment, should be met by appealing to the patriotism of the people of the United States, which has never in the past been appealed to in vain, by authorizing the President and directing the Secretary of War to call for volunteers, and at the same time empowering the President to take the coward and the slacker who will not serve his country in one capacity or another and compel him to serve it.

I would not want to vote for the volunteer system without a provision for conscription. I do not want to vote for any purely conscriptive measure; and certainly I do not want to be compelled to vote for a measure which is not one of universal service, not one under which a proper army can be conscripted, but one which restricts the President in every move which he makes, which provides that he can not raise an army except of those between 19 and 25 years of age first, and then which provides in terms that the sense of the Congress of the United States is that he should exempt those men who come under the provisions of this act; which is so broad in its terms that he may exempt "persons engaged in industries, including agriculture, found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency."

In other words, as a lawyer I say, following the ordinary rule of statutory construction, where the legislative body enacts a law and includes within it a provision directory, or even permissive, in its nature to the executive who shall carry out the law, the executive is entirely justified in construing the permissive words of the statute as directory to himself. I appeal to any lawyer here whether that is not the correct rule of interpretation. In the event, to go to the extreme limit of that rule, the President chose to treat these words as directory, then, sir, between the ages of 19 and 25 he could only place in the ranks of the United States Army the boys who have not a job.

An emergency measure? Mr. President, gallant France, to which this country owes so much, is practically, except in nobility of spirit and courage, at her last gasp. She is praying for men to take the vacant places in those trenches which are flooded with the blood of her soldiers. She has a right to expect that the descendants of those whom she helped to gain their independence will at any sacrifice of their volunteers, the best blood in the United States, come now to her assistance in her time of dire need and peril. But if this offers no appeal, then I say to you that if you ever let the Germans reach Paris, through Mexico, backed by 15,000,000 people friendly to them, they will next reach Chicago and cut your great United States in two without the necessity of bombarding one of your Atlantic or western ports. In self-preservation you must have men on the firing line, and you must have them there at the earliest possible moment.

This is no measure providing for that policy. What is the policy which we propose to pursue? If you are voting for a half-hearted, half-prepared measure for preparedness, that you may here be ready selfishly and cold-bloodedly to defend your own factories and farms through the sacrifice of France and Great Britain; if that is your purpose, this measure will to some extent enable you to carry it out, provided the thin

French lines hold, and provided the gallant Britons are able to land recruits in France until such time as you may hide behind your breastworks on American soil and then say to Germany, "Come and attack us." If this is your purpose, Senators, this bill well prepares to carry it out. If you realize your danger, although you may think nothing of the sacrifice of the French and of the English in your interests—if you realize your danger, then you will pass a war measure, and not a peace measure.

Now, sir, the questions as to how the armies of the United States should be raised were discussed when the Constitution of the United States was formed. The people of the United States were determined that they should have no great military establishment. It was proposed that the standing army of the United States at any time should be limited to 3,000. It was proposed that the United States should not be allowed to have a standing army at all, or to raise troops. It was proposed that only the States of the Union themselves should have the right to raise troops, and that the National Government might, in time of emergency, call upon those States for their troops. It was proposed that the troops of the United States of America should not attack another country on foreign soil. It was the understanding that the troops of the United States could be used upon American soil. Finally, by a compromise, it was agreed that no restriction should be placed upon the power of Congress to raise troops for the National Government, except that no appropriation bill on the subject should be passed for more than two years, so that no military caste might be formed, and so that this country might not become a great military nation.

The question of the constitutionality of conscripting troops for foreign service I do not propose to discuss. Constitutions must yield to great national necessity. The question was discussed in this Chamber by Daniel Webster, who took the position that you had no right to raise an army for foreign service, at least, by conscription. By volunteering we have fought upon foreign soil; by conscription, never. By volunteers we fought the Mexican War. By volunteers we fought the Spanish War. By conscripts we have fought no war upon foreign territory. These matters were all discussed at great length when the constitutional provisions were being adopted.

You can not be efficient as a military nation and maintain your freedom as a democracy. The world knows that. Military efficiency and democracy do not go hand in hand except as the democracy may be made efficient by military training in time of peace; and yet even then it can never be as efficient as is the Prussian autocracy to-day.

Hold up to us the example of Prussia? Then, sir, forget the words of the Declaration of Independence, reject the counsel of those who made this country for you, and remember that in the adoption of these constitutional provisions and restrictions with reference to the military force of the United States the great authority appealed to by some here for conscription, George Washington, presided over the convention, and Madison and Hamilton and Jay and others took part in the debates. The constitutional provisions and the policy of this country are the outgrowth of their counsel and of their ability.

Now, sir, if you choose military efficiency, if that way lies the path for this country in the future, then you must understand that your form of government itself must be changed. Why, Mr. President, Germany is supposed to be composed of some six kingdoms and many grand duchies and duchies, free cities, and free States, represented in the Reichstag and represented in the Bundesrath; but under their articles of confederation or agreement the Prussian Diet has the right to veto any measure restricting the army or its conduct which might be adopted by the Reichstag, and remember that under the Prussian constitution the Kaiser has the right to veto any act which they may pass touching the army, and that no power exists to pass such an act over his veto. They have military efficiency; but without the abject surrender of the constitutional rights, powers, and prerogatives of this body, or even with that abject surrender unless you change your form of government, you can not expect to have the military efficiency of a nation like Germany.

Now, Mr. President, what is the emergency, and to what is it due? Let us have a little frank talk.

For several years past we have heard nothing except that practically at any cost we were to be kept at peace, to be kept out of war. Then the talk about universal military training sprang up as an antidote. Those who would keep us at peace at any cost held out to the people the proposition that they should be trained in military science by some method of universal training.

The last campaign was fought entirely or practically so upon the issue of peace. The people of the United States were not prepared for a declaration of war. The people of the United States have not been aroused to the necessity for this war, because they have been told that there was no necessity and would be no necessity for the war. They were told three years ago that those of us who insisted upon preparedness for war were hysterical. Then a great Secretary of War, impressed with the idea that there should be some measure of preparedness adopted, offered a bill creating a continental army of 400,000 men for use in just such an emergency. The President of the United States indorsed it in a speech made November 5, 1915, at the Biltmore Hotel, before the Manhattan Club. The President of the United States gave strong indorsement, as I read it, to that measure as he is now understood to be giving to this. And yet it was not insisted upon, and that Secretary of War resigned from the Cabinet and nothing yet was done.

Mr. President, we had and have now a law providing for this emergency. Congress in 1914 prepared an act to meet exactly this emergency. Nothing more was necessary than that. When the President of the United States asked us to declare war he should have asked us in the same resolution to authorize him, under the act of 1914, to raise armies with which to carry on the war. The provisions of the law were already made. He could have called into the service of the United States any number he might desire, and he could have asked you to apply to the volunteers exactly the same measure of selection which he asks you to provide here in the draft. As a substitute for the Garrison plan we passed, with the approval of the President, the National Guard act of June 3, 1916.

It was announced over the signature of Gen. Hugh L. Scott, in indorsing an article written by the present censor of the press, George Creel, that the National Guard act of June, 1916, was a failure. We are told one day that we will not recruit up the National Guard. We are told by the Secretary of War that there is no power under which they will recruit any additional units, as authorized by law, of the National Guard. Then we are told the next day that the Judge Advocate General has overruled the Secretary of War and that he will recruit it. We are told by the advocates of the bill here that there is a provision for volunteers exactly under this National Guard ruling by the Judge Advocate General. The fact remains the orders are out and are being obeyed that the National Guard shall not be recruited, and the excuse given is that we have not the weapons with which it can be equipped.

There is no purpose, in my judgment, to use the National Guard except purely upon this soil in any event, and that was one of the provisions which was discussed in the convention which framed the Constitution. It was intended that the State troops should remain within the United States territory. Therefore, except as a defensive force on our own soil, under the plan as I understand it and under the laws and procedure heretofore, the State troops were expected to remain within the confines of their own country. Therefore, of the troops which you are going to send abroad, if you ever conclude to send any abroad, there will remain the Regular Army of the United States and such troops as may be raised by conscription under the provisions of this act, if any such pass the censorship of the recruiting officers appointed by the President of the United States.

Why has recruiting for the Regular Army been a failure, as we are told? There are several reasons. Officered as is the Regular Army of the United States the enlisted man is not the social equal of his officer. He receives a pittance for his service. He is not allowed in a dining room if his officer happens to be dining in the same room, because the officer objects to it.

Mr. BORAH. Is that a rule of the Army?

Mr. FALL. It is not a rule, but there are regulations of the Army which provide that there shall be no familiarity between the enlisted men and the officers.

Mr. BORAH. Do I understand that that is a regulation which is promulgated by some one who has authority to promulgate it, and that it is found among the prescribed regulations of our Army?

Mr. FALL. It is not in the prescribed regulations, as I recall it, but the Senator will find it in Andrews's work on the units of the American Army, and in instructions to the squad leaders and instructions to the younger men in the Army; and I may say that Capt. Andrews's book has been indorsed as of very high authority and of very great worth by Gen. Leonard Wood, of the Regular Army of the United States. The general instructions are understood and followed by officers.

I may say to the Senator that I made this statement because of something that occurred in my presence recently

when the National Guard was sent to the border. In one of the large hotels in our part of the country, and for our part of the country a great hotel, on the immediate border of Mexico, near a Regular Army post, Regular Army officers were in the habit of taking their meals, particularly their dinners.

When the National Guard was ordered to the border there came men from Michigan, from Wisconsin, from New York, from Massachusetts, New Hampshire, and all the other States of the Union, young college boys, some who had gone in to recruit and fill up the ranks of the Boston Battery, officered by men whose fathers and grandfathers were in the service of their State. The battery was served by enlisted men of the best families of the State of Massachusetts. It is a great State institution and a State pride. Boys came from Oregon and from every State in the Union and enlisted even as orderlies, that they might serve in that battery. The best blood of the Union, if there is any best blood—if by best blood we mean those who have the advantage of education and who can name their grandfathers—was in that battery; and yet, in my presence, a Regular Army officer demanded of the proprietor of the hotel that he should not let these Massachusetts boys come into the dining room. He could provide them a separate dining room; or if that were impossible, he should have an officers' table for themselves, and put up a screen or arrange the tables in a way so that they—the officers—would not be associated with enlisted men.

Mr. GALLINGER. Will the Senator permit me? Can the Senator tell me whether I have been correctly informed that the Canadian officers and enlisted men mess together?

Mr. FALL. I am told so; and if we ever send any of our Regular Army to the trenches of France to serve with Poilu, they will find the private soldier drinking his bottle of wine with his major or his colonel, for there the enlisted man feels that he is equal to any officer, but that he must obey the command of that officer when on military duty. France, the great democracy, is able to maintain a great army, which she has been compelled to do, because she maintains it as a democratic army and has not created a military caste.

Again, why do the boys not go into the Regular Army? Sir, those in the Regular Army on enemy soil at Vera Cruz were very industriously engaged for many months in cleaning up the filthiest city north of the Panama Canal for the benefit of a lot of brigands. Those who served in the Regular Army in the Pershing expedition were compelled to see their comrades shot down by a mob at Carrazal and were not allowed to go to their assistance. They were compelled to see their comrades lie blistering in the sun and begging for water, and hear their moans, and were not allowed to go to Carrazal.

If you want recruits for the Regular Army, my friends, put over every recruiting station, "Men enlisted here for battalions in French trenches," and immediately you will get all you want. So long as they understand the policy of this country to be that they are to serve on the border by keeping their faces turned to the American side to prevent some reckless American from hurting Villa or some Mexican bandit, so long as they understand that this is their duty, so long will your Regular Army system be a failure, and those of us who have in our hearts any love for democracy as a matter of fact respect that feeling on the part of those who otherwise might have enlisted.

The recruits for the National Guard were a failure. It was a very hard matter to fill up the National Guard on the border. Why? Because those who were mustered in or drafted into the service of the United States who had joined the National Guard under such terms of enlistment as their States provided were required to sign an oath joining the National Guard in the service of the United States for six years. Many of them would not do it. And now the Secretary of War has been compelled to say that when he does call for enlistments for the National Guard, if he does do so, he will agree that he will discharge them at the end of this war. If that agreement had been made when the National Guard went to the border, that they could be discharged so soon as the emergency for which they were called was over, there would not have been a missing man at roll call the next morning.

Why, sir, with all the enthusiasm of the patriotic American youths, the National Guard in every State of the Union at the call of the President made its way to the border as rapidly as the Regular Army headquarters could furnish transportation. It is not their fault that they did not get there sooner. They went there because they believed that when the President called them immediately after the massacre at Carrazal they were going there in the service of their country and not simply to lie in tents in the blistering southern sun. When they found they were mistaken and that they had been drafted in under what they considered, many of them, practically false pretenses for a six years' enlistment, three years in the active service and three years in the reserve, many of them were so thoroughly disgusted that they would have availed themselves of any excuse or any opportunity to avoid any further service in the National Guard.

Now, Mr. President, the newspapers of the country and various good citizens of the country have been criticizing Congress for delay in passing this bill. Congress has stood as patriotically behind the present occupant of the White House as any Congress ever stood behind any man in time of dire danger or in time of peace.

Congress has passed the greatest appropriation bill ever known in any five years of this country's life and has placed without any one qualifying restriction billions of dollars of the taxpayers' money in the hands of the Secretary of the Treasury. It is the duty of the Congress of the United States, sir, to see that money is paid out by direct appropriation. Congress has abdicated its functions, has surrendered to the President of the United States the sole control of practically seven or eight billion dollars, I believe, for which not even an accounting can practically be demanded.

I am not going to refer at this time to the use of some of the funds already provided by the Congress in this bill in direct opposition to the wording of the law made by the Congress of the United States, as I understand its terms. Congress has voted this enormous amount of money; it has pledged all the resources of the Government and gone further than that and pledged all the resources of the country; and is it now expected to place the lives of the boys of this country, without any restriction whatsoever, in the hands of men of no military experience without expressing its own views, without discussing fully what should be done, who should serve, and how they should serve? Sir, if the people of the United States generally demand this of Congress, then the people of the United States demand an autocracy to-day and are tired of their democracy.

I for one, Mr. President, may say to you now that in the face of the propaganda which has been carried on in the United States for the last few years, in the face of that which is now being carried on, in the face of the apathy of the people to the danger of this great country in the last three or four years, I have not believed and do not believe now that some of those charged with the administration of this Government realize the great emergency. In the firm belief that out of this war will come a change of government in this country, I am speaking to you now probably for the last time, because I say to you frankly and openly, Senators, the end of my present term will witness my withdrawal from public life, and I am speaking to you with all solemnity, earnestly if mistakenly. You are in the passage of this bill giving a greater power to a President than was ever possessed by Peter the Great of Russia or any other autocrat from the earliest days of history to the time of the overthrow of Nicholas of Russia. You are doing what Washington and others advised against rather than in favor of, and you are doing under the provisions of this act a futile and, in my judgment, a foolish thing.

Sir, Congress abdicates its functions upon the demand of newspapers or of the executive officers who seem to be laboring under the delusion that a Secretary of War called from civil life in Cleveland is as fully armed and equipped for the management of a great military force as was the goddess Minerva, who sprang, fully armed and armored, from the head of Jupiter to defend Athens in time of need. Is it possible that the people of the United States believe that a man, serving possibly as a proprietor of a newspaper, by the simple call of the voice of the master becomes one qualified to direct the destinies of the iron dogs of the Navy and advise what shall be done with our first line of protection? And we shall not discuss it; we must vote as patriotic Senators from our States, as the Senator from Oregon doubtless thinks we should vote, for this measure, placing in the hands of the Secretary of War the lives of our boys without restriction of any kind, and then allowing him to select whom he pleases.

Mr. President, the people of the United States so long as their Constitution remains in effect during this war can only pray that from the admitted intelligence of the President of the United States may arise the wisdom that his may be the great heart, the knowledge of the people of the United States, the sympathy with the common man of the United States, the understanding of the purpose of this democracy. We can only pray that with his intelligence he may possess those faculties which enabled Abraham Lincoln to save this Union in its time of need. We can only hope and pray that the Secretary of War may become imbued with the wisdom of military science, the knowledge of a Napoleon, but if so, it contraverts your theory that only the Regular man is a proper soldier. We can only hope that this may prove true. We can only hope that the Secretary of the Navy of this Union may arrive at some under-

standing of the needs of the Navy and of the desire of the people, because having placed the wealth of the country, as we have done, in the hands of these two Secretaries we are now placing as well the lives of the country in their hands.

Should incompetency or mistake cause the loss of millions or of hundreds of thousands of lives there is no method by which the Congress of the United States can meet that incompetency, because you can only impeach one in the executive department for high crimes and misdemeanors. No power under our Constitution can make a vacancy in the office of the Secretary of the Navy except the power of the presidential office, although that Secretary might send to the bottom every ship upon which you depend for your safety.

In what I have said I want it distinctly understood that I am not reflecting upon the intelligence, patriotism, or ability of either of these men. I only offer my earnest prayer that they may make no mistakes, and my since hope impressed in my heart, Mr. President, impressed with the great seriousness of this occasion, is that they will prove themselves competent and of the courage and wisdom of any military leader who ever led a devoted people to victory. But if they prove incompetent, Senators, you can not reach them. Your power stops with the creation of the Army and voting and raising the funds. And yet it is demanded that in these measures your voice even should not be heard if in any respect not voting "aye" to every proposition submitted for your consideration under the statement that it is an administration measure.

Mr. President, there have been some authorities quoted here, and I am going to occupy the time of the Senate in using the same authorities. Gen. Emory Upton is the authority relied upon and quoted by those who advocate this measure without amendment—I mean in the Senate and by those upon the outside. I may say it is relied upon and it is quoted by the newspapers.

Some of his opinions on the previous page and on page 14 also have been quoted from. On page 14 Gen. Upton says that one of the great weaknesses of our military system is "the assumption of command by the Secretary of War." I read from page 14, Upton's Military Policy of the United States, under the subhead of "Tenth." Gen. Upton goes a little further, Mr. President, than he has been quoted, and on page 11 he says, "Battles are not lost alone on the field; they may be lost beneath the Dome of the Capitol; they may be lost in the Cabinet, or they may be lost in the private office of the Secretary of War."

Now, over the constitution of the armies in the field the Congress has some power; over the deliberations in the bureaus the Congress of the United States has no authority. No one except the President of the United States has the right to be present at a secret conference in the office of the Secretary of War. Yet this great military authority, relied upon absolutely by those who insist on the passage of this bill without the crossing of a "t" or the dotting of an "i," calls the attention of the people of the United States in his introduction to the work that the fault with the military system is not the volunteer. The cause of the loss of battles—and very few battles have been lost by this country in a conflict with any other country—the cause of the loss of battles, as Upton knew, the cost of millions to our citizens, the cause of the loss of thousands of lives of the citizens of our country lay here—not with the men. If at Bull Run they were untried men, they were fighting untried men; if they were not Regular Army men, neither were their opponents. The cause of the failure for the first two or three years of this great Government of the United States to do what it finally did lay in Washington, not with the armies in the field, and Upton knew it, because Upton had been one of those volunteers himself.

And, quoting a little further, he says that some who may have been in the volunteer service or may have approved of the volunteer service may criticise him for his expressions here with reference to the volunteers.

To such—

I am now reading on page 3—

I can only reply that where they have enlisted for the period of three months, and, as at Bladensburg and on many other fields, have been hurled against veteran troops, they should not hold me responsible for the facts of history which I have sought impartially to present.

His criticism has been invariably directed at the old State militia system and at the short-term enlistment, not at the drilled volunteer.

To such volunteers as enlisted for the period of the Mexican War, and particularly for two and three years during the War of the Rebellion, with whom it is my pride to have served and to whom I owe all of my advancement in the service, I but express the opinion of all military men, in testifying that their excellence was due not to the fact that they were Volunteers but to the more important fact that their long term of service enabled them to become, in the highest sense, Regulars in drill, discipline, and courage.

Read Upton's Military Policy from the first line of the introduction to the last section, and you will find that his criticism has been that of any man of ordinary common sense in reference to the volunteer system, not to the volunteers as soldiers, because the world, I think, realizes the truth of what Lord Roberts, of England, said. Although he had been insisting upon preparedness and had not been listened to, when, in expressing his opinion, as I read somewhere, he made the statement that the volunteer was the best soldier on the face of the earth; and neither Upton nor any other military man dares to or has differed in this opinion. The whole fight here is not against the volunteer; the fight here is for the control of any army by the Regular Staff.

The absolute impotence of the Congress of the United States has possibly not struck the world because up until this time the eyes of the world have not been upon the action to be taken or proposed to be taken in any great world crisis by the United States; but, Mr. President, it must appear to our distinguished visitors from Great Britain and from France that this is a most peculiar form of so-called democracy which we have here. If they had happened to read the newspapers published about the time of the arrival of the first contingent of these visitors, must they not have been astounded at the statement reported in the papers that the President of the United States had been in his room at the Capitol sending for Senators of his party—Democratic Senators—and objecting to the passage of the resolution offered by the Senator from Massachusetts [Mr. WEEKS] for the creation of a legislative committee to advise with his departments.

Why, sir, these distinguished visitors of ours are themselves the representatives of the legislative departments of their Governments. They hold office not respectively under the King of England nor the President of France, except by fiction of law, but under the authority of the English Parliament and the French Assembly. They are responsible to the English Parliament, and through that body to the English people, on the one hand, and to the French Assembly and to the French people upon the other. Must it not be astounding to these distinguished allies to meet a civilian board, created by the Legislature of this country for advice in national defense—must it not be astounding for them to meet such a board, and then to be told that, although these civilians are rendering magnificent service and have been created by Congress, the Congress itself shall not appoint a board to confer and advise with the members of the Cabinet or with the President? It may be well enough that our visitors should understand something of the Constitution of our Government, because, otherwise, as we proceed during this war they may be most absolutely astounded at some of the obstacles presented or some of the things done by those who can not be held responsible except by the people of the United States at an election four years from now. They must be made to understand now that the Congress of the United States when it passes this measure is bound and helpless, and that the safety of this great country is in the hand of one man. The conduct of the war and of all our other business, even to the drafting of our citizens from one occupation into another, the fixing of our food prices, the control of our industries, under any bill which you may pass, are to be placed absolutely in the hands of the greatest autocrat—I do not mean personally, but under our form of government—of whom history has ever spoken.

These are some of the defects of our Government, and yet in attempting to maintain this as a democracy we have the weakness, when it comes to an emergency, as I have stated, of a democracy as opposed to the efficiency of an autocracy. When you now undertake to make this country as efficient as an autocracy under the provisions of the Constitution as it stands and under the provisions of your legislation as you are making it, you are changing your form of government inevitably, and the people will hold you responsible. If they acquiesce, then they do not want a democracy.

Mr. President, a good deal has been said about volunteers in the Revolutionary War; quotations have been made from Washington and others. During the Revolutionary War this was not even a country; we had no Union; we had only a confederation. We had a Continental Congress. State troops might be sent by the governor, or persuaded after pleading by the governor of the State, to go to Valley Forge or to join Washington in the field. When they found that he was living upon potatoes or upon scraps, at their sweet will and pleasure they could leave him and return to their States, and there was no power which could keep them in the service. That condition is now used as an argument in favor of military conscription as proposed in this bill.

In the War of 1812, Mr. President, it might as well be understood now—if some Senators possibly do not remember a little

of the history of that war—that we had just had trouble with France a few years before, and that the Democratic Party had sprung into existence largely in opposition to the Federalists upon the issues of the war with France. It must also be remembered that the war with Great Britain was not a popular war, either, except where Henry Clay had influence, although it was brought about in a great measure by depredations upon our commerce and the seizure and the impressment of our seamen at sea. The fact, however, must not be forgotten that that war was so unpopular that Thomas Jefferson, a few years before the declaration of war was finally made, was compelled to ask the repeal of the embargo act, because John Adams presented him evidence which convinced him that there would be a revolution in this country if that act were not repealed. The people who were interested in that war made a fair showing, I think, at New Orleans.

But, Mr. President, the most significant statement made by the great military authority to whom the proponents of this bill always appeal, the most significant statement made by this great military authority within the pages of his book is this, to which I call your attention. Discussing our policy, he says:

It has been truly remarked by one of our philosophers that "we follow success and not skill."

This is from Gen. Emory Upton, and is quoted from page 3, the second from the last paragraph. Yes, Mr. President, that statement is true, and has always been true. The American people do approve success rather than skill; success by skill, if possible; but if skill stands in the way of success, they certainly approve success in their wars; just as one of us, Mr. President, if he were compelled to undergo a surgical operation would prefer that it should be performed successfully rather than unsuccessfully, although skillfully. Certainly we are worshipers of success; and yet to have heard the speeches of some of our friends here in favor of this bill, one listening would have believed that originally this country was a great country of magnificent resources, of four or five times its present extent, of possibly hundreds of millions more of population and of billions and billions more of riches, and that by the volunteer system, by following the system of unpreparedness which we had followed, that we had lost our heritage until now we have clustered in the District of Columbia, defending our last stronghold, and that to do so it is necessary to impress our free-born citizens into an army. Yes; I prefer success. The fact is, Mr. President, that I much fear that some of my colleagues are inclined to vote, as many of the papers are inclined to write, for anything which comes to them under a certain brand and which is claimed to be drawn with some skill.

I do not think the volunteer system was a failure in the Civil War. At least, the country was saved, though possibly not so skillfully by Grant and by Lincoln as it might be saved now. It is unfortunate, possibly, that Lincoln died without the knowledge that he might have saved his country more skillfully. It is unfortunate, possibly, that he could not have availed himself of the great military genius of which we have so much now in Washington. It may have cost thousands of lives; but, nevertheless, we still worship success.

Mr. BORAH. Mr. President——

Mr. FALL. I yield to the Senator.

Mr. BORAH. Relative to the subject which the Senator is now discussing, the Senator will remember that when Napoleon was accomplishing his wonderful results in Italy, and that fact was called to the attention of one of the old generals of Europe, he admitted the fact that Napoleon was accomplishing those wonderful results, but said that he was doing so in violation of every established principle of the military art.

Mr. FALL. Yes; and I recall, Mr. President, that Lincoln was so foolish that he wanted to know what brand of whisky a certain general drank, in order that he might procure some of it for others. I recall also the fact that Capt. Lee, of the British Army, now Gen. Lee, then a military attaché with our forces in Cuba, when the Rough Riders charged the veteran Spanish Army behind the breastworks at Kettle Hill, without the artillery of the United States first playing upon those breastworks, said, "Magnificent, but not military." "Successful," as Upton puts it, "but not skillful."

Now, I want to call the attention of the Senate——

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him?

Mr. FALL. I yield to the Senator.

Mr. GALLINGER. I presume a similar criticism was made when John Stark was summoned from the sawmill, on the banks of the Merrimack River, to go and rescue the Colonial Army, when it was in such sore straits—so sore that in the minds of most people it was considered a hopeless struggle for the Colonies. Stark started out, and as he went across the fields and through the woods of New Hampshire and Vermont, on his way to Bennington, where valuable military stores had been accumulated, he encouraged the people to volunteer, and 1,200 brave men responded to the call. The Battle of Bennington was fought and won by Stark's volunteers over the seasoned troops of Great Britain. I presume that it was not military, but it was a wonderful triumph for the militia, and laid the real foundation for our independence. With that circumstance fresh in my mind, I have been surprised that Senators have said that the recruits during the War of the Revolution failed to accomplish what might reasonably have been expected of them. Why, our victory in that war and our independence were won by recruits almost entirely, as the Senator from New Mexico knows.

Mr. FALL. Undoubtedly the Senator is correct; and it has been appalling to me that Senators who I know are imbued with just as much patriotism as burns in my heart should stand here for hours denouncing the men who made the country, the men who have saved it, the men who have turned it over to us to fritter away, as we are frittering it away now.

Why, sir, I was impressed, as we all were, with the magnificent exposition from his standpoint made by the young and distinguished Senator from New York [Mr. WADSWORTH] of the provisions of this bill. I listened to him and have read his remarks with very great interest, and no stronger presentation could have been made, and, with due deference to other Senators, no stronger, in my judgment, has been made from his standpoint. I asked him one or two questions. I asked him whether we could not apply the selective system to the volunteers. "Certainly." I also asked whether with the same drill day by day the volunteer was not as good a man as the conscript. "Certainly." Then I asked, "Why not adopt both systems side by side?" He was afraid that we could not obtain officers. Can we not obtain officers for volunteers as well as we can obtain them for conscripts? The only objection of the Senator was that the selection of officers for volunteers might be influenced by politics—listen, Senators—that the selection of officers by the governors of the States might be influenced by politics. I ask you who will select the officers under the pending measure? Answer me that. Show me the examples which may come from the National Administration and then show me whether under the volunteer system anything more of a political nature can be expected.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER (Mr. WOLCOTT in the chair). Does the Senator from New Mexico yield to the Senator from Mississippi?

Mr. FALL. I do.

Mr. VARDAMAN. I have been very much interested in the examples of heroism related by the Senator, and it recalls to my mind a very interesting statement made to me by Gen. Gordon, of Georgia, a volunteer in the War between the States and an ornament to this body for a number of years. He said to me that his most brilliant achievement during that fateful conflict between brothers of 50 years ago was accomplished in violation of the rules laid down in military books; and he remarked, "If I had failed, I would have been court-martialed; I succeeded, and received honorable mention." I share with the Senator in his utter inability to understand and appreciate the motives behind all of this derogatory criticism of the volunteer soldier, whose record illuminates and glorifies the pages of American history.

Mr. FALL. Mr. President, not only that which has just been spoken, but from the standpoint of military science the tactics of "Stonewall" Jackson have been taught to the German and English soldiers since the Civil War closed; and the great battle which ended for a time this morning in northern France was fought by the British and French on one hand and by the Germans on the other on the tactics of Grant and "Stonewall" Jackson with their volunteer armies. Trench warfare as employed to-day was pushed by Grant to the gates of Richmond, and hand-grenade warfare was used before the ramparts of Vicksburg. Hindenburg in the swamps of Russia never displayed the military initiative and science displayed by men like those to whom reference has just been made, who were fighting for what they believed to be right under the volunteer system in the United States.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield further to the Senator from Mississippi?

Mr. FALL. I yield.

Mr. VARDAMAN. I think the most remarkable military genius developed by the war between the States—although not so well known to the world—was Bedford Forrest, of Tennessee,

who has been referred to as the "Wizard of the Saddle." Though illiterate and unlearned in books, as a military leader he stands alone in the annals of American history.

Mr. FALL. Yes; Mr. President, my own father, who fought with Bedford Forrest, wrote me when I was in the volunteer service of the United States and was being drilled five hours a day, that he did not understand that. He had fought for about four years, but he never heard but two commands, and one was "charge" and the other "run like hell." [Laughter.]

Mr. VARDAMAN. And one of his mottoes was to get there "fustest" with the "mostest" men.

Mr. FALL. Now, Mr. President, with reference to officers. If the Germans, whom we are providing to exclude from our councils by the espionage bill, have read or listened to this debate and credit many of the statements made, they may think ours the least prepared nation on the face of the globe, and the least military nation. The Senator from Missouri [Mr. REED] on yesterday stated that Gen. Miles said that there were a million men in the United States with some measure of military training. There is no question about the fact that there are large numbers of men of military training in the United States; but those men, almost to a man, would be excluded under the provisions of this bill, as the Senator from Missouri remarked.

I want to call attention with reference to the matter of the selection of officers, and so forth, to page 187 of Secretary Garrison's report for 1915. He publishes here a list which I am going to ask to have printed in the RECORD as a part of my remarks. It is the paragraph found on pages 187 and 188.

The PRESIDING OFFICER (Mr. LEWIS in the chair). The Chair hearing no objection, it is so ordered.

The matter referred to is as follows:

As a result of the annual inspection of the military departments of educational institutions at which officers of the Army are detailed as professors of military science and tactics, the following-named institutions, arranged alphabetically, were announced in bulletins, dated June 25, 1915, as the 13 "distinguished colleges" and the 11 "honor schools" whose students have exhibited the greatest degree of military training as compared with others of their class:

DISTINGUISHED COLLEGES.

University of California, Berkeley, Cal.
Cornell University, Ithaca, N. Y.
University of Illinois, Urbana, Ill.
Kansas State Agricultural College, Manhattan, Kans.
University of Minnesota, Minneapolis, Minn.
University of Missouri, Columbia, Mo.
Norwich University, Northfield, Vt.
St. John's College, Annapolis, Md.
The Citadel, Charleston, S. C.
Agricultural and Mechanical College of Texas, College Station, Tex.
University of Vermont and State Agricultural College, Burlington, Vt.
Virginia Military Institute, Lexington, Va.
University of Wisconsin, Madison, Wis.

HONOR SCHOOLS.

Culver Military Academy, Culver, Ind.
Kemper Military School, Boonville, Mo.
Kentucky Military Institute, Lyndon, Ky.
New Mexico Military Institute, Roswell, N. Mex.
New York Military Academy, Cornwall on the Hudson, N. Y.
St. John's Military Academy, Delafield, Wis.
St. John's School, Manlius, N. Y.
Shattuck School, Faribault, Minn.
College of St. Thomas St. Paul, Minn.
Wentworth Military Academy, Lexington, Mo.
Western Military Academy, Alton, Ill.

STUDENTS AND GRADUATES OF CIVIL INSTITUTIONS OF LEARNING AT WHICH ARMY OFFICERS ARE DETAILED AS MILITARY INSTRUCTORS.

In December, 1914, an effort was made by this office to ascertain for each of the 10 years, 1905 to 1914, inclusive, the number of students enrolled at, and the number graduated from, civil institutions of learning at which officers of the Army were detailed as military instructors. Requests for information on the subject were sent to all such institutions (108 at the time), and all but 7 of them furnished figures. The following table shows the numbers of students at, and graduates from, the 96 institutions from which data were obtained:

Year.	Number of students under military instruction.	Number of military students graduated.
1905	17,835	2,441
1906	18,138	2,890
1907	21,616	3,073
1908	24,101	3,441
1909	25,222	3,789
1910	27,122	4,215
1911	28,843	4,701
1912	29,979	4,757
1913	31,028	5,153
1914	[1]33,424	4,970

[1] Includes students enrolled at 101 institutions.

During the school year ended in the spring of 1915 there were 32,313 students enrolled in the institutions of learning at which officers of the Army were detailed as instructors. The total number of graduates from those institutions during the 10 years 1905 to 1914, inclusive, is approximately 39,430.

Mr. FALL. This list contains the names of the "distinguished colleges" and "honor schools" under the rules of our War Department, in which military science is taught under the West Point system by officers detailed for that purpose by the General Staff. I will say to you now, Senators, that these names only include those classed as distinguished colleges and as honor schools.

There are 96 officers detailed in the different schools of this country, and have been for more than 10 years, teaching military science under the West Point system. The University of California, Berkeley; Cornell University, Ithaca; University of Illinois, Urbana; Kansas State Agricultural College, Manhattan; University of Minnesota, Minneapolis; University of Missouri, Columbia; Norwich University, Northfield, Vt.; St. John's College, Annapolis, Md.; The Citadel, Charleston, S. C.; Agriculture and Mechanical College, of Texas; University of Vermont and State Agricultural College, Burlington; Virginia Military Institute, Lexington, Va.; University of Wisconsin, Madison, Wis.; are all in the distinguished class. Culver Military Academy, Culver, Ind.; Kemper Military School, Boonville, Mo.; Kentucky Military Institute, Lyndon, Ky.; New Mexico Military Institute, Roswell, N. Mex.; New York Military Academy, Cornwall on the Hudson; St. John's Military Academy, Delafield, Wis.; St. John's School, Manlius, N. Y.; Shattuck School, Faribault, Minn.; College of St. Thomas, St. Paul, Minn.; Wentworth Military Academy, Lexington, Mo.; Western Military Academy, Alton, Ill.; are all in the honor class. From this honor class to-day officers are serving in the United States Army, and are appointed every year.

Not only that, but let me read a little further from the Secretary. I read from the paragraph marked on pages 36 and 37:

No one can possibly have a higher or more just appreciation of the worth and value of West Point than one who, like the writer, has been brought into close contact with its present operation and its past history. It is unnecessary to dilate thereon in this place. But it must be remembered, in studying this problem in the light of facts and those imperative conclusions which facts demand, that officers of our armies and of the other armies of the world have been efficient in every respect without having received the benefits of any national academy. No other nation, in fact has any such institution as West Point. Forty-four and seventy-six one-hundredths per cent of the commissioned personnel of the United States Army to-day are graduates of West Point, and 55.24 per cent are not.

This is in the annual report for 1915 of Mr. Garrison, the Secretary of War. He goes on:

In this country and in other countries where no similar institution exists, officers are made in other ways than by preliminary instruction in such an institution. They learn practically by practice, and they learn theoretically in service schools or by service instruction carried on within the military establishment. We are singularly fortunate in this country in the fact that many of our great universities and colleges have now a course of military science coupled with practical training; that there are agricultural and mechanical colleges receiving Federal financial assistance; and numerous military schools or academies in all of which military science is taught and military training is imparted.

I want to call the attention of the Senate here, Mr. President, to the fact that in the pages which I have asked to be placed in the RECORD not only is it stated that there are 96 regular officers attached to 96 institutions throughout the United Sates, but these 96 institutions do not cover all the military schools the United States. There are hundreds of other military schools to which military officers have not been assigned.

Mr. VARDAMAN. All the military colleges have them.

Mr. FALL. There are purely State institutions, supported in part by State funds, to which officers are not assigned. Officers are assigned only under certain circumstances to such State institutions, and yet let us see what the figures show:

During the school year ended in the spring of 1915 there were 32,313 students enrolled in the institutions of learning at which officers of the Army were detailed as instructors. The total number of graduates from those institutions during the 10 years 1905 to 1914, inclusive, is approximately 39,430.

Now, right here let me say to you that there is a misunderstanding with reference to the officering of the German Army. In 1910, prior to the outbreak of this war, there were 14,000 German officers known as the reserve officers waiting to be called to the colors at any time. Those are largely the men who are leading the German army to-day, together with the others who were in the reserve corps and who had been graduated under the volunteer army officers' system in the German Empire. In Germany boys who have graduated from the high school are allowed, between the ages, I think, of 17 and 19, to volunteer. They then take one year's training. At the expiration of six months they are examined, and those who have proved themselves specially efficient are then trained for the balance of that year, for the next six months, very intensively. They pass an examination and go on the roll as officers of the German Army, and when this war broke out there were only 25,000 regular German officers to command an army of 5,000,000 men. The other officers were taken largely from this volunteer

list with one year's special training, and from that list such successful officers have been produced that, it is said by Prof. Fullerton, of Columbia University, that it is the understanding—although it is too early, of course, to decide—that Germany will go entirely to the volunteer officer theory. Yet Germany is held up to us as the greatest military power on the globe, while during the last 10 years at least 80,000 bright young Americans took military courses under military officers in the military colleges to which such officers were assigned in the United States of America. Thirty-nine thousand of them were ready last year with a more intensive and a longer course than any German officer serving from the volunteer list in the German Army.

Mr. WADSWORTH. Mr. President, will the Senator yield?

Mr. FALL. I will, with pleasure.

Mr. WADSWORTH. I think it is well for the Senator—if he will permit me to comment upon this portion of his discussion—to remember that the courses given by the officers detailed by the War Department in the different colleges and educational institutions to which they are assigned are not uniform in intensity or duration. For instance, I myself visited a very large land-grant college which, under the law, is supposed to impose upon the students military training, and an officer of the Regular Army has been detailed there for many, many years. I found, upon investigation, that the military course there followed was given only to the freshmen class and was only two hours a week. All the graduates of that college must be included in the number which the Senator said were available for officers.

Mr. FALL. Precisely. There is no question about that, Mr. President. In fact, I have never insisted that the Regular Army system was the best. I have never insisted that every Regular Army man was the best instructor. I do not know of my own knowledge, except from certain personal experience which I have had. I am frank to say that one or two Regular Army officers I have known are not those whom I would choose as military instructors.

Mr. WADSWORTH. Mr. President, I did not mean to reflect upon the Army officer who was detailed to this institution.

Mr. FALL. Oh, no; I understand.

Mr. WADSWORTH. But I do say that the spirit of the land-grant law has not been lived up to in more than one institution.

Mr. FALL. Well, that is the fault of the Government at Washington.

Mr. WADSWORTH. Very true.

Mr. FALL. That is just exactly what has been the burden of my song. It is not the volunteer; here in Washington is the trouble.

Mr. President, if I believed, as some of my friends here who voted for the declaration of war have said that they believed, that of all the great people of this country, of all the enormous population of this country, of all the military force of this country, 500,000 volunteers could not be obtained in the hour of our country's need, I would offer an apology to the people of the United States for having voted against their convictions. If there are not 500,000 men who will come to the assistance of this country if they believe that it is actually assailed, if they believe that it is their duty, if they believe that an opportunity will be offered them to do something more than take a correspondence course in warfare—if they believe that and 500,000 of them do not come, then I for one regret, and will regret to my dying day, that I voted to place the resources of this country and its people in the hands of the President of the United States in order that he might carry on a war which the people did not want.

Mr. President, we are told that the training is necessary. We have published to us in the headlines of every paper, practically every day, some assertion made by some expert, or some statement thrown off by some visitor from England or from France. In the headlines, as I say, you will find it stated that it will require two years to drill men before they can go upon the firing line. That is said with reference to the offer of a gallant American citizen to take the flag of the United States over to France to give her that assistance which she gave to us. I find that statement in the headlines over such a quotation from Gen. Bridges, of the Canadian Army. Farther in the column, as published in the Evening Star of Tuesday, April 4, 1917, the general says that 2 years of war service is equal to 10 years of training in peace, and he further says that within 11 weeks after training they put the recruits in the firing trenches; not that they organize a division entirely of recruits and put them in as a separate division, but that Great Britain is putting recruits into the firing trenches within 11 weeks after they have rendezvoused.

Now, Mr. President, I want to see the unit system preserved. I, for one, want to see Indiana soldiers in Indiana regiments of volunteers, and at the same time I want to see the President empowered to take a recreant Indianian or any other recreant American who is needed and place him in the ranks to serve his country. I have some measure of State pride. I yet have some belief in the fact that this is a Government of 48 great States.

Mr. VARDAMAN. Sovereign States.

Mr. FALL. Sovereign so long as their sovereign representatives correctly represent them, and no longer sovereign when their representatives are recreant to their duty.

Mr. VARDAMAN. On that proposition the Senator can take judgment by default. I file no plea.

Mr. FALL. Mr. President, I say that the suggestion which I have just offered is the one adopted by the greatest military country in the world. A great many have misunderstood things, I think, and misrepresented things, about the German military system. Did you notice that in the papers the day before yesterday it was reported that an entire brigade or regiment of Pomeranians had been annihilated? Did you notice that an entire regiment of Bavarians had been captured? The unit system is preserved in the German Army, and a Prussian is not placed in a Bavarian nor a Wurttemberg regiment. The Saxon serves in a Saxon regiment, the Pomeranian in a Pomeranian regiment, company, or division; and with all their ingenuity and skill they have adopted the unit system, which you are now being called upon, for the first time in your history, to do away with in an emergency.

The PRESIDING OFFICER (Mr. LEWIS in the chair). Will the Senator from New Mexico permit the Chair to ask if, in his investigation of that matter, he discovered whether they are officered also?

Mr. FALL. They are officered, also, by men elected. The volunteer officers in the Germany Army are elected by the volunteer corps to which they belong. The Pomeranians elect a Pomeranian, the Bavarians a Bavarian, and the Prussians a Prussian, as I understand. Of course, the Kaiser might finally disarrange their program, and I am providing in the amendment which I offer here, or which I shall offer, that the President of the United States, if he discovers that the officers of one of the State units is not a competent man, shall have the right to discharge him and replace him, just as he has under the provisions of the draft in this bill.

Mr. President, there is one phase of the volunteer system which has been referred to here in this discussion and which I propose to comment upon for a few moments in closing my remarks.

Together with the condemnation of the volunteers in the other wars, we have heard condemnation of the volunteers in the Mexican Army. We have heard dire tales here of disaster, or but slightly averted disaster, because of the volunteer system during the Mexican War.

Mr. President, about the middle of April, 1846, the Congress of the United States authorized the President of the United States to call for 50,000 volunteers for the Mexican War, and by the proclamation of the 13th day of May, of President Polk, the States of Indiana, Ohio, Illinois, Tennessee, Kentucky, Alabama, Louisiana, and Mississippi were those which were called upon for volunteers. Later other States were called upon to furnish volunteers to accompany Scott's army to Vera Cruz. In all, 200,000 volunteers offered, 17,000 were accepted. The proclamation issued by the President under this act was issued on May 13. By June 5 the State of Missouri, for instance, had furnished every man of her quota. The quota of practically every State called upon was on its way by June 5, or June 23, at the outside, to the border to join Taylor, Wool, or Kearny.

Mr. VARDAMAN. May I ask the Senator how long they were in preparation?

Mr. FALL. From June 5, at their rendevous points, to June 23 they were given preparation, ready to go, filled up after the call came on the 13th of May. Within the 11 weeks' time specified by Bridges the Missouri Volunteers were fighting battles and winning every battle they fought.

Mr. President, the first great battle of the war was the Battle of Monterey. Taylor had, under the authority of the President, called on Louisiana and one or two other States for six-month troops. The six-month troops had just reached him after the declaration of war in April. They were called for, and they reached him a short time before. When he understood that the 12-month volunteers and the volunteers for the war were on the way he discharged or sent back to Louisiana and other States the troops of six months' service, and the consequence is that they were not in the war. At the Battle of Monterey Zachary Taylor attacked Ampudia with 10,000 veteran soldiers behind seven forts, each created under the French military system by officers, some educated in France, each defended by more powerful guns than Zachary Taylor had in his army. The town of

Monterey itself was a town of stone houses, and Taylor had but little artillery which would batter down one of those houses after repeated shots. He had with him a total of 6,000 men, including the Fourth and a part of the Fifth Infantry of the Regular Army. The balance of his 6,000 men had never been under fire in their lives. During the battle, when Twiggs's division was ordered by Taylor to make the attack on the central fort or fortification of the defense, he was unexpectedly confronted with a battery placed at a bridge in the street, while three forts were opening upon him, one from in front, the others from each flank. Seeing that, Taylor ordered three regiments to go to Twiggs's assistance, and of those the names of the First Tennessee and Jeff Davis's Mississippians, all of them, ought to be immortal. There were 450 men of the Regular Army of the United States, 379 Tennesseans under Haskell, and 354 Mississippians, if I remember correctly, under Jeff Davis, and it was not the volunteers who broke under the withering fire. But it was Alec McClung, of Mississippi, who was the first man over the walls of the No. 1 fort, and it was the Tennesseans and the Mississippians who took it and who turned its guns upon the enemy, and who held it in the face of the fire of artillery such as we were not confronted with in the Mexican War again, unless at Cerro Gordo. It was those "untrained" volunteers who had never been in a fight. They did not break.

At the Battle of Buena Vista a short time later—and in referring to that I want to call your attention to where the trouble was in the Mexican War. There were two parties in the United States at the outbreak of this war. There was opposition to it. The leader of one party was Thomas H. Benton, of Missouri. The leader of the other—not in opposition to the war, but in reference to the conduct of the war—was John C. Calhoun. The whole trouble in connection with the prosecution of the Mexican War, the cause of the delay which resulted in the muster out of the volunteer troops at Churubusco after having completed 12 months' service, was the policy announced here by John C. Calhoun to be the policy of "masterful inactivity"—that is, the seizing and holding of the northern portion of Mexico from Matamoros to Mazatlan—that there we should plant ourselves, that no further should we go, and we should there wait any attack if the enemy chose to attack us; not go beyond the line which six years later was admitted by Mr. Calhoun to have been intended to be the line of the States which should be annexed to the United States.

At the Battle of Buena Vista Taylor did not even have the forces who had fought with him and captured Monterey, except that he had a portion of the Fourth Infantry, and he yet had Jeff Davis's Mississippi Riflemen, the only volunteers at that time who had ever been under fire, because under this policy, inaugurated and carried on here in Washington, Scott was placed in chief command and Taylor ordered to send his veteran regiments by way of Tampico to join Scott in Vera Cruz and to march to the City of Mexico. In the same dispatches came other orders to evacuate Saltillo and return to Monterey. The dispatches were sent by the hand of two officers separately. The first reached Taylor. The second was captured by Santa Ana. Santa Ana was a soldier. He had 32,000 veteran men in his army thoroughly equipped according to the last word in "military units."

Santa Ana, discovering that all his best men were being taken from Taylor and sent to Tampico, gathered 20,000 of the best veteran Mexican soldiers and advanced upon Saltillo. Taylor, as was always his custom, accepted the challenge and led against him 4,462 men, despised volunteers from the different States of the Union with Jeff Davis, the Mississippian, the only veteran among them. Taylor was attacked on front and on flank and in the rear. Those volunteers stood and hurled back Santa Ana and won the Mexican War on the battle field of Buena Vista. Never again was it possible for the Mexicans to gather a veteran army such as confronted Taylor's volunteers at Buena Vista. These are the men whom Upton speaks of when he says that no better soldiers could be gathered together than the American volunteers in the Mexican War.

Why, sir, see what was done by the American Volunteer! Let me speak now for a moment of the Army of the Northwest. Under the plans adopted here Taylor was to lead the Army of Occupation of the South and Gen. Wool, with 3,500 men, was to advance from San Antonio upon Chihuahua, the Army of the Center. Kearny, with the Missouri Volunteers and his own regiment of Regulars, was to advance to New Mexico and to what we now know as Arizona and proceed to California. Taylor did his work as far as Monterey and then, when superseded and his soldiers taken away from him, won the Mexican War at Buena Vista.

Advancing from San Antonio, Gen. Wool, a Regular Army officer, with 3,500 men, lost himself in Mexico and never reached nearer than 600 miles of the city of Chihuahua, which he was commanded to take. Brave, of course; but no farther did he penetrate. He reported to Taylor that the mountain range between Parras and Chihuahua was impassable, and he asked permission of Taylor to join him in Saltillo, which he did, possibly very fortunately, because Wool's command, or some of his men, were in the battle of Buena Vista.

In the meantime Kearny proceeded to New Mexico, not with Sterling Price's command—they followed him—but with his own regiment, a regiment of Missouri farm boys, doctors, lawyers, and other men who are not considered now the proper men to send to the firing line. Under the leadership of Doniphan, a Missouri lawyer, invited to volunteer for the service on the 13th day of May so that they could recruit, everyone was on the ground by the 5th day of June at the place designated by the governor of Missouri. By the 23d the last of them were en route for New Mexico under directions to go to California. They took New Mexico, and Kearny, expecting Sterling Price to reach him with his regiment in a few days, yielded to the request of Doniphan that he might be allowed to leave the Army of the West and proceed with his men and join the Army of the Center at Chihuahua. Kearny notified Marcey, the Secretary of War, that he had yielded to this request and that when Sterling Price reached him he would then allow Doniphan to join Wool.

To make a long story short, Doniphan proceeded through New Mexico. Within 21 miles of El Paso, his force being divided between the mounted men and the Infantry, the Artillery being behind with the Infantry, he was attacked, 450 strong, by Mexicans under Ponce de Leon with 700 regular Mexicans, regular soldiers, artillery and 700 State troops. Within less than 15 minutes these recruits, volunteers, had killed and wounded 150 Mexicans, captured their artillery, and driven them into El Paso without the loss of a man of Doniphan's command. They waited at El Paso and sent couriers out to endeavor to ascertain where Gen. Wool was. They had just marched over 250 miles of almost trackless, waterless desert. They left El Paso and proceeded practically over the route recently covered by Pershing's expedition into Mexico, 225 miles, to the city of Chihuahua. At what is known as the Battle of the Sacramento, 17 miles from the city of Chihuahua, they were confronted by 5,000 Mexicans, 2,700 of whom were regular, 32 pieces of artillery, and the balance of the soldiers were old State troops. The hills were covered with the population of the city of Chihuahua, a city then of about 18,000 inhabitants, coming out to witness not the fight but the capture, because they brought with them chains and irons forged with which to carry back these "Yankees," as they called the Missourians. Doniphan attacked that fortified place with those raw Missourians. His teamsters parked their wagons, took their mules out of the harness, and rode them bareback over the breastworks, and ran every Mexican soldier out of the State of Chihuahua and lost one man killed!

Why, Mr. President, Capt. Stevenson, commanding dismounted men, charged in double time, kept up with the Cavalry in charging the breastworks, and when he reached the parapet sprang in front of his company and dressed his line as if in drill, and everyone mounted the breastwork without one man out of line and with all the artillery and a thousand Mexican rifles firing upon him. This is what volunteers can do!

These 900 men captured the city and State of Chihuahua, and later marched across the country 600 miles and found Wool!

Now, Mr. President, I shall not take more time of the Members. I desire to see adopted a separate provision in this bill by which the President of the United States shall be authorized and the Secretary of War directed—if this is a war measure—to raise 500,000 volunteers immediately, and with all other provisions of the bill exactly as they stand I hope I may have an opportunity to vote for it.

Mr. President, the volunteer of the United States is the man who has made this country great. When I heard the Senator from Kentucky [Mr. BECKHAM], of my own native State, speak against the volunteer system and in favor of draft system alone, I remembered that in the historical cemetery at Frankfort there is a tall, slender column, and engraved on the pedestal are the names of McKee, and Henry Clay, jr., son of the great commoner, and of many other sons of that State who lost their lives for their country believing at least that they were as good soldiers as any conscript ever dared to be. Then I remembered that this monument was erected to the Kentucky dead in 1847, as their bodies were being brought back just as the Mexican War closed, and that an "epitaph," I may say, was written for them by another gallant Kentuckian who had been with them and who afterwards as a volunteer served on the staff of Albert Sidney Johnson.

Theodore O'Hara, on the occasion of the raising of that monument, wrote that poem, the epitaph of the American volunteer:

On fame's eternal camping ground
Their silent tents are spread,
And glory guards with solemn round
The bivouac of the dead.

Mr. OWEN. Mr. President, on yesterday I called the attention of the Senate to a letter from the Secretary of the Treasury with regard to the amendment to the Federal reserve act as a very important matter. I am not going to attempt to take the floor; I merely wish to make a request. It is a very important part of our preparation for war to strengthen the banking system of the country. I wanted to ask unanimous consent that on Monday morning we take the matter up for disposition.

The PRESIDING OFFICER (Mr. LEWIS in the chair). Does the Senate prefer the request to the Senate at this time?

Mr. OWEN. Yes; I make that request.

The PRESIDING OFFICER. Senators, you have heard the request of the Senator from Oklahoma, the chairman of the Committee on Banking and Currency.

Mr. WATSON. Has the matter been referred to the committee?

Mr. OWEN. Yes; it was referred to the committee, was passed on by the committee, and was submitted to the Senate some time ago. Senators who are interested in the matter will find in the report printed in italics the indication of the changes proposed to be made with the parts stricken out. So it is perfectly clear what the meaning is. There is an extended note on each proposed amendment.

Mr. BRADY. I could not consent to anything which would in any way interfere with the progress of the debate on the pending measure.

Mr. OWEN. No; this measure will be disposed of; and I ask that this be taken up for disposition on Monday.

Mr. LODGE. Is this a unanimous-consent request?

Mr. OWEN. I am asking unanimous consent.

Mr. LODGE. Then we must have a quorum, under the rule.

Mr. OWEN. I believe that is the rule. Then, I will not ask it now.

The PRESIDING OFFICER. Does the Senator from Oklahoma recall his request?

Mr. OWEN. I withdraw my request.

The PRESIDING OFFICER. The pending question before the Senate is the amendment proposed by the Committee on Finance.

Mr. KELLOGG entered the Chamber.

The PRESIDING OFFICER. The Senator from Minnesota [Mr. KELLOGG] having entered the Chamber, the Chair will not submit the question.

Mr. LODGE. What is the pending amendment?

The PRESIDING OFFICER. It will be stated by the Secretary.

The SECRETARY. On page 13 add a new section after section 11.

Mr. VARDAMAN. I rise to a question of order. What is the question before the Senate?

The PRESIDING OFFICER. The amendment of the Committee on Military Affairs on page 13 of the bill.

Mr. VARDAMAN. I ask the chairman of the committee if he is disposed to take up the bill and vote on amendments now?

Mr. CHAMBERLAIN. I think I can clarify the situation in just a moment. None of the amendments have been taken up to be voted on as yet, but we are waiting until the Senators who desire to speak on the subject have finished. I understand the Senator from Minnesota [Mr. KELLOGG] has been recognized by the Chair, and he wants to proceed. I therefore prefer not to take up the amendments until after the Senator has finished.

Mr. KELLOGG. Mr. President, I had not at this time intended to address the Senate upon this bill, but at some time before the close of the debate to say a few words outlining my views and giving the reasons which impel me to support its main features. But as the chairman of the committee has suggested that I proceed at this time I ask the indulgence of the Senate for a few moments while I discuss what I believe to be the important features of the measure.

I shall not take the time of the Senate to make any extended remarks upon this question, though I realize the surpassing importance of the issue and that we are now turning away from the traditional policy of this Nation. I am ready to do it, because I believe the time has come when the safety of the Nation and the great issue that is now pending before the civilized world demands it.

It has been said that this bill does not provide for universal military training or universal military service, and that therefore it is sailing under false colors. I admit that that is technically true. The bill does not provide for universal military training, although I believe it does provide one step which is a necessary feature of every such system in this country.

I believe in universal military training. I do not believe in the exclusive voluntary system of service, but in the selective compulsory system where there is an obligation upon all the youths of the land. I believe that every citizen owes the duty to be prepared, to make the sacrifices, to defend his country, his country's institutions, and his country's homes, whenever the Nation calls upon him. I believe that is the duty every man owes and that the country should not be left for defense merely to those who are willing and patriotic enough in its hour of peril to step forward and defend it.

Permit me for just a moment to say something about universal military training. I regret that this bill does not contain a clause for such a system. I believe that, while we are confronted with the shadows of the great European war, we should in this crisis make preparation by legislation so that every young man in the Nation may receive the rudiments of a military education or training. I believe he would thereby become better qualified physically, mentally, and morally, and that it would engender in him a patriotism and a love of country that would make him a better citizen and better qualify him for the competitive struggle of civil life.

Furthermore, in a country like ours we do not wish a great standing army. It is against the traditional policy of our country and of the Anglo-Saxon race. All the army we need in this country is a force of three, four, or five hundred thousand men, who would be necessary to repel invasion, protect our frontiers, and be the nucleus of a great army if the time should ever come when we should be subject to invasion by any foreign country. The people of this country, for many reasons, would never permit a great professional standing army. One reason is its militaristic aspect, another is that it is unnecessary. Unless, however, we are going to have such an army, it is necessary that the young men of the country should receive the training that fits them to go to arms when the Nation calls them.

It has been said, I think, by the Senator from Colorado [Mr. THOMAS] that such a system encourages militarism. I deny it absolutely. Did that sort of training encourage militarism in Switzerland, where every man is subject to such training and where the nation has never had a war since the Napoleonic wars swept Europe with their consuming flame? Has it inspired militarism in France, which country fought against going into this war with all the intensity of that spirited people? Did it inspire militarism in Holland, or has it inspired militarism in any other democracy? Was militarism inspired in this country by the Revolutionary War, by the War of 1812, by the great struggle of 1861, or by the war of 1898? Yet in the war of 1861 we had an army which was the greatest the world had ever seen, except the armies of Imperial Rome, which overran Western Europe. At the close of that great war the citizen soldiery dispersed and in a day the great armies which had rallied on each side to carry on the conflict returned to their homes, engaged in the occupations of life and in the affairs of the country, and were better qualified as citizens by reason of the baptism of fire.

Not only that, but militarism in this country will never be inspired by teaching the citizen soldier how to defend his country and then allowing him, still in his youth, to go back to his neighbors and his friends to engage in the occupations of life. It will rather inspire him with the patriotism of peace. It will inspire him with the desire that his country be left to enjoy the fruits of peace and work out its own great destiny.

Another objection is made to universal military training and to compulsory service or universal service in the Army. The pacifist orators who are opposed to military training or to universal service oppose it upon the assumption that some day we are going to reach the era of universal peace. Do not let us delude ourselves with the idea that the millennium has arrived or that universal peace has come to the world. Segur, the great French historian and military writer of the Napoleonic period, once said, and said wisely, that "universal peace is the dream of the wise; war is the history of mankind."

Only two years and a half ago, Mr. President, all the world was at peace. The people of the belligerent nations were a highly civilized and christian people of the same blood and of the same races who go to make up this great Nation. They were far advanced in the arts of civilization—I might say in the arts of peace. There was no widespread poverty, no unusual oppression of government, no general spirit of discontent; yet in an hour, as measured by the life of nations, there burst upon the world a war, the horrors of which surpass the ages of barbarism, and the appalling loss and waste of life staggers humanity. Yet, with this history, and the fact that the path-

way of progress of civilization is strewn with the wrecks of empires from great wars, we have been living in a fool's paradise, deluded by the dream of the peace of isolation.

I say that this country should have made preparation years ago, to be able to meet just such an emergency in the world's history as this one. However, we have not done it, and we are now confronted with the necessity for doing it; and how shall we best accomplish this object?

Coming now to the question of selective compulsory military service, I believe that the only possible system for the defense of a country is universal military training and universal obligation for service, under which every young man within the proper age, and with the proper qualifications, shall be enrolled in the Government service to be called for by some other system than by the volunteer system. If we had had universal military training, the question now confronting us, as I have previously said, would not have arisen, and if this bill had contained a clause providing for the inauguration of a system of universal military training much of the opposition to it, I believe, would have been removed.

I am, however, opposed to the volunteer system for many reasons. First, I do not consider it democratic. I do not consider it democratic to leave the defense of the country alone to the man who has patriotism enough and who is willing to make the sacrifice. I believe that the highest obligation the Government imposes upon a citizen is to be prepared and ready at any time to defend the country. I do not believe that burden should be left to those who are willing to assume it any more than we should leave to those who are willing to assume it the entire burden of paying the taxes to defend the country in its hour of peril.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER (Mr. LEWIS in the chair). Does the Senator from Minnesota yield to the Senator from Tennessee?

Mr. KELLOGG. With pleasure.

Mr. McKELLAR. Having those beliefs, does not the Senator think it would be better to put the burden upon all men of military age rather than upon the boys between 19 and 25?

Mr. KELLOGG. That may be; I am not fully prepared to say. I am inclined to think that it ought not to be put on the boys under 20 years of age, and possibly under 21.

Mr. McKELLAR. If the Senator believes in universal military training and service, does he not think that it ought to be universal, or certainly universal to the extent of those of military age—say, from 20 or 21 to 45—as is ordinarily the case in the various countries? Would not that be a more just distribution of the burden, rather than to place the whole burden of the war on a lot of boys between 19 and 25?

Mr. KELLOGG. No; I do not think so. I was astounded the other day with the figures given by my colleague [Mr. NELSON], who was a soldier in the ranks for four years during the War of the Rebellion. As I recall those figures, only 62,000 of the soldiers were 25 years or over.

I believe that the young men from 20 to 25 years of age are better qualified to stand the strain of such a contest than those beyond that age, and that after they have married and settled down and have engaged in the occupations of life, which are as important, perhaps, to the life of the Nation as military service, it is not wise to include them within the draft. I must be governed in that respect very much by the opinions of the men who have made military subjects a study. I do not pretend to have done so.

Mr. McKELLAR. Mr. President, will the Senator yield to me for a further question?

The PRESIDING OFFICER. Does the Senator from Minnesota yield again to the Senator from Tennessee?

Mr. KELLOGG. Certainly.

Mr. McKELLAR. The Senator says he was struck, as I think we all were, by the figures read into the RECORD by the senior Senator from Minnesota [Mr. NELSON] showing the ages of the boys who served as soldiers in the Civil War. Then the Senator speaks of the splendid organization of the Army at that time. The Senator recalls that out of the 2,700,000 in the Civil War on the Union side all of them except 47,000 were volunteers. Does not the Senator think that the figures submitted concerning the conscripts in that war, to wit, that of the 776,000 conscripts enrolled under the enrollment or conscription act of 1863, the Government got only 47,000 actual soldiers out of that great number, show that the conscript plan is not the best possible plan?

Mr. KELLOGG. Now, if the Senator will allow me, his question involves two propositions: First, that the best material in the Union Army, the best soldiers, as I understand, were the volunteers; and, second, that out of about 700,000 conscripts during the War of the Rebellion only 46,000 were finally enrolled as soldiers. I will, with the permission of the Senator, answer, so far as I can, the last question first. I am not familiar with the figures nor have I made a study of the reasons for the small number of conscripts who toward the close of the war were selected from the large number who had been enrolled. I am informed, however, that over 113,000 men were never found at all; that is, that number enrolled to be conscripted did not appear when called. Is it not quite possible that many of those in the local communities, knowing that they were liable to be conscripted, volunteered? I am informed that such is the case.

Is it not also quite possible that at the time the draft came the best and bravest men of the Nation had already enrolled themselves in defense of the country, and that the percentage acquired by conscription was therefore less than otherwise might have been expected?

But, Mr. President, I do not consider it conscription when every young man in the Nation is enrolled on what I call a "roll of honor," to be summoned at any time for the defense of his country. I call that a "roll of honor" rather than a roll of conscription.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Utah?

Mr. KELLOGG. I yield to the Senator.

Mr. SMOOT. In that connection, may I suggest to the Senator that one of the reasons for the failure of a large number of the conscripts to serve as soldiers in the Army was that many of them purchased substitutes, and those substitutes went into the Army intead of the men conscripted. That accounts for a great number of the conscripted men who never served in the Army itself.

Mr. KELLOGG. I thank the Senator for the interruption. I have no doubt it is true; but, as I said before, when a list of eligible young men between certain ages—whatever ages the Congress in its wisdom may select—is made up as a roll of men to be called for to defend the country, or when by universal military training those young men have consecrated themselves to the defense of the Nation, we avoid the hateful word "conscription." They are called to the flag to defend their country, and they are not conscripts—a word which, owing to its history, I admit is odious to the American people.

Furthermore, I do not deem it necessary, nor could I say anything against the magnificent accomplishments of the volunteer soldier in this country or in any other. To maintain the position which I am going to take after many hours of thoughtful consideration I do not find it necessary to say aught but in the greatest praise of the honor, the patriotism, the effectiveness, and the splendid spirit of the volunteer as he has shown it on many a field of battle in the wars of this country. Were I an orator—as I am not—I should delight to add, to indulge in encomiums on the splendid volunteer heroes who have been enrolled in honor and have been in many battle fields from Runnymede to Appomattox; and I do not think any eulogy could be too great for the men who fought to make this democracy possible.

But, Mr. President, I believe that the men to-day who are familiar with the subject—the statesmen of Great Britain, of Canada, and of France, and of the other allied nations—have come to the conclusion that in this great war there are reasons which prove the voluntary system inadequate. I shall not stop to discuss many of these reasons. I do know, however, that in Great Britain, magnificent as was the feat of enrolling nearly 5,000,000 men by the voluntary system, as has been said by Senators upon this floor, it really was not voluntary at all. Remember that Great Britain was confronted across the channel by the greatest military force of all time. Remember that Great Britain was fighting for the maintenance and continuance of the British Empire. Remember that every British citizen was being put to the supreme test of patriotism. War was at the door of Great Britain. We do not realize that war is at our door, though I verily believe that we must fight the German Empire now or later, and that we had better do it now.

Furthermore, there is no doubt, however splendid the results may have been in Canada and in Great Britain, that the statesmen of those countries to-day—and I have it upon the highest authority—believe that the voluntary system nearly cost the British Empire its life and nearly ruined its industries.

Mr. President, there is one phase of this question which has given me very much thought and much anxiety. It is as necessary for us to maintain the industries of this country, including agriculture, which are essential to the prosecution of this war, as it is necessary for us to send an army to France. What France and Great Britain need to-day above all else is food and

iron and steel products to maintain their munition factories. And unless they get them and get them quickly the great allied forces fighting the powers of the central empires must be defeated and the ideals of democracy which those countries hold in common with us must perish.

Mr. President, much as I hope it will not be so, I fear that we in this country, on account of the demands of France and England and perhaps other allied nations, are going to be unable to produce the food products necessary to maintain those countries in this great struggle. With a shortage of crops in this country last year, with a threatened shortage of 50,000,000 bushels in the spring wheat crop, with a loss of almost the entire crop of Argentina, unequaled in 20 years of its history, with Russia bottled up and none of her products reaching the allies, it develops upon this country and Canada to produce the foodstuffs necessary to maintain us in that struggle and to maintain the allies. We can not afford to take from the farms of this country the labor which is necessary to cultivate those farms and harvest the crops, if God in His justness gives them to us to harvest.

It has been stated upon this floor that the rural districts of the Nation furnish more volunteers than the cities. That is always true, for the real, great virile heart of patriotism is near the soil in every land, and to-day the thing that makes France able to withstand this conflict is that the French people are a great agricultural people, owning and living upon the soil they cultivate. The roots of that civilization, like the roots of our civilization, spring from the soil, and I say that we can not afford to raise a great volunteer army principally taken from the farms of this country, for if we do we shall face a food shortage in the world which will be more disastrous to the armies of the allied nations than defeat upon the field of battle.

I believe that a system of compulsory service similar to that contemplated by this bill enables the Government to draft for military service and partial military service the men of the land best fitted therefor, and to exclude and permit or direct to go back to the factories and to the farms of this country such men as are best suited and fitted to maintain the industrial life of the Nation. I know that under one section of this bill it is provided that these men may be drafted for partial military service or may be excused, and that means the Government has the necessary control over them. It may send them back to the factories or to the farms, in order to preserve the industries of the country which are as vital to our success as are marching armies. That is one reason why I favor this bill.

But another reason, which I have partially stated before, is that I believe it is more democratic to call upon the rich man's son and the poor man's son, the son of the man of influence and the son of the man of humble station, to serve together in the Army, in the training camps, and upon the field of battle. Nothing in the world disseminates a democratic spirit more than this, and I know of no reason why they should not serve together, side by side, under the same flag and the same conditions; especially would it be true when men are called from all walks of life, trained in the same school, and upon the same fields.

Mr. HARDWICK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Georgia?

Mr. KELLOGG. With pleasure.

Mr. HARDWICK. Would not the same thing happen, and is it not exactly what has happened under the volunteer system?

Mr. KELLOGG. I do not think it would happen under the volunteer system.

Mr. HARDWICK. Well, it has happened every time in that way, has it not?

Mr. KELLOGG. Undoubtedly it has, to a very great extent.

Now, one other reason. We are not faced by any imaginary dangers. We are engaged, Mr. President, as I believe, in the greatest struggle the world has ever seen. I stated the other day, and I shall not stop to reiterate, that I do not believe this war is going to terminate by mere declaration or by an effusion of patriotism. I believe that we are yet confronted by the greatest military power in the world's history, still intact, still powerful, still concentrated, and that it may yet require many, many months and possibly years before the war is brought to a successful close. I believe that our plans should be laid now not only with this volunteer system of filling up the Army and the militia in view, but that they should be laid now looking ahead with a certainty that we are going to get 500,000 or 1,000,000 men, whether they enlist or whether they do not, and that there should be no doubt whatever upon that subject.

Mr. President, I have taken more time than I intended, but, like many men, I become infatuated with the sound of my own voice and continue longer than I expected. There is one other suggestion I have to make, and it is this:

The only question I entertain with respect to this bill is whether, outside of the system of selective draft to obtain a force of 1,000,000 men, we can not raise in this Nation from those not subject to the draft a trained and properly equipped army—a small army, I will admit, perhaps from 25,000 to 100,000 men—in a shorter time, so that they might be put upon the soil of France at the earliest possible moment. I shall vote for this bill. I shall vote for universal military training, if I have a chance, and I shall vote for the selective compulsory military service.

But, Mr. President, I shall also vote for the amendment offered by the Senator from Ohio, which does permit a limited number of divisions to be raised by the volunteer system; and I will state my reasons therefor, although in doing so I do not wish it to be understood that I am not absolutely in harmony with the principles of universal military training and compulsory service, if you may call it that, rather than to leave the country's defense to those who are willing and patriotic enough to serve.

I believe that in France to-day a great crisis is at hand. The other day the Senator from Colorado [Mr. THOMAS] said in substance, as I recollect, that there are occasions when he believes in compulsory service, but that the time had not yet arrived. I believe the crisis has arrived. I do not believe as I have heard it said that the Constitution is suspended during the war. I believe rather that the Constitution and constitutional government to-day are on trial. I believe that France and England have been straining every nerve, raising every dollar, using and mobilizing all of their vast resources to meet the great struggle with which they are confronted. I do not know how long they can maintain their present position without assistance. I was in France when the war broke out and saw the effect upon the French people and upon the army by that expeditionary force from England of a little over 100,000 men which was sent to France, which confronted the great onrush of the German hosts through Belgium, which inch by inch, and mile by mile, with a stubbornness, with a determination, and with a bravery and a coolness unequaled on any battle field of the world, retreated before that army until the men of France, with the men of England, standing side by side, rolled back the invading hosts. I know the inspiring influence, I know the eager questions of the French people and the enthusiasm which was brought to that nation and the encouragement by that little heroic band of the English Army which helped to save the day for France and perhaps save republican government in the world.

If it is necessary, and I believe it is, I wish to see as soon as it can possibly be accomplished a like force sent to France to encourage them and to stand side by side with them in this great conflict. I do not rely upon my judgment alone when I make that statement. I read the statements the other day of English and French statesmen and soldiers pointing out the great importance of our sending a little army into France at the earliest possible date. Let me read what Winston Churchill said:

> It seems to me certain that the presence of even a single American division on the battle fields of France or Flanders this year would exercise influence and afford encouragement out of all proportion to the actual number of men employed.
>
> Now, when the terrible weight and burden of this struggle has pressed for nearly three years upon the French, British, and Belgian troops, the arrival of the American flag and the American uniform on the actual line of battle would be the veritable signal of approaching deliverance and of victory and would kindle joy and enthusiasm in every heart.

I happen to have the honor of a personal acquaintance with Winston Churchill. He has for nearly two years been in the trenches and he knows what he is talking about. But that is not all. A French statesman recently said:

> The moral factor involved would be more important than the military aid. This war is a struggle of liberal, progressive nations to overthrow a reactionary governmental system. It is of the highest moral importance that the United States, the most progressive power in the world, should be represented in this new army of crusaders.

Again Lord Northcliffe said:

> The appearance in Europe of even one American division would be a sign and portent of America's devotion to the cause of freedom. France and the world will never forget the day when a division flying the Stars and Stripes shall make its way to the fighting line at Verdun or on the Meuse.

Statesmen like Viscount Bryce and others use language to the same effect. I will not take the time of the Senate to quote them.

I do not believe, Mr. President, that we should send an undisciplined mob to France, but I do believe it to be feasible to

permit the most distinguished citizen of this Nation, Col. Roosevelt, to raise from those not included within this draft from one to four divisions composed of the patriotic citizens of this country who are now willing and ready to go to France. I say let them go, and support and encourage them with all the influence and power of this Government. That is why I am willing to vote for the amendment of the Senator from Ohio [Mr. HARDING].

But, Mr. President, in the main I shall support the principles of this bill. I have not arrived at this conclusion lightly, because I realize the splendid spirit of the American people. I would not wish to believe—and I do not believe—that in this hour of the supreme test of our patriotism the American people would be found wanting in spirit, or seen to shirk from the self-sacrifice entailed by enlisting, but I do believe, Mr. President, after careful and sincere consideration that the principles of military training and of selective compulsory service are principles which are democratic and which will in the future prepare this country to meet any exigency that may arise.

Mr. President, we have in the past been willing to shed our blood, to make sacrifices for our ideals of Government, and the protection of our citizens. Let us without bitterness, but with a high resolve, engage in this war with the firm determination that the principles of democracy, of advanced civilization, and the wise rule of international law shall prevail, so that the earth shall not be a military camp, but nations governed by laws and inspired by the highest ideals.

Mr. HARDWICK. Mr. President, in a situation like the one that confronts us to-day it is well for the country to pause, to deliberate, to be careful, prepared as we ought to be, and as we are to make good our declaration of war against Germany by every just and adequate method and in every reasonable way within the scope of our power. At the same time there is no lack of patriotism involved in stopping to inquire whether or not we must necessarily adopt a system that is completely subversive of every American principle, dangerous to the liberty of this country, and absolutely unnecessary, for the present at least.

There is a good deal of confusion, Mr. President, not only in this Chamber but throughout this Republic about the present situation in which the country finds itself. We are at war with Germany, although there is hardly a physical manifestation of that fact which has yet been made to the people of this country. We are at war with Germany, but why? To establish a world league to maintain peace by force among the nations of the earth? No. To change the form of government in Germany, in Austria-Hungary, in Turkey, or in Bulgaria? No. To battle for some vague, undefined, indefinite something called "the democracy of the world"? No. We are at war with Germany at this moment simply and solely because the German Government insisted upon murdering American citizens upon the high seas when they were engaged in their peaceful and legitimate business.

If the contention voiced by certain Senators and by certain Members of another body in this building, and by others in high place, is sound, then for three years we have all been slackers; we have all been laggards. Then, for three years we have all left the British and the French and other European, Asiatic, and even African nations to fight our own battles. I deny it. I dispute it. I repel the insinuation with the scorn and contempt that it deserves. No high-flown phrase from any high place in this country or elsewhere will ever lead me to believe that the American people are going to be humbugged into the idea that they are fighting a great war to liberate all these peoples, as a part of some new-fangled political dispensation.

No, sir; we are fighting this war simply and solely because a Government with which we were at peace denied us our rights on the high seas, and through its established agencies of government and warfare murdered peaceful American citizens. As far as I am concerned, when we avenge that wrong, when we establish American rights, when we teach all the nations of the earth that no nation can lay its hand in that sort of a way on American citizens, then I am willing to conclude peace with Germany and her allies.

Ah, sir, we fought England in 1812 when we were a weak and puny Nation for just such reasons as that, because England denied to us our rights on the high seas and claimed the right to impress our seamen into her service. Yet, when we fought England in 1812, we did not join hands with Napoleon and say to him, "We will never make peace with England until England is humbled in the dust at your feet." We fought for American rights, for American principles, for American lives that had been taken and for American citizens that had been wronged. So we fight to-day, unless I mistake the temper and purpose of the American people.

Is there any Senator in this Chamber; is there any Senator whose name is on the roll of the membership of this body who believes for one moment we would have gone in this struggle if Germany had not fired upon our flag and murdered our people?

Mr. KELLOGG. Mr. President, will the Senator pardon me?

The PRESIDING OFFICER (Mr. LEWIS in the chair). Does the Senator from Georgia yield to the Senator from Minnesota?

Mr. HARDWICK. I yield to the Senator.

Mr. KELLOGG. The Senator does not understand that I made any such statement?

Mr. HARDWICK. I was not particularly directing my remarks to the Senator, and unless he entertains such sentiments he need not think so. I know the Senator does not take that position, and I do not believe there is a Senator on either side of this floor who thinks that when Belgium's neutrality was violated we were obligated to have anything to do with it, or that for any such reason we ought to have gotten into this war.

Now, it is just as well to get back to first principles every once in a while. I am willing to have the aid of these allies and I am willing to give them aid, because it is to our interest to do so. I think we ought to have passed the bill lending them money. In fact, I am willing to go further on this subject than most people would go. I would be glad to send at once a division of American Regulars to fight on French soil. I think it ought to be done at once for the moral effect it would have over there.

But, Senators, I do not want to be misunderstood. I do not believe that because of that feeling, because of that desire we commit ourselves to these European quarrels. In other words, I am willing to feed American boys, Georgia boys, to German cannon for American lives and American honor, but not for European squabbles, not to decide who shall have Alsace or Lorraine or Bosnia or Herzegovina, or some other outlandish country over there, but the last drop of blood that flows in my body I am willing to shed for American rights and for American honor.

I do not object; in fact, I welcome the visit of the commissioners here from these allied countries. Every drop of blood in my veins on both sides is English, old English and pure English, and naturally even when we were neutral my heart went out in great and silent sympathy to my kinsmen across the seas. France I love. Every American acquainted with the history of this country must, yet we can not but realize that we are going to give these allies fully as much, yea more in tenfold measure, than they can possibly give us. We are going to give them freely of our treasure, of our foodstuffs, of our munitions, of money, so that they may maintain this struggle against a common foe, but I am by no means willing that we should enter into any agreements with them to make their several quarrels ours.

Mr. WATSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Indiana?

Mr. HARDWICK. I yield to the Senator.

Mr. WATSON. I suppose under those circumstances the Senator is very much gratified by the interview with Mr. Balfour, as given in the Post of yesterday morning.

Mr. HARDWICK. Yes; and I want to say in this presence and to this body I think the fact that Mr. Balfour had the good sense to make that statement at the very outset of his mission shows that he is splendidly qualified for the task for which he was chosen and for the mission which he is to perform. I only hope that in our enthusiastic hospitality we will display just as much good sense as Mr. Balfour has already shown in this matter.

Now, this country has not decided, but you would think so from some of the newspaper statements that have been written about the subject, that we are going into a hard and fast agreement with England, France, and Italy, with the allied powers, to prosecute this war as long as they want to prosecute it; never to end it, no matter how thoroughly American rights and American honor are vindicated, without the consent of the allies. No, we have adopted no such policy. To adopt it would be to reverse the traditional American policy from Washington's day to this. Such a policy can only be adopted in one way, under the Constitution of the country, and I think that document is still in force; it is supposed to be at least.

It can be done in only one way, by treaty submitted by the President of the United States to this body and ratified by a vote of this body. Having adopted no such policy, having made no such alliance, having contracted no such engagements, I say

that it is entirely undetermined yet, to what extent, in what manner, and how we must wage the war that is necessary to vindicate our honor, and to secure and to preserve and to maintain our rights. I say that the sole question that concerns this Government and this people is, not to see that European matters are settled to suit this man's idea or that man's idea or another man's idea, but to see that American rights are vindicated; that American honor is kept unsullied; to see that this country exacts adequate reparation for the wrongs that its innocent, peaceful citizens have suffered. I say once that object is achieved, once that purpose is accomplished, I greatly mistake the temper of our peace-loving people if we shall not be able to accommodate ourselves readily and entirely with our enemy.

Mr. KELLOGG. Will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Minnesota?

Mr. HARDWICK. I yield to the Senator, of course, with pleasure.

Mr. KELLOGG. I should like to ask the Senator if he believes that by engaging in this war with the allies for the defeat of Germany we in any way bind ourselves to engage in the settlement of the dispute over Belgium, Alsace, the Balkan Peninsula, or Russian rights in Turkey?

Mr. HARDWICK. I do not, and I hope the Senator from Minnesota does not.

Mr. KELLOGG. I think I stated on the floor of the Senate the other day that I did not.

Mr. HARDWICK. I am very glad the Senator from Minnesota entertains that view, and it seems to me utterly incomprehensible that an American Senator could entertain any other view. Of course, "many men, many minds." There may be Members of this body on either side, or on both sides, of this aisle who may view that question differently; but, so far as I am concerned, Washington's policy is yet sound. I do not want to sit at the council table of nations and settle European disputes, and I do not want this Government to have anything to do with what sort of a form of government Russia or Germany or Italy or any other nation on earth shall maintain.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Mississippi?

Mr. HARDWICK. I yield.

Mr. VARDAMAN. If the Senator from Georgia indulges the hope that the representatives of this Government will not sit at the head or to the right of the power occupying the head seat at the table when this settlement comes about, in my judgment, he is doomed to a very sad disappointment.

Mr. HARDWICK. I spoke only of my desire, of my hope, not of my belief. The Senator from Mississippi may be right.

Mr. VARDAMAN. I hope I am not, but I think I am. I am, in fact, of the opinion that this matter was very maturely considered before war was declared.

Mr. HARDWICK. So far as I am concerned, the only council table at which I wish to sit is the council table where reparation is exacted for American wrongs and where recognition is demanded for American rights. If I am right about that, and we have not gone any further than that, we have merely declared war on Germany because Germany murdered our citizens. We have not agreed to capture Berlin; we have not agreed to join the allies in a death feud on those people. We simply are maintaining and waging an American war to vindicate American rights, American honor, and American principles, and to avenge American citizens who have been murdered. If I am right about that, what policy are we to adopt? How is it related to the pending question? In an effort to carry out an American policy, as contradistinguished from an allied policy, what is necessary to be done? What steps ought we to take, and when and how, because of the situation that now confronts us? Shall we find it necessary, in our efforts to combat Prussian autocracy, to establish a greater autocracy here in America? In our fight on Prussian militarism has it become necessary to establish in this country a more drastic and a more burdensome militarism than that under which Prussia has groaned and which we profess to hate? I think not; I believe not. Has the time come when, in order to democratize the balance of the world, we must lose our own democracy? Has the time come when, in order to curb despotic power in the hands of the German Kaiser, we find it necessary to establish in this Republic the most despotic power that ever was vested in one man in the history of the world? I believe not.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Hampshire?

Mr. HARDWICK. I yield to the Senator.

Mr. GALLINGER. I am in profound sympathy with the declaration the Senator has just made, and I hope it will be accepted by the American people. I am also in profound sympathy with the suggestion the Senator has made that, when this war comes to a close and the final accounting is made as between the warring nations of the world, the United States will not be found in close conference with European powers. I will say to the Senator that in thinking that matter over before to-day I had indulged the hope that the majority of this body, which controls legislation, might in some bill make a declaration to that effect. I hope yet that that may be done.

It will be a sad day for the United States when we forget the admonitions of Washington and find ourselves in entangling alliances with European powers in their quarrels. While I am strongly in favor of prosecuting this war, we having declared it against the German Empire, I trust that we may not at the end of it find ourselves in a position that will involve us in complications with foreign countries such as we can not contemplate with composure.

I thank the Senator from Georgia for his courtesy.

Mr. HARDWICK. I thank the Senator from New Hampshire for his interruption. As he must see, I am in hearty and profound sympathy with his American view of this great question, and I regard it as fundamental if the liberty handed down to us by our fathers is to be transmitted by us to our children. We can not depart from it, and I expect to show the Senate and I hope the American people before I finish this address that the traditional liberties that were the prize for which Washington's "ragged Continentals" fought is surrendered in this bill which it is now proposed to pass.

Mr. VARDAMAN. Mr. President, if the Senator will pardon me for just a moment, I desire to say to him at this point that the President, in his address to Congress, has announced his opinion that the United States Government can no longer occupy a position of isolation; that it is a part of the great world system and must take its responsibilities in the settlement of these international questions. I agree very heartily with the Senator from Georgia and the Senator from New Hampshire, but I think already we have been a little forgetful of Washington's teachings. In truth it strikes me that the teachings of Washington and the wise founders of this Republic are regarded by many of the so-called leaders of public thought to-day as altogether obsolete.

Mr. HARDWICK. Mr. President, it is not my purpose, and it is not the intent of this address, to criticize anyone or to take issue with anyone, except in so far as criticism is involved and issue is taken with those who dispute the principles I announce. Regardless of whom it may be, regardless of the personality of the person who objects to it, I still believe in Washington's doctrine, that this country ought not to enter into entangling alliances with European Governments. No matter how far progressive thought may have carried us forward in certain directions along those lines, I do not yield to it, and I do not believe the sound sense and sober patriotism of this country will ever approve such a proposition.

Undoubtedly Congress ought, even in advance, and necessarily in advance of the settlement of the questions I have suggested, to proceed without delay to the vigorous and adequate prosecution of the war which we have declared, remembering its purpose, mindful of its object, its one purpose being to vindicate American honor, to redress American wrongs, and to establish American rights. First of all, as I said a moment ago, purely as a matter of interest, purely because it is for our interest as well as that of our allies for the time being, a matter of common interest to us all, because we are engaged in a combat with a common foe, we ought to give bountiful aid in money, supplies, equipment, and munitions of all sorts to the other nations that are also engaged in war with Germany and her allies. We ought to do that at once, without the slightest delay; and I think we have done it already in bountiful measure; but, for one, I stand ready to do it in even more bountiful measure whenever and wherever the necessity arises, and to the very extent and limit of our resources and power.

Second. We ought to mobilize and to use at once the full power of our Navy—of our fleet equipped and augmented with proper submarine destroyers—to clear the high seas of the people who have impudently denied us our rights thereon, and to punish them for their assaults upon our peaceful merchant ships. We can do that without raising a regiment; we can do that without calling a single man to service in the land forces; and it ought to be done at once, and doubtless will be done just as soon as adequate preparation can be made by the Navy Department.

Third. As I said a moment ago, my own opinion is that we ought to send at once to the battle fields of Europe a picked division of our Regular forces, to plant on French soil the Stars and Stripes for the encouragement that they will give to those who are temporarily our allies—although we may not agree with every purpose they may have—to the men and the nations whom it is to our interest to encourage and sustain in their fight against our common foe. We ought to do that; we can do that without any trouble. We have the Regulars; and the United States Regulars, whatever else may be said about them, are, in my opinion, among the very best of the picked troops of earth. They are ready and equipped and willing to go, and their places here at home and in our insular possessions can be readily taken, and instantly taken, by the picked men of our National Guard, who have already been called, many thousands of them, to the colors. We ought to do that immediately.

Mr. WATSON. Mr. President——

The PRESIDING OFFICER (Mr. KENYON in the chair). Does the Senator from Georgia yield to the Senator from Indiana?

Mr. HARDWICK. I yield to the Senator.

Mr. WATSON. Is the Senator willing that Col. Roosevelt shall go?

Mr. HARDWICK. Yes, sir; I am not only willing, but I will go further than that—and I am coming to that feature of the matter a little later—I am not only willing, but anxious. I believe we ought to let every man in this country who is willing to go to this war to go, unless he can not be allowed to go without leaving too big a void behind him; and, measured by that rule, I think we can spare "the colonel." [Laughter.]

I will tell you another thing. I want to let every man in this Republic go who is willing to go, and who can be spared, before I drag any man into it unwillingly who does not want to go. It looks to me like that is common sense and common justice at the same time.

Selective conscription! Conserve the Nation's industry, keep it industrially strong and vital, say these gentlemen. Why, you can apply exactly the same principle to volunteering. I have never yet heard that you were obliged to accept every man that offers. The Good Book says, "Many are called, but few chosen." I do not suppose that we have to accept every volunteer who comes along, any more than we have to take every conscript who might be enrolled.

Mr. VARDAMAN. Mr. President, the man who volunteers will go wherever he is assigned.

Mr. HARDWICK. Yes, sir; and if he volunteers in the right spirit he would just about as soon go as a private as a brigadier general; but, unfortunately, most of the volunteers we have had up to date have been for officers and very few for privates; and I suspect that is the real reason for most of this conscription talk.

The Senator from Mississippi understood me to mean that I did not think the force required could be raised of volunteers. I do not mean to be so understood. I believe it can. I did not intend to convey the impression in that half jocular remark that I thought otherwise. If there is the right method applied to the volunteer system, such as we have always had in this country, with some slight modifications I think we can raise all the soldiers we require. I know that the State I represent in part on this floor can raise her quota within a very limited period of time under a proper volunteer system, and I think the same thing is true about almost every other State in this country.

Mr. VARDAMAN. There is no doubt about that.

Mr. HARDWICK. I would dislike to believe that that was not true about any American State.

How shall we raise an army—by volunteers or by draft, by free-will offerings or by forced conscription? Mr. President, I want to outline in a very brief way some of the objections which have been made to the volunteer system, and then undertake to make equally brief reply to those objections.

First. Senators who object to the volunteer system at the present time tell us that it will take the Nation's bravest and the Nation's best. That is true. It will take just as many of them as we will accept; and I will tell you now that a nation never won a great war, never achieved glory, except at the expense of the richest and the bravest and the best blood that flowed in the veins of her sons. If you think this war can be won with an army made up of pool-room sharks and barroom loungers, you hold the German enemy in much lighter estimation than he ought to be held. If you win this war at all, if you carry the Stars and Stripes with honor and with credit and with glory through its perils, you will not do it with anything short of the very best blood and the very best manhood that this country can furnish.

Second. Senators object to it because they say it makes for waste and weakens the Nation industrially. I answer that every principle of selection that by human ingenuity can apply to the one system can be equally well applied to the other; and if you rejoin, "Well, but we may not get enough volunteers," then, I answer that then, when that happens, and not until then, will you be up against conscription.

Third. I have heard the statement made that this system is antiquated and as much out of place in these automobile days as an ancient stagecoach would be if brought back to the streets of this Capital. Well, I am not so sure that that is a good argument against it. All these years I have heard the same argument made against the Constitution of the United States.

Mr. BORAH. It seems to be working, too.

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Idaho?

Mr. HARDWICK. I yield to the Senator, of course. The Senator says the argument seems to be working? Yes, unfortunately; and yet I am not convinced, and I know my friend from Idaho is not convinced, that it ought to be working, or has any real value. I am not convinced that the argument is sound even if a few fools do adopt or urge it. The fact that a thing is old and long established and has served us well for a long time does not prove that it is bad, old fashioned, old fogy, or out of date. On the contrary, to my mind it seems to prove that it must have intrinsic worth, or it would not survive.

Practically the same men will fill the ranks, with few exceptions, under one system as under the other system, and in the same time, unless, indeed, it be true that volunteers will not come forward so fast that they can be organized more rapidly than all the preliminaries of this conscription business could be gone through with. They can be as well trained, as well equipped, as modern and up to date, under the one system as they can under the other.

Fourth. Senators who oppose the volunteer system say that the officers will be selected for political reasons rather than for efficiency, and will be untrained and inefficient.

Now, that is a serious objection. If it is true—and it is partly true, at least—it deserves serious consideration and the application of some remedy. Now, in the first place, under the law that we ought to pass, inefficient men who, because of their natural leadership are selected for these places need not be commissioned. We are not obliged to accept them. They can be rejected, but if they are real men, whether they are very efficient in technical training or not, we can train them just as well, just as efficiently and just as thoroughly, as officers for this army, whether they happen to be elected or selected by the commands or appointed by the Executive. The personnel is the same and the proposition is the same. Unless there is something wrong with the timber that is offered, one is as good as the other and you are just about as likely, and in fact more likely, to get unsuitable timber from the one system as you are from the other. Executive favoritism in making appointments is just about as dangerous as popular mistakes in making choices. There is no doubt about that.

We are proposing now to train, in four or five great camps in our country—one established in my own State—10,000 of these young officers. Why could we not train the officers for these volunteers in exactly the same way and in exactly the same time that we are going to train these so-called reserve officers? Why not; and will they not be just as good men and just as well trained when we get through training them, no matter which camp they come from?

It has been insisted that the experience of other countries proves the volunteer system a failure. I deny it. I dispute it. Take France. Let me say, first, about France that France has made a splendid showing in this war. In my opinion, it has borne the brunt of the contest in large measure. It has acted the heroic part in it. Certainly France and Great Britain together share the great bulk of the glory that comes to the allied side of this great contest. In France, I understand, they have something like a universal military system, something that approximates conscription, although I venture the statement in this presence and without fear of successful contradiction that it is not one-half as harsh as this proposition that we are proposing for our people as a first experience—"first aid to the injured."

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Mississippi?

Mr. HARDWICK. I yield to the Senator.

Mr. VARDAMAN. Has the Senator any information as to whether or not there has been any objection or any opposition in France to the enforcement of the conscription law? I have never heard any.

Mr. HARDWICK. No; I do not think so, but——

Mr. VARDAMAN. I think they have pretty universally acquiesced in it; in fact, volunteered with alacrity. Their homes are threatened with invasion, their firesides are about to be profaned by a cruel foe, and it is but natural that a brave man should offer his services and, if need be, his life in such a cause.

Mr. HARDWICK. But I want to say to the Senator from Mississippi that I can readily understand how the French nation, sleeping on its arms in close proximity to Germany, living over a smoldering volcano, would readily submit to the discomforts and to the deprivation of personal rights and personal liberty that were involved in this system in order that she might be able to meet the supreme test, as she has met it, during this war; and if the necessity were on this country, as it has been on France, if American soil were in danger of invasion, if American freemen were about to lose their lives and liberties and American homes to be desecrated, while there would not be any need for conscription, I would be willing to conscript every man in this country, from the cradle to the grave, white and black, brown and yellow.

Mr. VARDAMAN. You would not need it.

Mr. HARDWICK. No; we would not need it. The Senator is right; but if, perchance, we did need it, for one I would not hesitate to apply it.

So much for France. But England, our mother country, whose institutions are practically ours, of whom we are not only the eldest child but the prototype—what has been England's experience with this matter?

Conscription was finally forced in England, but a limited conscription, for unmarried men only, I think, and a conscription that did not come until after two years of the greatest war that this world has ever seen had thundered by within 50 miles of her doors; not until after she had sent, by her splendid voluntary offerings, 5,000,000 of her bravest and best men to the front; not without much division of opinion and much resentment at the political sacrifice involved at the giving up of ideals of English liberty that were at stake even in that great country. I read from the London Nation of March 25, 1916, one of the great London newspapers. This is a quotation from an editorial in that paper:

> *It remains* to be proved that compulsion will get for the British Army a larger number of men than it might obtain by volunteering, but it wants no further experience to show how gravely compulsion has in a few months qualified the spirit of patriotic self-sacrifice.

And yet England, with her very national life trembling in the balance, was within 50 miles of the war and had experienced two years of its tortures when this expression was made.

Again, an English publicist writing in the Atlantic Monthly in November, 1916, gave this opinion:

> How many conscientious objectors have come before the tribunals I can not discover.

Let me pause there to say that in England, at least, they have tribunals to settle questions raised by this draft business. So far as the Senate bill is concerned, not one is proposed here.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Idaho?

Mr. HARDWICK. I yield to the Senator from Idaho.

Mr. BORAH. Not only tribunals but local tribunals.

Mr. HARDWICK. Yes, sir; and while the House of Representatives, in a new-found spirit of independence, did insist on putting in the remarkable right of an American citizen to have a writ of habeas corpus in the courts of the United States, that is the only provision that has been made in either House on that subject up to date. It is left, as everything else is, to the discretion of the President, without any local safeguards whatever in the Senate bill and very little better in the House bill, although I admit the House bill is some improvement.

Now, let us see. Mr. Nevinson continues:

> How many conscientious objectors have come before the tribunals I can not discover. About 25,000, including, presumably, a certain number of shirkers, is the average estimate; but of these nearly one-tenth have refused noncombatant or alternative service and have been arrested and handed over to the military authorities. The exact number on the date of writing—August 30—is 1,987. The great majority of them have been court-martialed under the army act for disobeying orders and sentenced to various terms of imprisonment.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Minnesota?

Mr. HARDWICK. I yield to the Senator.

Mr. KELLOGG. I should like to ask the Senator from Georgia if it is not entirely possible under this act to create local tribunals all over the country for the selection and exclusion of those drafted under the act? And I am not at all sure but that I agree with him about the local tribunals.

Mr. HARDWICK. It is possible, but it is just the reverse of the fellow that was in jail when you could not put him there. It has not been done; and I do not see any prospect of getting it done. There is nothing in the bill that requires it. There is nothing in the bill that authorizes it. It is merely left to the discretion of the military authorities in this free country of ours—"The land of the free and the home of the brave."

Mr. KELLOGG. They would have the power to create local tribunals, would they not—civil tribunals?

Mr. HARDWICK. They would have the power?

Mr. KELLOGG. Certainly, under this act.

Mr. HARDWICK. Why, they could, I reckon, for their own advice. No; I take that back. The Senator from Mississippi [Mr. VARDAMAN] suggests very aptly that it would be an unheard-of proposition that the military authorities should erect a civil court to enable them to transact their military duties.

Mr. KELLOGG. Is not that exactly what was done in England?

Mr. HARDWICK. No, sir; I do not think so.

Mr. KELLOGG. They have a civil court.

Mr. HARDWICK. By law, by statute passed by Parliament; and the very point I am making on this subject is that if you have any regard for the rights and liberties of the people, some local tribunal ought to be created by law to pass on these questions that may arise during the enforcement of these laws.

Mr. VARDAMAN and Mr. KELLOGG addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Georgia yield, and to whom?

Mr. HARDWICK. I yield to the Senator from Mississippi.

Mr. VARDAMAN. Mr. President, I do not intend to say anything derogatory to the Regular Army officer; he always performs well his proper function in the economy of our Government; but it is a well-known fact that there are few things for which he has as little respect as he has for civil authority. He never yields, concedes anything to a civilian that is not vouchsafed under the law; and the suggestion that the military authorities would establish a civil tribunal to pass upon the rights of the soldier is unheard-of in military procedure. The fact of the business is, I think I can see in this system for raising an army for use during the war a definite purpose to lay the foundation for a great military organization in this country after this emergency is over, and I view such a purpose with alarm. There will be no freedom in America when the professional soldier shall be allowed to determine the military policy of this Republic.

Mr. HARDWICK. Mr. President, one more warning from our cousins across the seas, and then I will come nearer home on this question.

In this same paper, the issue of March 18, 1916, is a rather timely observation, and since the fashion now is to call on our English cousins for advice about their experience we might get experience from both sides. This paper says:

> In fact, compulsion is found wanting whether we measure it by its contribution to our material strength or by its psychological effect on the national concord—the two prime factors in the conduct of the war—and we are not surprised at this result. In accepting compulsion we sacrificed one of the most deeply rooted principles of our national traditions. We hoped to reap a Prussian's reward, but to give up one's own strong points is no talisman for acquiring one's enemy's strong points.

Now, in Canada——

Mr. WADSWORTH. Mr. President, will the Senator say what newspaper that was?

Mr. HARDWICK. The London Nation.

In Canada what has happened? And I turn to Canada as an example; to Canada as an illustration; to Canada as an argument, with the profound belief that its example is the most valuable one to us that can be afforded of any country that has participated to any extent in this war. They are our next door neighbors, kin to us by ties of blood and marriage, a kindred people in a great many ways to our own, a similar country to ours in many respects; just about as far away both from Great Britain and from the scene of the conflict as we are; hardly more intimately connected even in a business way with England and English interests than we are, although, of course, tied to the mother country by the strongest political ties and by the strongest ties of love and affection. We have a written Constitution, and that is almost the single factor that makes a difference in the relative situation and in the positions of the two countries.

What has Canada done in this war, and how did Canada do it? Has Canada found it necessary in order to prosecute her part of it, in order to bear her adequate burden, to discard the standards and traditions of English liberty and to force compulsory military service across the seas upon her people? She has not.

Oh, but Americans say, who favor this un-American plan, that we will not get the necessary soldiers under this volunteer system. I say to you that Canada is as far away from this war as we are and is a party to it only by the tie of love and loyalty that has bound her to the mother country. Canada in three years, with a population of about 8,000,000, has sent to the battle fronts of Europe the very flower of her manhood. The Senator from New York [Mr. WADSWORTH] suggests 400,000. I think the Senator is mistaken. Is the Senator sure that he has investigated it carefully?

Mr. WADSWORTH. Four hundred thousand; and may I suggest to the Senator that that is a remarkable showing.

Mr. STERLING. If the Senator will excuse me——

Mr. HARDWICK. Certainly.

Mr. STERLING. I have understood that 400,000 have been raised in Canada and 300.000 have been sent.

Mr. GALLINGER. If the Senator will permit me, I will state that 350,000 men have been sent and 50,000 are waiting to go at any moment's notice. That I get from the Toronto Globe, I will say to the Senator.

Mr. STERLING. The Senator may be correct, but I saw a statement which seemed to bear the impress of authenticity just a day or two ago to the effect that 300,000 had gone.

Mr. GALLINGER. I take it from the Toronto Globe, I will say to the Senator, and I think it is accurate.

Mr. HARDWICK. The Senator from New York is right; 400,000 men from this nation of 8,000,000 population, and probably half a million when you consider the auxiliary people that in one way or another are connected with the service, although they may not be in the battle line. Shall we shame American manhood, shall we challenge American patriotism, shall we insult American patriotism by saying that we can not proportionately, if the necessity comes, raise just as many men to fight for our rights, to follow our flag, and to die if need be for the honor and glory of our country as Canada can?

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from Georgia yield to the Senator from Colorado?

Mr. HARDWICK. I yield to the Senator.

Mr. THOMAS. In this connection I think it is apposite to call the attention of the Senate to what seems to me to be the most remarkable contribution to the literature of this bill. It is a request by the president of the Army League—whatever that may be—Joseph Leiter, to Mr. Roosevelt to withdraw his proposal to raise a division by the volunteer system for service at the French front. If the Senator will permit me, I should like to read it in the RECORD just now.

Mr. HARDWICK. Very well.

Mr. THOMAS (reading)—

> I do not believe anyone questions your patriotism or your Americanism, yet I regret that in your efforts to put our flag on the firing line at the head of a force of volunteers you are giving aid and comfort to the enemy in Congress. The opposition to the principle of universal obligation to train in peace and serve in war are using your offer as an argument against the passage of the administration bill.

In other words, an ex-President of the United States, desirous of serving his country and raising a division, if he can, is giving aid and comfort to the enemy in Congress.

Mr. VARDAMAN. Who is Mr. Leiter?

Mr. THOMAS. He is a colonel, evidently.

Mr. HARDWICK. Joseph Leiter?

Mr. THOMAS. Yes; I suppose he once drew his sword at a raffle.

Mr. HARDWICK. The last I heard of his sword it was in the wheat pit of Chicago. I guess that possibly fitted him to tell Congress what to do about this military matter. He is the man who cornered the wheat market, unless I am mistaken.

Mr. THOMAS. He is the same man.

Mr. HARDWICK. Now, I suppose he is cornering the military market.

Mr. STONE. He was finally beaten.

Mr. HARDWICK. I think he will be finally beaten in this one, too.

Now, let us see one other country's experience, and I am going to pass on to something else besides experience. You must remember now we are talking about our kinsfolk, the English-speaking people, the same blood that we have, people with the same devotion to the ideals of English liberty and American liberty that our people entertain.

Australia, with a population of something less than 5,000,000, sent practically 300,000 soldiers to the front under the volunteer system. That is a pretty good showing, is it not? How many could we send if our people are as patriotic as those of Australia, without destroying the standard and the ideals of American and English liberty in this country?

Ah, but there we had the same conscription element that we have here, and they got in the first part of the work just as they have done here, by getting the newspapers on their side, and they finally forced a conscription bill through the Australian parliament just as they are about to force this bill through the American Congress, by the weight of their ink.

But in Australia they have a provision that the people can have a referendum on these questions, and after the newspapers of Australia had forced conscription through an unwilling and halting parliament, it was referred to the people of Australia and to the soldiers in the trenches on the battle fields of Europe who came from Australia, and when the ballots were taken the people of Australia and the soldiers from Australia who were bleeding and dying for England and for England's glory and for Australia's glory rejected the conscription proposition by an overwhelming majority, and strange to remark, because these men are certainly not slackers and cowards and traitors, the majority in the trenches against this infamous proposition was greater than at home in Australia. And that is going to happen here. You gentlemen need not deceive yourselves. This bill is fundamentally subversive of American principles. Universal military training in defense of this country, universal military service from the cradle to the grave if need be to defend American soil from invasion, but never on this earth shall you force, with my vote at least, an American citizen into compulsory military service across the seas against his will.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Tennessee?

Mr. HARDWICK. I yield to the Senator.

Mr. McKELLAR. I am very much interested in what the Senator is saying, and especially in that part of his speech which refers to patriotism. As I understand it, the highest form of patriotism is the willingness of a citizen to die, if need be, in war for his country. If all our people are to be divided into two classes, one those between 19 and 25 and who will have to go to war for their country whether they want to go or not, and all the rest of them are exempted from war, where will be the motive for this high form of patriotism in our land?

Mr. HARDWICK. I quite agree with the Senator, and I am going to try to elaborate that just a little later and tell the reason why. Australia rejected the draft system. These Senators and these newspapers, though I really ought to put the newspapers first, say you will not get the necessary volunteers for this war. I deny it. I dispute it. If we are going to assume that that is true, then we are forced to conclude that the war is unpopular and is unsupported by public sentiment, and I am unwilling to so concede. Just as the Senator from Missouri [Mr. REED] did, the other day on this floor, I am willing to invite any Senator who wants to interrupt me, who does not believe that under the proper volunteer law his State will furnish its quota, to get up here and say it. I want to see where that State is located and what its name is. But the Senator got no response to a similar invitation, and no other Senator will.

I deny it. If it is true that the manhood of this country will not prosecute this war voluntarily, then we ought never to have declared it. For one, I can never concede that American manhood has sunk so low that it would submit to the murdering of peaceful and inoffensive American citizens on the high seas by the organized agencies of a government and not be willing to demand war against that country until reparation is made.

Mr. STONE. Mr. President——

Mr. HARDWICK. I yield to the Senator from Missouri.

Mr. STONE. The Senator a moment ago said that never with his vote would a law be passed under which an American citizen could be forced against his will into the military service that would carry him beyond the seas.

Mr. HARDWICK. No; for no campaign of conquest; but it does not make much difference. I think I have the Senator's idea.

Mr. STONE. "Foreign conquest?" This is not a war of conquest.

Mr. HARDWICK. I do not know what it is, and I do not think the Senator does either yet.

Mr. STONE. I do not. But without going into that, the President says, and it has been generally said, that we have gone into this war in the interest of democracy and humanity and liberty.

Mr. HARDWICK. I do not concede that to be true. That is a pretty bald way to state it, but I do not believe that, and I

did not support the declaration of war on that basis. I voted for it simply and solely because American citizens were being murdered on the high seas by established agencies of a government which professed to be at peace with us, and plainly so stated at the time I voted.

Mr. STONE. I did not vote for it at all, as the Senator knows. I voted against it.

Mr. HARDWICK. I know that.

Mr. STONE. Now, whatever reasoning influenced the Senator from Georgia or any other Senator in voting for it, a very large majority of the Senate—by practically a unanimous vote—was in favor of the war, and likewise the vote in the House was of the same nature. The Senator, as I understand him, is for raising an army by volunteers or not at all. Hence he says he would not vote for the bill if it compelled a citizen to go abroad against his will.

Mr. HARDWICK. That is the way I feel, Senator.

Mr. STONE. Now, I wish to ask the Senator, suppose we are not able to raise an army adequate to the great service lying before us to meet the tremendous exigency we are confronted with, are we to lay down and quit, or how are we to get the troops?

Mr. HARDWICK. Does the Senator concede the proposition that we are obliged to send a million men or several million men over there? Is that one of the bases on which his question rests?

Mr. STONE. I said nothing about that, but I assert my attitude that since we are in this war we must send whatever force is necessary to win the war, whether it be 500,000 or 5,000,000 men.

Mr. HARDWICK. Precisely. I will answer the Senator then. I do not believe that there will be any difficulty in raising a sufficient force by the volunteer system to prosecute this war to the extent that the American people are bound to prosecute it and will prosecute it. I do not believe that there is any necessity for us to send 5,000,000 men. I do not believe that the circumstances are such that we are forced to uproot German power forever in order to get the proper revenge or the proper satisfaction for the wrong that has been done us. If we send our Navy there, our submarine destroyers, if we keep open the high seas and sink the German ships for the ships of ours that were sunk, and then if we give every reasonable proper and possible aid that our home people would freely give in blood and treasure to the allied powers I think we have done our duty.

I am not committed, nor do I regard the Senate as committed, nor do I think this Nation is committed to the idea that every wrong that is England's wrong is our wrong; that every wrong that is France's wrong is our wrong; that every wrong that is Italy's wrong is our wrong, but I want to redress American wrongs.

Mr. WADSWORTH. Mr. President, will the Senator yield?

Mr. HARDWICK. I do.

Mr. WADSWORTH The Senator will concede, I imagine, that in order to redress American wrongs Germany must be defeated?

Mr. HARDWICK. I will concede that Germany must be defeated to obtain full redress a hundredfold—aye, a thousandfold—for the American lives she has taken and for the wrongs she has done us.

Mr. WADSWORTH. Does the Senator think Germany will make any such payment before she is defeated?

Mr. HARDWICK. I hope she will. I can not see why so many want 10,000,000 American citizens to be sent over there to her soil.

Mr. WADSWORTH. I am not discussing the question as to how Germany should be defeated. It is faintly, remotely possible that she may accept defeat by a show of force, although I have no confidence in that suggestion.

Mr. HARDWICK. Neither have I, certainly not so far as the allies are concerned.

Mr. WADSWORTH. But I do suggest to the Senator from Georgia we shall never receive reparation or apology or any satisfaction whatsoever from Germany for the wrongs that she has inflicted upon our people until she is defeated, and that it is the duty of the United States to do everything in its power to secure her defeat.

Mr. HARDWICK. I do not know whether the Senator from New York approaches this matter from the same point of view I do. If he supports it with the idea that that is going to carry the English cause or the French cause to final, ultimate, and complete triumph, regardless of whether sufficient reparation has been received by us for the wrong that has been done us and sufficient guarantees for the protection of American rights have been secured, then he approaches it in a different spirit from what I do. If the Senator approaches it with the idea that we are bound to guarantee the allied success to be final and complete, I can see how he arrives at that state of mind; but it is impossible for me to understand how he feels about it.

Mr. WADSWORTH. I did not realize I was displaying the slightest state of mind.

Mr. HARDWICK. Of course, the Senator's demeanor is always agreeable to me, but the Senator's question indicated that he was rather excited about it.

Mr. WADSWORTH. Mr. President, I know I am trespassing upon the Senator's time——

Mr. HARDWICK. Not at all.

Mr. WADSWORTH. I simply desire to direct the Senator's attention to a very practical aspect of the situation. The German Government has perpetrated these outrages upon our people through their submarine policy——

Mr. HARDWICK. They have sunk three or four of our ships, have they not?

Mr. WADSWORTH. I forget the exact number they have sunk.

Mr. HARDWICK. It is three or four.

Mr. WADSWORTH. It makes no difference, to my mind, how many they have sunk. If they have sunk one the outrage is as great as though they had sunk many more.

Mr. HARDWICK. Certainly. Let me ask the Senator from New York a question. He has asked me two or three, and he is speaking in my time. Suppose we sunk 40 German ships; suppose we did them infinitely more damage than they have done us; suppose we gave thousands of millions of dollars to their enemies and gave aid and comfort to them, when would the Senator believe that we had exacted sufficient reparation from Germany, and when would he be prepared to stop shedding American blood on account of it?

Mr. WADSWORTH. Mr. President, I should not be prepared to cease warfare on Germany in this case until Germany was defeated.

Mr. HARDWICK. To what extent?

Mr. WADSWORTH. To the extent that she had given up the war.

Mr. HARDWICK. Even if she sought peace with America?

Mr. WADSWORTH. Mr. President, that brings up the question for the future.

Mr. HARDWICK. That is a question we want to bring up. Even if Germany said, "We are sorry; you have exacted reparation from us a hundredfold"—I merely want to see how far the Senator from New York is going—"for every ship we have sunk you have sunk a hundred of ours; for every citizen of yours that we have killed you have killed a hundred of ours, and now we want to make peace"——

Mr. WADSWORTH. I think it very difficult to settle war by arithmetical ratios.

Mr. HARDWICK. I know the Senator's attitude; I think he does not want us to settle this war—I am going to speak to him frankly—and I do not think some of the other Senators in this Chamber do, until England gets every pound of flesh which she demands, and until France does the same thing. If that is true, the Senator occupies a different attitude from what I do about this matter, and we might just as well make it plain.

Mr. WADSWORTH. But the trouble is that it is not true.

Mr. HARDWICK. I am glad to hear the Senator say so, and I entirely acquit him of such an idea. He says it is not true. Then I say the time may come when we will not have to sacrifice millions of American lives before we get the proper redress from Germany.

Mr. WADSWORTH. I certainly join in such a hope as that expressed in the last sentence of the Senator from Georgia. I am not seeking that the blood of millions of Americans shall be spilled upon the soil of Europe; but I do not think it quite an intelligent attitude to take, if I may say so, that we can go into this war, and, after having inflicted what we consider a sufficient amount of damages, say, "Well, now, we have done enough, and we guess we will get out."

Mr. HARDWICK. That was not my purpose. I asked, "Suppose Germany made that suggestion to us?"

Mr. WADSWORTH. Well, we shall have to cross that bridge when we come to it.

Mr. HARDWICK. What I merely wanted to see was whether the Senator was willing to cross it when we got to it.

Mr. WADSWORTH. I certainly would not announce that as our policy at the inception of the war.

Mr. HARDWICK. That is not our policy; but I merely wanted to see how far some of us were prepared to go with this thing.

Now, certain Senators and certain newspapers claim that the volunteer system has already failed to furnish the men which

the Army needs. I assert, in reply to that statement, that no true test of this question has yet been made. I assert that no war of any considerable size that ever was fought by the citizen soldiers of this Republic was every fought by volunteers who enlisted in the Regular Army units. If you tell me that the boys in Georgia, or in New York, or in New Hampshire, or in Colorado, or in Tennessee—the beloved old "volunteer" State—will not volunteer to go out under the Regular Army officers, away from their kith and kin, and not in the true Scotch-clan fashion, I tell you that is no true test of the question and is no real answer.

Mr. President, I am coming next to the hardest part of this argument; I am coming to the most difficult part of this situation to handle. It was the argument made very succinctly and very compactly and very persuasively on yesterday on this floor by the distinguished Senator from Montana [Mr. MYERS]. The Senator from Montana in his argument voiced nearly all of the popular sentiment that there is in the country behind this proposition. He said the President of the United States, who is the Commander in Chief of the Army and the Navy—I am quoting the Senator, of course, substantially only, and shall not stop to read his exact remarks—his Cabinet, the General Staff of the Army, the War College, the faculties at West Point and Annapolis—in other words, all the great military experts of the country tell us that this is the correct system and that we ought to follow their lead in this time of danger. That is the sole strength that is behind this propaganda. If the Senator is right about it, then those of us who differ are fundamentally and forever wrong; if he is right about it, there is no use to have a parliament of an English-speaking people, in war time at least; if he is right about it, we had just as well follow the fashion of the Roman Republic and declare a dictator when we declare war, suspend the Constitution, and abrogate the laws until peace is concluded.

Now, let us see. He says that the President and his Cabinet, the War College, and the General Staff, the military experts, the men whom we have paid and trained to know, tell us this is the way to do it. I want to reverse his order. Like a skillful debater, like the strong man that he is, the Senator from Montana puts first the man that he ought to put last. Because of the disposition of our people to rally, especially in times of danger, about the President of the United States, the Commander in Chief of our Army and Navy, the Senator from Montana puts him in front.

The truth is that the order should be reversed. This whole thing comes from the Army experts, who have influenced the President, although they lost their battle not long ago when Hay and CHAMBERLAIN joined issue and Garrison retired from the Cabinet. They finally won their battle with the President, and with him, of course it goes without saying, they won the Cabinet. They have carried the President, the Cabinet, and the newspapers all along this line——

Mr. THOMAS. And even Col. Leiter.

Mr. HARDWICK. Yes; even Col. Leiter went along with them, too. Now, my own judgment is that the President of the United States does not know a great deal personally about this matter. My own judgment is that he is not better informed on this subject than the average Member of either House of Congress, although it may be considered almost treason to suggest it. My own judgment is that the War Colleges and General Staffs and experts told him what was the best thing to do, and he said, "All right; I will take it." I admit that when you are in war, to some extent you must wage that war under a responsible head. When it comes to a conduct of a campaign, when it comes to the preparation for hostilities, when it comes to the arming and disciplining of troops, when it comes to sanitation, when it comes to the outfitting, when it comes to any matter of pure technique, I say, "Yes; I will follow implicitly and without any doubt the advice of the experts, which is the best advice I can obtain." But how we shall raise an army is a different question, because, after all, the personnel is coming from the same folk, no matter about all this talk we hear concerning "slackers" and people who are not ready to volunteer.

The question of how the army should be raised is not a military question; it is a great civic, economic, industrial question; it is a great question, in which are bound up the rights and liberties of English-speaking people, and no War College, no General Staff, no military expert can bear the burden the 3,000,000 people in Georgia have put on my shoulders, to settle this thing for them and for the people of this country. How easy to dodge behind their skirts and say, "Yes; the President advises it; the Cabinet urges it; the War College approves it; the General Staff suggests it; the military experts of the country, the men who are paid to know, say it is best"—how easy to do that, and yet how wrong if, in doing it, you have sacrificed the dearest rights of an English-speaking people; if in doing it, you have given away the liberties that you were sent here to guard, protect, and defend.

Why, a distinguished member of another body, who is my warm personal friend through many years of close and intimate association, prayed the other day that God might deliver this country from settling military matters or naval matters according to the advice of laymen. Oh, how insidious was the plea; and yet, Senators, it was wrong, absolutely and fundamentally wrong, or this book, this instrument, discredited and sneered at, ridiculed and abused, as it has been, the Constitution of our fathers, to establish which Washington's "ragged Continentals" fought, bled, and died, amounts to nothing, because in that Constitution the provision is made that the power to raise armies shall vest, not in the Executive, not in the War College, not in Annapolis, not in West Point, not in military experts, but in the Congress of the United States. Why in the Congress? So that the rights and the liberties of the people might be in the hands of the representatives of the people themselves, so that, if their rights and liberties were sacrificed or disregarded or neglected, a speedy accounting might be had and a change be made. So the Constitution of the United States gives the power to raise armies, not to the Executive or to the General Staff, but to the Congress of our country.

Now let us see. They say that conscription makes for industrial efficiency. I thought they were supporting it because they were told to do so by the General Staff. They say that we ought to swallow it blind, because the General Staff says it is right; and then, in the next breath, they say that the real reason they are for it is because it makes for industrial efficiency. I say that the same industrial efficiency, the same industrial vitality can be just as well, and even better, promoted by applying the same principles of selection to a volunteer system as can be applied to this forced, un-American and un-English, draft.

They say conscription is democratic. God forgive them for the profanation of the word. They say a draft is American, just, fair, and equitable. Let us see. I am going to look at just a few provisions of the bill. In the first place, they fix the age limit arbitrarily at between 19 and 25. Is there any more patriotic obligation on a boy 19 years old than there is on a man of 26? Democracy is equality. "Oh," but they say, "we do not need them all." Why, then, do you not put all their names in the hat, and give them all the same chance? If it is democratic, if it is equality, if it proceeds on the theory that every man must "do his bit," whether in this country or on foreign soil, treat everybody alike that is subject to military duty and within military age, and make them all stand the same chance.

Mr. WATSON. Mr. President, what would the Senator fix as the maximum limit of age?

Mr. HARDWICK. I understand these experts—and I am willing to get behind them in this matter, because the age of service is an expert matter—claim that 18 and 45 years are about the extreme limits both ways. All I want to add is that, so far as I am concerned, I do not believe that until a boy gets grown you ought to force a draft on him anyhow, under any circumstances. Until the law recognizes him as a man, you ought not to treat him as a man; until the law gives him the right of manhood, you ought not to call him for the service of manhood; and so long as 21 is the age of majority in this country, I myself should never vote for a proposition to draft below the age of 21 under any circumstances. I am perfectly willing to take those boys, and I want to say that some of the very finest and best soldiers, and many of them, most of them in the War between the States, the contention has been made were under that age. But let us take them when they are willing and with the consent of their parents and guardians, if we take them at all when they are under age.

Now, I want to call your attention to a provision in this bill that confers more unlimited, more absolute, more despotic power on the present occupant of the White House than was ever conferred upon Lincoln when this whole Nation was ablaze and when our own people were at each other's throats in a death grapple. Nay, more than was ever conferred upon any German Hohenzollern, Russian Romanoff, or any Roman Cæsar, or any despot in the history of the world, where there was even a pretense or semblance of recognition of individual rights. After providing for this draft this bill from the General Staff provides the following:

SEC. 3. The Vice President of the United States, the officers, legislative, executive, and judicial, of the United States and of the several States and Territories, and all persons in the military and naval service of the United States shall be exempt from the selective draft herein prescribed; and nothing in this act contained shall be construed to

require or compel any person to serve in any of the forces herein provided for who is found to be a member of any well-organized religious sect or organization, at present organized and existing, whose creed forbids its members to participate in war in any form and whose religious convictions are against war or participation therein in accordance with the creed of said religious organization; and the President—

Listen to this, now—

is hereby authorized to exclude or discharge from said selective draft and from the draft under the second paragraph of section 1 thereof—

Which is the militia draft—

or to draft for partial military service only—

Now, that is not to excuse from a draft. That has no relation to the other drafts that Congress authorizes. That is the presidential draft for purposes only partially military, of a different and separate kind and character—

or to draft for partial military service only, persons of the following classes: Customhouse clerks; persons employed by the United States in the transmission of the mails; artificers and workmen employed in the armories, arsenals, and navy yards of the United States, and such other persons employed in the service of the United States as the President may designate; pilots; mariners actually employed in the sea service of any citizen or merchant within the United States; persons engaged in industries including agriculture found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency.

So that the President, under this bill, is authorized not only to excuse from draft, if he wants to, the people of those classes, or as many of them as he thinks proper to excuse, and is given absolutely arbitrary and uncontrolled power upon that subject; but he can, if he elects, take every man in those classes, and the classification is so general that it includes 95 per cent of the population of the United States.

Persons engaged in industries including agriculture found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency.

It includes every business and every enterprise in the country, and he can draft all these people, practically everybody in the country, for what is called "partial military service."

Mr. KING. Regardless of age.

Mr. HARDWICK. Regardless of age, beginning with the cradle and ending with the grave. He can draft them all. What can he do? He can say to the farmer in Georgia, if he wants to, "A, you plant cotton." He can say to the farmer in South Caroline, "B, you plant corn." He can say to your miner in the West, "You mine copper," or "You mine silver." He can say to anybody, "You do this, or you do that, or you do the other, because the national interest requires it," and there is none to say him nay. This is despotism, bold and unvarnished, and there is no national emergency to justify it.

Mr. SMITH of Arizona. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Arizona?

Mr. HARDWICK. Yes.

Mr. SMITH of Arizona. As I understand the provisions of this measure, the draft for partial military service only is confined to the law which limits the draft. He can not go outside of the ages specified in the law to draft anybody to the Army or any other service, as I understand the bill. I may be mistaken, but I think "to draft for partial military service only" is of that particular class within the ages that are mentioned in the exclusions of the bill.

My interpretation of this particular section of the bill, "or to draft for partial military service only persons of the following classes," and so forth, is that it applies to those who could be, under the provisions of the exemption, used for one hour. For instance, a railroad engineer is exempt under this because he is necessary and more necessary in his position than he would be in the ranks; yet when Government supplies had to be moved, then, if this man refused to move them, he could be placed in the military service of the Government. It does not go outside of the exemption list and has no relation to anybody except those within the exemption; and when Senators interpret the draft "for partial military service only" to apply to all mankind, it is a forced interpretation of this bill. My idea is—and I should like to hear the Senator on it—that the only qualification of any draft outside of the statements of the bill is that the President may draft those exempted when they are absolutely necessary to the immediate performance of a duty incumbent upon them as a part of our Republic.

Mr. HARDWICK. Mr. President, I think I understand the Senator's idea, and I wish he were right about it. I wish I could comfort myself with the thought that he might even possibly be right about it, because it would be a great comfort to be able to take that view of the situation. But the trouble about this thing—and I will go over it again for the benefit of my friend as well as of the Senate—is the way this language is drawn; and giving the language its ordinary and usual interpretation and construction, I do not believe it is possible for any other conclusion except the one I have stated to be arrived at about it.

Mr. GALLINGER. Mr. President, will the Senator permit me?

Mr. HARDWICK. Certainly.

Mr. GALLINGER. In view of the contention—well founded, as I believe—that there is great danger of a real shortage of food, even for the people of our own country, does the Senator think that any man connected with agriculture in any form would be subject to draft under the exemption in that bill?

Mr. HARDWICK. To military draft, the Senator means? I think it would depend entirely upon the discretion of the President. I do not see how they can raise an army of any size in this country by exempting all the laboring men and all the farmers to start with.

Mr. GALLINGER. My question involves the proposition that it is contended—and, as I think, properly contended—that the great danger to our Nation, as well as to the warring nations of Europe, is a food shortage. If that be so, I do not see why the President would permit any man on a farm, or connected with farming operations in any form, to be drafted under the provisions of the bill.

Mr. HARDWICK. Well, of course, the Senator may be right. After all, it rests within the breast of one man, if we enact this law. I can not tell what he will do.

Now, let us see. Of course, the Senator from Arizona may be right in spite of my not thinking so, but I wish I could think that he is right; but here is the trouble about this thing:

The President is * * * authorized to exclude or discharge from said selective draft—

That is, the one first provided in this bill, the general selective draft—

and from the draft under the second paragraph of section 1 hereof—

Which is the militia draft—

or to draft—

Now, this is another draft; it does not refer to these other drafts. They call them "said drafts," but this is another draft, and it is not a military draft at all, but—

to draft for partial military service only—

A different draft entirely. Now, then, when it goes on to describe the people in this draft, there is no limit at all about age, although there is in the other drafts. By what process of intellectual legerdemain the Senator from Arizona is able to transport age limitations about the purely military drafts into this section for the partial military draft, I do not know; but, as far as I am concerned, it does not comfort me.

Mr. SMITH of Arizona. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia further yield to the Senator from Arizona?

Mr. HARDWICK. I yield to the Senator, of course.

Mr. SMITH of Arizona. I will try to explain to the Senator that the fact that the particular clause is within the exemptions is the reason.

Mr. HARDWICK. That does not constitute any reason at all.

Mr. SMITH of Arizona. To show the "intellectual legerdemain" through which I arrive at my conclusions, I should like to say to the Senator that the provision reads:

The President is hereby authorized to exclude or discharge from said selective draft—

Meaning the other part of this bill——

Mr. HARDWICK. Yes; that is true.

Mr. SMITH of Arizona (reading)—

And from the draft under the second paragraph of section 1 hereof—

Mr. HARDWICK. That is the militia draft?

Mr. SMITH of Arizona. That is the militia draft.

Mr. HARDWICK. "Or to draft for partial military service."

Mr. SMITH of Arizona. Wait a minute, now—

or to draft for partial military service only persons of the following classes—

Every one of whom is exempt.

Mr. HARDWICK. They are not exempt from this partial draft, though.

Mr. SMITH of Arizona. They are not exempt from this partial draft, and ought not to be.

Mr. HARDWICK. Well, they are subject to it, and without any regard to age.

Mr. SMITH of Arizona. No, sir; there is nothing in this bill that fixes any power to draft except the age; and under the mere exclusion of those that need not be taken under the draft it is unfair, from my "intellectual legerdemain," to conclude that they are going to extend it to more than is ever mentioned in the bill.

Mr. HARDWICK. The only trouble about it, if the Senator will permit me now to continue, is that we have done it. It is again a case of the fellow that is in jail. It ought not to be that way, of course, and I hope the committee will correct it before we get through with it. I do not believe anybody intended it, and I do not know how it was slipped in there in that way, and it certainly ought to be corrected, unless that is what you mean to do.

Mr. SMITH of Georgia. Mr. President, will the Senator allow me to call to his attention——

Mr. HARDWICK. I will yield to my colleague, of course, with pleasure; but let me say first that I am convinced it is true, because that is practically what one of the great departments of this Government is asking now, backed by the administration, and I think they put this in there in exact support of and in accordance with that policy. Now I yield to my colleague.

Mr. SMITH of Georgia. I want to say to my colleague that I am thoroughly against this line that he is criticizing, and I agree with him in his construction of it, and I desire to eliminate it, because I expect to vote for the draft system. If he will turn to the first word in that paragraph, he will see that the Vice President is excepted.

Mr. HARDWICK. Yes, sir.

Mr. SMITH of Georgia. If it is dealing simply with men under 25, why did we except the Vice President from it?

Mr. HARDWICK. Of course.

Mr. SMITH of Georgia. We except Senators, we except Members of the House, specifically. It clearly deals, therefore, with men over 25.

Mr. HARDWICK. Now, Mr. President, I am anxious to conclude. I have occupied the floor for some time, and I want to get through as quickly as I can, but of course I can not do it if I am very much interrupted.

I ask you, when you have fixed by law the ages of the men that you will select for this service, how is it to be decided who are to be chosen and who rejected? The bill itself is as silent as the tomb on that question except for one sentence, but that one sentence is all sufficient. It says, "The draft shall take place and be maintained under such regulations as the President may prescribe."

Where is your provision about local tribunals? The House of Representatives in their bill at least permitted this much of a remnant to be left to the American citizen of his personal rights and his individual liberty. They left him the right of habeas corpus in the courts. Under this bill the findings of whatever military commission may be appointed are absolutely binding and final on all questions of fact. Is that in accordance with the spirit and principles of English liberty, of American liberty?

Ah, Mr. President, Members of both Houses of Congress who call at the War Department to inquire what this measure means are told how it is to be administered; and oh, the pitiable condition that forces us, the masters, to appeal to the servants to know what our law means, to know how our law is to be construed! We are told that if they get 5,000,000 men, we will say, for purposes of illustration, as a total out of this draft, after making the exemptions—and they want 500,000—that means that 1 out of 10 will be selected for this service; and how? By lot, they say; by gamble; by chance.

Ah, Senators, I would depict to you, in the words of another, the scenes that will occur throughout this country; words uttered more than a hundred years ago by the man who, in my judgment—and I say it although he was New England's son—is the greatest American Senator who ever sat in this Chamber—Daniel Webster.

What did Webster say in his speech delivered in this body on the 9th day of December 1814—and it must be remembered that at that time the Constitution was barely 25 years old and the men who wrote it and knew its spirit and meaning were alive and interpreted it—Mr. Webster said in that memorable speech, and I invite those who have not read it to do so, because it is a great argument on the great principles involved in this matter:

> Sir, I invite the supporters of the measures before you to look to their actual operations. Let the men who have so often pledged their own fortunes and their own lives to the support of this war look to the wanton sacrifice which they are about to make of their lives and fortunes. They may talk as they will about substitutes and compensation and exemptions.

Here let me interpolate: They tell all the farmers of my State that they are to be exempt. I know the sturdy farmers of Georgia are willing, yea, anxious, to contribute their full quota to the blood and treasure demanded by this great enterprise of the Nation.

Webster continues:

> It must come to the draft at last. If the Government can not hire men to voluntarily fight its battles, neither can individuals. If the war should continue, there will be no escape, and every man's fate and every man's life will come to depend on the issue of the military draft. Who shall describe to you the horror which your orders of conscription shall create in the once happy villages of this country? Who shall describe the anguish and distress which they will spread over those hills and valleys where men have heretofore been accustomed to labor and to rest in security and happiness? Anticipate the scene, sir, when the class shall assemble to stand its draft and to throw the dice for blood. What a group of wives and mothers and sisters, of helpless age and helpless infancy, shall gather round the theater of this horrible lottery, as if the strokes of death were to fall from Heaven before their eyes on a father, a brother, a son, or a husband. And in the majority of cases, sir, it will be the stroke of death. Under present prospects of a continuance of the war, not one-half of them on whom your conscription shall fall will ever return to tell the tale of their sufferings. They will perish of disease and pestilence, or they will leave their bones to whiten in fields beyond the frontier. Does the lot fall on the father of a family? His children, already orphans, shall see his face no more. When they behold him for the last time they shall see him lashed and fettered and dragged away from his own threshhold like a felon and an outlaw. Does it fall on a son, the hope and staff of aged parents? That hope shall fall them. On that staff they shall lean no longer. They shall not enjoy the happiness of dying before their children. They shall totter to their graves, bereft of their offspring and unwept by any who inherit their blood. Does it fall on a husband? The eyes which watch his parting steps may swim in tears forever. She is a wife no longer. There is no relation so tender or so sacred that, by these accursed measures, you do not propose to violate it. Into the paradise of domestic life you enter, not indeed by temptations and sorceries, but by open force and violence. * * * Nor is it, sir, for the defense of his own house and home that he who is subject to military draft is to perform the task allotted to him.

Mr. SMITH of Arizona. For my information, will the Senator tell me the occasion of that great speech?

Mr. HARDWICK. When the proposition was defeated in this body in 1814 to force a draft on the people of the United States to prosecute the second war with Great Britain.

Senators, there are many other things I might say, but time presses and other gentlemen wish to speak. This is the beginning of a militarism from which we shall not soon escape, if once we hold our arms out for the manacles. It is the beginning of that militarism that has always proven fatal to the liberties of a republic and a free people. I deny the proposition that the patriotism, the loyalty, the manhood of this country will not prosecute this war just as adequately as it ought to be prosecuted. This bill is fundamentally wrong. It fails forever on one principle, if there were no other objection to it, and that is this: By standing for the principle for which it represents you surrender the fundamentals of American liberty.

Heretofore the citizen has been the uncrowned king of this Republic, towering above the White House in the majestic proportions of his free manhood, the glory and the boast of our land, the land of the free and the home of the brave.

In this bill, and by it, you treat him from a different standpoint and in a different way. For the first time in American history you treat him as a subject, not as a citizen; as a serf, not as a freeman. You exact of him, whether he will or whether he will not, military service. Military service of what character? To defend his own, to defend his native land, his home, to defend his soil from profanation? No such thing. As the Senator from Mississippi [Mr. VARDAMAN] well suggested, you will never need to exact that of the American manhood. But you exact of him compulsory service, involuntary service, against his will, to prosecute a foreign war 3,000 miles away from his own home. Senators, if that be American liberty, if that be to what the Republic has come, if no other course than that is open to enable us to prosecute this war, evil are the times upon which we have fallen. I do not believe it. American manhood can wage this war without any such enormous sacrifice as this from the sons of liberty, and it will wage it better, with sharper spirit, with keener blade, with louder trumpet than if you drag them to it in chains and against their will to fight it.

I would unhestitatingly vote, if it were ever necessary, and I do not believe it would ever be necessary, for conscription to the last man of this country to defend the soil of this country, but never will I be willing to vote to send free-born American citizens 3,000 miles across the seas to a foreign war, against their will and in chains as it were.

Senators, if I am wrong about that, if the heat of advocacy carries me too far, certainly we should not force men to go until those who are willing to go, go first.

Mr. SMITH of Arizona. That is a strange doctrine.

Mr. HARDWICK. Ah, the doctrines of liberty are strange to some men nowadays. The President wills it, the press of the country praises it. Enact it; rest assured that when you do you have established autocracy in this country greater than that you have started out to demolish across the seas. When people say that it is Prussian militarism that they are fighting to uproot and destroy, let them pause and ask themselves if they have not established a worse militarism on American soil.

Mr. SMITH of Arizona obtained the floor.

Mr. WATSON. Mr. President——

The PRESIDING OFFICER (Mr. SUTHERLAND) in the chair). Does the Senator from Arizona yield to the Senator from Indiana?

Mr. SMITH of Arizona. I do.

Mr. WATSON. I simply want to offer an amendment to the pending bill to have it printed and lie on the table.

The PRESIDING OFFICER. It will be so ordered.

Mr. SMITH of Arizona. Mr. President, I voted for the resolution declaring that a state of war existed between the United States of America and the Imperial Government of Germany. Every dictate of justice and humanity, every consideration of my country's honor and safety impelled me to that action and inspires me now to full support of the present bill authorizing the selection of an adequate army to carry out the pledge contained in that resolution.

It is needless at this late day to state the causes which led to that declaration. When the *Lusitania*, on a lawful journey, peacefully proceeding on the high seas, with her precious cargo of human souls, was destroyed by an assassin's bomb launched by command of the Kaiser, a declaration of war against the United States, yea, a declaration of war against modern civilization, went forth from that imperial, brutal, inhuman command. The wandering graves of these innocent American mothers and their babies cry out to heaven against the deep damnation of their taking off. We should have accepted that challenge then. The enormity of that crime was such that doubts arose as to whether it was premeditated or was the result of some horrible misunderstanding of orders, or the willful, unauthorized act of a murderous assassin. The German Government has never to this day disclaimed responsibility. The patience of our people under such provocation is marvelous in the light of our own history. Other ships on lawful voyages, with American citizens aboard, without search and without warning, were sent to the bottom of the sea. In vain we protested, in the name of the law of nations, in the name of humanity and civilization, against this wanton murder of our people. The answer was the sinking of American ships flying the American flag.

When the marvelous patience of our President and his determination to keep the peace could no longer be indulged with honor to his country and the safety of its people, he sent his celebrated ultimatum to the Kaiser. The Imperial Government of Germany then solemnly promised she would desist from her inhuman submarine warfare and conduct her sea havoc under the rules of civilized warfare. This promise she soon violated as ruthlessly as she violated the treaty with Belgium, and drew a dead line around that part of the sea over which passed three-fourths of the world's ocean commerce. This line was drawn 600 miles from, yet all around, the English coast, and including nearly all the Mediterranean Sea, thus closing to our trade nearly every port with which we did a great or a profitable business, and sunk, without shame, every peaceful vessel that came within the prohibited zone. In this his assumed partnership with God Almighty found expression: "The earth is the Lord's, and the fullness thereof; the world, and they that dwell therein. For He hath founded it upon the seas, and established it upon the floods."

Through that zone within one year $5,000,000,000 of the products of American farm and mine and factory had sailed. The order was tantamount to an edict declaring a blockade against every American port. It meant disaster to every enterprise in the United States. It meant closing our factories and putting honest labor everywhere on the tramp in vain search of work. To bear this insult longer was impossible. To submit to further national degradation was unthinkable. To protect the lives of our people on the sea and the property of our people at home no course was left open, with the decency and honor of our Nation preserved, except to declare the fact that Germany had made war upon us and proceed at once to proper and adequate preparation for the conflict. To that end Congress in one act appropriated seven thousand millions of dollars. The sum astounds the human understanding, yet there was not one vote in either House of Congress on the roll call cast against that measure. This was a true manifestation of the American spirit. I was thrilled as I heard every Member of this body answer "aye" when his name was called.

Mr. President, in this hurried review I have not taken the time to refer to the conspiracies hatched and the crimes committed by aliens on our soil against nations with whom we are at peace. I have not referred fully to those acts of the German Government in striving to win a war of her own making by means that barbarians would hesitate to use—holding in supreme contempt always the rights of all neutral nations. Nor will I now go into detail. The court records show the hideous crimes of Von Papen and Boy-Ed, or at least their guilty knowledge of the crimes committed while acting here as military and naval attachés of the German Government. Agents have been sent here with unlimited money to employ murderers to blow up our factories. Many explosions have occurred; many lives have been lost. Innocent laboring people, by daily toil providing for their needy families, have been sent unshriven to their graves. The inhuman scheme was devised of making chemical fire bombs and infernal machines to be placed on board ships leaving our harbors carrying passengers and supplies, with the deliberate purpose of sinking or by fire destroying them in mid-ocean, utterly regardless of the lives on board. Murder followed murder on the high seas, and at last we had notice that if we did not do as the Imperial German Government dictated that murder on a more colossal scale would result. They carried out that threat. Having thus heaped insult on insult; having blockaded our ports by sinking all vessels leaving them, even those bearing our flag, provided the line of their wide death zone on the high seas should be crossed; and having, by intercepted letters, been found enticing Mexico and Japan to declare war on the United States, what course was our independent and peace-loving Nation forced to take? War with all its horrors, its pain, and its sacrifice were far more agreeable. It was an absolute necessity. War was declared.

Mr. President, what I have so far said is only preliminary to a short discussion of the bill now under consideration, the purpose of which is to raise properly an adequate army to meet the present emergency.

I sometimes fear that our great country has lain so long in the lap of luxury and peace that it has nursed to sleep that virile, proud, militant patriotism which from the dawn of our history has been our glory and pride, our anchor and shield. Can we awaken that spirit by any call less than the thunder of guns at our gates? Must blood be spilt on our own soil by alien armies before we shake off this apathy? Must U boats destroy shipping in our own harbors, set fire to our cities, kill our women and children, even as such murders were done in Belgium, before we shall arouse ourselves to the duty we owe our country? Such will happen if we do not stop it. Our people have not been aroused to a just sense of the danger before us should Germany win this war. But for our own enforced entrance into it, the victory was by no means certain. Conditions in Russia are not satisfactory. Her collapse, should it come, will call on every energy of our people to secure the peace of the world against a monarchy that claims partnership with God Almighty in dispensing His burdens and favors among the nations of the earth. The world can have no peace until every pretension of Hohenzollern military rule shall have been swept from the experience of mankind. Nothing better could happen to the people of Germany than the utter destruction of the ambitious power that rules it. For the people of Germany Americans have only the kindest feelings; for the criminal Government of Germany we have nothing but utter loathing and unspeakable contempt.

Mr. President, we are in the war and must acquit ourselves as becomes the purpose and the history of our country. To do it, we must have an army and a navy. How are we to raise either? As I am no expert in military affairs, I must depend in a large measure on the advice of those who are trained to know, and almost entirely on such advice, except where I see it endangers or, in my judgment, may endanger the free institutions of my country in time of peace. I thank God I am no pessimist, I see the bright side of things. I have no doubt of the everlasting freedom of the citizen on our soil and under our institutions. I am not one so sensitive of the Constitution—while revering it as the paladium of our liberty—as to permit my countrymen to be murdered by foreign governmental edict and hesitate to resent the infamy on fear if I leave home to do it I may violate that sacred instrument. It never carried in it, by word or purpose, the repeal of the law of self-defense. Hence I have no sympathy and less patience with the quibble as to our right to send soldiers to any country in vindication of American honor and defense of American lives.

We must raise an army. This is no time to howl even for selfish or political effect. Our country calls for the best that is in us. Let us forget ourselves for the time and surrender all we have to a true and unselfish devotion to the great general good of our country. Why do we stand here and declaim about how an army should be raised? Every male citizen by law of the land able to bear arms and being between the ages of 18 and 45 years is a part of the army of the United States, whenever the country's necessity demands his service. Say there are 12,000,000 falling within the rule. The country de-

mands 2,000,000. Suppose 6,000,000 should offer to volunteer? I can shed as many tears over the brave boy who was not permitted to serve—and just as sincere tears—as I find running down these aisles from about the form of the orator as he tells the awful hardship of forcing a strong, young, unhampered, healthy American boy into the service of his country at the time of his country's need. This is no time for such tears. How are we to get the army? My answer is that the only just, democratic, equalizing way of raising it is under the provisions of the pending bill. It would be unjust and cruel to call for volunteers and accept all those who came forward. I do not affirm, nor do I believe, that the first who offer are any more patriotic than many who do not come forward and join the Army at once. Temperament and one's own judgment as to whether the country needs him at this time will weigh heavily in his determination of his individual action. It is no test of patriotism in present circumstances, as much as a test of one's own particular idea of the necessity of his volunteering when he knows little of his country's peril.

Every man owes duty, allegiance, and service to his country. Each should be selected for the service he must perform. There is no means of raising, equipping, and sustaining a great army except in obedience to this rule of efficiency. There is no odium that can possibly attach to any citizen of this country by reason of his selection under this bill to serve in the capacity of a soldier.

The word "conscript" does not appear in the whole text. I am sorry that the word "draft" is used. It prejudices the case needlessly. Why does not the word "selective" appear instead of "draft"? That is the real intent and effect of this measure. We are selecting from the millions of our citizens a certain number to bear arms. We are excluding all those whose service in other fields would be more beneficial to our country in time of war. Honor should attend this selection for military service rather than the odium inseparably connected in the public mind with the word "draft." The democracy of the plan appeals. There can be no shirking. The millionaire's son can buy no substitute. He must serve beside the son of his butler or his bootblack on equal terms, and sleep, it may be, in the same tent. What a lesson this for our contemplation as citizens of a self-governed country, and for a restoration of that equality before the law which we have so loudly boasted and so silently ignored. One amazing feature of this debate displayed by the opponents of this bill is that they see, or seem to see, or pretend to see, some sort of relation to or a parallel with the volunteer soldier of our past armies with the requirement of a soldier in modern warfare. Is it not astonishing? We have in all our history fought no war of any moment with volunteers alone. And who, I ask, were we fighting?

I would not if I could take one leaf from the wreath that for days has been woven about the brows of the volunteer soldiers of this Republic. But that man is reduced to desperation who would cite Braddock's British soldiers fighting ambushed Indians and saved by volunteers in America, who knew the Indian and his mode of warfare, to sustain his opposition to this bill. Does not the red glare of battle along the lines in Europe, reenforced by every war device of modern times, the hand grenade, the poisoned gases, the machine guns sweeping the opposing field with streams of leaden death, before which a stalk of wheat would not be left standing in 10 acres, show these desperate debaters that the world moves and that we must adjust ourselves to present conditions? One would think from what I have heard on this floor that all we needed to win this war was to get some volunteers with smoothbore flint-lock guns and storm the German trenches, even as we stormed Stony Point and climbed to victory up the rugged sides of Chapultepec.

Yet we are, in effect, told—provided the soldiers are volunteers—that all we have to do is to give them a good drill at Valley Forge and see that their feet are bleeding freely and let the blood freeze quickly and turn them loose with smooth-bore guns of 200 yards' capacity and the German line will give way before this valorous onslaught of American volunteers.

Senators, we are at war with the greatest military power on earth. Let us acquit ourselves like men worthy of our sires, who founded this matchless Republic and preserved it through all these years at any cost of blood or treasure that its necessity demanded. In order to do this we must raise the most efficient army possible, and raise it in the justest and fairest and most democratic way possible. I think it can be done under the provisions of this bill. I know it can not be done under the old unequal and unjust volunteer system. This bill simply provides for a proper selection of those men between certain ages best fitted for war service, all of whom are by law already a part of our military force. Exemptions are made of those on whom the support of a family rests, as well as those engaged in certain callings where their services at home would better serve the great common welfare than enlistment in the Army. The patriotic duty is the same and equally necessary in any field selected for service. Modern wars are not won by armies alone, as the recent history of Europe shows. No man has a right to shirk any duty to his country. England had to send back to industrial pursuits thousands on thousands of her brave soldiers to supply in the factories and shops from which they came the requirements of their brothers in the battle line. So will it be with us if we do not make proper selection in the start. The modern experience of the world has discarded the volunteer system. Every man who fought under Lee at Gettysburg was in fact a conscript, and almost to a man a willing conscript. Every soldier of the Confederacy—than which no braver army ever faced a battle in all the history of the world—was in effect a conscript.

The act of April, 1862, of the Confederate Congress forced all able men of certain age into the service and kept all then in service, no matter what the term of enlistment had been. Every soldier in the German Army is in this sense a conscript. True also is it of France. A moral, if not a legal, conscript accounts for the army of Great Britain. Has the world ever seen such soldiers? It has surely seen no better. A man selected by his country for military service is not a conscript in the offensive sense attached to that word. He is, or should consider himself as, receiving a decoration of honor.

Dependence on the voluntary system is the most costly, dangerous, and inexcusable blunder possible to commit on our entrance into this mighty struggle.

If there were any evidence in history, any array of expert knowledge, or any plausible arguments, to justify reliance for the national defense in this titanic conflict upon the false, feeble, and futile principle of volunteer military service, there might be some excuse for this debate. But the whole record of the United States condemns the inefficiency of the system, while the entire experience of the present war proves it an infallible factor of defeat. Those of its advocates here indulge the incredible delusion that this is a struggle of armies, and that we need do nothing more than to gather a huge force of brave soldiers. On the contrary, this is a conflict of nations, of resources, of skill and determination in utilizing economic power as well as military strength. Then perforce proper selection must be made to fill the Army and keep those other equally necessary arms of the service—the factory, the field, and the mine—in efficient and full operation.

Mr. President, no man willing to serve his country has any fear of this bill. Any able-bodied man unwilling to serve his country has no claim on our consideration or on his country's protection. I feel assured that the State units will not be broken up after enrollment of the men. The soldier will fight beside his neighbor, and they will proudly bear together any hardship or danger at their country's demand. Our proud old flag that has never yet been furled in the face of an enemy on land or sea will wave over as brave and patriotic men called to the colors under this bill as ever defended it on any field of its glory.

Senators, we are in a war which, in my judgment, will try out our men and our resources. This is no time to play for popularity or appeal to prejudice when our country's fortune and honor are at stake. Our business is to preserve both at all hazard. To stop the shedding of blood we must raise and equip a great army. If we wish to bring peace nearer we must pass this bill and prove to the Hohenzollern and Hapsburg dynasty that they must meet the full power of American brains, wealth, energy, and courage if this war shall be prolonged. The swiftest possible preparation on the largest scale is the best contribution America can make to the cause of peace. Delay in this endangers victory and prolongs the awful war. Action, great, potent, virile action, is the need of the hour. Let us stimulate it rather than smother it by unnecessary dissensions in this forum. Let me, in conclusion, quote the last words of the war message of the President:

"But the right is more precious than peace, and we shall fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free. To such a task we can dedicate our lives and our fortunes, everything that we are and everything that we have, with the pride of those who know that the day has come when America is privileged to spend her blood and her might for the principles that gave her birth and happiness and the peace which she has treasured. God helping her, she can do no other."

KENNETH E. SCHWINN.

Mr. STERLING obtained the floor.

Mr. SWANSON. Mr. President, will the Senator yield to me just for a moment? I desire to ask unanimous consent for the confirmation of the nomination of a young man who came up from the enlisted ranks and who has received a probationary appointment as a second lieutenant in the Marine Corps.

Mr. STERLING. I yield to the Senator.

Mr. THOMAS. Mr. President, I rise to a question of order.

Mr. SWANSON. I merely want to make a statement, and then I will ask unanimous consent.

Mr. CHAMBERLAIN. Well, Mr. President, I desire to say to the Senator——

Mr. SWANSON. I hope the Senator will allow me to make a statement. The Senator from South Dakota [Mr. STERLING] has yielded to me. A young man who had previously enlisted in the Navy stood the examination for appointment as a commissioned officer of the Marine Corps and received a probationary appointment for two years. On Sunday he will reach the age of 25. If his appointment is not confirmed and the commission is not issued to him by to-morrow midday, he can not secure his commission, and it will be utterly impossible for him to secure a commission thereafter. I simply desire to ask unanimous consent that the pending bill may be temporarily laid aside, and that, as in executive session, the appointment of this young man may be confirmed and the President notified.

Mr. CHAMBERLAIN. Mr. President, I am sorry, but I will have to object to that, because I made a promise to a number of Senators who have been compelled to leave the Chamber, and I would violate that promise if I should allow any business to be transacted. They asked me if anything except the pending measure was coming up, and I told them that I would object to any business being transacted.

Mr. JOHNSON of California. Mr. President, I desire to ask the Senator whether he thinks the Senators to whom he refers would object to the action which the Senator from Virginia seeks to have taken? The president of the University of California and the mayor of Berkeley, Cal., are interested in this young man, and they have sent a request to me concerning the matter. I presume the Senator from Virginia refers to Kenneth E. Schwinn.

Mr. SWANSON. That is the name of the young man.

Mr. JOHNSON of California. If the Senator will pardon me for a moment further, I desire to say that if the nomination of this young man is not confirmed—and it is the desire, I think, of all connected with the administration that he should be—he will reach the age on Sunday when the appointment will be void. That is the reason that the necessity presents itself at this time for immediate action. I hope it will be possible for the Senator to withdraw his objection.

Mr. CHAMBERLAIN. Mr. President, could the nomination not be confirmed to-morrow morning?

Mr. JOHNSON of California. I will be satisfied if that will insure the confirmation in ample time, so that the young man will receive his commission.

Mr. SWANSON. I think that at 12 o'clock to-morrow his commission will be void. Of course if any Senator objects he has it in his power to prevent action at this time.

Mr. WARREN. Mr. President, I should like to have the action taken the Senator desires, but as he knows under the unanimous-consent agreement we can not comply with his request without calling for a larger attendance of the Senate and getting another unanimous-consent agreement.

Mr. SWANSON. No; I think the Senator is mistaken as to that. If the Senator will permit me, I have read the unanimous-consent agreement, and I do not think the action which I have suggested would violate its terms. This matter has been brought to our attention by the Secretary of the Navy, and it has the approval of the President. It is different from other cases, because this probationary officer was an enlisted man. If he can receive his commission, of course, he will enter upon his life work. It seems to me it would work a great hardship if this young man should be denied, under the peculiar circumstances, the opportunity of securing his commission.

Mr. WARREN. We have had exactly the same condition to contend with heretofore. It is regrettable that the department do not get such matters to us in time; but heretofore such situations have been cured, as I believe this can be easily cured, by simply enacting a joint resolution—which I am sure can readily be done—waiving the age limit in the case of the young man referred to.

Mr. CHAMBERLAIN. Mr. President, may I ask the Senator if this matter can not be attended to to-morrow morning at 10 o'clock?

Mr. SWANSON. I do not know. The President has to be notified after the nomination is confirmed, and the commission has got to be issued.

Mr. CHAMBERLAIN. Mr. President, I feel in duty bound to insist on my objection under my promise to several Senators that I would object to taking up any business without their consent. I have no objection in the world to the young man, but I feel under the promise I have made that I must object.

Mr. SWANSON. I hardly think any Senator had in mind objecting to business of this character, and I would not bring the matter before the Senate if it would interfere with the unfinished business or with the unanimous-consent agreement.

Mr. CHAMBERLAIN. I will state that a Senator asked me if there would be any business in open or executive session, and I told him I did not know of anything. He did not want any business transacted during his absence.

Mr. JOHNSON of California. May I inquire of the Senator from Oregon if it would be possible to accomplish the result by taking the matter up at 10 o'clock in the morning?

Mr. CHAMBERLAIN. Absolutely; and I promise to do all I can to assist.

Mr. JOHNSON of California. The memorandum that has been given to me indicates that that might be done. Secretary Tumulty says that the nomination must be approved by the Senate to-day or to-morrow. Mr. Schwinn becomes 25 years of age on Sunday, and thereby will pass beyond the age limit and his appointment will be void.

Mr. THOMAS. Mr. President, I can not conceive in my heart how any Senator can object to the consideration of this matter, which is so urgent. Here is a young man who has an opportunity to become an officer, and because of his years the action must be taken now. He wants to serve his country. I do not believe that any of the Senators who have gone away relying, as they had a right to rely, upon the assurance of the Senator from Oregon, would object under the circumstances to the consideration of this particular request. It appeals to me so much that I earnestly hope we may be permitted to confirm the nomination of this young man, to the end that he may secure the desired promotion.

Mr. SAULSBURY. Mr. President, I think this matter can be arranged under the unanimous-consent agreement, if the Senator will permit me. I was here, of course, when the unanimous-consent agreement was entered into, and I think under its terms, with the assent of the Senator from South Dakota [Mr. STERLING], the whole matter can be arranged. If the Senator from South Dakota will simply state that he does not desire to address the Senate for two minutes, and no other Senator expresses a desire to address the Senate during those two minutes, the matter can be acted upon. I call the attention of Senators to the final clause of the unanimous-consent agreement, which reads:

> If any Senator announces his intention to speak upon the bill or any amendment thereto, no motion to take a recess, to adjourn, to proceed to the consideration of executive business, or to proceed to the consideration of any other business shall be entertained by the Chair.

I feel very sure that under the terms of the unanimous-consent agreement if the Senator from South Dakota announces that he does not care to proceed for two or three minutes we can attend to this business.

Mr. STERLING. Mr. President, I should feel like yielding to the judgment of the Senator from Oregon in regard to that.

Mr. CHAMBERLAIN. Mr. President, I dislike very much to be placed in the position of delaying this matter, but I have never violated a promise I have made to any Member of this body or to anybody else, and I would feel that I had violated my promise if I did not keep it in letter as well as in spirit.

Mr. THOMAS. Mr. President——

Mr. CHAMBERLAIN. The Senator from Colorado would not do it, either.

Mr. THOMAS. Will the Senator permit me to say that I sympathize fully with his feeling; but I have a suggestion to make, that when we finally recess to-night, before the motion to recess is put, we take up the nomination of this young man and confirm it.

Mr. CHAMBERLAIN. But this matter can be attended to to-morrow morning just as well, and I will do anything I can to assist it in the morning.

Mr. SWANSON. Well, Mr. President, I am going to submit the request. I think the matter can be attended to without interfering at all with the unanimous-consent agreement. Then, if consent is granted and the nomination is confirmed, if any Senator should object later, the matter may be reconsidered to-morrow. I simply ask unanimous consent that the nomination may be considered as confirmed, but that the notice may

not go to the President until to-morrow. That will give opportunity for any objection to be made to-morrow if any Senator should desire to object. Of course, if the nomination is not acted upon by to-morrow morning, it will be too late. I ask unanimous consent that the action I have suggested may be taken.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia?

Mr. CHAMBERLAIN. Mr. President, I do not think the Senator in insisting on that course treats me with fairness.

Mr. SWANSON. The Senator must take his own responsibility. If he objects, the objection is his own. I will take my responsibility as to this matter, regardless of any foolish agreement which may have been entered into by the Senator.

Mr. CHAMBERLAIN. The Senator has his own conscience and his own responsibility.

Mr. SWANSON. I have; and I am acting under them.

Mr. CHAMBERLAIN. I have mine; and I am not going to permit myself to violate a promise, no matter what happens here to-night. I am in sympathy with the proposition; I think what has been requested ought to be done; and if it could be done without violating a promise, I would not object. It can be done to-morrow, and, as I have said, I will do anything at that time I can to help along the matter.

INCREASE OF MILITARY ESTABLISHMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1871) to authorize the President to increase temporarily the Military Establishment of the United States.

Mr. STERLING. Mr. President, I do not know that at this stage of the discussion I can say anything new, for the ground has already been pretty thoroughly covered, and it would seem that all the arguments pro and con of which the question is capable have been gone over; but I have some convictions in regard to the principle involved in this bill, and deem it in a way a duty to express them.

I can not share in the dread misgivings of the Senator from Georgia [Mr. HARDWICK] in regard to the effect of selective conscription. I do not for a moment believe that it is antagonistic to our free institutions, nor to our democracy; but I admit at the outstart, Mr. President, that the word "conscription" has not always been pleasing to the American ear. Its almost invariable use has been in connection with Army service, and as there applied it means enforced service. The prevailing belief has been that a conscriptive military service is opposed to the spirit of democracy; that it would not be tolerable as a regular system, and was justifiable only as a last resort and when more men were needed than would volunteer to meet the necessities of the Nation in arms.

The shortcomings of the volunteer system have again and again been emphasized by military experts and those charged with the responsibility of conducting a campaign or a war to a successful conclusion, but with little or no avail. The general aversion to enforced service, together with many really great achievements of our Volunteer Armies, has hitherto meant a feeling approaching a conviction among the American people adverse to the creation of an army in the first instance by draft. It has been assumed that patriotism would always respond to the call to service; that a million men could be raised overnight to repel an army of invasion the next day; that out of the shops and stores and out of the soil, as it were, would spring ready for efficient service all the men needed on the instant for the defense of the Republic.

Plain common sense would have apparently dictated otherwise; that instead of men so trained and equipped being led to successful battle they would more likely be led to needless slaughter. If perchance through numbers or valor, or both, they won at all in those first sanguinary struggles, it would be at such cost in dead and wounded as to make it a victory too dearly won, and the Nation would have mourned the sacrifice of its bravest and best.

And yet that was just the way to do it, according to the opinions of men in every stage, walk, and condition in life, as shown by the letters of a couple of farmers, for example, who, in their zeal against preparedness and universal military training, were a little while ago ready to pledge the services of their two to five sons for any instant war need. And such, as I remember it, was in substance the pronouncement of that prince of pacifists, our late distinguished Secretary of State, not so very long ago.

Nor do I, Mr. President, absolve myself entirely from having shared in this sentiment. The volunteer armies of the United States have been made up of the very best talent and best blood of the Nation, and out of their experiences in these armies have been developed some of our ablest leaders both in military and civil life. Far be it from me to utter one word in detraction from the patriotism, the intelligence, or the glorious service rendered by our volunteer armies throughout our history from the days of Concord and Lexington down to San Juan.

But, Mr. President, I perceive now that we are confronted with new conditions, altogether different from anything this Nation has ever before experienced. Instead of battle upon American soil, our troops are more likely to be sent to foreign fields. Instead of a superior volunteer force led by commanders familiar with every foot of soil they traversed and capable of the infinite harassment of a trained but inferior force in point of numbers, as in the Revolution, we shall send our troops abroad to confront the greatest fighting machine in Europe on practically its own soil, on ground of its own choosing. We shall send them to hold the trenches to-day, to take the trenches to-morrow, while the artillery and machine guns on the ground below and the aeroplanes above work a devastation unfamiliar to the American soldier and without parallel in the history of warfare.

It behooves us therefore to have a care, to consider well the selection, the training, and equipment of the men we shall designate for such service.

In the war resolution adopted by such overwhelming vote a few days ago we pledged the Nation's resources to the conduct of the war to a successful termination. In furtherance of that pledge both Houses, without a dissenting voice, voted the enormous sum of $7,000,000,000 in aid of the allies and to finance our own preparations and part in the war. We have now come to the third step, and that involves the human element. We are to raise and equip an army of a million men, with a view to sending some hundreds of thousands of them abroad for the kind of work and the scenes and sounds I have described. How shall it be done? By permitting a rush pell mell of all the noble and the daring but undisciplined flower of our youth into the service at first call, without regard to other national needs or without regard to the good soldier stuff in the slacker left behind? Or shall our program be one of selection, whereunder all interests, all citizens, shall contribute their just share, and where they, in the interests of the general welfare and for the public good, shall not be allowed to contribute more. But, as I say, here in the raising of men is the human element. In relation to that we are charged with even a graver responsibility than in the pledge of the merely material resources of the Nation. To a large extent the issues of life or death are in our hands.

In addressing ourselves to this great task all sentiments of pride in what American volunteer armies have at last achieved on American soil, all fond traditions of the military prowess of the past must yield to the practical exigencies and demands of the hour. The question which should dominate all others should be not what men in their patriotism and enthusiasm would freely do and freely give, but how shall we pick them and drill them and thus attain the maximum of effectiveness, of achievement with the minimum of waste and sacrifice.

And who shall decide this fundamental question? The movements and operations of men in the field constitute but one phase of the question. Shall the achievements of volunteer armies in our various wars be our only guide? As to that let us not be deceived by the final successes of the American arms in either the War of the Revolution or that of 1812 or by the final success of the Union cause in the Civil War, in each of which conditions were altogether different from what our forces will find them in France, Belgium, or perhaps on the soil of Germany. In the Revolution England suffered first from a lack of competent generals. Again, the discipline, tactics, and equipment of the British forces, their adherence to the close-order system in battle were not suited to the irregular warfare to which they were subjected in a country where they found it impossible to employ troops in large masses. Washington's army suffered from defections due to the loose and uncertain volunteer system of the day. The Commander in Chief could not for any length of time reckon with certainty upon the number of troops he might have for campaign or battle. Out of this, of course, demoralization; out of this a prolonged and desultory war. But he could have his shifting bases of supplies and all the disadvantages under which Washington fought were more than offset by the difficulties under which the British labored with their unadaptable methods learned in Europe and with their base of supplies limited to one, and that the ocean.

Other things, including devotion to the cause, being equal it is easy to surmise the better results, the speedier termination of the war which might have followed from an enforced service

for a definite period with the more rigid discipline and better order such a course would have implied. It is little short of the absurd to attribute the success of the Revolution to superiority of the volunteer system over the conscriptive system of enrollment in the service.

The many blunders of the War of 1812, as it was carried on on land, the defects of the militia system, the failure to fill the ranks or increase the Army to required strength under the call for volunteers were in part atoned for by the victory at New Orleans, fought after the treaty of Ghent had been signed. But the 6,000 Americans there were under a sagacious and intrepid leader. They were well entrenched. They were frontiersmen, skilled in marksmanship, who thought nothing of bringing down a squirrel from the top of the tallest tree. They were, as stated by Fiske, the descendants of the men who overwhelmed Ferguson at Kings Mountain, the sires of the men who came near vanquishing Grant at Shiloh.

Barring this one notable success, however, the land operations of the War of 1812 were nothing to be proud of and many were dismal failures.

And then, Mr. President, there is the War of the Rebellion. The history of that war contains its record of disasters due to untrained volunteers. Let the Battle of Bull Run, so disastrous for the North, speak; let the ineffectiveness of the volunteer system as it pertained to both sides during that fearful struggle tell how it was that within about a year after the breaking out of the Civil War the Confederacy was compelled to resort to conscription, and how in a year and a half after Sumter the North was compelled also to resort to that method of recruiting its armies. Each side was of course fighting in a cause it believed to be the most glorious ever fought for in the world, and yet early in the struggle the volunteer system had broken down or failed to furnish the volunteer enlistments to carry on the war on either side.

But, Mr. President, to whom shall we look for a guide, experiences in other wars on American soil failing us as guides? Much as I respect the opinions of Senators in regard to which is the better system of the two—the volunteer or the draft system—I am inclined to take as my guide the opinions of military experts, the opinions of the General Staff, of the War College, rather than the opinions of Senators whose only service to their country has been in their membership in one or the other or both Houses of Congress. I call attention to a few of these, apart from the opinions of the General Staff, whose bill this is supposed to be. I hold in my hand what is termed an Epitome of Upton's Military Policy of the United States. I think it is considered a great authority. He draws some lessons from the Revolutionary War. He summarizes them here. One is that when a nation attempts to combat disciplined troops with raw levies it must maintain an army of twice the size of that of the enemy, and even then will have no guaranty of success. Another principle laid down is that neither voluntary enlistments based on patriotism nor bounty can be relied upon to supply men for the army during a prolonged war; and another that the draft, connected or not connected with volunteer enlistments and bounties, is the only sure reliance of a government in time of war.

Again, that Regular troops engaged for the war are the only safe reliance of a government and are in every point of view the best and most economical.

I have another authority here which, I think, is worth considering. I hold in my hand a book entitled "West Point in Our Next War; the Only Way to Create and to Maintain an Army," by Gen. Maxwell Van Zandt Woodhull. He has a chapter devoted to conscription. I read two or three excerpts from that chapter. He says:

> The element of training must be considered in the discussion of volunteer armies. One of the chief lessons of the War of the Rebellion is that it takes a year to create a dependable army.

In that connection the inquiry at once arises as to when, within what time, will we have a volunteer army which will get the one year's training in order to make of it an effective army under the volunteer system.

I do not mean to say—

He says:

> that men gathered together in regiments and brigades almost directly from their homes have not made a gallant fight when thrust into battle. But, notwithstanding their gallantry and their success, they were not soldiers; they had not developed that coherency of organization, that calmness under relentless fire, that readiness to obey intelligently any order given to them; in a word, they had not developed morale, which is the soul of soldiers and which makes them almost as dangerous in defeat as in victory.

Further, he says, speaking of conscription:

> Conscription is the most democratic, the fairest, the most equal, and the only logical method of raising and maintaining modern armies. Our experience and the experience of England with the voluntary system of recruitment of armies bears out this statement conclusively.

This book was written in 1915. It does not cover all the experiences of England, nor does it give the expressions of opinion recently made by distinguished Englishmen, and which we have all read or heard.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. JONES of New Mexico in the chair). Does the Senator from South Dakota yield to the Senator from Idaho?

Mr. STERLING. I do.

Mr. BORAH. That book is speaking of conscription which includes every man who is available for military service.

Mr. STERLING. Not necessarily.

Mr. BORAH. That is what the book speaks of; that is the principle upon which he is proceeding. He indorses there the conscript system of France which is based upon that proposition.

Mr. STERLING. That may be, Mr. President, and yet the same statement exactly made here with reference to conscription systems generally will apply particularly to the principle of selective conscription.

Mr. BORAH. Does the Senator think that that would apply to a bill which takes a boy of 19 or 20 and leaves out the man of 26 or 27?

Mr. STERLING. I do. It is democratic.

Mr. BORAH. Is it democratic to put upon a boy of 19 or 20 the service for his country and to exempt a man who is physically fit and capable and happens to be 26?

Mr. STERLING. I think it is, Mr. President. Other things must be taken into consideration with reference to the ages between which selection will be made under a selective conscription bill. All within the age limits, the minimum and maximum ages, are treated in the same way. It is not with reference to age that the democratic principle is involved. It is with reference to class, condition, and occupation in life; and under the selective conscription feature it does apply, of course, within those particular ages to all classes, conditions of life. The rich and the poor, the educated and the uneducated are alike within those ages subject to conscription.

It further says:

> It is not only the best way of maintaining an army in time of war, through a steady stream of recruits passing from the great central depots to the colors, but it is the only, absolutely the only, way to create and to maintain an army in time of peace, ready to take the field the moment war shall break out.

I admit that that is speaking of conscription generally and not selective conscription there. But, as I contend, Mr. President, the same principle applies.

> Conscription is the only method of creating and maintaining an army at all times ready for war, because it is the only method which recognizes the element of time.

And—

> Conscription draws more equally and more evenly upon the manhood of the nation than the system of voluntary enlistment.

Conscription, Mr. President, will take and compel to serve what the volunteer system never would, and that is the slacker, the man who is without public spirit, who will not respond to his country's call, to whom the spirit of patriotism makes no appeal.

Here is one class of men described who would fall under the provisions of a conscription act. It is related of a certain New York lawyer that he made this declaration and he is so quoted in a New York newspaper:

> I think Germany's submarine policy is absolutely justified. I think Germany has a right to sink every vessel, neutral or otherwise, which carries ammunition to the allies. If the vessel carries neutral noncombatants, not without warning, of course; but after the warning, blow them to hell, every damn ship of them.
>
> International law, bosh! Who gives a rap about international law? Germany doesn't. Germany is making international law.

The man who made those unfaithful, disloyal, and unpatriotic utterances would, if of proper age, be subject to conscription; and if he did not serve, having been drafted, he might have to take the military consequences.

Mr. President, I said that the word conscription is not a pleasing one to the American ear, or has not been in the past, but I know something of the change of sentiment in regard to some of the things we have been considering here during the last few months. I have seen if not a revolution a very rapid evolution in the public sentiment, especially of my own State, and I think the same thing pertains to a great part of the great new Central West. The term "military preparedness," as it meant extensive additions to Army and Navy equipment, was not very long ago a term almost equally as obnoxious, especially to the people of the great interior, as the term conscription has ever been. There was the admonition, "go slow on preparedness," and we were advised by high authority not to be hysterical in regard to preparedness less than two years ago.

But what is the present sentiment? The provisions of the Army reorganization bill and the great naval bill had not been enacted until there was universal acceptance, and no complaint from any source throughout the length and the breadth of the land that Congress had done too much in those two great bills for the national defense.

Then there was universal military training. Nine months ago it was suffering like opposition to that which military preparedness had suffered earlier. It was discussed at the time of the national conventions last June, but neither party, although discussed with that end in view, dared to put a plank in the platform favoring universal military training.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Idaho?

Mr. STERLING. I yield to the Senator.

Mr. BORAH. Does the Senator think that either party will put a plank in the platform indorsing conscription in the next national convention?

Mr. STERLING. Indorsing conscription? By the time of the next national conventions I shall not be surprised if such a plank will be indorsed by either or both parties.

Mr. BORAH. I hope one party will indorse it.

Mr. STERLING. I think the Senator knows something about the growth of sentiment in favor of conscription, and I do not see why he has any ground to express surprise that one or both of the great conventions of 1920 should favor conscription as a means of raising armies.

I say universal military training was discussed, but neither party dared to declare for the adoption of a platform embodying the proposition. But where is the opposition to universal military training now? My estimate of it is this, that aside from the war measure already passed no measure considered at this great session of Congress will meet with greater popular approval than Senate bill 1, the bill providing for universal military training.

I might ask the Senator from Idaho what the sentiment was a year ago or two years ago in his own State in regard to universal military training. It could not have been much different from what it was in another great interior State—my own, for example—or than it was in Montana or Utah. But what is it now? And so it has been, first in regard to preparedness, next in regard to universal military training; and now we witness a like change or growth in sentiment in regard to conscription. I have wondered the Senators have not read some of the things from home in regard to it.

Mr. BORAH. I have read them all.

Mr. STERLING. It may be that you have, but you have not put them in the RECORD.

Mr. BORAH. No; I will not put them in the RECORD. I could not put them all in the RECORD.

Mr. STERLING. I want to read a few. I understood the Senator from Iowa [Mr. KENYON] to express the opinion that conscription was unpopular in his State. From what I know and believe I know in regard to the sentiment in my own State, I am at a loss to conceive why in the neighboring State of Iowa the sentiment is at this time against the provisions of this bill providing selective conscription. They might desire to see it modified in some respects. I will say frankly I will not object to seeing it modified with reference to the age and seeing the minimum age 21 and the maximum age 30 or 35. I will vote for an amendment which would so provide. But here is a telegram from the city of Yankton, S. Dak.—the commercial association there:

Hon. THOMAS STERLING,
Washington, D. C.:

We, the undersigned citizens of Yankton, feeling that the proper support of the President in the prosecution of the war against Germany demands the use of conscription to raise a proper military establishment, do respectfully petition and request you to cast your ballot in favor of universal selective military service.

Here is one from one of the schools. It is addressed to the South Dakota congressional delegation, in my care:

BROOKINGS, S. DAK., *April 25, 1917.*

Fifty-six members of faculty and large number students of South Dakota State College sign petition urging Congress to adopt the plan of selective conscription in preference to the volunteer system. Copies follow by mail.

G. L. BROWN, *Dean.*

Here is another signed by 9 citizens of the town of Beresford and 50 others:

BERESFORD, S. DAK., *April 22, 1917.*

Senator THOMAS STERLING or SOUTH DAKOTA REPRESENTATIVES.
Washington, D. C.:

We believe that the selective-draft bill now pending is the best remedy at this time of war, as volunteering does not seem to meet the demands. We believe that the passage of this measure will meet with the approval of most of your constituents.

These come from all walks of life—merchants, professional men, farmers. Then another—

Please support the President's conscription bill.

I read this from a letter received from a gentleman living in the largest town in our State—the town of Sioux Falls—a man who has lived there a great many years and is one of the members of one of the most prominent law firms. Among other things, he says:

I have taken pains to talk with a goodly number of people, women as well as men, on this question, and much to my surprise, as well as gratification, I am able to say that I have as yet found no one who favors the volunteer system as against the conscription or draft system, and there seems to be a general feeling that the plan proposed by the General Staff of the Army is the right plan to adopt, and that it should be taken by Congress practically without any change.

I read another, which, while a little strong in some of its expressions, yet voices the sentiments of the writer in favor of the principle of selective conscription. He says:

When citizens become patriotic enough to volunteer to pay their just share of taxes, when people arrive at the point of volunteering to pay their rents, store bills, and in fact all other things that are required now, then it will be safe and businesslike to depend on defending our country in this day and age by the old-fashioned volunteer army.

Our good President—and I voted for Hughes—is right when he says the Government is the best judge of whom shall fight and whom shall serve best by staying in field, shop, and factory.

That writer states the principle involved in the selective conscription bill before us. Who is best qualified and who can best be spared to serve in the Army? Who is most needed to serve his country at home on the farm, or in the shop, or in the laboratory? That is what is meant by selective conscription.

Mr. President, the one important thing to be remembered throughout all this discussion is that now, of all other times, is the time when great industries need the best men, and their services in those industries will be the best service they can render the Nation. Loyalty, patriotism, and the welfare of the Nation would dictate that such men should remain in that service, while others can be spared for active service in the field. Here is an extract from another letter:

Universal military training in times of peace and universal (selective) military service in times of necessity surely is the only fair and effective way for this Nation to protect itself now and in the future from the selfish desires of European and Asian Kings, Emperors, Kaisers.

That was from a gentleman out in Mitchell, S. Dak. Here is another from Watertown, S. Dak. Among other things the writer says:

I have read something in the papers to the effect that you have indorsed the principle of universal service—

I think what he means is not "universal service," but conscription. He has in mind the bill now before the Senate—

I believe that is a patriotic and broad-gauged view of the situation. I also think that the advocates of that system are gaining in strength and numbers out this way. Personally I hope that the General Staff Army bill, as approved by the President, will pass.

From another at Aberdeen—our second largest city—I read this:

The selective idea is, of course, all right, for many men would be of more value in the laboratory or in the field than behind the gun, and every man should be used where his ability will make him of the most value.

And in that expression he strikes at the very kernel of this system. He says further:

I do not believe, however, that any class in the country should be exempt from doing their part for the public service, and the sooner we can cut out this volunteer proposition and get down to a uniform service basis the sooner we will be in shape to hold our own.

That is from a gentleman who was for a long time an esteemed officer in the National Guard service—a major, I think; but at least the commander of a company—in South Dakota.

So, Mr. President, in addition to the experts, in addition to the General Staff, in addition to the army writers of history, in addition to the experience of England, as voiced by Gen. Bridges just a few days ago, and, I will further say, in addition even to the experience of Canada, we have now, I think, the consensus of opinion among the people of this country in favor of selective conscription.

Mr. President, as I have said, I do not share in the misgivings and fears expressed by the Senator from Georgia [Mr. HARDWICK]. He talks as though it were depriving a man of his individual rights to compel him to enter the military service of the United States; as though a constitutional guaranty would be violated. What does that mean at bottom? That a man can deny his liabiliy to serve, notwithstanding the principle of universal liability to serve, and that he can say, "I will not volunteer to serve my country in time of war, and there exists no right to compel me to serve." Such is the principle, in the

main, advanced and contended for by the Senator from Georgia—"I will serve if I please."

Mr. President, no army could be created or maintained under that principle. There is the principle of universal liability, and selective conscription follows as a logical consequence of that principle.

I was struck with a further statement made by the Senator from Georgia. Why, he said, the bravest and the best would go, of course, and those were the men who were needed; those were the men who won battles—the bravest and best who volunteered. That is true; but it has been true only after needless sacrifice of treasure and of life as well. It does not follow, Mr President, that because all the bravest and best are not permitted to enlist the Army will be made up of weak men, of vicious men, or of unpatriotic men; but the men physically and mentally fit, who are not the most patriotic, who are not of the bravest and best, but who owe a like duty to their country, will be compelled to perform it; and some of the bravest and the best will serve their country in the shop, in the laboratory, or on the farm, where, in this crisis, there is for them the greatest need.

Mr. President, instead of this being contrary to the principles of democracy and free institutions, I say it is an achievement, a triumph of democracy. It has been supposed that the test of a democracy often comes in its foreign relations, and especially when we are involved in war with a foreign nation. Why? Because under the governmental machinery of a democracy, under the spirit of a democracy, there can not be that prompt, that decisive action that is required and necessary in time of danger and stress like this. But when a democracy, under the principle of universal liability to military service, takes it in hand for the welfare of the country and the best welfare of all the interests of the country, to conscript by selection the men necessary to make an army, leaving others to peaceful pursuits necessary for the national welfare—when it can do that, it shows democracy triumphant, and its action is not for a moment antagonistic to a democracy or to any of its ideals.

I remember, Mr. President, some words of Mr. Bryce, and I conclude by calling attention to them. They are found in the introduction to his American Commonwealth. Speaking of the United States, he says:

> They represent an experiment in the rule of the multitude, tried on a scale unprecedentedly vast and the results of which everyone is concerned to watch; and yet they are something more than an experiment, for they are believed to disclose and display the type of institutions toward which, as by a law of fate, the rest of civilized mankind are forced to move, some with swifter, others with slower, but all with unresting feet.

I heartily believe in those words of Mr. Bryce. They seem to me to epitomize the fruits and the proofs of a century of democracy, and they are full of assurance for all. They all but deny that this great experiment in the rule of the multitude is a failure, and they import that the great Republic of the West has become the light of the world.

Mr. President, our place and our part in this war now, this revival of our interest and sympathy in the cause of freedom throughout the world, will further stimulate and accelerate the movement of peoples under other forms of government toward institutions like our own.

I can not help but allude to a statement made in a colloquy between the Senator from Georgia [Mr. HARDWICK] and the Senator from New York [Mr. WADSWORTH]. The question involved was when will we make peace; what will satisfy us; as if Germany might at some time propose terms of peace we would accept independently of those who are now our allies. I would respond in one way, as did the Senator from New York, that we will cross that bridge when we get to it.

Mr. President, we are in a war with the allies, and we are in it because their cause is our cause. It is the cause of civilization, of liberty, of humanity, and we are in it, not alone because of the national injury we have sustained, but because it is the cause of democracy, the cause of humanity, the cause of free institutions, and because we would rid ourselves and the world of a power, a spirit which if left to rule will be a menace to all the future. That is why we are in this war. And we shall not now enter upon any calculations as to when we would be willing to conclude terms of peace with Germany, the common enemy. We will cross that bridge when we get to it. We ourselves will have a part in the negotiations, and we will be able to advise and suggest as to what are proper and just and fair terms of peace; and our influence as the great Republic of the West will then and there be exercised on the side of justice to all.

Mr. CHAMBERLAIN. Mr. President, when the bill now under discussion was placed before the Senate I undertook as best I could to make an analysis of it, and stated then that possibly I might have something to say a little later on. I had hoped, however, that it might not be necessary for me to enter into any general discussion of the bill at all; but so many things have been said which in my opinion do not accord with the true history of our military legislation that I feel it my duty, and I perform it reluctantly, to say something before the bill is finally submitted.

I know that we are not speaking to convince anybody here. The minds of all of us have long since been made up, and each knows exactly how he proposes to vote on each one of the amendments, as well as on the bill itself. But I feel that I ought to place my views in the RECORD, even if nobody is to be convinced by them, in order that the things which transpire here when this all-important piece of legislation is before the Senate may be before the country now and for all time, as well as before the Senators who honor me by their presence.

Mr. President, the principal question discussed here has been as to the relative merits of a proposed selective draft and the volunteer system. It has been insisted on the one hand that the volunteer system ought not to be abandoned; that to abandon it would be to violate one of the oldest traditions of this and other countries. The discussion, however, has assumed a broader scope, and it is being insisted, unjustly, as it seems to me, that the courage and the patriotism of the volunteers in the distant past and those of recent years have been called in question, and it has been insisted that those of us who advocate the drafting of men into the Army at this time are challenging the patriotism and courage of the men who have fought the battles of this country in the years gone by.

Mr. President, nobody challenges the courage or the patriotism of the volunteers in any of the wars of this country. The challenge has been directed by the advocates of the pending measure, rather to the system which has in the past made the volunteer the chief reliance of his country in time of war.

It is easy, Mr. President and Senators, as was done the other day, to indulge in oratorical flights on the valor of the volunteer and to challenge any Senator to publicly say that his State could not raise its quota of men under the volunteer system. It goes without saying, I believe, that any State in this Union could raise its quota now. But there comes a time, as there has come a time in nearly every war, not only in this country but in every other, when it has been necessary to apply the draft because the volunteer system has broken down.

Mr. President, it is very natural for our friends here who have never participated in any campaign and who do not lay claim to expert knowledge to speak of the volunteer system as the only proper one and as the one under which we have won all the wars of this Republic; but I am going to attempt to show, at the expense of wearying this already too tired Senate, that their opinions are at variance with those of some of our greatest military experts and leaders, men who have in emergency rendered conspicuous and gallant service on many a battle field.

I think it is safe to say that no one man's opinion as to the merits of the volunteer system is entitled to more weight and to more serious consideration than that of Gen. George Washington in our Revolutionary struggle. His was the dominating figure in that sanguinary and titanic war that brought success to our arms and achieved victory in the face of what seemed to be almost certain defeat.

Mr. President, I have sometimes wondered how that great and patriotic man ever found time to organize an army, much less to maintain one, or to fight the battles which finally resulted in wresting the colonies from the British yoke, because from the commencement of his memorable campaigns until the Revolution ended, in 1783, judging from the mass of correspondence that he was inditing to the Continental Congress and to others, he was spending much of his time in addressing a Congress and other officials deaf to his appeals, just as this Congress seems disposed to turn listless ears to our distinguished President now, when the very life of the Republic may be hanging in the balance.

Let me call attention to a few of the utterances of Washington, which appear to me to be pertinent to the discussion here today, and which do not accord with the statements of some of our friends who are declaiming upon the beauty as well as the efficiency of the volunteer system.

On February 9, 1776, he wrote:

> To expect the same service from raw and undisciplined recruits as from veteran soldiers is to expect what never did and perhaps never will happen.

And on December 20, 1776:

> Short enlistments, and a mistaken dependence upon militia, have been the origin of all our misfortune and the great accumulation of our debt.

And on August 20, 1780:

Had we formed a permanent army in the beginning, * * * we never should have had to retreat with a handfull of men across the Delaware in 1776, trembling for the fate of America; * * * we should not have been the greatest part of the war inferior to the enemy, indebted for our safety to their inactivity, enduring frequently the mortification of seeing inviting opportunities to ruin them pass unimproved for want of a force which the country was completely able to afford, and of seeing the country ravaged, our towns burnt, the inhabitants plundered, abused, murdered with impunity, from the same cause.

September 15, 1780:

Regular troops are alone equal to the exigencies of modern war, as well for defense as offense, and whenever a substitute is attempted it must prove illusory and ruinous.

And again on September 24, 1776, in a letter to the President of the Continental Congress he said, amongst other things:

To place any dependence upon militia is assuredly resting upon a broken staff. Men just dragged from the tender scenes of domestic life, unaccustomed to the din of arms, totally unacquainted with every kind of military skill (which is followed by want of confidence in themselves, when opposed to troops regularly trained, disciplined, and appointed, superior in knowledge and superior in arms), are timid and ready to fly from their own shadows. Besides, the sudden change in their manner of living, particularly in their lodging, brings on sickness in many, impatience in all, and, such an unconquerable desire of returning to their respective homes that it not only produces shameful and scandalous desertions among themselves, but infuses the like spirit in others. Again, men accustomed to unbounded freedom and no control can not brook the restraint which is indispensably necessary to the good order and government of the army, without which licentiousness and every kind of disorder triumphantly reins. To bring men to a proper degree of subordination is not the work of a day, a month, or even a year; and, unhappily for us and the cause we are engaged in, the little discipline I have been laboring to establish in the army under my immediate command is in a manner done away by having such a mixture of troops as have been called together within these few months.

Again, in the same letter, he says—and I read this because the argument has been made that the American people would not stand for a permanent Army:

The jealousy of a standing army and the evils to be apprehended from one are remote, and, in my judgment, situated and circumstanced as we are, not at all to be dreaded; but the consequence of wanting one, according to my ideas formed from the present view of things, is certain and inevitable ruin.

Now, note this, Mr. President:

For if I was called upon to declare upon oath whether the militia have been most serviceable or hurtful upon the whole, I should subscribe to the latter. I do not mean by this, however, to arraign the conduct of Congress; in so doing I should equally condemn my own measures if I did not my judgment; but experience, which is the best criterion to work by, so fully, clearly, decisively reprobates the practice of trusting to militia, that no man who regards order, regularity, and economy, or who has any regard for his own honor, character, or peace of mind will risk them upon this issue.

And again in a letter to the President of the Congress under date of December 5, 1776, he said:

When I reflect on the losses we have sustained for want of good troops the certainty of this is placed beyond a doubt in my mind. In such a case the militia, who have been harassed and tired by repeated calls upon them, and farming and manufactures in a manner suspended, would, upon any pressing emergency, have run with alacrity to arms, whereas the cry now is, "They may be as well ruined in one way as another," and with difficulty they are obtained. I mention these things to show that, in my opinion, if any dependence is placed in the militia another year Congress will be deceived. When danger is a little removed from them they will not turn out at all. When it comes home to them the well affected, instead of flying to arms to defend themselves, are busily employed in removing their families and effects, while the disaffected are concerting measures to make their submission and spread terror and dismay all around to induce others to follow their example. Daily experience and abundant proofs warrant this information.

And in a letter to the same person under date of December 20, 1776, he said:

It is needless to add that short enlistments and a mistaken dependence upon militia have been the origin of all our misfortunes and the great accumulation of our debt. We find, sir, that the enemy are daily gathering strength from the disaffected. This strength, like a snowball by rolling, will increase unless some means can be devised to check effectually the progress of the enemy's arms. Militia may possibly do for it for a little while, but in a little while also the militia of those States which have been frequently called upon will not turn out at all; or if they do, it will be with so much reluctance and sloth as to amount to the same thing. Instance New Jersey! Witness Pennsylvania! Could anything but the River Delaware have saved Philadelphia?

So, Mr. President, if Washington knew what he was talking about, the militia was not a dependable force in the American Revolution.

I want to call attention to just a few statements that have been made by military historians and others upon the weakness of the volunteer system during the Revolution. It is not popular to mention these things, but for the sake of history I am going to put this matter into the RECORD, even if I am challenged for lack of patriotism. The remarkable claims about the success of the volunteer system in the Revolution made by the opponents of this bill compel me to do so.

In our school histories we read of one victory after another accomplished by our troops in the Revolutionary War; and when we laid our school books aside we had it thoroughly instilled in us that our armies in the Revolution were not only courageous and patriotic but they were absolutely invincible. We read about the victories, we read about the minutemen at Lexington and the gallantry of our troops at Yorktown; but we did not see much, if anything, in the histories that we studied when we were children that reflected upon the lack of discipline, courage, and patriotism of our troops under the militia laws or the volunteer system. In view of the fact that some of our friends have been insisting that the volunteer armies at all times had all of the virtues, all of the courage, and all of the patriotism, and accomplished nothing but victory, I am going to show a few cases where the system as well as the courage and discipline failed them.

I think I may do this with propriety, because one ancestor of mine was the Secretary of the Continental Congress during the whole of the Revolutionary period, and his picture occupies a place in the Rotunda of the Capitol now, and another ancestor raised a regiment in the Revolutionary War. I can, then, speak of these things as an American and from the American standpoint without undertaking to discredit the individual courage of anybody in the Revolutionary War and without having my Americanism called in question.

In his work, The Military Unpreparedness of the United States, Huidekoper has collected and published the instances in which the militia ran away or deserted in some of the wars of this country. He gives the sources of his information, and I am justified in assuming the entire correctness of his statements. The cases where the militia or part of them ran away or deserted are as follows:

Long Island, August 27, 1776; evacuation of New York, September 15, 1776; Brandywine, September 11, 1777; Guilford Court House, N. C., March 15, 1781; Burwells Ferry, Va., April 19, 1781; Williamsburg, Va., April 20, 1781; Indian village near Fort Wayne, Ind., October 22, 1790; Darke County, Ohio, November 4, 1791; Frenchtown and Raisin River, Mich., January 18–22, 1813; Sacketts Harbor, N. Y., May 29, 1813; French Creek, N. Y., November 1–2, 1813, Chrystlers Fields, Canada, November 11, 1813; Burning of Buffalo, Lewistown, and other towns in northern New York, December 30, 1813; New Orleans, La., January 8, 1815; Lake Okeechobee, Fla., December 25, 1837; Bull Run, Va., July 21, 1861.

Following are instances where they or part of them mutinied:

Morristown, N. J., January 1, 1781; Pompton, N. J., January 24–28, 1781; Lancaster, Pa., June, 1783; on the march from Urbana, Ohio, to Detroit, Mich., June, 1812; Detroit, Mich., July, 1812; on the march from Fort Harrison, Ind., to the Wabash and Illinois Rivers, October 19, 1812; en route to the rapids of the Maumee River, October, 1812; Battle of Queenstown, Ontario, October 13, 1812; en route from Plattsburg, N. Y., to Canada, November, 1812; Fort Strother, Fla., November, 1813; retreat to Buffalo, N. Y., after the evacuation of Fort George, December, 1813; Withlacoochee River, Fla., December 31, 1835; Charlestown, W. Va., July 16–18, 1861.

Not only did Washington have to contend with these difficulties, but some of the States defied the Congress by refusing to furnish their quota of troops, and I am going to ask to put that in the RECORD without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Massachusetts, April, 1812; Connecticut, April, 1812; Vermont, November 10, 1813; Vermont, September, 1814; Virginia, April 16, 1861; North Carolina, April 15, 1861; Kentucky, April 15, 1861; Tennessee, April 17, 1861; Missouri, April 22, 1861; Arkansas, April 22, 1861.

Mr. CHAMBERLAIN. Mr. President, I dislike to do this, but the truth of history requires it, in view of the statements that have been made here on the floor of the Senate that would hold out to the country the idea that the militia was absolutely a dependable force in every emergency. There were in many instances troops far outnumbering the British in an engagement, deserting or mutinying in the face of the enemy, showing their heels whenever they got into dangerous quarters; not that the men in all instances were cowards, but rather because the system was not dependable, and the troops could not be expected to be better than the system which produced them.

Mr. KING. Mr. President, will the Senator yield?

Mr. CHAMBERLAIN. Surely.

Mr. KING. In the light of the fact that this debate will not conclude until 1 o'clock to-morrow, would not the Senator prefer speaking to-morrow, when there are more Senators present?

Mr. CHAMBERLAIN. No, Mr. President; I should like to go ahead and finish to-night, late as it is. I thank the Senator just the same.

Mr. KING. I want to say to the Senator that before he concludes, and at an appropriate place, I desire to propound a few questions to him, but will refrain from doing so until it suits his pleasure and convenience.

Mr. CHAMBERLAIN. Yes; I shall be glad if the Senator will.

Mr. President, the number of militia furnished by the several States during the Revolutionary War, according to the returns and conjectural estimates of the Secretary of War, was only 164,087. That was the militia. The total of Continentals and militia furnished in the war was 395,858. The Continentals were the Regular Army as we understand the Regular Army to-day. Mr. Upton, in his Military Policy, says:

Looking back at the whole Revolutionary struggle, notwithstanding our employment from first to last of almost 400,000 men, we find that but two military events had a direct bearing upon the expulsion of the British. One of these was the capture of Burgoyne, the other that of Cornwallis—an event which was only made possible by the cooperation of a French army and a French fleet.

Now, Mr. President, I call attention to the number of troops involved, because there has not been a suggestion at any time here that I have heard that there were any employed on the American side during the Revolution except volunteers, and that every victory accomplished was due to the volunteer. In the sense that the regular enlisted man is a volunteer, all were volunteers. But the volunteers in the war, coming into the service as militia, were volunteers as distinguished from the Continentals or Regulars. No one seems to recognize the fact or to give credit to the enlisted man for being a volunteer. He is absolutely eliminated from these discussions so far as the United States Army is or has ever been concerned.

So we see, Mr. President, that the major portion of the men who were engaged in the Revolutionary struggle were not volunteers entirely.

What has been said of the Revolution is true, also, Mr. President, of the War of 1812. I am going to call the Senate's attention to the condition of the troops at that time. It has been claimed here that the War of 1812 was won by volunteers, and in doing this I am going to give the figures by comparison so that it may all be in the RECORD.

The population of the United States in 1775 was 3,000,000; the same in 1812 was 7,500,000. The total number of Regulars during the Revolution was 231,771; the same during the War of 1812 was approximately 150,000. The total number of militia of the Revolution was 164,087; the same including volunteers and rangers in 1812 was 471,622. The largest force of Regulars and militia employed in one year of the Revolution was 89,651; the same in the year 1812 was 235,839. The number of British regulars opposed to the Continentals and militia in 1776 exceeded 20,000; the same in 1812 did not exceed 5,000. The largest force of British regulars in the United States and Canada in any one year during the Revolution was 41,586; the same during the War of 1812 was 16,500. The total number of troops of the United States employed during the Revolution was 395,858; the same in the War of 1812 was 527,654.

Mr. President, it will be seen, therefore, that the Volunteers were not entirely responsible for the War of 1812 as has been asserted. Our friends seem to forget entirely that the War of 1812 had practically ended disastrously to the United States troops, so disastrously that the treaty of Ghent was signed, a humiliating confession by the United States that its troops had not been victorious; but after that had been accomplished, without settling any of the differences between the two Governments of Great Britain and America, Jackson with his gallant men at New Orleans settled the controversy after the treaty had been executed and defeat acknowledged.

Upton says in his work, at page 134:

This campaign opened and closed with the only brilliant victory of the war won at the Battle of New Orleans on the 8th of January, two weeks after the conclusion of the treaty of peace. The British loss was about 2,000 killed and wounded; our own was 7 killed and 6 wounded.

Greene, in his History of the Revolutionary War, says that our troops there were commanded by graduates of West Point, and he attributes the victory to that fact. They were men who had been trained and knew how to command and knew how to discipline men. The same author says that the Battle of New Orleans illustrated the effectiveness of trained men and compared it with Bunker Hill, where trained officers were in command of the American forces and prevailed.

Now, Mr. President, take the War with Mexico. The same condition prevailed. The number of officers and men embraced in the army of occupation on the frontiers of Texas in May, 1846, was only about 3,554, when he ought to have had and would have had more but for faulty legislation.

Upton, speaking of this, says:

While these figures are interesting as showing that the needless exposure of our little Army had its origin in faulty legislation, the weakness of its numbers in no way daunted its commander. He knew that four-fifths of his officers had received the benefits of professional training at the Military Academy or in the Florida War. Beyond this, he was conscious that the discipline and esprit de corps of his troops had been brought to the highest point by six months of training in the camp of instruction at Corpus Christi. With this preparation and, as has been observed, with practically no authority to increase his force till an invasion should actually take place, the commander was soon destined to confront a large and well-organized Mexican Army.

The whole force involved in this war, exclusive of the army of occupation, 3,554 and 548 marines, was 104,454. Of these 31,024 were Regulars and marines, not all Volunteers, as some of the opponents of this bill would have us believe.

Mr. REED. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Missouri?

Mr. CHAMBERLAIN. I yield.

Mr. REED. We all understand the value of training. I want to ask the Senator, the chairman of the committee, if it is not his understanding that the men who are now to be gathered together will be put in training camps and trained?

Mr. CHAMBERLAIN. The bill provides for that.

Mr. REED. Whether they are enlisted or whether they are brought in from the militia or whether they are drafted, they will be put in the camps and trained?

Mr. CHAMBERLAIN. That is true.

Mr. REED. Now, one word further. Will not the President have substantially the same authority with reference to the selection of officers if the volunteer bill is put into effect as he will with reference to the selection of officers if the draft bill is put into effect?

Mr. CHAMBERLAIN. That is true.

Mr. REED. So that so far as training is concerned, so far as officers are concerned the men, whether drafted or volunteering, would have the same opportunity or could have the same opportunity if the President saw fit to exercise his authority?

Mr. CHAMBERLAIN. That is true.

Mr. REED. I just wanted to get that point clear.

Mr. CHAMBERLAIN. There is no disagreement between us, Mr, President, on that subject. Here is where the Senator and I separate. As I said a while ago, the history of every war has proven that the volunteer system at some point failed. The history of the Revolution proves that the volunteer system, not as a rule the men's courage, but the volunteer system itself failed.

The European war has shown that the volunteer system failed on the battle fields of France. The reason for that is not that the volunteer would not receive the same amount of training up to a certain point as the Regulars receive, as the drafted men receive, not that he is lacking in courage at all, but there comes a time in every bitter and protracted war when the men at home who have not volunteered say: "There is nothing more here for me to fight for. I do not propose to risk my life and go down to a bloody grave as my predecessors who have volunteered have done." That is the way it failed in the Revolutionary period, and history discloses that it was nothing in the world but Washington's personal influence over the people of this country and his personal appeal that kept the Volunteer Army filled with sufficient men.

Mr. REED. I do not want to constantly interrupt the chairman of the committee, but I think we have arrived at a point in this debate where a few questions can be asked and answered, and it may illuminate this whole question. I know the chairman of the committee will answer me candidly. He has already done so, and we have cleared up one question here that has been somewhat beclouded. Therefore I want to ask him another question or two if he will permit me.

The Senator states that the volunteer system broke down in our Civil War. Is it not a fact that upon the Federal side all but a little over 2 per cent of the men who fought that war were volunteers?

Mr. CHAMBERLAIN. That is true, I think.

Mr. REED. Is it not true that great trouble and difficulty arose over the matter of conscription or drafting?

Mr. CHAMBERLAIN. That is true, but I will say to the Senator——

Mr. REED. Is it not true that the draft broke down and failed a good deal worse in the Civil War than the volunteering?

Mr. CHAMBERLAIN. That is partially true. More men were had under volunteering than under the draft, which in the North was not tried until 1863.

Mr. REED. Now, is it not true that the draft broke down and failed early in the Revolutionary War?

Mr. CHAMBERLAIN. That is true, because the Continental Congress had no power to enforce it.

Mr. REED. The draft was not tried in the Spanish War and in the Mexican War at all, was it?

Mr. CHAMBERLAIN. No.

Mr. REED. Was it tried in the War of 1812?

Mr. CHAMBERLAIN. It was recommended, but Congress, as usual, failed to act or to listen to the suggestion.

Mr. REED. I think it was not tried at all.

Mr. CHAMBERLAIN. The Senator puts questions and does not wait for an answer to any of them.

Mr. REED. I am getting an answer right along.

Mr. CHAMBERLAIN. But I want to add some qualifications to most of my answers, and that is what I do not want to forget in the multitude and diversity of the Senator's questions.

Mr. President, let us take that up in the way the Senator has asked the questions. The draft fell down in the Revolutionary period simply because Congress had not the power to enforce it. They had a Confederation of Colonies, and no law passed by the Continental Congress could be enforced unless the States were willing to enforce it. So much for the draft in the Revolution. Somebody has said here that the draft was not tried in the Revolution. It was tried.

Mr. REED. Oh, yes.

Mr. CHAMBERLAIN. It failed simply because the States refused to obey it and did not have to obey it. Further than that Washington, because of the difficulty he was having with the Continental troops and with the militia of Revolutionary days, recommended the draft three times, and the Continental Congress finally undertook to enact a draft law.

Mr. REED. And it failed.

Mr. CHAMBERLAIN. Surely it failed. Why should it not fail? It was simply a matter of the Colonies or States sustaining the action of the Continental Congress, and they did not sustain it either by undertaking to carry out the law or by undertaking to come to the front and answering Washington's appeal to assist him in the war that was then waged.

Mr. REED. Mr. President——

Mr. CHAMBERLAIN. Permit me to answer the questions already asked.

Mr. REED. You get so many qualifications.

Mr. CHAMBERLAIN. I am qualifying my answers in accordance with the history of this country.

Mr. REED. I know you mean to do that.

Mr. CHAMBERLAIN. I am doing it.

Mr. REED. I think there are other qualifications that qualify the matter.

Mr. CHAMBERLAIN. The Senator has had an opportunity to go into that side of it, and I am trying to answer some of his arguments heretofore made in this body.

Mr. REED. I am interested in going on with this colloquy. The Senator is making his explanation. The point I am driving at and what I wanted to ask the Senator is if any nation has ever won a war yet with drafted men?

Mr. CHAMBERLAIN. I think not; that is, not in modern times, because the draft was not sought to be applied until near the end of the wars and when volunteering had failed.

Mr. REED. Then if no nation has ever won a war with drafted men in modern times it must have won with regulars or with volunteers.

Mr. CHAMBERLAIN. Oh, the Regulars are volunteers. Regulars in this country are volunteers.

Mr. REED. With Regular troops or volunteers? There is a distinction.

Mr. CHAMBERLAIN. Prior to 1798 Napoleon found it necessary to fill the ranks of his army, and the question of raising an army to do this was referred to the experts of the army. Gen. Jourdain prepared and recommended the first conscript law, and under that law, which was adopted in the year named, Napoleon was able to expend 30,000 men a month, as he tersely expressed it. He could not have done that under the volunteer system. He could not have kept his army filled.

Mr. REED. And he went to St. Helena with the bayonets of volunteers at his back.

Mr. CHAMBERLAIN. He failed at the Battle of Waterloo, as we all know.

Mr. REED. Now, let me ask about the Revolutionary War this question.

Mr. CHAMBERLAIN. I think the Senator has not given me at opportunity yet to answer his questions.

Mr. REED. Very well.

Mr. CHAMBERLAIN. I am prepared to answer all of them.

Mr. President, if the draft had been applied early in 1861—although Greene in his Revolutionary history puts a question mark after it—I think it is very generally conceded that the Civil War could have been ended in a very much shorter period. The remarkable feature about the Civil War was that we witnessed two armies of the bravest men the sun ever shone on joined in mortal and fratricidal conflict training to fight and to kill each other while they were confronting each other and actually engaged in war. No such spectacle has ever before been seen. When these two armies were disbanded they constituted the strongest the world ever saw, but with what a sacrifice in blood and slaughter, because Congress failed to do its duty in the outset, making the same blunder as to a volunteer system that is being insisted upon to-day.

Witness the first Battle of Bull Run. The same condition prevailed there that has always prevailed whenever a volunteer force is depended on in an emergency, rather than upon a permanent force such as Washington and all military experts recommend. The governors of the States when the Civil War began were appointing staff and line officers for political purposes, and the President of the United States himself could not resist the temptation to do the same thing. Prominent politicians from different sections of the country were sent to the front without any experience to command men who had never had any training. Some of the officers as well as enlisted men had never seen a gun, and they went down to Bull Run to battle with untrained men, under the leadership of many West Pointers who understood, at least, the art of war.

Mr. President, if anyone thinks I have overdrawn this condition all he has to do is to refer to any history of the Civil War. It was a perfect rout for the Union Army. Members of Congress went down from Washington to watch the fun from the adjacent hills. The suttler with his stores, the butcher with his herd of cattle were there to sell their wares and their meats to the soldiers when the fight was over. But it was not very long before these untrained men in charge of untrained officers, political accidents many of them, were retreating toward Washington with the highways blockaded with caravans and wagons of all kinds, some of them, as Hon S. S. Cox said in his remarkable description of the Battle of Bull Run, in order to get away as quickly as possible were hanging on to the tails of the cattle as they too were stampeding toward Washington.

Mr. REED. Mr. President——

Mr. CHAMBERLAIN. Let me finish the answer.

Mr. REED. I wish to ask one question. Who commanded the Federal forces at Bull Run?

Mr. CHAMBERLAIN. McDowell. He was a good man.

Mr. REED. Was he a West Pointer?

Mr. CHAMBERLAIN. I do not know but he was.

Mr. THOMAS. He was.

Mr. CHAMBERLAIN. I think probably he was.

Mr. REED. Is it not a fact that there were more West Pointers in command of the Federals at Bull Run than in the command of the Confederates?

Mr. CHAMBERLAIN. I have not made any careful examination as to that.

Mr. REED. There were politicians, as many Congressmen and as many men of that kind on the southern side as there were on the Federal side.

Mr. CHAMBERLAIN. I am not relying on my own memory in what I am saying. Let me see what Mr. Henry Villard had to say about it in his memoirs. He was a reporter for some one or more of the prominent journals of the country, and he went down there in that capacity. He was one of the gentlemen who joined the retreat toward Washington, according to his own story. I am not criticizing the valor of those men; I want that distinctly understood. This is not any criticism of the volunteer himself. There were men there who would have faced any foe on earth; but it was the failure of a system, with untrained officers and untrained men, going out to battle with fancy cockades and plumes and zouave uniforms, and everything on earth but knowledge to properly care for themselves in battle. That was the trouble.

Mr. THOMAS and Mr. REED addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Oregon yield; and if so, to whom?

Mr. CHAMBERLAIN. I yield to the Senator from Colorado.

Mr. THOMAS. I merely wanted to ask the Senator if the force which was defeated at Bull Run had been drafted, instead of volunteered, would there have been a different result?

Mr. CHAMBERLAIN. Probably not. I am going to answer the Senator frankly about these things; I have no disposition to conceal anything that is within my knowledge.

Mr. THOMAS. I am satisfied of that.

Mr. CHAMBERLAIN. Yes; I know the Senator is satisfied, because he feels that what I have said answers the whole proposition.

Mr. THOMAS. No; I do not; but I am satisfied the Senator will answer everything very frankly.

Mr. CHAMBERLAIN. I am sure I will try to do that. It is not that the draft is absolutely necessary in the beginning of any war, as I have said. It is later on, when the volunteer system fails, as it failed during the Civil War, that the draft becomes necessary; there is not any question about that. Hence the draft law of 1863.

Mr. President, the draft law of the Southern Confederacy was adopted a year earlier than the draft law in the North, and see what it did. It filled up the depleted ranks of the Southern Confederacy, which had many less men than the North during the whole of the Civil War, and we find those gallant fellows without money, compelled to manufacture into cannon the church bells, and the brass door knobs, and utilizing everything, without any manufacturing establishments to speak of, offering a resistance that has astounded the whole world. The campaigns of "Stonewall" Jackson—the religious fanatic, as he was sometimes called down in Lexington, Va.—are to-day the textbooks of the German armies and of the other great armies in Europe.

The volunteer system did not fail at first, but it began to fail in the Civil War, and it would have failed absolutely if the war had been continued a year or two longer; there is no question about that.

Mr. FLETCHER. Does the Senator not agree that, in all probability, whereas the Confederates were victorious at the battle of Bull Run, if they had had trained soldiers they would have been able to follow up the victory, and that, for lack of that training, they lost the advantage?

Mr. CHAMBERLAIN. They lost the advantage that they had gained, as the Senator suggests. It was the most fortunate thing that ever happened to the North, and, so far as the forces were concerned, the most unfortunate thing that could have happened to the South, but it was a fortunate thing for the whole country that the first battle of Bull Run was lost, for the simple reason that it taught the North that the men from the South could and would fight, and it gave the soldiers of the South such confidence in themselves that they neglected to make preparation for future campaigns, with the result that it did not take long for the tide to begin to turn.

Mr. President, my authority for saying that the volunteering was beginning to fail in the Civil War is Mr. Lincoln's course. Mr. Lincoln urged the draft. Naturally there were "copperheads" then, Mr. President, as there are in some sections of our country to-day; and the great reason why the draft was not at first a success was that there were men in pretty nearly every State in this Union who were putting every obstacle in the way of the success of the Federal forces. Gov. Seymour has been quoted here, and what he said in opposition to the draft has been quoted. Admiring him, as I did, as a great Democrat and a great man, I must say there was not a single obstacle that he did not place in the way of President Lincoln in the enforcement of the draft in New York. If he had done his duty—and I appeal to the Senator from Wyoming [Mr. WARREN], who participated in the Civil War, for the truth of what I say—if Gov. Seymour had done his whole duty, and had assisted in carrying out the legislation of Congress, there is no question but that there would have been few, if any, draft riots in New York.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from New Hampshire?

Mr. CHAMBERLAIN. I yield.

Mr. GALLINGER. I do not at all agree that the Revolutionary War was not fought by enlisted men under the leadership of men like John Stark, who won the Battle of Bennington. The Senator from Oregon will remember that it was said concerning that battle—I have the words here—by Washington himself, who said, "One more such stroke and we shall have no great cause for anxiety as to the future designs of Britain." It was not long after that that the surrender of Cornwallis came, and that our independence was gained.

I do not suppose the Senator from Oregon desires to underestimate the value of the services that were rendered by the enlisted men in that great conflict.

Mr. CHAMBERLAIN. Not at all.

Mr. GALLINGER. The Senator, as I understand him, pays a tribute to the enlisted man as well as to the conscripted man; that they both did the best they could under the circumstances, and they both did their "bit" wonderfully well.

Mr. CHAMBERLAIN. Yes.

Mr. GALLINGER. Some battles were doubtless lost because the troops had not the requisite training. In the nature of things, they could not get that requisite training before the great conflict was in force. When Sumter was fired upon the North had not trained men; neither had the South to any great extent. The issue was instantly joined, and it had to be fought out by untrained men.

Now, I will ask the Senator, in all sincerity, if the proposition that is now made that we shall have a volunteer army of 500,000 raised under a different system from that which is now in vogue, added to which shall be a conscripted army, will not meet the present requirements better than to reject the proposition to allow the patriotic men of this country to enlist? That is all that we contend for, insisting that we ought to join the two.

Mr. CHAMBERLAIN. I can see the viewpoint of the distinguished Senator from New Hampshire, but it is unjust to the volunteers, it is unjust to the country, to put forward the men who are patriotic enough to go to the front and leave behind the men who are not willing to go.

Mr. GALLINGER. There comes the trouble with your system as you have worked it out in this bill; that you narrow conscription to such an extent that you are going to have very few men that you will conscript, except the boys in the schools and colleges and counting rooms. When you get your exemptions all in operation under this proposed law that is exactly what will happen. You will get the very best blood, which you make a point against doing in connection with the volunteer system.

Mr. CHAMBERLAIN. We shall get good men; I have not any fear about that.

Mr. GALLINGER. I think we shall get the very best, but the conscription list will be so narrow as to be utterly unequal and unjust, probably including not more than 15 per cent of those liable to military service.

Mr. CHAMBERLAIN. We will get just as good men and just as brave men as we get through volunteering, and assuming that they are of equal patriotism and of equal courage, there is no reason why the volunteers should go to the front to be killed as they were in Britain, and the others who are not willing to volunteer should stay behind simply because they do not feel like going to the front, a duty incumbent upon all of military age when their services are needed.

Mr. GALLINGER. The British people volunteered very freely. Five millions of them volunteered with enthusiasm.

Mr. CHAMBERLAIN. Oh, there is not any doubt about that.

Mr. GALLINGER. They volunteered very freely, as they have also done in the colonies.

Mr. CHAMBERLAIN. Mr. President, I want to say to the Senator from New Hampshire that I think the example that Britain has set has been a most wonderful one. I do not know when it has ever been equalled except on a smaller scale during the Civil War in this country: but they reached a point after a while when they could not fill the depleted ranks by volunteering.

Mr. GALLINGER. There is not any question but that during our Civil War volunteers enlisted very freely up to a point when it became necessary, because of the exigencies that were upon us, to get troops more rapidly than we could with the volunteer system, and so conscription was resorted to, which was proper and right.

Mr. CHAMBERLAIN. I think so, too.

Mr. GALLINGER. That is exactly what I want to have done in this war, if we ever get into it to the extent of sending our military forces abroad. I do not know whether we shall do that or not; personally I hope that necessity may not arise, but if it does the response will not disappoint the patriotic sentiment of our country.

Mr. CHAMBERLAIN. The only trouble about the volunteer system, taken as a whole, is that in a long, difficult, and protracted war it fails. The history of the world shows that it falls down; and when it does, it is necessary to adopt the draft, which makes the new system more unpopular than it would have been if it had been adopted in the first instance. Furthermore, you must keep the units of the Army filled at all times during any war, and this can only be done by having recruiting and training units at home or in the rear to furnish men to take the places of those killed, wounded, or missing.

Mr. GALLINGER. If the Senator will permit me, you can not keep the ranks full if the conscripts desert at the rate they did toward the close of the Civil War. I was in consultation to-day with a very distinguished officer, who said that the conscripts under his command were practically good for nothing; that they deserted just as rapidly as they could.

Mr. CHAMBERLAIN. I presume that some of them were no account. Let me tell you why. I almost forgot it, and I am glad the Senator has called my attention to it. The conscript law of 1863 provided that a man could buy his way out by giving the Government $300.

Mr. WARREN. That is it exactly.

Mr. CHAMBERLAIN. That is the proposition. Then it provided for substitutes. A man subject to military duty could excuse himself by paying another to take his place. The States put up hundreds of millions of dollars in the way of bounty to induce men to enlist. My friend the Senator from Wyoming [Mr. WARREN] declined to accept a bounty and refused to enlist at all if the condition was imposed that he should accept a bounty. That was the way with a great many; but thousands

and hundreds of thousands of them accepted the bounty that was given by the States. On the other hand, the Government of the United States also paid immense sums in bounties to induce enlistment. Cities and municipalities supplemented the bounties that were given by the States and the Federal Government to induce men to do a patriotic duty.

Mr. GALLINGER. That they had to pay bounties would be an argument to me that the conscript system was not popular.

Mr. CHAMBERLAIN. Oh, no.

Mr. GALLINGER. They had to pay money to get men.

Mr. CHAMBERLAIN. That may be true, Mr. President, but it made it unpopular with the men who were at the front doing the fighting and who had gone in under the volunteer system. We have eliminated all that from this bill.

Mr. GALLINGER. Daniel Webster in 1814 delivered a great speech in the House of Representatives when he represented a district in my own State, and called attention very pointedly to the fact that you never could hold conscripts together and fight a war with them; that men who were forced into war against their will would not fight; that they would be worthless. I do not know whether Webster was wise or not when he said that, but he said it.

Mr. CHAMBERLAIN. I have greater respect for his oratorical ability than I have confidence in his military judgment.

Mr. GALLINGER. That may be so; and yet, if the Senator will read the great speech Webster delivered in 1814 against conscription, which was undertaken to be forced in the War of 1812, I think he will have a great deal of confidence in Webster's judgment as well as in his oratorical ability.

Mr. CHAMBERLAIN. He helped defeat safe and sane legislation then, just as eloquent men have done in every Congress since. Congress has never enacted the legislation needed and recommended by military experts to make a perfectly dependable military force.

Mr. WARREN. Mr. President, will the Senator allow me a moment before we leave the subject now under discussion?

Mr. CHAMBERLAIN. I yield to the Senator.

Mr. WARREN. I want to say in reply to the intimation of the Senator from New Hampshire [Mr. GALLINGER] that it was necessary to offer money because of the draft; that bounties were offered long before there was any draft—one year previous to that time, in fact.

Mr. CHAMBERLAIN. That was so in the State in which the Senator from Wyoming then lived, was it not?

Mr. WARREN. Certainly; and in all the States of New England, I think.

Mr. CHAMBERLAIN. And the Congress of the United States has refunded many of the bounties paid by the States to troops.

Mr. KING. Mr. President——

Mr. CHAMBERLAIN. I yield to the Senator from Utah.

Mr. KING. Mr. President, I was about to propound to the Senator from New Hampshire a question, and will do so if the Senator from Oregon will permit.

Mr. CHAMBERLAIN. I will be very glad to have the Senator do so.

Mr. KING. The Senator from New Hampshire has quoted, apparently with a great deal of pleasure, the speech of Daniel Webster against conscription. I do not think the Senator meant by that that the question was concluded because Daniel Webster had spoken against conscription. I might call the Senator's attention to the fact that Daniel Webster made one of the very best arguments that ever was made in favor of free trade or a very low tariff, and then, when the Nation demanded, he changed his opinion and made one of the strongest arguments in favor of the protective system. So, I have no doubt that Mr. Webster would have made with equal facility an argument opposite from that to which the Senator has referred.

Mr. GALLINGER. Well, Mr. President, I can not agree to that proposition at all. Mr. Webster was a reasonably consistent statesman, but he lived in an age when men were not different from what they are now; and men sometimes change their opinions. Mr. Webster's last speech was an unfortunate one. It controverted most of the doctrines for which he had contended during his lifetime, but he made it because of his love for the Union and his great desire to save the Union.

Mr. Webster, in his speech in 1814, started out with the proposition that conscription was unconstitutional, and argued it with great force. I am not able to say whether or not his contention on that point was sound, not being a lawyer, and especially not a constitutional lawyer. Then Mr. Webster followed it up with another suggestion to the effect that a conscripted army can not be held together to fight the battles of the country, because of the fact that they are forced into the service contrary to their will; that young men and boys are taken without the consent of their parents, which is true. Whether Mr. Webster was consistent or sound I shall not undertake to say; but I have read that speech with a great deal of pleasure and obtained a great deal of information from it, and I commend it to my friend from Utah. If he will read it with equal care, I think he will conclude that Mr. Webster was reasonably wise in 1814, as he proved himself to be in his great controversies over the Constitution in later years. However, that he was entirely consistent, I presume, is not true. I never in all my life knew a man who was altogether consistent. I know I am not, and none of us are entirely consistent.

Mr. KING. Mr. President, will the Senator from Oregon pardon me for just one moment?

Mr. CHAMBERLAIN. I should like to proceed, but I will yield to the Senator.

Mr. KING. I have read the speech to which the Senator from New Hampshire refers with a great deal of profit and a great deal of pleasure; but, apropos of the fallibility of the judgment of Mr. Webster and his lack of forward vision, some of us from the West remember the strong manner in which he denounced the plains and alkali deserts of the West and predicted that that country was valueless and was absolutely of no worth to the Nation; so that I am afraid that any judgment Mr. Webster expressed upon this question might be subject to the same criticism which might be made with respect to the prophecies he made in regard to the West.

Mr. GALLINGER. Webster was fallible, undoubtedly, as also was Mr. Webster's colleague, John C. Calhoun, of South Carolina, when he declared that because of climatic conditions cotton cloth could not be manufactured in this country.

Mr. REED. Mr. President——

Mr. CHAMBERLAIN. I would like to proceed. I have not answered the Senator's questions yet. He keeps interrupting before I have had a chance to answer them all.

Mr. REED. I should just like to read a bit of history, which may help to clear up the matter.

Mr. CHAMBERLAIN. That is probably a history that differs from one I have had access to, so that we will never get anywhere.

Mr. REED. But there has been a great deal said about the Confederates winning whatever they did win with conscripts, and the impression has been given that they relied very largely upon them. Now, I have Nicolay and Hay's History of Abraham Lincoln, and I desire to read just a sentence of two from that work.

Quoting from the book to which I have referred, it is said:

The limit of age—

That is, in the Confederacy—

was constantly extended. In September, 1862, an act of the Confederate Congress authorized the President to call into service all white men resident in the Confederate States between the ages of 18 and 45; and in February, 1864, another law included all between 17 and 50, which gave occasion to Grant for his celebrated mot—afterwards credited by him to Gen. Butler—that the Confederates were "robbing both the cradle and the grave" to fill their armies.

Severe and drastic as were these laws and unrelenting as was the insurrectionary government in their execution, they were not carried out with anything like the system and thoroughness which characterized the action of the national authorities. The Confederate generals were constantly complaining that they got no recruits, or not enough to supply the waste of campaigns. On the 30th of April, 1864, the chief of the bureau of conscription at Richmond made a report to the Secretary of War, painting in the darkest colors the difficulties encountered by him in getting soldiers into the ranks, though he had all the laws and regulations he needed and there were men enough in the country. He said—and in these words confessed that the system had failed and that the defeat of the revolt was now but a question of time: "The result indicates this grave consideration for the Government, that fresh material for the armies can no longer be estimated as an element of future calculation for their increase, and that necessity demands the invention of devices for keeping in the ranks the men now borne on the rolls. The stern revocation of all details, an appeal to the patriotism of the States claiming large numbers of able-bodied men, and the accretions by age are now almost the only unexhausted sources of supply. For conscription from the general population the functions of this bureau may cease with the termination of the year 1864."

A demonstration again that conscription failed.

Mr. CHAMBERLAIN. Mr. President, as a demonstration that it did not fail I call the attention of the Senator to what Gen. Grant had to say about it. Now, Mr. President, it will be remembered that the Southern Confederacy adopted a draft

system in 1862, and they operated under it until the war closed. Now, here is what Gen. Grant said about it in his Memoirs:

The cause—

That is, the southern cause—

was popular and was enthusiastically supported by the young men. The conscription took all of them.

This is what Grant says. He ought to know. He was there:

Before the war was over further conscriptions took those between 14 and 18 years of age as junior reserves, and those between 45 and 60 as senior reserves.

Mind you, all of them. Grant says:

It would have been an offense, directly after the war, and perhaps it would be now, to ask any able-bodied men in the South who was between the ages of 14 and 60 at any time during the war whether he had been in the Confederate Army. He would assert that he had, or account for his absence from the ranks. Under such circumstances it is hard to conceive how the North showed such a superiority of force in every battle fought.

There is the keynote of the whole situation. It was a call of country as the South needed it, whether you call it a draft or a conscription or a volunteer system. These young men of the South did not object to it. I had a brother who was not old enough even to be drafted, and though I was but a child I can see him now riding off to join the Confederate Army. He thought, as did other boys in the South, that he was doing a patriotic duty. The cause was popular with these young fellows, and it mattered not to them whether they were drafted or whether they volunteered. They were proud of their country and their cause. How can you expect men to be proud of our country or our cause when we have distinguished Senators here on the floor of the Senate denouncing the Regular Army, denouncing any sane effort to raise an army here, when the country faces a crisis such as it never before faced in its history?

Mr. President, I think there is method in the Senator's madness. He is tolling me away from his original proposition. I stated a while ago that politics prevailed in the Civil War, and I rather thought my statement about that was challenged. Well, now, we will see.

Mr. Villard, to whom I referred a while ago, says:

Commissions of line officers were also systematically distributed among favorites. I had a curious personal experience in this respect. I was *myself* offered a commission as captain in the Regular Army by Secretary Chase—

Mind you—

by way of compliment to the Cincinnati Commercial, an offer which, I am free to say, sorely tempted me.

Was there any politics in that?

Mr. REED. That was the Regular Army.

Mr. CHAMBERLAIN. Oh, to be sure, that is the Senator's claim. I am talking about the part that politics has played not only in the Regular Army on occasion, I am sorry to say, but more particularly during the Civil War. And the Senator claims the Civil War was fought by volunteers.

About the same time I was induced to interest myself in the application for a commission as lieutenant of a young German doctor from Buffalo who was anxious to exchange the scalpel for the sword. I spoke to Mr. Chase regarding him, and a few days later he received, to his intense surprise, a commission as a captain of Infantry. I am sorry to say that my protégé did not do honor to my recommendation, being dismissed for cowardice on the battle field before he had served a year.

Those were not isolated cases. They happened right along. Why, it took a year or a year and a half to weed out the incompetents from the commissioned personnel of the Army during the Civil War—men that had come in with these militia forces from the different States of the Union.

I want to call attention to a right amusing statement by Mr. Villard. He was describing the retreat from the first Battle of Bull Run. Now, mind, you, I want the Senator from Missouri to understand that I am not questioning the individual courage of these volunteers. I am still talking about a system that has been ingrafted upon our military legislation. Speaking of it, he says:

About daybreak I passed the camp of a regiment of Pennsylvania three-months' men whose term of service had expired the day before and who had insisted on marching away from the front to the very sound of the battle. So little martial spirit had been developed in a good portion of the Army! A little while later I heard the clatter of hoofs behind me and, looking back—

He was evidently going, too—going some!—

and, looking back, perceived a mounted officer approaching at full speed. As he came nearer I saw he wore nothing on his head and was very bald. I soon recognized in him Col. Ambrose E. Burnside, of the First Regiment of Rhode Island Volunteers, who had commanded a brigade under Heintzelman in the battle. There he was, hatless, swordless, and all alone, making the best of time on his fine black charger. I had made his acquaintance in camp at Washington, and hence spoke to him as he hastened by. He did not stop to talk, but merely exclaimed, "I am hurrying ahead to get rations for my command."

That is just one case, and there were others like it—where they were retreating in complete disorder. I have been told that some of them did not stop until they got up to New England and were surprised when they were halted even at that distance from the scene of battle.

Mr. REED. Mr. President, let me ask if Gen. Burnside was a West Pointer?

Mr. CHAMBERLAIN. I do not know, and I do not care. I am just talking about the efforts to make an army out of an undisciplined mob.

Mr. REED. Oh, well, if this man was in retreat, it is interesting to know whether he was a politician or an Army man.

Mr. CHAMBERLAIN. Oh, this thing of running away from an enemy is infectious. If you have a body of men who are too undisciplined to fight, and they start to run, the whole bunch goes like a band of sheep; but the Senator knows by experience that in order to train a regiment of troops you have got to leaven the undisciplined by putting with them a few of the Regulars that have had training. They did not have many of these down there.

Mr. GALLINGER. Mr. President, will the Senator permit me?

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Oregon yield to the Senator from New Hampshire?

Mr. CHAMBERLAIN. I do.

Mr. GALLINGER. Just one question, and then I will desist. Supposing those troops had all been drafted at the beginning of the war instead of being volunteers; did we have officers that we could have placed over them, except by appointing the best men we could find in the different communities?

Mr. CHAMBERLAIN. I do not think so, Mr. President; but we would have had some West Pointers—not many.

Mr. GALLINGER. So that it would have been about the same condition.

Mr. CHAMBERLAIN. Oh, yes.

Mr. GALLINGER. Now the Senator proposes a bill that I want to help him pass, and I hope he will urge it as strenuously as he is urging this bill, and that is for universal military training.

Mr. CHAMBERLAIN. I thank the Senator and promise him I will do my best.

Mr. GALLINGER. If we get that, some time in the future, we will have men who will be soldiers; but at the beginning of the Civil War, of course, we could not have anybody but raw recruits as volunteers. In the very nature of things there was not any time to train them.

Mr. REED. Mr. President, will not the Senator, in the interest of history, let me read another line about Gen. Burnside?

Mr. CHAMBERLAIN. I think, Mr. President, that I had better proceed.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. CHAMBERLAIN. I do not like to be disobliging, but I can find some histories that will meet probably everything the Senator finds in some other history.

Mr. REED. This is just about Burnside. He was appointed to the United States Military Academy and graduated in 1847.

Mr. CHAMBERLAIN. We have had men from the Military Academy who would run once in a while. There is no question about that.

Mr. REED. And the Senator does not mean to say, and the man who wrote that book ought not to have said, that Burnside was not a brave man.

Mr. CHAMBERLAIN. He did not say so.

Mr. REED. Well, he indicated that he was running away.

Mr. CHAMBERLAIN. He indicated it. The Senator indicates by suggestion that he was a West Point man, that West Point men are apt to run away.

Mr. REED. Oh, no.

Mr. CHAMBERLAIN. Oh, yes. The Senator has just as much right to draw that inference from what I said as I have to draw it from what he said.

Mr. REED. I simply indicated, if the Senator will pardon me, that the imputation that the Battle of Bull Run was lost by volunteers is not borne out by a statement that Burnside ran away, particularly when it is shown that Burnside was a West Pointer.

Mr. CHAMBERLAIN. I say that the running-away habit was infectious at Bull Run because they had untrained, undisciplined militia, that had just been brought into the service, and had not had an opportunity for training. I do not claim—I am not fool enough to claim—that if these men had been drafted into the service, and had gone to battle under the same circumstances, they would have been any better trained. I do not claim any such thing as that. What I am claiming against the volunteer system is that in every serious war—and this is a serious war—there comes a time when the volunteer system fails, and I am opposed to trying a system for three years,

having it fail, and then taking up another system, just as Great Britain has been compelled to do, and undertaking to raise an army by that method.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Ohio?

Mr. CHAMBERLAIN. I yield.

Mr. POMERENE. I do not desire to interrupt the Senator; but as he has been discussing the relative merits of the volunteer system and the conscript system, I have before me Pollard's "Lost Cause," which gives his estimate of the effect of the conscript system in the South. I shall not take the time to read it, unless the Senator desires it, now. I will present it later.

Mr. CHAMBERLAIN. I would a little rather the Senator would.

Mr. POMERENE. Very well.

Mr. CHAMBERLAIN. I appreciate the reference, and I hope the Senator will do so.

Mr. President, right in this connection there has been a great deal said here about Canada and her volunteers and their gallantry. Now, there will come a time, if it has not come already, when the Canadian volunteer system is going to fall down. Her ranks are being depleted. Possibly it may be saved, because the depleted ranks may be filled by men who are drafted into the service in Great Britain; but there is bound to come a time when it will fail. Now, what are they going to do about it?

Canada has been drained of her best blood. They have gone to the front, and, like all Americans, they have shown themselves possessed of a valor which has astounded the world. There is no doubt as to that; but how are they going to fill up their depleted ranks? They can not do it. They are trying to do it now.

I have in my hand a statement which I think probably has been sent to other Senators here that was prepared by a man named Lorne Mulloy, and it was mailed to me, showing the objections to the volunteer system. He lives at Toronto, Canada. He volunteered to serve his country, and in an engagement lost or partially lost his sight; at least, this is the information I get, and I had a friend telegraph up to find out, because I did not want to quote anything from a man who did not know what he was talking about. After being wounded he was detailed to recruiting duty in Canada. I am going to ask leave to print in the RECORD, without reading it, his views on the subject.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

OBJECTIONS TO THE VOLUNTARY SYSTEM.

The following conclusions have been arrived at after careful study of the experience gained by more than a year's work in recruiting men:

1. THE VOLUNTARY SYSTEM IS NEITHER BRITISH NOR FRENCH.

(a) The French method, commonly known as conscription, is better described as democratic compulsion or the subordination of each to the expressed will of all. In other words, it is the same form of compulsion as that which compels us here in Canada to pay our self-imposed taxes and to obey our self-made laws.

(b) The British method of raising men has always been by the employment of the compulsory militia levy, including the militia ballot. Under this system each parish, town, and county was required to furnish its just quota. From the eligibles of a certain class, aggregating many times the number of the quota, exemptions were made in the cases of those men considered to be indispensable to the carrying on of business at home, while from the names of the remainder the necessary number was balloted.

(c) With the exception of two or three companies of Royal Garrison Artillery, volunteer units were unknown in the British Army until the middle of the eighteenth century. Upon the outbreak of the Seven Years' War national unpreparedness was so marked and popular, fear of invasion so great, that the Government in 1757 was compelled by act of Parliament to recognize and regularize volunteer units and to include volunteer units in the armed forces of the Crown. The volunteer movement, however, by no means displaced the compulsory militia levy, which was used freely throughout the Napoleonic struggle, but took its place alongside as an adjunct.

As it was in the Army so it was in the manning of the British Fleet, and the great majority of the men who built up the splendid traditions of the British Navy were men who were sent to sea under compulsion. In fact, excluding punitive expeditions and the South African war, which was, in the main, guerilla warfare, the only war in British history in which the compulsory levy was not used to raise the required number of men was in the Crimean War, in which, though the militia act was suspended, it remained a convincing instrument, ready to be put into effect at an hour's notice.

2. THE VOLUNTARY SYSTEM IS NOT RELIABLE.

History, ancient or modern, of all nations and all peoples does not record a single instance in which the voluntary system stood the test of a real war. Whenever the struggle was of such proportions as to require approximately the whole effort of a nation some form of compulsion was found necessary. This is so because the volunteer system is haphazard in its methods, uncertain in its results, and incapable of supplying the steady, uniform stream of recruits necessary to create and fight an army.

3. THE VOLUNTEER SYSTEM IS A CONTRADICTION OF THE NECESSARILY FUNDAMENTAL RELATIONSHIP EXISTING BETWEEN THE CITIZEN AND THE STATE.

(a) The State is an organized society of human beings, associated, presumably, for their own welfare, the members of which possess a community of race, language, or ideals. Whether in its inception—the family, in the family enlarged, the tribe, or in the tribe expanded into the nation—its citizens possess rights paralleled by responsibilities, and in the constitution of all States which have existed from the twilight of ancient civilization until to-day the primary responsibility upon which all citizens' rights are in common founded is the obligation to defend the State when at war. When the constitution is unwritten it is basic, underlying, and understood—in time of war the eligible male citizen must fight.

(b) Since the basis of voluntary offering is the right to refuse, it follows that when the Government of a country at war calls for volunteers to fight it is tantamount to stating openly that each eligible male citizen is at liberty to adopt whatever attitude he pleases toward the struggle, and no moral obloquy can be attached to the man who decides that the adventure is no concern of his. In other words, a call for volunteers not only gives a legal justification to the man who will not go, but it is a confession to the world that the nation is not wholeheartedly committed to the struggle, for the world knows that this method can not call forth one-half of the nation's whole effort.

4. THE VOLUNTARY SYSTEM IS A VIOLATION OF THE PRINCIPLES OF DEMOCRACY.

The fundamental principle of democracy is the equality of all citizens before the law or from the standpoint of the State, and any burden imposed by the State must be evenly and equitably distributed over the whole citizen body. A tax of 25 mills is not laid upon one man and 10 mills upon his neighbor, and the customs duty is strictly impartial, affecting rich and poor alike. The voluntary system, however, discriminates drastically and flagrantly against the unselfish and patriotic citizen and in favor of the selfish man, the unpatriotic, the lover of his own ease, and of him who desires to remain at home and get gain. If it is a true democratic principle that in the raising of taxes—a mere matter of dollars and cents—the burden should be evenly and equitably distributed upon the whole body of citizens, is it not truer democracy to observe the same equity and equality when the toll to be exacted is hardship, suffering, and death?

5. THE VOLUNTARY SYSTEM CREATES THE MAXIMUM OF INDUSTRIAL DERANGEMENT.

It is axiomatic that in war the maintenance by a State of an effective army in the field depends upon the husbanding of the economic resources at home and the conservation of the nation's industrial or wealth-producing power. In other words, only a small percentage—say, 10 per cent of the people—can actually go to war. The ultimate base of that national army, whether it fights on the frontier or 10,000 miles distant, must be the economic resources of the home land and the wealth-producing power of the 90 per cent who can not go.

This power of wealth production, therefore, must be as jealously guarded as the strength and composition of the combatant force, and on no account should we take from the former men who are indispensable from the industrial standpoint.

The captain of industry, the skilled mechanic, and the rising artisan are men of trained and disciplined minds. They know the meaning of self-discipline, regularity of habits, long hours, night study, and concentration of purpose. While these are precisely the benefits which military training holds out to the undisciplined mind, it is beyond controversy that a nation's appeal for men to fight goes straight home to the mind of the disciplined man, while it slips lightly off the man to whom military training would be a boon. This explains the universal complaint of manufacturers that the appeals of recruiting officers constantly and invariably take from them the men who are indispensable to the proper conduct of their business, while for each one taken there are five unskilled men left whose places, were they to go, could be easily filled.

The voluntary system, while discriminating between men by drawing largely from the more efficient and those the country can least afford to spare, is nondiscriminating as between industries, drawing alike from the munition plant and from the distillery and frequently hitting more heavily those industries most indispensable to the nation's economic welfare.

6. THE VOLUNTARY SYSTEM IS PRODIGALLY WASTEFUL AND RIOTOUSLY EXTRAVAGANT.

(a) Throughout central Canada the time taken to raise local battalions has been found to be between four and seven months, and this is probably true of the whole of Canada. As against a compulsory system, which would raise a regiment in two weeks, there is, therefore, loss in time of at least five months in bringing each battalion up to the stage of mobilization, at which point the real training only begins. Moreover, since the authorized full complement of officers and noncommissioned officers is on pay practically from the beginning, and since the heaviest enlistment occurs in the first two months, it is a conservative estimate that the loss in money—that is, the avoidable expenditure incurred—can not be less than the pay and upkeep of the full battalion for a period of from three to four months. As this equals $75,000 per month, it is evident that with the exception of the first hundred thousand, men who came forward eagerly, every thousand men raised by the voluntary method has cost the Canadian taxpayer $250,000 of unnecessary expense. In other words, the 260,000 men thus raised have, as contrasted with any sane system of levying troops, cost the Canadian taxpayer $65,000,000, for which his only return has been the privilege of being five months late in turning out each battalion as a full unit ready to commence its training.

(b) Another cause of unnecessary expense is the large number of married men enlisting, 90 per cent of whom would be refused by any system of selection which calls the unmarried man first to the colors. The reason for the large proportion of married men enlisting lies in the fact that the married man is older, more thoughtful by reason of his greater responsibilities, and has undoubtedly a greater stake in the war. The proportion in some battalions is as low as 30 per cent, and in many others reaches 50 and even 5 per cent. Taking the low average of 425 married men per 1,000 enlisted, we are paying in separation allowances alone $3,000,000 per month, or $36,000,000 per annum, as long as the man remains under arms.

(c) In connection with the enlistment of married men there are also to be considered patriotic funds, pensions to the widows, and the financial obligation of the State in reference to the children of such men who may be killed in action or totally disabled. These children

must be reared to the age of 18, and we are therefore obligating ourselves for the future expenditure of many millions, reaching forward over a period of from 1 to 18 years.

(d) In addition to this there is the not inconsiderable expense of so-called whirlwind recruiting campaigns being conducted spasmodically in every part of the Dominion of Canada. Speakers, bands, and escorts must be transported; press, bills, and bunting must be used in abundance; clerical work, halls, motor cars, liveries, speakers' hotel expenses—returned soldiers are frequently on salary—must all be provided for, and the people pay. In fact, it is a safe estimate that the man power and the money now used in the undignified attempt to raise men would, if properly controlled, raise, equip, and maintain another division on the firing line.

7. THE VOLUNTARY SYSTEM PRODUCES THE MAXIMUM OF INEFFECTIVES.

Since youth is an idealist and maturity is thoughtful, appeals from the platform and the press are being daily responded to by boys of 16 and 17 and men between 50 and 60 years of age, both classes, in their desire to serve, adjusting their ages to meet the requirements of enlistment.

Commanding officers of many local battalions inform me that these classes aggregate as high as 10 per cent of the total enlistment, and by some they are placed at 20 per cent. The inevitable results of this will be the weeding out later of thousands of men and boys who will prove physically incapable of standing the strain of thorough camp training, but who, nevertheless, have been in the pay of the country for from 5 to 10 months.

RECAPITULATING.

The so-called volunteer system—it is the precise antithesis of system—is neither British nor French; it is not reliable; it is a denial of the basic responsibilities of citizenship; it is undemocratic; it creates the maximum of industrial arrangement; it is wasteful and extravagant; it results in the minimum of effectives and the maximum waste of valuable time. These things being so—and these things ought not so to be—it seems to me that to continue on these lines is an evidence of moral weakness and insincerity on our part, and it is little short of sheer hyprocisy on the part of our press and our public men to proclaim to the world that we are in this struggle to the last man and the last dollar, when the world knows and we ourselves know that the first step in a sincere attempt to put even half our strength into the struggle would be a classification of our industries and registration of our man power. Some form of authoritative selection is necessary, not for the purpose of dragnetting the country for men to fight, but for the purpose of conserving our wealth-producing powers and putting into the field in the most expeditious manner the most effective force compatible with this main object.

LORNE MULLOY.

MARCH 4, 1916.

Mr. CHAMBERLAIN. Mr. President, right in this connection it has been stated here on the floor of the Senate that Australia had tried the compulsory military system and had abandoned it. Well, that is partially true, but it is not entirely true. The fact is, Australia still has the compulsory system of military service, but it only applies to her own country. It never has been objected to; there never has been any attempt to repeal it. This is what was done in Australia after Australia had sent forth her volunteers to the Continent of Europe to assist the mother country in her struggle for existence. Then the question came up of filling her depleted ranks. The question was, Shall we draft men to go to the Continent of Europe to fight? A referendum was had, and with over 2,000,000 votes cast there were only about 60,000 majority who voted against a compulsory system for raising troops to send to Europe to fill the depleted ranks of their brothers on the Continent. It was a magnificent showing.

Mr. WOLCOTT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Delaware?

Mr. CHAMBERLAIN. I do.

Mr. WOLCOTT. For the purpose of clarity I would like to ask a question.

Mr. CHAMBERLAIN. Very well.

Mr. WOLCOTT. I understand the Senator to be arguing against the volunteer system as a means of filling the depleted ranks. I would like to ask him how that is a pertinent question under this bill.

Mr. CHAMBERLAIN. Well, it is a pertinent question in this way: Assuming that we are really in war and that we are going to have a serious one of five or six years duration, and that we will have to send men over to Europe, and the ranks are depleted by shrapnel and by poisonous gases, how are you going to get men there to fill up the depleted ranks? By a volunteer system?

Mr. WOLCOTT. If I may be permitted, the bill under the volunteer amendment provides that however the first increment of 500,000 men shall be raised thereafter in the outside limit is 90 days, all the deficiencies, whether occasioned by want of sufficient men to volunteer or by loss, the depletions shall be filled by draft. So why is it pertinent to discuss the feasibility of the volunteer system to fill up depleted ranks under this bill?

Mr. CHAMBERLAIN. I am undertaking, in my humble way, to answer the arguments which have been made by many distinguished Senators who have been advocating the volunteer system. I am trying to show why it is an unreliable system.

Mr. WOLCOTT. I mean with respect to the men to fill up the depleted ranks.

Mr. CHAMBERLAIN. This bill provides for filling them, I will say to the Senator, and I am glad he called my attention to it. It provides for recruiting battalions where men are to be trained to take the places of the men killed, wounded, or missing in the battalion or regiment or brigade to which they happen to be attached. In other words, they are training men all the time who can be filled into these regiments under the draft system.

Mr. WOLCOTT. If I may be permitted again, the opponents of the bill recommended by the majority of the committee have been declaiming very strongly against the volunteer system. Yet is it not true that they propose in their bill to fill all the depletions in the ranks not by the volunteer system but by the draft system, which they condemn?

Mr. CHAMBERLAIN. Probably that is true.

Mr. WOLCOTT. That is true, I think.

Mr. STONE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Missouri?

Mr. CHAMBERLAIN. I do.

Mr. STONE. My friend made a statement which mystifies me.

Mr. CHAMBERLAIN. I am surprised at that.

Mr. STONE. I was surprised at it, too; and that is why I ventured to interrupt the Senator. In his answer to the Senator from Delaware he expressed the hope that we may not have to send soldiers to the battle fronts of Europe, and he expressed that hope in terms which seemed to warrant the impression that he believed we would not have to do it. Does the Senator really think we are not going to furnish troops to go into this war?

Mr. CHAMBERLAIN. The Senator did not hear me say we would not. I said that I hoped we would not. I meant by that that I hoped the emergency would not require troops to be sent.

Mr. STONE. The emergency is upon us.

Mr. CHAMBERLAIN. I am not so sure about that. Our allies have not asked us for men. They have asked us for subsistence and general supplies.

Mr. STONE. Gen. Joffre stated that of all things they wanted the American flag on the battle front.

Mr. CHAMBERLAIN. I will say to the Senator that that statement has not been officially made to the Senate of the United States; but if it is made officially and through the proper channels, I would say, send them.

Mr. STONE. If we do not intend to send them, what is the use of making all this provision?

Mr. CHAMBERLAIN. So far as I am concerned, Mr. President, I believe that if those people over there say they need American soldiers on the battle line we ought to get behind them and send them all they want. [Applause.]

Mr. President, France sent her men over here when America needed them, and, as Upton says in his Military Policy of the United States, that was probably the deciding factor of the war. If need be, let America be the deciding factor in the European war.

Mr. STONE. I supposed that is what we are raising this army for, to be sent over there.

Mr. CHAMBERLAIN. We are raising an army to train them to be sent there if necessary, and the sooner we get through here and put those men in training camps the sooner we will be able to help the allies if they need help, and God knows, it seems to me, they need it now.

I think, Mr. President, the hardest blow ought to be struck first. It is with nations and with armies as it is with the prize fighter, the one who hits the first blow usually wins.

Mr. REED. It is the fellow that hits the last blow.

Mr. CHAMBERLAIN. Now, Mr. President, I do not think anybody will ever accuse me of being very strongly pro-British. I guess I have said as much against Great Britain as anybody. It is not that I dislike the British people as individuals. I think a great deal of them individually and collectively, but I have never been a great admirer of their Government. But in this crisis the fight of Great Britain and the allies is the fight of the United States, and any differences I may have had are buried, and it ought to be so with all of us. We ought to be willing to give up not only our property but our lives in order that in this great contest, the greatest that was ever waged on this planet, America's voice may be heard at the council board of the nations when the terms of peace come to be settled.

Mr. President, let us not haggle here about the volunteer system or the compulsory system. Let us take that system which the world has taught us in the last analysis must be adopted in order to win the fight. It is the cause of democracy against autocracy. It is a fight for the government of the

people, by the people, and for the people against despotic power. If this war has done nothing else, it has made one of the despotic thrones of Europe totter to its foundations; and, if we are to believe what we see in the press to-day another is tottering on its base. I hope the time is not far distant when the people of Germany and her allies will understand that they are now fighting against their own liberties, while the fight of America and her allies is their fight as well as their own.

Mr. President, when we start out on this let us select that method of maintaining an army which is best of all and which the history of the ages has shown is the only one that can last through a prolonged struggle.

To adopt the draft system, it is urged, is a violation of the traditions of this country. The distinguished Senator from Georgia [Mr. HARDWICK] this afternoon made that statement more than once, and I have heard others make it. Mr. President, it is in line with the traditions of this country, not in violation of them. I have shown that Washington recommended it three times and that the Continental Congress adopted it; and, unless my statement about it may be questioned, I call the attention of the Senate to the statement of Dr. Chaney, of the University of Pennsylvania, who is a pacifist and a Quaker and a teacher of history in the University of Pennsylvania. In his testimony before the House Committee on Military Affairs he admitted that Washington had recommended the draft three times. Not only that, but it has been tried in nearly every State in this Union.

Thirty-eight States have legislation which authorizes the draft. The military act of 1909 of Tennessee has this stringent draft provision:

SEC. 6. That when it is necessary to call out any portion of the reserve militia for active duty the governor shall direct his order to the sheriff of the county, who shall forthwith by written order or oral notice to each individual, or by proclamation, appoint a time and place for the assembling of the reserve militia at the county seat, and shall then and there draft as many thereof or accept as many volunteers as are required by the order of the Commander in Chief, and shall forthwith forward to him a list of the persons so drafted or accepted as volunteers.

Can it be possible that the General Staff of the Army and the War College, when the pending bill was prepared by them, had the Tennessee act before them, or did they have the act of some other State?

Mr. BRADY and Mr. REED addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Oregon yield; and if so, to whom?

Mr. REED. All we are asking is for the privilege of volunteering, and in the very bill the Senator read——

Mr. CHAMBERLAIN. The privilege is given here for 600,000 to volunteer if they desire.

Mr. REED. Give a man a chance to volunteer under the volunteer system.

Mr. CHAMBERLAIN. You will find that the man who is insisting on the volunteer system ordinarily is the man who does not want to volunteer or fight. I do not refer to the Senator, of course. I am speaking of the slackers on the street who are continually denouncing the draft system. They do not want to fight, and consequently will not volunteer.

Mr. BRADY. What is the Senator reading from?

Mr. CHAMBERLAIN. I was reading from the Tennessee act of 1909, chapter 400, page 1410, and following. Some good Tennesseean felt impelled to assure me that the pending bill did not violate the traditions of Tennessee. Yet I think the distinguished Senator from Tennessee was rather disposed to feel that it is violating the traditions. The draft provision here is not very much stricter than that in Tennessee. If they did not have the draft system, they could not get along in some of these States.

Now let us go further. Let us see if the selective draft violates the traditions of this country.

Washington, in a letter to the President of the Continental Congress, when he was thoroughly impressed by actual experience with the undependability of the volunteer system, said:

It is the true policy of America not to content herself with temporary expedients, but to endeavor, if possible, to give consistency and solidity to her measures. An essential step to this will be immediately to devise a plan and put it in execution for providing men in time to replace those who will leave us at the end of the year and for subsisting the officers and soldiers and making them a reasonable allowance. The plan for this purpose ought to be of general operation and such as will execute itself. Experience has shown that a peremptory draft will be the only effectual one. If a draft for the war or for three years can be effected, it ought to be made on every account. A shorter period than a year is inadmissible. To one who has been witness to the evils brought upon us by short enlistments, the system appears to have been pernicious beyond description, and a crowd of motives present themselves to dictate a change. It may easily be shown that all the misfortunes we have met with in the military line are to be attributed to this cause.

* * * * * * * * * *

Nor have the ill effects been confined to the military line. A great part of the embarrassments in the civil departments flow from the same source. The derangement of our finances is essentially to be ascribed to it. The expenses of the war and the paper emissions have been greatly multiplied by it. We have had, a great part of the time, two sets of men to feed and pay—the discharged men going home and the levies coming in. This was more remarkably the case in 1775 and 1776. The difficulty and cost of engaging men have increased at every successive attempt, till among the present levies we find there are some who have received $150 in specie for five months' service, while our officers are reduced to the disagreeable necessity of performing the duties of drill sergeants to them, with this mortifying reflection annexed to the business, that by the time they have taught those men the rudiments of a soldier's duty their services will have expired and the work recommenced with a new set. The consumption of provisions, arms, accouterments, and stores of every kind has been doubled in spite of every precaution I could use, not only from the cause just mentioned, but from the carelessness and licentiousness incident to militia and irregular troops. Our discipline also has been much hurt, if not ruined.

And, again, in a letter dated November 18, 1779, to the President of the Congress he said:

In the more early stages of the contest, when men might have enlisted for the war, no man, as my whole conduct and the uniform tenor of my letters will evince, was ever more opposed to short enlistments than I was, and while there remained a prospect of obtaining recruits upon a permanent footing in the first instance, as far as duty and a regard to my station would permit, I urged my sentiments in favor of it. But the prospect of keeping up an army by voluntary enlistments being changed, or at least standing on too precarious and uncertain a footing to depend on for the exigency of our affairs, I took the liberty in February, 1778, in a particular manner to lay before the Committee of Arrangement, then with the Army at Valley Forge, a plan for an annual draft as the surest and most certain, if not the only means left us of maintaining the Army on a proper and respectable ground. And, more and more confirmed in propriety of this opinion by the intervention of a variety of circumstances unnecessary to detail, I again took the freedom of urging the plan to the committee of conference in January last; and, having reviewed it in every point of light and found it right, or at least the best that has occurred to me, I hope I shall be excused by Congress for offering it to them, and in time for carrying it into execution for the next year, if they should conceive it necessary for the States to complete their quotas of troops.

The plan I would propose is that each State be informed by Congress annually of the real deficiency of its troops, and called upon to make up, or such less specific number as Congress may think proper, by a draft; that the men drafted join the Army by the 1st of January and serve until the 1st of January in the succeeding year; that from the time the drafts join the Army the officers of the States from which they come be authorized and directed to use their endeavors to enlist them for the war under the bounties to the officers themselves and the recruits granted by the act of the 23d of January last, namely, $10 to the officers for each recruit and $200 to the recruits themselves; that all State, county, and town bounties to drafts, if practicable, be entirely abolished, on account of the uneasiness and disorders they create among the soldiers, the desertions they produce, and for other reasons which will readily occur; that on or before the 1st of October annually an abstract or return similar to the present one be transmitted to Congress, to enable them to make their requisitions to each State with certainty and precision.

These statements of Washington were made, it will be observed, near the close of the war and at a time when he had come to the sad realization of the fact that it was impossible for him to maintain a dependable force without some sort of compulsion. Nothing is more prominent in all of his letters to the Continental Congress than this fact, and all of his letters indulge in criticism of the system then in vogue for maintaining an army in the field.

Mr. President, that is what we are pleading for here. Let us begin by creating in this emergency an army which can be made permanent, as Washington so forcefully suggested.

No man knows, Mr. President, what the morrow may bring forth. The war now waging broke out in the still watches of a night, and the whole world has been aflame ever since. Europe and other parts of the civilized world have been reddened by the blood of men as brave as any who ever faced each other in mortal combat.

Talk about our isolation protecting us, Mr. President, and the impossibility of transporting troops to our shores. It took longer in the Civil War to transport a few regiments of Infantry from here to Fredericksburg than it now takes to bring a vessel carrying three to five thousand men from Europe to America. We are not living in the past. We are living in the progressive to-day; and there is no friend outside of the allies in Europe upon whom America can rely in time of emergency.

Now, let me call attention to the reason which induced the Continental Congress to resort to the draft. Greene, in his History of the American Revolution, says on page 290:

The States were "required forthwith to fill up by drafts, from their militia or in any other way that shall be effectual, their respective battalions of Continental troops." Having no power to enforce its decree, this resolution of Congress had no more effect than its predecessors, but Washington's personal appeals, combined with the news of the French alliance, succeeded in bringing out enough men to carry on the war.

Now note this:

It continued in this way to the end, Congress passing futile resolutions and Washington raising men and carrying on the war by the mere strength of his personal character.

Where were your volunteers who were willing to come to the front to save their country from the British yoke?

Mr. REED. Where were your conscripts?

Mr. CHAMBERLAIN. We did not have any. Washington asked for them and the Continental Congress attempted to give them. The States had draft laws, and with all this legislation and with all the resources at hand for getting these gentlemen into the ranks, Washington could not keep up his depleted columns. The partial failure of the draft was due to the fact that the Continental Congress had no power to legislate so as to enforce it.

What was suggested in lieu of an effective draft law? Why the usual inefficient bounty system to induce volunteering?

The States paid bounties; the Government was promising volunteers land—100 acres to each man and more than that to the officers—to get both officers and men to stay in the ranks. *Even that* failed to accomplish the purpose.

Washington, in one of these letters, calls attention to the fact of the weakness of militia; and my distinguished friend from New Hampshire [Mr. GALLINGER], who lives very close to the point, will remember that when Montgomery and his men were about to assault Quebec, the period of the enlistment of Montgomery's army was soon to expire. He knew from the experience which he had had with the troops in the United States that if he tried to hold his men after their enlistment expired not a single man would stay with him. He was forced, therefore, to make the attack before he was fully prepared to do so. Washington has told us that the vicious system then in force for maintaining an army not only cost us the life of the brave Montgomery but the loss of Canada as well. Washington ought to be pretty good authority, Mr. President.

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him?

Mr. CHAMBERLAIN. Yes, sir.

Mr. GALLINGER. Mr. President, the Senator is relating some interesting history, but there is one chapter of history on which I love to dwell and which I should like to repeat in a few words.

When Washington was in the sorest possible straits; when it was deemed very probable that we would lose the contest with Great Britain, John Langdon, of Portsmouth, N. H., a merchant, then the speaker of the New Hampshire House of Representatives and, by the way, the first President pro tempore of this body, gave all his money, all his plate, and the contents of his cellar to the cause of the Colonies upon condition that John Stark should be called upon to rally the militia of the State and proceed to Bennington to save the valuable military stores that were there collected.

John Stark undertook the task. He started across the fields and through the woods of New Hampshire; he called around him 1,200 volunteers on his way to Bennington. With those 1,200 volunteers he fought that great battle, won the victory, saved the military stores of Bennington, and paved the way for the surrender of Cornwallis, which came not long afterwards.

Mr. President, I think the Senator from Oregon means to do exact justice to the volunteers in the Revolutionary War. While Washington undoubtedly did deem it necessary, or thought it was necessary, to advise conscription, the volunteers at Lexington, at Concord, at Bennington, at Trenton, at Saratoga, and in all those contests that took place during the Revolutionary War acquitted themselves with a valor that was the admiration of the world then, and is the admiration of the world now.

When we remember that John Stark said to his volunteers that he had gathered up as he traveled from his sawmill on the banks of the Merrimack River, in Manchester, N. H., to Bennington, as tradition says he did, "See, there are the redcoats! Before night they are ours, or Molly Stark is a widow." Responding to the call of their brave commander, they went at the British troops and defeated them gloriously. Surely we ought to pay tribute to those men, and not have it made to appear that we could then have had a better army, for we certainly could not have had a better army under the conditions that then existed.

Mr. CHAMBERLAIN. Mr. President, I tried to state at the outset that I did not question the patriotism of the volunteer, and I do not question the fact that there were some of the most brilliant battles in history fought by volunteers during the Revolution. Ordinarily I do not like to refer to these things, and I would not refer to them in this RECORD to-day but for the fact that it is sought to be made to appear here that the Revolution was entirely won by the volunteer system. I am talking about the system, rather than the individuals who go to make it up. This was the system at Quebec. Think of the cost of it there—the life of one of Washington's most gallant generals, in his own language, and the loss of Canada to the United States. The Senator from New Hampshire, I presume, would not question that at all.

Mr. GALLINGER. No.

Mr. CHAMBERLAIN. If Washington is to be trusted, that was the system in use. I am not questioning the gallantry of the men.

Mr. GALLINGER. If the Senator will permit me, I want to say that we could not, under those conditions, have had any different system.

Mr. CHAMBERLAIN. Well, yes. I will say to the Senator that Washington tried to have a different system created, but they would not let him have his way.

Mr. GALLINGER. He tried to have conscription, but that would not have secured better soldiers than the volunteers. Whether they were conscripts or volunteers, they would have equally been untrained men.

Mr. CHAMBERLAIN. He tried to get that system. Washington said he did not know how long the war might be prolonged, and he wanted to get an army that he could depend on if it was to be prolonged.

I know how unpopular it is to talk thus about our ancestors in the Revolution and to intimate a doubt as to either the gallantry of the men or the weakness of the volunteer system, and I do it reluctantly.

Here, Mr. President, we are confronting a crisis that demands that Congress shall do its best to provide for an army, not a temporary one, but for an army that shall be a permanent one so long as this war lasts. We could not train this army under six months or a year. The crack regiments of Canada went into British training camps and trained for eight months before Lord Kitchener would let them go across the English Channel. Why? Mr. President, it would simply have meant what Gen. Lee, of Revolutionary fame, said, that to undertake to take an army of untrained men against regular forces simply meant murder. It would have been criminal. Kitchener knew that better than anybody else.

Mr. GALLINGER and Mr. REED addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield, and, if so, to whom?

Mr. CHAMBERLAIN. I yield first to the Senator from New Hampshire.

Mr. GALLINGER. For the purpose of the RECORD, I want to ask one question of the Senator from Oregon. During the debate this evening the Senator made one observation that I think he probably would not have made if he had dwelt upon it a little while, because it was an echo of what certain newspapers are saying, that there are obstructive tactics in the Senate, and that this bill is being held back by men who really do not want to see an army established.

Mr. CHAMBERLAIN. Mr. President, the Senator from New Hampshire, I am sure, will acquit me of ever making such a suggestion as that.

Mr. GALLINGER. The Senator made it in a very veiled way.

Mr. CHAMBERLAIN. I did not mean to do so.

Mr. GALLINGER. But if the Senator will look at his speech in the RECORD to-morrow morning he will see that he did make an observation of that kind.

Mr. CHAMBERLAIN. I did not mean to do it.

Mr. GALLINGER. I simply want that the country may know the facts; that is all the purpose I have about it. I want to say to the Senator that this bill was reported only eight days ago from his committee; one Sunday has intervened, and the bill has been debated seven days. The Senator would not say to me, to the Senate, or to the country that that is an unusual length of time to debate an important bill like this.

Mr. CHAMBERLAIN. Oh, no, Mr. President.

Mr. GALLINGER. And those of us who have been contending for a volunteer army, as the Senator knows, some of us at least, have been very anxious to get this bill to a vote; and I am one of them.

Mr. CHAMBERLAIN. I agree with the Senator from New Hampshire about that.

Mr. GALLINGER. I have taken very little time.

Mr. CHAMBERLAIN. I will say to the Senator from New Hampshire and to the country that there has not been any disposition at any time on either side of the Chamber to filibuster against this bill.

Mr. GALLINGER. Or to unduly delay it.

Mr. CHAMBERLAIN. Or to unduly delay it. I know it is not in the heart of a single Senator on either side of this Chamber to do anything that would cripple the good right arm of the President of the United States in this emergency, and I want to commend my friends on the other side for the fact

that there has not been a single display of politics or partisanship in any part of this discussion.

Mr. REED. Mr. President, can we not go a step further and have an understanding that we all want a permanent army during the war, and that the sole matter of dispute between us is whether the best way to get that army is by volunteers, and if volunteers fail then to resort to conscription, or whether it is better to resort to conscription at first? That is the sole difference between the two sides.

Mr. CHAMBERLAIN. That is the issue. Those of us who take the side I do feel that the best way to get an army for an emergency such as this is to start out, as Washington said, to get a permanent army right in the beginning, and not to wait for one system to break down and then to start out to create a permanent army. Senators on the other side say that they can do that by first giving men an opportunity to volunteer. That is the question. I am the last man in the world, Mr. President, to suggest that we have not the same purpose in view, which is to do what is best for our country. The Senators who disagree with me have the same motives and their hearts beat with the same patriotic impulses as mine. I know that, and I shall never let an occasion pass to deny the charge against my colleagues in the Senate when it is made against them that they are undertaking to hinder or defeat this legislation.

Mr. President, getting back to the draft again, I am calling attention to these things because I want to show that my friends are in error when they talk about the draft being contrary to the traditions of our Republic.

In the War of 1812 the Legislature of Kentucky, another great Southern Commonwealth, adopted a resolution prior to the declaration of war appealing to Congress to enact a draft law. Ah, Mr. President, it was in the course of the discussion at that time that Webster made his great speech, and I have not any doubt that his eloquence and his magnificent appearance had much to do with defeating legislation which would have ended that war very much sooner, according to every military historian whom I have been able to read. The eloquence of Webster and those who stood by him in his opposition to the draft law prolonged the war. With thousands of troops far outnumbering the British troops at all times, it took us a long while to settle the controversy at the sacrifice of millions in blood and treasure. But Kentucky did not think that it was contrary to the traditions of the country. We have 48 States now. Here is one which took action before the War of 1812, and in all 38 States out of 48 have draft laws on their statute books at this time.

I stated, in a colloquy with my distinguished friend from Missouri [Mr. REED] the other day in this Chamber, that I was not standing on Garrison soil, but rather on Jefferson soil when I said that Jefferson rather favored the draft. In order to show what that statement was based on, I call attention to a letter from Jefferson to Secretary of War Dearborn, dated September 21, 1805. In reading this I want the Senate to bear in mind that, with this letter to the Secretary of War, he inclosed a proposed law for compulsory service both as to the Navy and as to the Army. So that, taking the two together, we must conclude, with some other utterances of Jefferson, that he favored compulsory service. Now note what he said:

> Considering that the important thing is to keep the militia classes so that we may get at the young for a year's service at a time, and that training may be supplied after they are all called out, I think we may give up every part of the bill which respects training and arming. Let us once get possession of the principle, and future Congresses will train and arm. In this way we get rid of all those enemies to the bill to whom different details would be objectionable. I send to you the bill thus modified and I have thrown in a few words in the clause beginning with the words "The junior class shall be liable," etc., in order that the law may execute itself without waiting for any legislature. Will you be so good as to communicate it to Gen. Varnum and Mr. Bidwell? The sooner the better.

Two acts, one affecting the Navy and the other affecting the Army, are set out in the work of Jefferson, and I challenge anybody to say that they do not involve the principles for which we are contending here. Jefferson realized the situation, Mr. President. In his message to Congress he was calling attention to the conditions that existed, which were almost exactly like the conditions which exist to-day. There were pirates on the sea; Spain and Great Britain and other powers were destroying our commerce. If it was not so late, I would call attention to his message. He called attention to conditions that were almost parallel with the conditions which confront us now, with the single exception that the conditions of to-day are not only destroying our commerce, but they are destroying our lives. That is the difference; and yet Jefferson, with the same strong arm that President Wilson has been using in this struggle, was reaching out to see to it that our country should be protected as well as the lives of our citizens. He was proposing to do just what Mr. Wilson is proposing to do now, and that is to have a bill enacted into law that would create what Washington demanded and what every military expert since the Revolution has demanded, and that is a bill that would create a permanent Army to be used—I do not mean a large standing Army; I mean a permanent system. Now, look at his message.

Mr. WATSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Indiana?

Mr. CHAMBERLAIN. I yield.

Mr. WATSON. Of course the Senator from Oregon will not claim that the pending measure creates in any sense a permanent system?

Mr. CHAMBERLAIN. Oh, no.

Mr. WATSON. I honor the Senator from Oregon for the very great, effective, and consistent work he has accomplished in favor of a permanent system; but, of course, this bill does not pretend to provide for a permanent system.

Mr. CHAMBERLAIN. Not at all; it only makes provision during this war.

Mr. WATSON. That must come later, if it is ever to be provided.

Mr. CHAMBERLAIN. Yes, sir.

Jefferson, in his message to Congress on December 3, 1805, after reciting the outrages that were being perpetrated against our shipping and against our country as well, and to which I will not call attention, said:

> Whether it will be necessary to augment our land forces will be decided by occurrences probably in the course of your session.

That is what is happening here. Two epochs in history could hardly be more alike than the epoch of 1805 and the present one, and the actions of the two great Presidents more alike than those of any other two men that this Republic ever produced.

> In the meantime you will consider whether it would not be expedient for a state of peace as well as of war so to organize or class the militia as would enable us on any sudden emergency to call for the services of the younger portions, unencumbered with the old and those having families.

Then he goes on and cites how many men are liable to service. Mr. President, that is exactly what this bill does. It takes the young men between 19 and 25 and undertakes to do for them just exactly what Jefferson did, so as to have a force that we may call on in time of emergency. The only difference between that time and this is that we were not then engaged in war, and I think Jefferson's prompt action had much to do with staying the ravages of war.

President Lincoln, great and patriotic man that he was, did not entertain any fear that a draft law would violate the traditions of his country. When he fully realized, as did Washington, by actual experience that the volunteer method of recruiting the Army was sure to fail if the war was prolonged he advocated and urged the enactment of a draft law. When this law was enacted and opposition to its enforcement developed he prepared an address to the American people which was never published because he questioned the propriety of so reaching the people, but it has been preserved and presented by Nicolay and Hay in their "Life of Lincoln" as having been copied from Lincoln's own manuscript. He advocated the draft both from principle and from expediency as the fairest and most equitable method of creating an army. I quote an extract from it and beg that all he had to say upon the subject might be read by the American people in the emergency which confronts them. He said amongst other things:

> It is at all times proper that misunderstanding between the public and the public servant should be avoided; and this is far more important now than in times of peace and tranquillity. I therefore address you without searching for a precedent upon which to do so. Some of you are sincerely devoted to the republican institutions and territorial integrity of our country, and yet are opposed to what is called the draft, or conscription.
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> At the beginning of the war, and ever since, a variety of motives, pressing, some in one direction and some in the other, would be presented to the mind of each man physically fit for a soldier, upon the combined effect of which motives he would, or would not, voluntarily enter the service. Among these motives would be patriotism, political bias, ambition, personal courage, love of adventure, want of employment, and convenience, or the opposite of some of these. We already have, and have had, in the service, as appears, substantially all that can be obtained upon this voluntary weighing of motives. And yet we must somehow obtain more, or relinquish the original object of the contest, together with all the blood and treasure already expended in the effort to secure it. To meet this necessity the law for the draft has been enacted. You who do not wish to be soldiers do not like this law. This is natural; nor does it imply want of patriotism. Nothing can be so just and necessary as to make us like it if it is disagreeable to us. We are prone, too, to find false arguments with which to excuse ourselves for opposing such disagreeable things. In this case, those who desire the rebellion to succeed, and others who seek reward in a different way, are very active in accommodating us with this class of arguments. * * *
>
> The republican institutions and territorial integrity of our country can not be maintained without the further raising and supporting of

armies. There can be no army without men. Men can be had only voluntarily or involuntarily. We have ceased to obtain them voluntarily, and to obtain them involuntarily is the draft—the conscription. If you dispute this fact and declare that men can still be had voluntarily in sufficient numbers, prove the assertion by yourselves volunteering in such numbers, and I shall gladly give up the draft. Or if not a sufficient number, but any one of you will volunteer, he for his single self will escape all the horrors of the draft, and will thereby do only what each one of at least a million of his manly brethren have already done. Their toil and blood have been given as much for you as for themselves. Shall it all be lost rather than that you, too, will bear your part?

I do not say that all who would avoid serving in the war are unpatriotic; but I do think every patriot should willingly take his chance under a law, made with great care, in order to secure entire fairness. This law was considered, discussed, modified, and amended by Congress at great length, and with much labor, and was finally passed by both branches with a near approach to unanimity. At last, it may not be exactly such as any one man out of Congress, or even in Congress, would have made it. It has been said, and I believe truly, that the Constitution itself is not altogether such as any one of its framers would have preferred. It was the joint work of all, and certainly the better that it was so. * * *

The principle of draft, which simply is involuntary or enforced service, is not new. It has been practiced in all ages of the world. It was well known to the framers of our Constitution as one of the modes of raising armies at the time they placed in that instrument the provision that "the Congress shall have power to raise and support armies." It had been used just before in establishing our independence, and it was also used under the Constitution in 1812. Wherein is the peculiar hardship now? Shall we shrink from the necessary means to maintain our free Government which our grandfathers employed to establish it and our own fathers have already employed once to maintain it? Are we degenerate? Has the manhood of our race run out?

Again, a law may be both constitutional and expedient, and yet may be administered in an unjust and unfair way. This law belongs to a class, which class is composed of those laws whose object is to distribute burdens or benefits on the principle of equality. No one of these laws can ever be practically administered with that exactness which can be conceived of in the mind. A tax law, the principle of which is that each owner shall pay in proportion to the value of his property, will be a dead letter if no one can be compelled to pay until it can be shown that every other one will pay in precisely the same proportion, according to value; nay, even it will be a dead letter if no one can be compelled to pay until it is certain that every other one will pay at all—even in unequal proportion. Again, the United States House of Representatives is constituted on the principle that each Member is sent by the same number of people that each other is sent by; and yet, in practice, no two of the whole number, much less the whole number, are ever sent by precisely the same number of constituents. The districts can not be made precisely equal in population at first, and if they could they would become unequal in a single day, and much more so in the 10 years which the districts, once made, are to continue. They can not be remodeled every day, nor, without too much expense and labor, even every year.

This sort of difficulty applies in full force to the practical administration of the draft law. In fact, the difficulty is greater in the case of the draft law. First, it starts with all the inequality of the congressional districts; but these are based on entire population, while the draft is based on those only who are fit for soldiers and such may not bear the same proportion to the whole in one district that they do in another. Again, the facts must be ascertained and credit given for the unequal numbers of soldiers which have already gone from the several districts. In all of these points errors will occur in spite of the utmost fidelity. The Government is bound to administer the law with such an approach to exactness as is usual in analogous cases and as entire good faith and fidelity will reach. If so great departures as to be inconsistent with such good faith and fidelity, or great departures occurring in any way, be pointed out, they shall be corrected; and any agent shown to have caused such departures intentionally shall be dismissed.

With these views and on these principles I feel bound to tell you it is my purpose to see the draft law faithfully executed.

Now, Mr. President, let us see what Gen. Grant says about this. He ought to be pretty good authority. I call attention to his Memoirs, at page 547. We can all think of him now, suffering the pangs of an incurable disease that was culminating rapidly, while his brain was undertaking to leave a memorial to the people and to his country, and at the same time to provide for the support of his family as well as liquidate obligations he had incurred—brave and courageous in death, just as he had been in life, fearless and truthful under all circumstances, and doing what he deemed to be best for his country and his kind. Says Gen. Grant:

To maintain peace in the future it is necessary to be prepared for war. There can scarcely be a possible chance of a conflict such as the last one occurring among our own people again; but, growing as we are in population, wealth, and military power, we may become the envy of nations which led us in all these particulars only a few years ago; and unless we are prepared for it we may be in danger of a combined movement being some day made to crush us out. Now, scarcely 20 years after the war, we seem to have forgotten the lessons it taught and are going on as if in the greatest security, without the power to resist an invasion by the fleets of fourth-rate European powers for a time until we could prepare for them.

Think of it! He could not have predicted more truthfully the condition of to-day than he has outlined it in that concluding paragraph of his Memoirs. So we are to-day, Mr. President, doing just exactly what he speaks of, amongst nations who may envy our wealth in this emergency and who may combine to destroy us; and we are moving along with a feeling of perfect security as though nothing was likely to happen and nothing ever could happen.

Mr. President, the map of the world may be changed in the twinkling of an eye. In my opinion, those against whom we are pitted would not hesitate a moment to take America, if they win out in this controversy, and parcel it out among themselves, as they proposed to parcel it out to the neighbors on the southern border a short while ago, and thus recuperate and indemnify themselves for the losses they have sustained in this conflict. Where else shall they look for so magnificent a prize? The countries with whom they are now engaged are so depleted in their resources that they can not expect indemnity from them, and the taking possession of the empires ranged against them would not compensate them for the losses they have sustained.

Mr. President, is the fact of compulsion against our system? I asked the distinguished Ambassador of the Argentine Republic some time ago what they thought of universal military training and service in his country, and he said to me, "We look upon three things as the basis of our prosperity and of our liberty—that is, compulsory education, compulsory military training and service, and compulsory voting." They have a progressive and patriotic people in Argentina; and the time ought to come here when we will follow their example and have not only compulsory education and compulsory military training, but compulsory voting. I have had men come to me and denounce officials that had been elected to office; business men, lawyers, bankers, denouncing the lack of intelligence upon the part of the people because they had elected this man or that man to office; and 99 times out of 100, if you will ask them if they voted, they will say "No." Now, if there is rascality and scoundrelism in office, it is due to these business men who do not go to the polls and vote, and they ought to be compelled to vote. It is a duty that they owe to their country just as well as the duty of serving in the Army.

But that is a digression. We have compulsory education. I can remember that when it began to be discussed in this country it was just as bitterly assailed as compulsory service, absolutely. Men would go on the street corners and row about it, and it was not very hard to get up a gun fight in some parts of the West when they talked about taking their children out of their homes by force and crowding these children into the public schools. But now who would abandon it? Who would abandon it?

I predict, Mr. President, that if we adopt universal military service this country never will abandon it, for the reason that it will strengthen the young men, teach them discipline that they know nothing about now, and inspire a love of country which has almost departed from the young men to-day.

Violate traditions? Why, we are violating them all the time, Mr. President. Since I have been in this distinguished body I have heard men say that we should never depart from the pathway blazed by the fathers of the Republic; and yet we find those pathways abandoned as conditions change and as our people desire changes in governmental life.

I remember how the election of Senators by direct vote of the people was opposed. Did that violate the traditions of the fathers? Some distinguished men said so.

Why, Mr. President, they talk about prohibition. I can remember the time that if one dared talk about prohibiting the sale of liquor in a town or in a county or in a State you were charged with "violating the rights of a freeman. A freeman ought to be permitted to drink whenever he pleased, where he pleased, and what he pleased. Nobody had any right to pass any sumptuary law that would control him." That was a tradition that was handed down to us not only from the other side of the water but on this side. But we have departed from that tradition, Mr. President, and they are regulating the liquor traffic, and not only regulating it—that was the first step—but now they have begun to prohibit its manufacture or sale, and the people found out that it was necessary to violate a tradition in order to protect our country. One State after another has fallen into the prohibition column. You bring up the prohibition amendment here, and when my friend, the Senator from Texas [Mr. SHEPPARD], gets it up you will hear men talking about violating the rights of the people and trespassing upon the liberty of the citizen; but, while I am neither a prophet nor the son of a prophet, I predict that in the lifetime of most of us here present national prohibition will be the law of this land.

Oh, yes; it is all right to talk about violating traditions. Here is another proposition. I can remember 40 years ago, when as a young man, I was talking for woman suffrage—why, that was revolutionary. "Why, the constitutions of the land and its traditions do not allow women any voice in the affairs of this Government." Gradually the States commenced to give woman her rights. Finally they gave her the same rights of property that men had and the same rights of contract. For a long time the husband and wife were one, as Blackstone defined the relationship, and the husband was the one. [Laugh-

ter.] They gradually got away from that. Now they have so far departed from the tradition that they are still one, but the woman is the one. [Laughter.] But, Mr. President, one State after another has forgotten these old constitutional landmarks, and now we find that nearly all the States are adopting woman suffrage; and I say again that while I am neither a prophet nor the son of a prophet I predict that the time is not far distant, and it will probably be in the lifetime of some of us here now, when woman suffrage will be adopted as a national proposition rather than as a State proposition.

Why, I could call attention to a great many traditions from which we have departed, and always with changing conditions and in the interest of the American people.

Mr. President, I am taking more time than I intended to take, but there are one or two things that I can not resist the temptation to speak about.

It has been the custom of our friends here, some of them, to denounce the Regular Army. Is there any wonder that the uniform of our country is not respected by the men on the street? Can you wonder that when one of these brave boys, with his country's uniform, goes into a theater or into a café insult is offered him when you find in the Senate Chamber here men who are denouncing the Army? It must not be forgotten that the Regular Army of the United States at all times, in peace and in war, is a volunteer army, under strict rules and regulations, of course, and under strict discipline and conditions that you can not get in militia forces as a rule. Not only are these enlisted men sometimes denounced and insulted when they go out in uniform, but I have heard men say that the Army officers themselves were all autocratic martinets and upstarts. Was there ever a more unjust charge than that?

Why, Mr. President, West Point has, as officers in the Regular Army, a little more than 50 per cent, and, mind you, these officers that graduate at West Point are young fellows that come from the factory and from the farm and from behind the counter. One of the brightest boys who ever went from my State and graduated from West Point was the son of a poor locksmith. Others have come from the farm, and nearly all of them are poor, but patriotic young follows. They are of the same blood as you and I, American boys. Why should they lose their Americanism when they go into the West Point Academy? And then the half of the commissioned personnel of the United States Army that did not come from West Point—where did they come from? They came from your little community and mine. They came off the farm; they came from the same places as these boys that go into West Point and graduate; and yet we find men here denouncing them as holding themselves above the enlisted men whom they control.

Mr. President, it ought not to be true. It is not true. I saw a young fellow passing through the lobby here the other day in a private's uniform and I could not resist the temptation to put my hand on his shoulder and tell him I was glad to see him in his country's uniform.

Mr. WATSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Indiana?

Mr. CHAMBERLAIN. I do.

Mr. WATSON. I have heard the most of the speeches that have been made during this debate, and I have not heard anybody denounce the Regular Army or anybody connected with it. Is the Senator quite sure that anybody on the floor has denounced them?

Mr. CHAMBERLAIN. I do not know that I have heard it to-day, but I have heard it. I have heard it on the floor of the Senate, and I have heard it in the cloakroom.

Mr. WATSON. During this debate?

Mr. CHAMBERLAIN. During this debate I have heard it in the cloakroom; and if the Senator will sit out here at almost any time he can hear criticisms of the Army, officers, and enlisted men that are wholly unjustified by the facts.

Mr. WATSON. I have listened to this debate, and I have not heard at any time anything but praise of the Army. Of course I have not been over in the cloakroom of our friends; but so far as our cloakroom is concerned I have heard nothing of that kind, publicly or privately, spoken at any time by anybody, under any circumstances.

Mr. CHAMBERLAIN. Why, I do not know that I have heard it to-day, but I have heard very unkind things said about them all.

Mr. WATSON. Of course, I accept what the Senator says, because he tells the truth. I was wondering who had said it.

Mr. CHAMBERLAIN. Whenever I am in doubt, I tell the truth. [Laughter.]

Mr. WATSON. I have no doubt of that, or that the Senator will do so whether he is in doubt or not. Perhaps the Senator may not often be in doubt. [Laughter.]

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Utah?

Mr. CHAMBERLAIN. I yield to the Senator from Utah.

Mr. KING. I remind the Senator from Oregon that the Senator from New Mexico [Mr. FALL], in the very able speech which he made this afternoon, adverted to the caste, as I understood him, that existed in the Army, and gave some personal illustrations; notably, one in which officers of the Army had refused at a hotel to have privates seated at the same hotel and insisted that if they were permitted to partake of the hospitality of the hotel in the same room screens should be erected to separate the officers from the soldiers.

Mr. WATSON. I think that in his remarks the Senator from New Mexico animadverted somewhat upon that idea of caste manifested at times in the Army. He said he had seen that; but there was no attempt, I think, on his part to criticize in anywise the Regular Army or anybody connected with it, and I was just wondering where the Senator had heard the remarks.

Mr. CHAMBERLAIN. Oh, I have heard them many times. I have heard them in public addresses; and while I do not recall any particular instances of such suggestion made right in this debate, I have heard them frequently.

I have heard the integrity of officers of the Army called in question more than once, in private conversation with men who ought not to have done so; but I call attention to the fact that no body of men in the United States of equal number have so honestly conducted the business of the Government as they. I remember now only one case of a defalcation that amounted to anything, and that one man was prosecuted and sent to prison. It speaks well for the Army that since the birth of the Republic they have maintained a record for faithful, efficient, and honest service. They spend millions and millions of dollars of the people's money every year and faithfully account for every cent. They have been taken from the Army and detailed for civilian duties in Cuba, in the Philippines, in Panama, in Porto Rico, and in far-away places to take charge of and establish civil governments, and we never have had anything but the best account of them.

One of the Senators said the other day, "It is getting so that you have to salute a military uniform." I hope the time will come, when we see our boys marching along the street, that no good American will hesitate for a minute to take off his hat to the young fellow that is in uniform. I am not afraid of militarism in this country, where those who are voting for the expenditure of the people's money have to go to the people every two years and where Congress is restrained by the Constitution from appropriating money for a longer time than two years. If we become a militaristic power, then it will be because the people of America have decided to change their form of government.

The Declaration of Independence recognizes the right of a people, whenever they see fit to do so, to change their form of government; but I have no fears of the American people. After the Civil War the finest body of men that ever were gotten together to fight returned to their homes and were absorbed by the communities to which they severally belonged, and nobody could have told, except in cases where there was destruction and devastation and suffering as the result of war, that these men ever had worn a uniform. This was in some part due to the splendid example set by Gen. Lee on the one side and the generous magnanimity of Gen. Grant on the other. Who can forget the lesson of Appomattox when Lee surrendered his sword to Grant and had it tendered back to him by the conquering hero with a dignity and grace that won for him the plaudits of the world? Who does not remember how the men of the Confederate Army were permitted to retain their horses in order that they might go back to their farms to be absorbed by the communities that they had left, and which had become devasted and ruined?

Ah! Mr. President, with such a people as that there is no danger of militarism. We find here in the Senate, as there may be found in the House of Representatives and as there may be found in every branch of the Government service, men who 50 years ago were pitted against each other in deadly strife now sitting shoulder to shoulder, endeavoring to give the best and most patriotic service that is in them to their country and to the maintenance of its honor and integrity, those who participated on the northern side vying with those who participated on the southern side in an effort to do, under all circumstances, what is best to be done in every emergency.

Now, it is said that the General Staff comes here every year and undertakes to get Congress to reverse itself because, as it is charged, the General Staff has reversed itself. Mr. President, if a man gets sick and wants somebody to help him, does he send for a blacksmith or a carpenter? When our country becomes involved in dangers and in war do we go to the statesman or to the politician or to the man in civil life to ask him what ought to be done where, as in this case, our Government is in danger of destruction? Oh, no; we go to the men who have made a study of war and the massing and mobilization of troops their life work.

The General Staff, through the proper channels, presents its recommendations to Congress. The Congress refuses to adopt them, and either so modifies the recommendations as to fail to accomplish what is proposed or refuses to act at all. Then the General Staff comes at the next session to Congress and proposes to conform to recommendations which will make a consistent military plan. The Congress again fails to adopt their recommendations. The result is that no consistent plan is ever adopted; and now it is charged the General Staff does not know what it wants. The fact is, Congress does not know what legislation will best create an efficient army. Can the General Staff therefore be charged with reversing itself, as has been charged on the floor of the Senate, because it raps at the door of Congress in order to best serve its country? This is not only the situation now, but it has been since the days of Washington.

Now, as evidence of what I have said, I do not have to go back very far into our military history. In 1876 to 1878 successive committees of Congress undertook the subject of the reorganization of the Army, and much testimony was taken.

In 1878 a committee was formed composed of three Senators and five Representatives to consider the whole subject of the reorganization of the Army. All of its members had served in the Civil War. Gen. Burnside and Gen. M. C. Butler were two of the members of the Senate committee, and Gen. Garfield was one of the members of the House committee. Such generals as Hancock, McDowell, McClellan, Terry, Pope, Ord, Hazen, and Hunt were called upon to submit their views together with a draft of a bill to carry them into effect. The chiefs of staff departments were likewise distinguished officers of the Army and submitted their views, but as had been the case before that time, with a voluminous report and forms of bills submitted to them, Congress took no steps to carry out the views of these distinguished officers.

If Senators are interested in reading a condensed history of the war, and what is necessary to an army, they ought to read the report of that committee, replete in recommendations from these Regular and Volunteer officers who had been through the Civil War and knew whereof they spoke.

I will not refer to the intervening reports, but coming down to 1912, which brings us nearer home, the General Staff worked out a plan of Army reorganization at great length, fortified by facts as they saw them. What did Congress do? Nothing. They followed the proverbial policy of doing nothing.

Then again a report was presented by the General Staff in 1915 formulating legislation and suggesting conditions and needs. What did Congress do? They took it up for consideration, but the legislation that they suggested was not enacted. The then Secretary of War did not recommend it, but something different. I can not say why, but it was not done. The then Secretary of War came up before the Committee on Military Affairs and proposed a different plan, and what did Congress do? They did not take the General Staff plan; they did not take the plan of the Secretary of War, but enacted a sort of military coat of many colors, and crystallized it into a statute. The result is that we have a law now which is the best statute we ever had as affecting the Regular Army, but it is not what it ought to be, and it is not what either the General Staff or the War College or the War Department have wanted from time to time.

Mr. REED. Will the Senator tell us briefly in what respect it did not comply with the recommendation of the War Department?

Mr. CHAMBERLAIN. One very important and essential thing the Secretary of War recommended was the Continental Army scheme. The General Staff did not recommend anything of the kind.

Mr. REED. I am speaking about the bill that was passed.

Mr. CHAMBERLAIN. Oh, so far as the Regular Army is concerned, it is a pretty good bill. It is the best bill, taken altogether, we ever had up to that date. I will say to the Senator what I said the other day: It is not what it ought to be and it was not what the General Staff recommended.

Mr. REED. Both those bills were substantially what the General Staff recommended?

Mr. CHAMBERLAIN. No.

Mr. REED. That is what I am asking.

Mr. CHAMBERLAIN Let me call attention to it. I have been a pretty faithful attendant upon the Military Affairs Committee. If the Senator had been there as often and as long as I, probably he would know that the militia end of the national-defense act of June 3, 1916, was formulated by the National Guard themselves.

Mr. REED. That was simply an addition put onto the plan of the Army officers, but did not interfere with their plan. I want simply to get that plain. They got their plan, but Congress had the temerity to still preserve the militia and to insist on writing into the Army board's plan a little of their own ideas by providing for a militia.

Mr. CHAMBERLAIN. The Senator and I had that out here when the national-defense act was up. The Senator has a very much higher opinion of the National Guard than I. I am not questioning the patriotism or courage of the National Guard, but the Senator has more confidence in the system than ever I had. I have been a part of it and I know whereof I speak.

Mr. REED. So have I.

Mr. CHAMBERLAIN. I know it, but the Senator and I formed entirely different conclusions about the effectiveness of the National Guard as a second line of defense. The Senator will remember that we tried to put the very bill that he is insisting on now so strenuously and so eloquently and so ably as a part of the national-defense act of 1916, and the Senator voted against it twice.

Mr. REED. This question was never discussed at that time——

Mr. CHAMBERLAIN. I think the Senator——

Mr. REED. In the light that we are discussing it now. I never voted against a call for volunteers at least in war—never in my life.

Mr. CHAMBERLAIN. Let me call the Senator's attention to the fact that the volunteer act of 1914 to raise volunteers was only applicable and could only be made available by a declaration of Congress after war had been inaugurated. When the continental army scheme came up, Mr. Garrison seemed to be very much wedded to it. It did not seem practical to many of the military experts and we tried to substitute what was known as section 56 of the then pending bill—act June 3, 1916—which very briefly proposed that the volunteer act of 1914 should be utilized in times of war. It was to make available for the purpose of volunteers the very act the Senator wants now.

Mr. REED. That is a different question.

Mr. CHAMBERLAIN. Oh, no.

Mr. REED. The Senator says I voted against the volunteer act.

Mr. CHAMBERLAIN. You voted against making it a part of the national-defense act of June 3, 1916.

Mr. REED. You now say I voted against giving the President authority in the time of profound peace to call out 500,000 volunteers. I plead guilty to that. That is a different kind of a case.

Mr. CHAMBERLAIN. The Senator has a right to change his mind.

Mr. REED. I have not changed it.

Mr. CHAMBERLAIN. Then you ought to do it.

Mr. REED. Not at all.

Mr. CHAMBERLAIN. I will say to the Senator, I changed my mind. I have changed my mind about the Army situation a good many times. The Senator is on the committee now, and if the Senator will attend it he will change his mind quite often, too.

Mr. REED. I may change my mind. It is said that nobody but a fool always maintains the exact opinion.

Mr. CHAMBERLAIN. Mr. President, I apologize for having taken up so much time. My only excuse for it is because I was subjected to so many interruptions.

I think I have said all I wanted to say, Mr. President, and I yield the floor, expressing the earnest hope that the bill as it has been reported to the Senate, with as few amendments as possible, may be adopted by the Senate, and that we shall do what Washington and every military expert since his day has insisted ought to be done, and that is create a permanent force for the safety of the Republic when it is in danger.

Mr. KIRBY. Mr. President, we all know that an army must be raised, an army sufficient for our needs and commensurate with the man power of the Nation, and we hope to raise it by such methods as will bring the men to the firing line in the best

possible condition of mind and body for the performance of effective service.

I am going to discuss this measure as I see it, as it really is here, and not as it has been proclaimed to be throughout this country—deliberately and designedly in a misleading way.

All the papers are saying, "Let us have this universal military service because it is the only system of equality and democracy."

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"Same obligation rests on all men of military age. * * * Universal service must come without another instant of delay."

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That is the sort of misleading, false impression that has been designedly created by the lying press; and for what purpose? To compel such Members as desire to think for themselves to support a measure here that has no element of universal service in it and that ought to be defeated.

Now, as to the universal-service proposition. This bill only proposes that boys between the ages of 19 and 25 shall be subjected to this conscript system, this selective-draft system, and it excludes all men from 25 up to 45, the legal age, from military service. That is the universal military service that you talk about requiring by passing this bill.

In the United States there are about 6,000,000 boys between those ages. I say it is undemocratic and unfair and unjust that we should place this burden on those boys at this time and in this way, from the democratic standpoint of equality of right and privilege to all and of special privilege to none. One-fourth of those boys have never been allowed to vote, and "all governments derive their just powers from the consent of the governed." The other three-fourths are between 21 and 25 years of age. How much have they had an opportunity to do in this world of ours? Ah, how much of the blessings of good government and peace have they enjoyed up to now? Every mothers' son of them, all put together, have not 5 cents direct interest in our overseas commerce, which this war is primarily waged to protect and promote. Not one in five hundred has a dollar in the bank, and not one in ten thousand of whom owns an acre or a foot of land in this country, whose battles they only are compelled to fight. It proves the old complaint of "A rich man's war and a poor man's fight." This is the most flagrant and iniquitous class legislation that I have seen in the whole course of my life. You propose to excuse all men above 25 years of age and on up to 45 and disguise the injustice under the false claim that it is democratic; men who have lived in the greatest country on earth, under the best conditions that ever man has brought to bear in the development of civilization; the strong, the rich, the powerful, the great, men who have been allowed to enjoy happiness, to follow unrestricted their own pursuits of industry and improvement, to build up their homes and acquire their fortunes; not one of these men can be compelled to go into the Army under this bill, or is even permitted to do so, and to conscript these boys, one-fourth of whom can not even make a legal contract, and the others who have not yet found out where they are going. Oh, no; they are no good for anything else, the Secretary of War says. Let us see if I can find that. Yes; here it is:

Men are not deemed skilled workers and indispensable in industry until they are of greater maturity than that.

Well, they are not regarded as necessary to the industrial conditions, not having made a place there. That is the real condition. That is the reason I am talking along that line to-night. No Senator here will dispute that proposition or contend that the true condition has not been correctly stated by me.

Mr. President, it is charged by the advocates of this bill that the volunteer system is a failure; that conscription must be resorted to for raising an army. It is charged that the volunteer system is retained in the bill, and claimed that the Regular Army and the National Guard may still continue to be filled by voluntary enlistment. I deny and challenge the truth of all these statements. Not one single one of them is true.

Now, I say that there is no wide field left open for volunteering if this bill is passed; there is in effect no place for volunteering after it is passed.

It is said that there are now 500,000 men necessary to fill up the National Guard and the Regular Army to war strength, and claimed that under the provisions of this bill it may be done after the bill is passed. Let us see. On page 4, section 2, beginning in line 23, the bill reads:

SEC. 2. The enlisted men required to raise and maintain the organizations of the Regular Army and to complete and maintain the organizations embodying the members of the National Guard drafted into the service of the United States at the maximum legal strength as by this act provided, shall be raised by voluntary enlistment, or if and whenever the President decides that they can not effectually be so raised or maintained, then by selective draft; and all other forces hereby authorized shall be raised and maintained by selective draft exclusively. Such draft shall be based upon liability to military service of all male citizens, or male persons not alien enemies who have declared their intention to become citizens, between the ages of 19 and 25 years, and shall take place and be maintained under such regulations as the President may prescribe not inconsistent with the terms of this act.

What will be the effect if this bill passes? The War Department has already declared that volunteering is a failure, has discouraged volunteering in the National Guard, and declared that there shall be no more volunteering. This bill is conclusive evidence of that fact, along with the statements made by the Secretary of War in the Military Committee. When this bill is passed what would be the incentive for a man over 25 years of age to go and enlist in the Regular Army or in the National Guard, when he knows that if he does not volunteer he can not be put into the service by the conscript system at all, because the men who are to be put in under the law, when the President concludes that volunteering is a failure, must be selected from those between the ages of 19 and 25. That is the condition you are going to have. You are going to exclude every man from 25 to 45 years of age in this country from service in the Army. It is wrong; it ought not to be done.

There would be fairness in this if equality of service of all men now subject to military duty, from 18 to 45 years of age, or, rather, from 21 years of age, when a man is allowed to vote, up to 45 years of age, was required, and I shall vote for that. Men are good soldiers at that age and so recognized. There would be a strong element of fairness about that and of equality and democracy.

I am a believer in the volunteer system. I believe that it is the best that we can have for American purposes under the conditions as they now exist. When the Army appropriation bill was pending in the Senate, immediately after war was declared, I introduced an amendment to that bill authorizing the President to call for volunteers, in lots of 500,000 at a time, for the term of the war, and for continuing the call until a sufficient number were enlisted to bring the war to a successful conclusion. That amendment was defeated on a technical point. War had been declared, and yet no call has gone out for volunteers.

Immediately after that failed I introduced in the Senate a bill authorizing the President to raise an army of volunteers. I will read the bill here—Senate bill 1807:

SEC. 1. That war having been declared, the President is hereby authorized to call for volunteers for service in the Regular Army, for the term of the war, in numbers of 500,000, until as many men are enlisted in the Regular Army as are deemed necessary to bring the war to a successful conclusion.

I supported the McKellar amendment in the Military Affairs Committee, although I am not in favor of it in principle. I believe that the volunteer system should obtain to the exclusion of the selective-draft proposition. I am going to support the Trammell amendment, which proposes to strike out the selective draft or conscript feature of this bill, and authorize a call for volunteers to continue until enough are enlisted to bring the war to a successful end.

Let us discuss briefly this volunteer system. I am not going to talk about the untrained raw militiaman, as the chairman of the committee has done, but I am going to talk about the volunteer system, the volunteer soldier, and I am going to talk about it from our own experience in the past, in this last great war, in the War between the States, that cemented forever indissoluble the bonds of this great Union, in the anguish and suffering and blood of our people, and from out the baptismal fire of which our Government emerged pure gold, with all the dross of sectionalism and division burned away.

What was the result of conscription in the North? It was a costly failure, this system that you hug to your bosoms here and say is the best that has been devised by mortal man. What was the effect of it in the North? I read a few statistics and excerpts:

At the beginning of 1862, when recruiting was discontinued by the Secretary of War, there were 637,000 volunteers under arms, the surplus being turned away without record or pledge. The number of men raised in the North under act of March, 1863, was 1,369,343, but of these there were 1,076,558 volunteers under this enrollment act. The number of voluntary substitutes was 144,012, the number who escaped service by paying a fee was 86,724, and the number who were compelled personally to serve was 61,947. But 2.3 per cent of the total number of troops raised in the North from the beginning to the end of the war was raised by draft or conscription. (See Report of Secretary of War, 1865.)

I want to call your attention to what occurred in the Empire State of New York:

The number of volunteers enlisted January, 1863, to January, 1864, was 56,156; the total number of conscripts who were delivered at military stations was 2,575. (Governor's message, Jan. 5, 1864.)

That was the experience with conscription in the North. What was the experience of the South? We do not know exactly; but according to the statement that I have here, a careful exam-

ination by the Confederate Bureau of Conscription shows that more men came in irregularly than came through the conscription bureaus or came in irregularly and volunteered than came in the other way—conscripts. That is the experience of that time.

Experience is a wonderful teacher; it is the greatest and best teacher that has been vouchsafed to mortal man. In the history of the past that was our experience with conscripts, and yet the great war resulted in the preservation of this Union, and the volunteer system then employed was a glorious success. That was our experience along that line; and I say to you it is well for us to heed the voice of experience, our own experience, as the voice of wisdom from experience.

What thine experience teaches true,
To that give willing heed;
The wisdom that we suffer to
Is better than a creed.

Now, let us review the experience of other nations. Yonder in England, in this great war, they have raised over 5,000,000 volunteers. A little closer analysis shows that England did not have more than 6,500,000 male population between the ages of 18 and 35, and yet she raised something like 5,000,000 volunteers. Up in Canada—and Canada has less population than the Empire State of New York, less population than Pennsylvania—Canada has sent 400,000 volunteers into this war. Yonder, far across the ocean, is Australia, smaller than the State of Illinois in population, and yet Australia has sent up to February, 1917, 285,809 volunteers, 12,000 miles from home, to fight the battles of the mother country. Australia refused on a referendum vote to adopt conscription, but she raised that army of volunteers.

How many men do we need? How many men do we propose to raise? Five hundred thousand. When do we need them? The War Department states they can not be equipped, can not be furnished uniforms and rifles before August 1. I say to you here and now that if the President will issue a call for volunteers we would have a million and a half men recruited before August the 1st, more men than could be taken care of.

We can not train but 500,000 at a time. We could raise the other contingent in the same way. It has been shown, demonstrated clearly, by the testimony of the adjutant general of every State, that the National Guard can be raised to its maximum war strength before the Government is able to take care of them. We need, as I have said, only 500,000 men out of 21,000,000 of service age; and Canada raised 400,000; Australia, 285,809; and England, with the small population she has, raised something like 5,000,000 under the volunteer system.

Now, I speak of the volunteer soldier. I am not talking about an untrained raw recruit being as good as a trained soldier, but I do maintain that the volunteer soldier, with the enthusiasm and conviction of a free man, when properly trained, is the best soldier in the world. We propose to let these men volunteer; we propose to train them in camps until they are fit; and they are not expected to be sent to the firing line for one whole year from now. That is the condition as it really is. Then, why all this haste about the adoption of the selective-conscription system? It ought not to be adopted.

Mr. President, let us see what the effect of this conscript system will be. It tends to destroy the sympathy and the good feeling existing between the individual, the citizen, and his Government. We do not want that feeling destroyed in a time of war. If you adopt the system that is proposed here, or make such regulations as that the individual man will think an injustice has been done him, then he will feel indignant; he will feel that he has not been fairly treated, and he is likely to become sullen and resentful. Here is a statement of its effect away back yonder—and I quote from the record:

The failure of conscription in comparison with volunteering is shown by results in this State (New York).

* * * * * * *

Like results are conspicuous in all parts of our State and in all sections of the country—in New England, Pennsylvania, and the West. The attempt to fill our armies by drafting was abortive. While it gave no useful result, it disturbed the public mind, it carried anxiety and perplexity into the workshops, the fields, and the homes of our citizens. It not only fails to fill our armies, but it produces discontent in the service; it is opposed to the genius of our political system; it alienates our people from the Government; it is injurious to the industrial pursuits of the country. (Gov. Seymour's annual message to the New York Legislature, Jan. 5, 1864.)

What does this record show about the effect of conscription in the Civil War? I quote again:

The order for the draft was the signal for violent disturbance in many portions of the loyal States and much blood was shed before these disturbances were quieted. In some portions of the country, particularly in the city of New York, certain districts in Pennsylvania, Indiana, and Illinois, the draft was conducted under the protection of troops sent there to overawe the lawless, and in other districts the draft was deferred until troops could be furnished to protect the officers. The draft was not completed till late in the year and produced but few men for the service. (Report of Provost Marshal Gen. James B. Frey, Mar. 17, 1866.)

That is what is said to have been the result at that time. I also quote from a speech of Daniel Webster, who opposed conscription and said: "That if the time ever comes in the history of this country when an army can not be raised without conscription, the Government will discover that conscription can not be enforced without an army."

One Senator has said all this talk about the sentiment of the soldier is bosh; that it is not necessary to take it into consideration; and he asked, "Why should he not be just as good a soldier if the Government comes around selecting men here, there, and yonder"? Mr. President, you must take sentiment into consideration; you must take environment into consideration; you must take conviction into consideration in this country; you must take the temperament of the people into consideration, the psychological effect, the mental attitude. All these things must be considered.

Mr. President, as I have stated, I believe in the volunteer system and in the American people. I believe the volunteer is the best soldier in the world. I am going to call your attention to the most illustrious volunteer of all time. Yonder in the past there came down from his shepherd father's home from the mountains to the plains where the army of Israel was encamped, a blue eyed, fair haired shepherd boy who beheld the army of the living God, halted terrorized and defied by the mighty giant Goliath, and with heart aflame with indignation and with soul filled with mighty purpose, he demanded to know who it was that defied the army of the Lord, and declared he would overcome and slay him. They said: "Soft—whisper boy—you would better go back up into the mountains and tend your father's sheep; this is the greatest warrior of all time; he is recognized by all the military experts as the invincible champion of the world. You are not a soldier; are nothing but a boy just come down from the mountains; let it not be known that you have said anything like that." But he was insistent and finally taken to the king, where he continued to declare he would go out and fight the giant and slay him. He believed he could do it, and he knew it ought to be done. That was the sort of enthusiasm and conviction that was in his heart. The king said, "If you have done these things as you say, take my armor and go out and fight." "No; I am unused to that; I will fight with the weapons I understand, believing in the God of the armies of Israel, the Living God, whom he defies, and that I shall prevail against him." You all know the result that the giant was slain and beheaded at last with his own sword.

You remember the sentiment the enthusiasm, the conviction of that volunteer, and there is yet marvelous power in sentiment and conviction and enthusiasm. There is no happiness in life nor anything worth living for if you take sentiment and conviction and enthusiasm out of the world, and yet Senators say there is nothing in sentiment.

Mr. President, I am a soldier's son. My father was a volunteer—not in that unconquerable host to which the grand old veteran from Minnesota [Mr. NELSON] belonged, but in that other immortal army that followed the fortunes of "the storm-cradled nation that fell." When the war clouds lowered about this country of ours, my father did not believe that the South ought to secede. He did not believe that his own State ought to secede, although he knew she had the right to do so; but when secession came, he went with his State, as most good men felt compelled to do. He stood his country's friend in her time of need. He joined the armies of the South and "played a man's part in the world of men."

Aye, yes, Senators; my father was a soldier. He fought four years east of the Mississippi River, where there was war and where war was hell. He was on sick leave, on crutches, detached from his company yonder in Tennessee; saw that a battle was imminent and borrowed a horse to ride, knowing all the sons of the South that could get into action would be needed there; volunteered for special service, was assigned to the staff, and carried dispatches along the firing line on Franklin's bloody field, where great Pat Claiborne fell on the enemy's front line of breastworks with a thousand yards of dead men around him. He fought all down through Georgia when Sherman marched to the sea. Ah, yes; my father was a soldier, and he fought as became a soldier; and the dauntless southern volunteers would have stormed the gates of hell. I do not say they were more brave than their brothers of the North, and the deeds of that immortal army, with those of their victorious brethren from the North, are now emblazoned forever resplendent high on fame's eternal scroll and have not been dimmed by the glory of the soldiers of the past and shall not be outshone by the glory of the soldiers of the future.

I have more love, respect, and admiration for that man than for any other living. He is old and bent and an invalid, wait-

ing for the final summons; but he saw it in operation, and has told me about this conscription and the conscripts. Senators, there is a deep-rooted conviction in the mind of that man and of every other man who volunteered and fought bravely in the army upon either side that a conscript was a coward, a skulker, a slacker, and would not fight. That was the experience then, and all the men of our country who went to the war under the conscript system rest to-day under a cloud, and their sons and their daughters have not been able to outgrow and escape the baleful effect and influence arising from the fact that their fathers had to be conscripted and dragged into the service.

Remember also the words of the Senator from Kentucky [Mr. BECKHAM]: "The same prejudice exists against the conscript in the South to-day that was engendered during the war, and it never will be forgotten."

That is the sort of feeling that is in the minds of the people among whom I live.

I am the son of a southern soldier. I am proud of the traditions of the South. I love her history, her sentiments, and I love all that is dear to the southern heart; but I have thanked my God, since I was old enough to know, that the cause for which my father fought did not succeed. I have thanked Him that the great Union was not dissolved; and notwithstanding my love for the South, notwithstanding my love for her great and heroic deeds, her history, and traditions, no man goes beyond me in admiration and love for this country of ours, throughout all her borders, nor has more anxious solicitude for her holding first place in the foremost rank of the nations of the earth. I am speaking to-night again for the young men, and declare that they ought to be allowed to go into this war as volunteers, and not required to go as conscripts.

Let us see. You talk about the Englishmen, the soldier. You talk about the Czar and the Kaiser. But you say that Germany's army is the most powerful, most effective, and best fighting machine on the earth. Lord Northcliffe, who has been quoted here, says "democracy is a bad war maker," because you have got to get the power finally into the hands of some one man or a few men where it can be properly exercised to wage war successfully. What else? Speaking of looking over the battle fields and the country that the Germans were expected to go through into Calais, he said:

> Had that wonderful army that poured through Belgium been inspired by the enthusiasm and the conviction of free men, I do not think that anything could have stopped its progress. It is just that which is lacking in autocratically ruled armies.

The inspiration and conviction of free men is lacking in that sort of an organization; and that is what caused its failure, according to the greatest expert quoted on the other side of the question.

He said also:

> The difference between these soldiers and the soldiers of Napoleon the Great, who used to play havoc with them, was the difference between human automata ruled by machinery as compared with men of individual thought and action guided by a genius.

I have but a few more words to say. There is no lack of enthusiasm in the State of Arkansas. There is no lack of enthusiasm and conviction throughout this Nation. Already one citizen has been able to have 123,000 men volunteer in the time since this war has been declared. You know that if this Government should issue a call for volunteers that more than 120,000 or 150,000 or 500,000 a month would volunteer, and yet you demand that the boys be conscripted.

Now, Senators, I am not going to talk further. I had to say this much once again for the young men of this land. I could not say less. The history of the volunteer is the history of America's military glory, and, lest it depart, here and now I adjure you by the living God who made us all, by the ties that men hold most sacred, the love of liberty, of home, and of native land, do not cut the fighting heart out of our young men with this conscription law. Do not impose this indignity upon American manhood.

Mr. FLETCHER. Mr. President, the consideration of the pending bill and the various amendments offered to it may well be confined to the one important question, What shall be the military policy of the United States at this time?

The discussion thus far shows that what Senators are chiefly concerned about, and properly so, is the determination of the question, Shall we continue the existing plan, extending it on the basis of the volunteer system, or shall we limit the volunteer feature and expand on the basis of the selective draft system as proposed in this bill?

Some of the amendments offered I may vote for, where they do not change the principle or the policy involved.

I desire to submit some observations in support of the bill.

Experienced and thoughtful people contend that the volunteer system is inseparable from vicious favoritism. Its tendency is to shift the burden from those who ought to bear it to those who, for the good of the Nation, ought not to go into that service. The theory of the selective draft, which there ought to be no great difficulty in putting into practice, is that the men who can best be spared will be called; and those who have dependents, or are needed on the farms to produce the Nation's food, or on the railroads which must be operated to supply the means of necessary transportation, or in the factories which we can not afford to have closed or seriously crippled, would be exempted. Back of universal service is the sense of obligation to the country. The right of the Government under the powers granted by the Constitution to require such service of the citizen, and the duty of the citizen in consideration of the protection and guaranties afforded him to render such service, are perfectly plain.

Consistent with that principle entirely is the idea of exemption of those from military service who can be more useful to the Nation elsewhere than in the field. The volunteer plan does not take into account this idea. It does not facilitate, but hinders, through its lack of system or by its operation, the proper mobilization of the Nation's resources. Its uncertainty and unreliability are indicated by the recent experience abroad and at home. The former has been frequently mentioned. As to the latter, Congress in December, 1915, authorized the enlistment of 20,000 more men for our Regular Army. On December 15, 1916, the authorized strength of the Regular Army was 126,552, while the actual strength was only 100,902. The new enlistments, although considerable effort was made to secure them, were not obtained. In the National Guard recruiting was likewise disappointing. Conceding, in the circumstances I need not detail, notwithstanding there was need for actual service apprehended, there was not a fair test of the volunteer plan, the experience was sufficient to give rise to some doubt that it would be wise to place dependence upon such a plan. It is instanced that England and her colonies raised some 4,000,000 men by the volunteer plan; that Canada enlisted some 400,000 under that plan; that all of them have proven themselves soldiers of the highest type. These facts are cited as proofs of the efficacy of the plan. It will be noted that England refuses to have her soldiers go to the trenches until they have had 11 months of earnest training.

In the first place, the strongest possible appeals were made by England. She had the hideous desolation of Belgium at her doors. Pictures of the treaty called a "scrap of paper" were exhibited everywhere. Zeppelins threatened and kindled a rage which found expression in the cry of "baby killers." Immediate dangers in various directions her people lived in the very presence of. We have not those conditions. Our appeal is to democratic idealism—stress on "the issue between popular rule and military despotism."

In the case of Canada, too much can not be said in praise of the noble, inspiring spirit her gallant sons displayed without even being invited. She saw clearly that the deadliest assault ever made on democracy was begun across the sea when war was declared on the mother country. She heard the alarm of her European brothers. She knew of violated treaties. She realized the meaning of the position that a regular and binding treaty was only a "scrap of paper" in the mind of some who place might above right. She was impressed by the doctrine that weak or small States have no right to live and ought to feel honored to be absorbed or dominated by great powers. She knew the seas no longer separate nations, that the moving bridges across the ocean highway connected all lands.

We find ourselves in thorough sympathy with Canada's sentiment and attitude; but, of course, our relations with Great Britain are not the same as hers.

There are two prime reasons why the selected draft is the preferable if not the necessary plan. First, it will show to the world, to the immense heartening of the allies and the discomfort of the enemy that we mean the force and power of the whole country are centered on victory. That we have gone in with the will to win. Second, it will leave the necessary industries uncrippled and the schools and colleges and the universities unrobbed of the young men to whom the country must look in the future for leadership. The farmer who produces the Nation's food, the mechanic and artisan needed in the trades and industries, the young men getting their education to equip them for high service, will not be allowed to volunteer in wholesale groups when the general good will best be subserved by most of them remaining at their several tasks. The educational institutions will contribute their share only—not empty themselves. The trades and industries and the farms will contribute

their share, but not indiscriminately, in numbers that would make us helpless where help is most needed.

The volunteer plan would mean delay, if not disappointment. If submarines and Zeppelins or raiders or armed forces threatened to invade the United States there would be a ready and overwhelming response to the call to the colors. Such a situation will not arise. Some immediate prospect of real, active service in battle would stimulate enlistments to numbers greater than could be cared for. When it is believed fighting is uncertain or remote recruiting will be slow. Thus the volunteer plan depends not on the judgment of the military authorities but upon the disposition of the volunteers. There is absence of control when control may be needed.

There is one other way to bring forth volunteers in sufficient numbers, and that is by arousing feelings of hatred toward the foe. A propaganda of that sort is most inadvisable. "God punish our enemies" is a theme which may serve those who wage a war of "frightfulness" and barbarity, but we can not think of teaching and proclaiming a feeling of hate toward any people. The real origin of the whole abomination of desolation is found in the denial of brotherhood. The failure of great and strong races to respect the personality of the smaller and weaker ones lies at the root of the fresh miseries and new horrors recorded every day. Hate is made the ruling passion to threaten the ruin of a world. We can not resort to that. Without the impulse immediate danger or attack would create, without the promptings engendered by hate, volunteering could not be relied upon to place the armed force of the United States in such a position of strength, numerically or otherwise, as it should occupy. Even with these two incentives, one not likely and the other unthinkable, volunteering would likely occur in localities, in institutions, here and there; in some States there would be enthusiasm, in others lukewarmness, resulting in unfairness, inequality, and inefficiency.

Whole divisions were sent back to operate the mines and factories in England after enlisting and training. This ought to be proof enough that the best results may not be accomplished by such a plan. Besides, there is opportunity, through the National Guard and the Regular Army, for over 300,000 to volunteer. I do not believe any odium could attach to the drafted man under this bill. It would be more nearly accurate to call him the selected man. He enters the service because he is the chosen among thousands. Chosen because he comes up to the standard fixed by the law. Selected because his country needs him and finds him to be fit to meet the supreme test of the citizen. He should feel honored by that choice. He should take pride in the fact that he was selected to defend his country on the battle field with his skill, his manhood, his life. What greater privilege, what higher honor could come to him than to be selected from among all his countrymen to carry his country's flag in the face of his country's enemy! The drafted man will be the selected, the honored man under this bill.

There is no difference between us as to the need of an army, trained and equipped. The only question about which there are different views is how best to attain that end. Some contend with great force and eloquence the volunteer plan is the historic and wisest plan, according with our free institutions. That seems to me, in the last analysis, a haphazard, one-sided plan, certain only in its uncertainty. Experience in former times, and in the very latest and most stupendous of all wars in all time, teaches that the selective draft is the scientific, dependable, safe, and fair plan. It affects all alike. It is what Washington advised when he said:

> A free people ought not only to be armed but disciplined, to which end a uniform and well-digested plan is requisite.

I am not disturbed that we are not entirely unanimous on this question. A writer has well said:

> When men meet together, smile and agree, progress weeps.

Mr. President, I was in Paris, attending a reception given by the American ambassador at the embassy, when a message came to him from the foreign office, the afternoon of July 28, 1914, that Austria had declared war on Serbia. The reading of that message brought a solemn expression to the faces of those present, and the assembly soon melted away. I turned to the prefect of police of Paris, who stood by me, and said I presumed the trouble would be confined to those two countries, or, at any rate, not extend beyond that region of social and political canker in Europe, the Balkans. He shook his head and replied no one could tell how far it would reach. "But," said he, "we are sure America will be found on the side of right and justice."

And so at last it is. And America is there in no feeble or halting manner. "Thus, from Palos, in 1492, to Sarajevo, in 1914, the hand of Europe has drawn us ever and ever closer," and now we, too, must face the "Pentecost of calamity." For democracy, the hope of humanity; for freedom from oppression; for rights which go with liberty and civilization, we resist and we strike.

We will lose blood and treasure; but we feel that no great accomplishment was ever realized, no desirable goal was ever reached, no achievement worth while is possible, without rupture and hemorrhage. That is the law of life. We will have fewer dollars at the end, but we will have our own self-respect and the respect of all other people.

On the 1st of August I was again in Paris and saw the beginning of the mobilization of that magnificent French Army. The Government took charge of the railroads and commandeered the motor cars, trucks, and every means of conveyance. That night, camped in the plaza fronting the Gare du Nord, were something like a thousand Belgians. They were a sturdy, manly, honest, sober, serious-minded lot of men. They had come from the wheat fields of France, where they had been assisting in the harvesting of the crop. They were waiting for transportation to their homes, to which they had been summoned. Within a few weeks those hard-working, brave men were participating in another harvest. They were being mowed down by a relentless, overpowering foe in "bleeding Belgium."

France had a conversation with Germany in which she answered the curt inquiry as to what she meant by mobilizing by saying simply she proposed to protect her interests. Germany declared war on her. The men disappeared from their usual vocations and rushed to the colors. Women took their places in the hotels and elsewhere. Seeing a woman bid one of these men good-by with her blessing and encouragement, I inquired if she was not distressed to have these men go, and she replied, "Every man should go—we expect no mercy from the Germans." If half we read is true she was right.

This grave step by Austria was unwarranted. The action was wholly unjustifiable. Servia had conceded all she could honorably grant and made every reasonable effort to avoid war. The prevailing impression then was, and time and developments have crystalized that into fixed opinions which may be called the public opinion of the world, that if Austria's unreasonable action was not actively instigated by Germany it could have been directed and controlled by the latter.

History will write the truth, that if Germany did not strike the match which set the world afire, she could have readily extinguished it before any damage was done. Her rulers had purposes of their own to subserve.

Here spoke Prussianism. The Prussian creed came into play:

> We Hohenzollerns take our crown from God alone. On us the Spirit of God has descended. I regard my whole task as appointed by heaven. Who opposes me I shall crush to pieces. Nothing must be settled in this world without the intervention of the German Emperor. Might is right and is decided by war. The peace of Europe is only a secondary matter for us. The sight of suffering does one good; the infliction of suffering does one more good. This war must be conducted as ruthlessly as possible.

Germany was willing to make a glowing region on earth on some theory that it meant for her some sort of "place in the sun."

On the 3d our party managed to get a troop train to Dieppe, and thence a boat to New Haven, and thence a train to London. England was mobilizing, and on the 4th war was declared on her. In an orderly, systematic way she began the assembling and training of her forces. On the 10th we sailed from Plymouth, and there on the docks were the motor busses we had seen five days before carrying passengers on the streets of London transformed into ambulances. We were told 20,000 soldiers had already left that port for France. We sailed away from those stirring scenes little dreaming the United States would be even remotely involved in that unprecedented tragedy. It was supposed then the struggle would be over in a few months. I found that impression prevailed in high places here. When we reached home, August 18, there was talk then about the peace that was certain to be realized inside of six months. Let us not deceive ourselves. The only safe course is to prepare for the worst. All we know about peace is we are at this moment at war. Its duration no man is wise enough to foresee. When it will end we can not guess. How it will end, if we do our part with the unsurpassed courage and determination and the absolute scorn of sacrifice which have in the past characterized this people, and having in mind the glorious record made by our friends, we have no doubt. The "short-war" fallacy cost Britain and France dearly. We should profit by the lesson taught them. It would be a grievous mistake for us to fall into a similar error. When Kitchener said "three years" the public scarcely took him seriously. A few days ago Mr. Bonar Law is quoted as stating to the House of Commons that Germany would have a million men added to the ranks of her armies this year and would be numerically stronger than at any time since the war began. The achievements of her military science and

valor have given her confidence. That must yield, and the day would be hastened by the prompt creation of a great American Army capable of enormous expansion, as provided in this bill.

With all our resources, with all our strength, with all our might, we strike for justice, for freedom, and for humanity. From every walk of life, from the hills and the valleys, from the cities and the countrysides, from the offices and the workshops, from the platform and the pulpit even, there must be a mobilization of valor such as only a people who love liberty truly, who believe in a Government where individual opportunity is synonymous with individual liberty, in a land where "every man is set free to be his best and do his best" can produce.

In such an enterprise leadership counts mightily. Having full confidence in the master minds, the unquestioned patriotism, the pure and inspiring purposes of those who call on us all, I propose to answer that call in the way they wish it answered in so far as lies in my power.

This is no time for divided councils. Those best informed and in position of greatest responsibility, after mature reflection and deep study, advise us, indeed urge us, to adopt this plan. I am not willing to assume superior knowledge or fuller information than they possess. My patriotism is no greater than theirs. In the days of the Druids in Ireland there was promulgated a command, called the "Ordinance of Tara," to this effect:

No man should light a fire in Meath till the beacon blazed on Temair.

In fateful situations like the present, when vital questions are involved, when a false step may mean destruction, when a blunder may amount to a crime, when a mistake may mean a hurt which can never be healed, it would be "plucking the fruit of unripe wisdom" to disregard the beacon on Temair. In emergencies like the present, indeed in strictly foreign affairs, the President walks ahead. No one belongs in his front, not even by his side, but behind him.

Parliament never failed to give the ministry what it wanted. The Chamber of Deputies gave the ministry power to make laws, without consulting them, by executive edict. Can Congress afford to disapprove the plan which has been agreed upon by the President and his advisers as the wisest and best, if not indispensable, upon which this contest must be waged? "Grim-visaged war hath raised its wrinkled front," and we draw the sword and we must move forward to the "perilous ridges of battle," with armies and equipment that will make the result certain and decisive.

Mr. President, this war must not be prolonged, or it will end the world. The President, upon whose giant shoulders rests the greatest responsibilities, calls on Congress to pass this bill substantially as reported by the Committee.

Let us forego prejudices and preconceived notions and give the "sinews" as wanted.

No man enlists under this bill except for "the period of the existing emergency, unless sooner discharged." The forces here provided for are for this war. Whatever views one might have regarding a military establishment under peace conditions, those views would scarcely be applicable to the situation in which we now find the country. We are at war in which we seek no revenge. Not even reparation is our motive. There is much more at stake than trade or ships or even human life. Material loss or gain must be disregarded. Let there be no discordant note, no division. The cause and the motive can not be better expressed than by the President in his world message. "Right," he declared, "is more precious than peace."

The United States is challenged to play its part in the titanic struggle to "make the world safe for democracy."

Mr. President, there was a great speech delivered in this Chamber 38 years ago next May 10. It ranks along with the ablest and most statesmanlike addresses preserved forever in American history. It quotes that Senator's words in his "notes on the situation." These words are cut into the rain-washed monument erected to his memory in the State he so grandly represented here.

These words of Ben Hill, of Georgia, must never be forgotten. They are, "Who saves his country saves himself, saves all things, and all things saved do bless him. Who lets his country die lets all things die, dies himself ignobly, and all things dying curse him."

Mr. President, I wish to insert in the RECORD a few short telegrams and letters which are samples of the many which have come to me on this subject, as indicating what I believe to be the views of a very large majority of the people of Florida and, I think, of the country.

One of these letters is from one of the best citizens of the country. He was a distinguished officer in the Confederate Army. He has always taken great interest in military affairs, and has been active in the State militia and the National Guard. His experience as a gallant soldier, his sound judgment, his patriotism, his knowledge of the subject, should give his views peculiar force.

I wish to read that letter from Judge William B. Young and to have the other matters submitted inserted in the RECORD. The letter was received to-day and is as follows:

JACKSONVILLE, FLA., *April 25, 1917.*

Hon. D. U. FLETCHER.

MY DEAR SENATOR: Yesterday afternoon I received the copy of the "Bill to authorize the President to increase temporarily the Military Establishment of the United States," and also the copy of the report of the committee. After careful reading I most heartily approve of the bill, and indorse the report of the committee. The volunteer system is a failure, and the Confederate Armies would have been practically disbanded in the winter of 1861–2 but for the conscript act. Regiments that were composed of 12 months' volunteers were claiming their discharge, though the enemy were advancing up the peninsula with a large army, which McClellan had spent six months in training and equipping. My experience of years with the National Guard here has convinced me of the futility of relying on voluntary service. It has been impossible to keep the ranks full, and within the past year it has been necessary to disband most of the companies of the First Florida because they could not fill their ranks to the required minimum, and though we are now at war, and though the Government has been calling for volunteers to fill up both the Regular Army and the National Guard, they have not received enough to raise the organizations to war strength. But for the fact that the enemy can not reach us our coast cities would now be in his possession. If he should succeed in overcoming the French and English, we would soon be overrun by a vast veteran army, with only a handful of troops to meet him. Not a day should be lost in passing the bill and organizing and training an army. Too much time has been lost already. The "million men that would spring to arms in a night" have not sprung, and if they had they would be an unorganized, untrained, undisciplined mass that would be worth little against disciplined troops. The advocates of the volunteer system talk of the fighting of the volunteers in the War between the States. The armies of that war fought but one battle before they had been trained and disciplined for six months, and that was the first Battle of Manassas, or Bull Run. In that battle the Federal Army was defeated and utterly demoralized, and the Confederates, though the victors, were too disorganized and undisciplined to follow up their victory. I have felt for over 15 years that we were in a fearfully unprepared condition to meet the attack of any first-class nation. Pardon me for writing at such length, but ever since the War with Spain I have felt that, with millions of men capable of bearing arms, and ample resources, we could be overrun by any first-class power. During that war many of the troops encamped here died from disease because of the ignorance and incompetence of their officers.

Yours, truly, WM. B. YOUNG.

The matter referred to is, as follows:

CENTURY, FLA., *April 24, 1917.*

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.:

At mass meeting of citizens of Century last night a resolution indorsing the plans of the administration for universal military training and selectve conscription was unanimously adopted and you are respectfully urged to support same by your influence and vote.

A. W. RANNEY, *Chairman.*
J. H. JONES, *Secretary.*

—

JACKSONVILLE, FLA., *April 24, 1917.*

Hon. D. U. FLETCHER,
Senator, Washington, D. C.:

The Rotary Club, of Jacksonville, comprising representatives of 100 businesses and professions in Jacksonville, unqualifiedly indorses the recommendations of the President of the United States as to the necessity in this national crisis for the rasing of an army by conscriptive draft. We firmly believe that neither the National Guard system nor volunteer enlistments nor any other plan which penalizes patriotism for the benefit of shirkers and slackers ought to be depended upon. We are earnestly convinced that national military service is at all times as much universal as the payment of taxes, jury service, or any other price that we are called upon to pay for the inestimable privilege of American citizenship.

JOHN H. GAY, *President.*
R. T. ARNOLD, *Secretary.*

—

CHICAGO, ILL., *April 24, 1917.*

Senator DUNCAN U. FLETCHER,
Washington, D. C.

DEAR SIR: As organizer and executive of American Merchants' Syndicate, composed of 12,000 real American merchants in every State, I implore you vote for conscription and let the loafers and unsympathetic naturalized foreigners do their part, allowing those not subject to conscription to volunteer, subject to acceptance if needed under arms more than in industry. Though ineligible for conscription I will volunteer for anything after eligibles are conscripted. Thousands and tens of thousands of real patriots anxious to go to the front await news that those who owe the same duty will be required to pay it along with the brave enthusiasts. Let the noncoms. of the Regulars become officers of the new men. Perdition to the green politician volunteer officer.

JOHN BASKERVILLE.

—

PENSACOLA, FLA., *April 24, 1917.*

DUNCAN U. FLETCHER, *Washington, D. C.:*

Universal suffrage and Government protection logically demand universal service in time of need and a universal training of the young man to meet the need. The Rotary Club of Pensacola, composed of 69 representative citizens, unanimously indorses the principle of universal training and service and urges the immediate passage of bill now pending to make same effective.

WILLIAM FISHER,
President.
WALTER P. CUNNINGHAM,
Secretary.

PENSACOLA, FLA., *April 23, 1917.*

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

DEAR SENATOR: At the annual meeting of the Florida Society, Sons of the American Revolution, held on the 19th instant, the anniversary of the Battle of Lexington, the below resolution was adopted; and we hope that you can see your way clear to vote for and give the weight of your influence to the passage of the proper legislation which will bring about universal military training and selective conscription in time of war, as recommended by the President. The following is the resolution:

"*Resolved by the Florida Society of the Sons of the American Revolution in annual meeting assembled,* That we desire to go on record as supporting the President of these United States in his action in recommending to the Congress the enactment of adequate laws providing for universal military training for the youth of our land and for such selective conscription as shall be necessary in any time of war."

Yours, very truly,

FLORIDA SOCIETY, SONS OF THE AMERICAN REVOLUTION,
By JOHN H. CROSS, *Secretary.*

—

[From the Tampa Tribune, Apr. 21, 1917.]

CONSCRIPTING V. VOLUNTEERING.

When President Wilson gives it as his solemn opinion that selective conscription is the only available method by which the country can raise sufficient troops to do the work of this war, the great majority of the people will take his word for it and support him in asking it.

It is regrettable that there are signs of a clash between the President and Congress on this vital subject.

The advantage of conscription will be that it will not permit of "slackers." The volunteer goes to war while his competitor in business remains at home and profits by his absence. The stay-at-home gets the soldier's job. It is a partial and unfair arrangement.

If this country needs the services of every man of certain age, it ought to get them without exception. It is unjust to permit one man to profit by another's patriotism.

Great Britain soon found that the volunteer system didn't bring the desired results. There were too many mouth patriots, who talked of devotion to country but preferred to show that devotion by staying at home in good jobs and comfortable surroundings.

When the need comes for men, we ought to be able to get them without waiting for them to make up their minds to respond. Conscription is, of course, not exactly an American method, but in such a time as this we can not be sticklers for tradition. If every man of the requisite age were willing to drop everything and go to the front, we wouldn't need conscription, but it is likely that one man out of three will not feel that way about it when the time for action comes. Hence the two will suffer while the one will thrive.

We are for the President on this question. He is right, as usual.

—

JACKSONVILLE, FLA., *April 16, 1917.*

Senator DUNCAN U. FLETCHER,
Washington, D. C.

MY DEAR SENATOR: I wish to take this occasion to express myself as favoring the pending bill looking to universal military training throughout this country and am very much in hopes that the law will be enacted

Anything you may do in this connection, therefore, will be appreciated by.

Yours, very truly,

W. J. KELLY.

—

JACKSONVILLE, FLA., *April 16, 1917.*

Hon. D. U. FLETCHER,
Senate Post Office, Washington, D. C.

MY DEAR SENATOR: I have been discussing with a number of people the proposed Army bill, particularly selective conscription and the relative merits of this procedure in raising the necessary force to that of voluntary enlistments.

It is my belief that selective conscription would come nearer filling the ranks in a short space of time than any other method and would probably avoid the necessity of such procedure in future, which I believe would be more embarrassing than if selective conscription was put into effect in the beginning.

I do not know whether our Senators and Representatives desire personal expressions on this subject, but having sons myself I felt as if I was justified in expressing myself along this line and have taken the liberty of so doing.

Hoping the Government will be able to put through the program of selective conscription, and with kind personal regards, I am,

Yours, very truly,

THOS. P. DENHAM.

—

JACKSONVILLE, FLA., *April 14, 1917.*

Senator DUNCAN U. FLETCHER,
Washington, D. C.

DEAR SENATOR: For the last week I have been sounding out to the best of my ability our most substantial citizens on the question of compulsory military training and conscription for service in the Army, and I have found the opinion almost unanimous in favor of conscription. They all seem to think it is the fairest manner of raising an army. I take it if the law is enacted providing for conscription it would not prohibit any young man from volunteering who desired; but on the other hand it would make every man coming within the prescribed age limit liable to do his duty and prevent shirking. I don't see any justice in making the boys who are patriotic enough to volunteer do the fighting for the shirkers.

From reports I hear I feel sure you are in favor of enacting the legislation the President desires on this subject, and I only write to advise you as to the sentiment down here as far as I have been able to get at it.

With kindest regards, I am,

Yours, very truly.

ARTHUR T. WILLIAMS.

THE LAWYERS' CLUB,
New York City, April 19, 1917.

Hon. DUNCAN U. FLETCHER,
Member United States Congress, Washington, D. C.

DEAR SIR: The war committee of the Lawyers' Club desires to record its belief emphatically and insistently that the institution of universal, obligatory military training and service under Federal control in the United States of all the male citizens of the country should be established at the earliest practicable moment.

This should be done, not only as a measure of national safety, but also for the sake of its benefit physically, mentally, and morally to the recipients thereof.

That an act embodying the measures suggested by the Chamberlain bill or that of the War Staff or such inclusions or modifications thereof as may be found wisest of adoption should receive the serious and early consideration of Congress, and that pending such action a selective conscriptive measure along the lines urged by the President should be passed and put into application without delay.

Very truly, yours,

WM. ALLEN BUTLER,
President.

—

JACKSONVILLE, FLA., *April 15, 1917.*

Hon. D. U. FLETCHER.

MY DEAR SENATOR: I am not an applicant for any office, but I feel it my duty to write to urge you to use all of your influence to procure the passage of a law requiring universal military service and training. You know that I have seen considerable military service, and I am sure that is the only safe way. Officers should not be elected, but appointed by the Commander in Chief, and no one should be appointed because he is a prominent citizen or has political pull, but only because he is competent. During the War between the States colonels were appointed in many cases because they had been Members of Congress and were influential, and several very prominent ones were appointed to command brigades, and in every instance coming under my observation they made a mess of things. I had rather be commanded in battle by a cadet from West Point than by the ablest Member of Congress if he had not had military experience. I am as devoted now to the United States as I was to the Confederate States in the years from 1861 to 1865, inclusive, and if I can be of any service I will gladly render it.

Yours, very truly,

WM. B. YOUNG.

Mr. FLETCHER. Mr. President, if there is no Senator who desires to speak to-night, I move that the Senate take a recess until 10 o'clock to-morrow morning.

Mr. LA FOLLETTE. Mr. President——

Mr. FLETCHER. I withdraw the motion.

The PRESIDING OFFICER. Under the unanimous-consent agreement the motion will be entirely in order if no Senator is ready to proceed to speak. The Chair will ask if any Senator is ready to proceed?

Mr. FLETCHER. Certainly; I did not mean to make the motion if any Senator desired to address the Senate. I had been informed that there would be no other speeches to-night, and the chairman of the committee asked me to make the motion, in case no other Senator desired to speak. I put that inquiry first. If the Senator from Wisconsin desires to proceed, I will be glad to have him do so.

The PRESIDING OFFICER. The Chair will rule that the motion is not in order if any Senator on the floor is ready to proceed with debate on the question.

Mr. LA FOLLETTE. Mr. President, under the unanimous-consent agreement and under the practice which has come to prevail in the Senate in violation of our rules of making a list, a preferred list, at the desk of the Presiding Officer for recognition, I avail myself of the privilege which the unanimous-consent agreement gives me to take the floor at this time—11.30 p. m.—and I shall proceed to discuss under these conditions one of the most important measures that ever engaged the attention of the Senate of the United States.

Mr. President, however uncertain the meaning of some portions of this bill may be, its main purpose is clear. About that there is no dispute. The main purpose of this bill is to clothe one man with power, acting through agents appointed by him, to enter at will every home in our country, at any hour of the day or night, using all the force necessary to effect the entry, and violently lay hold of 1,000,000 of our finest and healthiest and strongest boys, ranging in age from 19 to 25 years, and against their will, and against the will and wishes of their parents or family, deport them across the seas to a foreign land three thousand and more miles away, and to require them, under penalty of death if they refuse, to wound and kill other young boys just like themselves and toward whom they feel no hostility and have cause to feel none.

Briefly told, and in as plain language as I can command, that is the purpose of this bill. That is what the draft means. I have not overstated—indeed, no one can overstate—the horror it is proposed to perpetrate by this bill, nor the insult which it conveys to the intelligence and patriotism of the people of this country. Anyone who would have prophesied one short month ago that this body would seriously consider, under existing circumstances, such a measure as this would have raised a question as to his sanity. For such action as it is proposed to take by this bill under present conditions there is no precedent

in all our history, and, I believe, there is none in the history of any people making the slightest claim to freedom.

That the person we propose to clothe with this power of life and death over our children happens to be the President only serves to increase the iniquity of the proposal, for the power once granted will attach to the office, and will be exercised so long as this Nation shall last, by every successive incumbent, no matter how ambitious or bloody-minded he may be. Nor is it suggested that the million boys this bill proposes to take is all that will be required at the present time. If newspaper reports are correct, the representatives of the allied nations from over the seas, who are visiting here at present and who may be supposed to speak with some knowledge of the question, suggest that 5,000,000 of our soldiers will be necessary to complete the job.

That our boys will enter upon the actual killing and being killed only after some months of training designed to fit them peculiarly for the atrocious task does not mitigate but rather increases the horrors of the bloody work proposed just in proportion as it increases their efficiency. That the killing will be done by the enginery and in the formations of regular warfare certainly does not make it more humane or less horrible. Killing such as we propose our boys shall engage in, either to kill or be killed, by machine guns, by bursting bombs, by poison gas and tearing shrapnel is the most horrible, and is deliberately designed to be the most horrible, killing that can be devised.

CHANGE WORKED BY MERE DECLARATION OF WAR.

I do not mean to speak of the horrors of war. Were I to do so I should dwell most upon the anguish of those at home, of families broken up, hopes blasted, bodies crippled, insanity and disease, debt and poverty, and want and famine, which are only a few of the results of every great war. I would speak of liberties lost, constitutions destroyed, of peoples exterminated by the immediate savagery of war or languishing in bondage for generations under the tyranny, foreign or domestic, military or economic, that always rides in the wake of war. I will not let my mind dwell upon the distress and disaster this war is bound to bring us in the future, but we can not forget what has happened in the few days that have elapsed since it began. What a transformation has been wrought during the first few hours of this war.

Only a few days ago we were at peace with all the world and cherished nothing but the kindliest feelings toward the peoples of every land. We were engaged in peaceful occupations. Our youth were in the schools and colleges of the country fitting themselves for the useful and helpful work that they were to do in the world. As a Nation we were the one great power that was almost free from debt and in position to help bring peace to a distracted world. As a people we were prosperous. Our taxes were relatively light and cheerfully borne because they were expended largely for objects calculated to promote our material and social welfare. We were apparently secure in our liberties, and, slowly it may be but none the less surely, we were winning peaceful victories for democracy and self-government, not only for ourselves but for our children and the generations to come, which we fondly hoped would bring a little nearer the day of peace on earth and good will to men.

But in a moment all this has been changed. We have declared war against a Government and a people with whom we have always previously lived in perfect friendship. We have made ourselves distrusted or feared by other governments and lost the power we had as a neutral Nation to promote the cause of peace. Already our colleges are practically closed, so far as civil instruction is concerned, and our advanced schools have become mere training camps, in which the teaching of race hatred and military supremacy has taken the place of history and literature and the arts and sciences taught in the days of peace. Already our most cherished constitutional rights have been invaded and will soon be destroyed. The agent provocateur is in our midst. Men are being daily cast into prison in violation of the law, and in many cases without even regarding the forms of law.

I can not forbear to say, Mr. President, that this proceeding upon this great bill here to-night is a travesty upon legislation. The British Parliament took nearly a full month to consider a bill providing for a draft, after it had been discussed in the press of Great Britain for many months, and after a protracted struggle involving the unseating of a ministry had been pushed to its conclusion. But we have come upon times in the United States, with all of its boasted principles of democracy and freedom, where freedom of debate in the consideration of legislation involving the liberties of the people is brought under the iron rule of driving legislation through without deliberation, without the possibility of the Senate being in attendance upon the debate so as to make it possible to have any intelligent and deliberative consideration of the great questions involved in this legislation. Within a few months, under a pretext of carrying democracy to the rest of the world, we have done more to undermine and destroy democracy in the United States than it will be possible for us as a Nation to repair in a generation of time.

The voices of the Senators in this Chamber raised in protest against the infamous espionage bill have hardly died away, and unless we can stop this war-mad program at this point, that protest will be in vain. Already it is proposed by the Executive to fix the prices of the necessaries of life, to make and unmake contracts; in short, to do whatever despotic power conceives will further the program of war. By a single act the people have been saddled with a burden of debt amounting to an average of four or five hundred dollars for each responsible head of a family in our country, and we have scarcely made a beginning.

But, as I have said, it is beside my purpose to discuss any of these matters to-day. It has seemed to me proper, however, to make this brief reference to them, before we vote to commit this country to the revolutionary military policy proposed in this bill.

COMMITTEE HELD NO PUBLIC HEARINGS UPON THIS BILL.

It seems to me a little strange that the committee having this bill in charge should in its consideration have departed from the universal custom of holding public hearings on bills of great importance and general interest, such as this. Why the custom was departed from in this case I do not know, but doubtless it was done for some good reason satisfactory to the majority of the committee. I suppose this bill came to the committee from the War Department. Perhaps it was thought that just the plain people, who are going to be drafted under this bill, who are going to be taken from their homes and put into the trenches of Europe under the provisions of this bill, and who, under its provisions, are going to be killed and maimed and made dependents for the rest of their lives, and who are going to pay the taxes this bill entails, had nothing of interest to say about it. It certainly was unfortunate, however, for those members of the committee having the bill in charge and who are urging it here as a measure in the interest of democracy that it should come to the Senate straight from the secret committee room, without any opportunity having been granted to the public to know its terms, much less to discuss them. Never in all my many years of experience in the House and in the Senate have I heard so much democracy preached and so little practiced as during the last few months.

I have touched briefly upon the transformation that has taken place, and is taking place in our Government daily here at the Capitol, and every new abridgment of liberty and destruction of popular rights is proclaimed as something that is wholly in the interest of the people and intended to advance the cause of democracy. But it seems never to occur to these champions and heralds of democracy to permit the people to express themselves upon any of the matters so vital to their interest. We should remember that the momentous issues with which we are dealing to-day, and have been dealing during the last few weeks, have not been directly in issue in any election. So far as the late election involved the question of peace or war, everyone knows that the result of that election meant that the people by an overwhelming majority were in favor of a policy of peace. That election, in my opinion, should be regarded as a mandate from the people to the present administration to have continued the policy which had kept us out of war.

WE SHOULD HAVE BEEN NEUTRAL.

As was demonstrated in both the Senate and House when the war resolution was under discussion a short time ago, we could have kept out of this war by the simple plan of obeying international law ourselves, and insisting that both sets of belligerents should have equally and in all things respected our rights as a neutral Nation. Even if that policy had availed nothing, it would have been more in keeping with the popular will to have followed the sage advice of Thomas Jefferson, who, when writing to Elbridge Gerry on June 21, 1797, respecting the latter's mission to the French Republic and referring to the conditions which had been brought about by the war between France and Great Britain, said:

> The insults and injuries committed on us by both the belligerent parties from the beginning of 1793 to this day, and still continued, can not now be wiped off by engaging in war with one of them. As there is good reason to expect this is the last campaign in Europe, it would certainly be better for us to rub through this year as we have done through the four preceding ones, and hope that on the restoration of peace we may be able to establish some plan for our foreign connections more likely to secure our peace, interest, and honor in the future.

I am not now discussing the wisdom or unwisdom of declaring war. The administration, actuated by motives the rectitude of which I do not now question, rejected both policies of which I have spoken, and either of which, I believe, if followed, would have continued our friendly relations with all the belligerents with honor to ourselves and incalculable benefit to the world.

The Congress was assembled in special session. The demand was made for an unconditional declaration of war. While I opposed that declaration and urged that the momentous question should be first submitted to the people, I appreciate the point of view of the majority of both Houses of the Congress, which lead them to make the required declaration of war without submitting it to the people.

But upon this question, sir, scarcely less vital to the people than the declaration of war itself, I purpose to urge as strongly as I can that the voters shall have an opportunity to express themselves by an advisory vote. As I hope to show a little later, under the amendment I have offered that vote can be taken without delaying by one moment the plans for the war, and with practically no expense.

The war will end some time. I pray it may be soon. But the iniquitous system of draft which this bill proposes and the military domination which must attend upon it, if once fastened upon the country may perpetuate itself forever. Arm the executive branch of the Government with the power that this bill purposes, to select the men to constitute the Army, of which the President is Commander in Chief, and it marks the beginning of the end of our constitutional government. Its forms may be for a time preserved, but the substance of government will be transferred to the Executive. Before asking your consideration of the amendments I have proposed I wish briefly to discuss some of the features of this bill.

NO EXISTING EMERGENCY.

This bill opens with the declaration that the extraordinary powers therein stated to be conferred upon the Executive are asked in view of the "existing emergency," which demands the raising of a large army at this time. What is the "existing emergency"? Emergency means "a sudden occasion"; something that calls for immediate action. What is it that calls for immediate action in order that we may put into the field an army of 1,600,000 men, or taking the extremes of the propositions of this bill an army of over 1,900,000? That is what we are confronted with. Are we threatened with an invasion? Must we prepare to repel the attack of any foreign foe—I repeat, to repel the attack of any foreign foe? Is there danger of rebellion anywhere within our borders? Is any nation seeking to wrest from us so much as a single foot of our soil?

If we were in the least danger from any of these sources, it might indeed be an emergency which would excuse, if it would not justify, the use of arbitrary power in order to meet it. But we all know that nothing of the sort threatens. It is true we have declared war on Germany, but Germany can not send a man or a battleship to our ports to endanger our coasts. Her ships are bottled up in her harbors, and even if they could get out—the last thing, by the way, that Germany desires—and engage with our fleet, they would be greatly overmatched. Her men she could not spare, even if she had any means to transport them to this country. The submarine attacks from which our commerce suffers in common with that of all other nations when the ships enter the zone Germany is pleased to call a military area are about the same as before we declared war. Germany, by the way, has not even thought it was necessary to answer our declaration of war by a counter declaration.

No, Mr. President, in spite of the language of this bill, there is no "emergency." There is a military policy on the part of the present administration which proposes that we shall land an army in Europe as soon as may be to wage war with Germany on European soil. The merits of this policy I shall not discuss at this point. Though it may be noted in passing that Japan, who has been in alliance with the entente allies almost from the beginning of the war, has never landed a man in Europe, and apparently has no intention of doing so; and also it is to be noted that the entente allies have not put the emphasis on the appeal for men at the present time. On the contrary, the appeal has been most urgent for money and for munitions and food and ships. "Ships, ships, and more ships," as Lloyd George says. And to the appeal for money, Congress certainly has made a generous response.

So, Mr. President, we find on calm analysis of the situation that there is no "emergency" requiring us to speedily land an army in Europe, and nothing which should hurry us unduly in raising and equipping an army for so doubtful a venture or requiring us to abandon the policy we have maintained from the beginning of the Government, of depending upon voluntary enlistments to raise the armies necessary to protect our country.

VOLUNTEER SYSTEM HAS NOT FAILED.

A report was made from the Committee on Military Affairs to accompany the bill under consideration. I have read that report with interest, not to say astonishment. I quote a portion of it, and the portion I quote is found on page 2 thereof:

> The volunteer method has never proved adequate and effectual for national needs, and will prove far less so now. * * * The volunteer method failed this Nation in the Revolution, and it was only the material aid of France that gave us our independence. It failed us in the War of 1812, and had it not been for drastic draft laws and the diversion created by the Napoleonic War we could not have concluded even such peace as we did. It failed the Confederacy in the Civil War, and that Government, to its advantage, was quicker to perceive that fact than our own. It likewise failed the Federal Government, and, volunteering having practically ceased by the end of 1862, was succeeded in the following year by the first of the draft acts. It failed us in the Spanish-American War, for the force then called for was never obtained.

I find much more to the same effect in this report. I had supposed, Mr. President, until I read this report that our armies in each of the several wars we have waged acquitted themselves always with credit, and sometimes I have been led to believe that they had performed wonderful deeds of valor of which we might all justly be proud. But according to this report that is all a mistake. It seems that our forefathers did not wrest their independence from Great Britain as a result of the Revolutionary War, but it was, to quote the report, "France that gave us our independence." This report should have been a little more specific and have told us whether there were really battles at Lexington, Concord, and Bunker Hill, or whether the accounts of those stirring times, which we have learned and told to our children, were fairy tales. Perhaps the stories of the suffering and the dauntless courage of the American troops at Valley Forge is all an invention, or else it must be that those soldiers had been produced by "selective draft," for surely no volunteers ever performed such deeds of valor.

So it was in the War of 1812, according to this report. Draft laws and Napoleon barely enabled us to escape with our lives. The valor of our soldiers and our sailors did not enable us to win the war if this report is true. The authors of this report are careful not to say that the "draft laws" ever produced so much as a single man for the War of 1812. And so it is in all of our other wars. If this report is correct, we have met nothing but failure in them all.

Even in the late Spanish-American War it is charged that the volunteers called for never came forward. Truly we are a pusillanimous people if this report is true. But, Mr. President, the statements in this report are incorrect. If they came from a less honorable and responsible source than one of the great committees of the Senate, they would not even merit an answer. Considering the source, however, from which this report comes, I desire to enter my solemn protest against the libel it perpetrates upon our living soldiers and the memory of those dead who have fought heroically and bravely and successfully every war in which this country has ever engaged.

PRESIDENT M'KINLEY'S TESTIMONY.

So far as the charge is concerned that our young men were slackers in the Spanish-American War, I put against the unsupported assertion of this report the official statement of President McKinley. There were two calls for volunteers in the Spanish-American War, and an increase in the Regular Army up to 62,000 was provided for. In his second annual message to the Congress, December 5, 1898, President McKinley said, and I quote him:

> The response to the initial call (on Apr. 23, 1898) for 125,000 volunteers was instant and complete, as was also the result of the second call (on May 25) for 75,000 additional volunteers. The ranks of the Regular Army were increased to the limit (62,000) provided by the act of April 26, 1898.

In justice to the honorable Senator whose name appears upon the report accompanying this bill, I wish to say that I do not hold him responsible for the statements appearing in this report. I have no doubt the report was accepted in good faith from that coterie of military gentlemen who are trying to kill the volunteer system. I am sorry, however, that it should have been put forth with the prestige which it receives by having attached to it the name of the honorable and distinguished Senator who has this bill in charge.

Permit me a further quotation from President McKinley, in which he expresses his opinion of the volunteer soldier of the Spanish-American War. In an address to the Tenth Pennsylvania Regiment of Volunteers, delivered August 28, 1899, only a short time before he was laid low by the assassin's bullet, President McKinley said, and I quote him:

Our troops represented the courage and conscience, the purpose and patriotism of their country. Whether in Cuba, Porto Rico, or the Philippines, or at home awaiting orders, they did their full duty, and all sought the post of greatest peril. They never faltered. The Eighth Army Corps in the Philippines has made a proud and exceptional record. Privileged to be mustered out in April, when the ratifications of the treaty of peace were exchanged, they did not claim the privilege—they declined it. They voluntarily remained in the service and declared their purpose to stay until their places could be filled by new levies, and longer if the Government needed them. Their service—and they understood it—was not to be in camp or garrison, free from danger, but on the battle line, where exposure and death confronted them and where both have exacted their victims.

CITES GEN. SHERMAN AND PRESIDENT POLK.

I had never thought to see the day when it would be necessary for anyone to stand up in this Chamber and defend our volunteer soldiers or the system which produces them.

But since that seems to be necessary I wish to quote briefly from Gen. Sherman's opinion of the volunteer soldiers of the Civil War, as set out in his Memoirs, volume 11, page 387. He said:

We tried almost every system known to modern nations, all with more or less success—voluntary enlistments, the draft, and bought substitutes—and I think that all officers of experience will confirm my assertion that the men who voluntarily enlisted at the outbreak of the war were the best—better than the conscript and far better than the bought substitute.

President Polk, in his message to Congress in December, 1846, in referring to the soldiers who had fought and won the Mexican War, had this to say:

Well may the American people be proud of the energy and gallantry of our Regular and Volunteer officers and soldiers. The events of these few months afford a gratifying proof that our country can under any emergency confidently rely for the maintenance of her honor and the defense of her rights on an effective force ready at all times voluntarily to relinquish the comforts of home for the perils and privations of the camp. And though such a force may be for the time expensive, it is in the end economical, as the ability to command it removes the necessity of employing a large standing army in time of peace and proves that our people love their institutions and are ever ready to defend and protect them.

Is it no longer true, sir, that we can "confidently rely for the maintenance of our honor and the defense of our rights on an effective force ready at all times voluntarily to relinquish the comforts of home for the perils and privations of the camp"? If we can so rely, and rely with confidence, upon an effective force of volunteers to maintain our honor and defend our rights, why should we abandon the volunteer plan for the experiment embodied in this bill? If, sir, we find ourselves in a war in which we are afraid to rely upon volunteer soldiers, then I say we might better reexamine the reasons for our entering into the war than abolish volunteers and substitute for them men dragged into the ranks by draft.

PRESIDENT LINCOLN'S VIEW OF CONSCRIPTS.

At the time of the resistance to the draft in Pennsylvania in 1863 President Lincoln, referring to the draft laws, sent a verbal message to Col. McClure, chairman of the Military Committee. to the effect that while he was desirous of having the laws executed, and I quote:

It might be well in an extreme emergency to be content with the appearance of executing the laws.

So great was the feeling of the people against the draft laws of 1863 that President Lincoln felt constrained to say upon one occasion that it was best not to really try and enforce the law. And as to the results of the securing by this system, an efficient military force, I quote this from President Lincoln:

We get a large body of reinforcements together and start them to the front, but after deducting the sick, the deserters, the stragglers, and the discharged, the numbers seriously diminish by the time they reach their destination. It's like trying to shovel fleas across a barnyard—you don't get 'em all there.

Much has been said here to the effect that the use of the draft during the latter part of the Civil War is a precedent for the policy of this bill. In the first place, drafting men into the Army for the preservation of the unity of a nation is an entirely different proposition from draft for an expeditionary force to carry on a foreign war in which the national integrity is in no wise involved or threatened. The Constitution in its provision that the National Guard shall be subject only to service for the defense of the country makes clear this elementary distinction.

As a matter of fact, our use of the draft in the Civil War and the results of it furnishes one of the strongest arguments against this bill. Every argument made in the congressional debates in behalf of the draft during our Civil War is an argument against this draft. In the first place, it is to be said that the men drafted or sought to be drafted in the Civil War were to be used within our own borders and to crush existing rebellion.

Even Germany—despotic Germany—to whom, according to the sponsors of this bill, we are going to carry the blessed message of "democracy" and force its acceptance by our guns and bayonets, when she has occasion to transport armies over the seas for service in foreign lands does so by calling for volunteers. In the Boxer rebellion, in 1900, the quota of soldiers and men which Germany sent to China were men who volunteered for the work. (See Reichstag Report, vol. 1, pp. 225–228.)

Under the law Germany's colonial troops can only be enlisted for overseas service upon their voluntary application. (See sec. 2, law of July 5, 1896, R. G. P., 1, p. 653; also act of July 25, 1898, amended August, 1908, and in force at the outbreak of the European war.)

The English law as to the overseas service of men obtained through her colonies is the same, and the vast armies that have gone to England from Canada, Australia, and elsewhere to help the mother country in this war, every man of them has volunteered.

ENGLAND UNABLE TO DRAFT IN HER COLONIES.

Draft in England is being held up to our people as an example of what we should do. In this matter of draft we should look to England's liberty-loving colonies rather than to England herself for our example. Canada has contributed most generously to the war. Every account of a great battle has something to say of the notable bravery and efficient service of Canadian troops. Yet after almost three years of war Canada has not even considered the draft. Would it not be wiser to ask the advise of the statesmen of our neighboring Canadian Parliament rather than those of England? Or before coming here to tell the United States to raise an army by draft, why did not our distinguished English visitors first visit Canada and secure the adoption of the draft system there?

Australia, too, by all the standards of patriotic service in time of war has made a wonderful record on the battle fields of Europe during the last three years. Australia was asked to adopt the draft. The question was submitted to a vote of the people.

I do not know whether the attention of the Senate or of any Senator has been called to the fact that Australia passed upon that question by a vote of the people. It is rather interesting. The draft was rejected by a large majority. The action in no wise indicated disloyalty on the part of the Australian population, but the people of Australia believed the draft a denial of fundamental rights and they would have none of it.

Ireland also has furnished her quota of brave men for the European firing lines. And yet when, after a long struggle, England was able to put the clutch of the draft upon her own sons she did not think it wise to draft the sons of Ireland. They were left free to volunteer.

No one questions the patriotism and loyalty of the four and a half million of citizens in the United States who are bound by closest ties of blood and association to the Emerald Isle. The Irish in America, if allowed free choice, would no doubt contribute their share of volunteers for this war in which we are engaged. Shall we subject these proud men of Irish descent and birth to the draft in this land of boasted freedom, whose kindred are free from the draft in the old country and the colonies of the British Empire?

THE DRAFT IS THE COROLLARY OF MILITARISM.

Stop and think for a moment how many of our European emigrants have saved and sacrificed and broken the closest human ties that they might rear their sons in a land exempt from the tyranny of militarism. The thought of the draft is perhaps less abhorrent to us native Americans than to those who have felt the iron heel in other lands and have come to the United States believing it a refuge for those who love liberty.

Go out among the Jews, the Italians, the Russians, the Scandinavians, and other nationalities and you will find a keener realization of the meaning of this measure than among those citizens who have never learned by hard experience how galling is the yoke of involuntary military servitude.

The senior Senator from Idaho spoke feelingly, eloquently, in this Chamber on the day that war was declared, of his sympathy for the 8,000,000 Germans and 2,000,000 Austrians who are a no less integral part of our national life than the citizens of Scandinavian, Irish, Italian, Russian, or English origin, and who have contributed in the same spirit to our national unity, prosperity, and progress.

The fact that we are made up of peoples of many nationalities, most of whom feel very intensely on this subject of draft, should in itself be an impelling reason why Congress should insist on a volunteer army to fight on foreign soil.

The draft is the corollary of militarism and millitarism spells death to democracy. No war can be successfully prosecuted that has not the spontaneous support of the men who do the fighting. There is not the shadow of an excuse for pressing men into involuntary military servitude for the conduct of this war.

In face of all the reasons why we should adopt the volunteer plan for the conduct of this war, it will be a black page in the

history of Congress, if we pass the draft provisions of this bill.

The feature of compulsory overseas service in foreign lands embodied in this bill, for the first time in the history of civilized government, I believe, distinguishes this measure from any draft law of which I have knowledge. It distinguishes it certainly from any adopted by any country in a situation similar to our own.

WEBSTER SAID THE DRAFT WAS UNCONSTITUTIONAL.

If it was the fashion of the day to pay any attention to the Constitution, it might be well to demonstrate that there is no authority in the Constitution to raise an army by draft and send them across the seas into foreign lands, there to engage in military operations which do not involve protection of the lives or property or rights of the citizens in this country. Even the right to raise men by draft to carry on a war here at home has been seriously questioned, and in view of the peculiar language of the Constitution and the fact that the Federal Government is one simply of delegated powers, able and distinguished statesmen and lawyers have argued that the Federal Government had no such power.

Now, I am going to read for the edification of the Senate an authority upon that subject. I read from the speech on the conscription bill delivered by Daniel Webster in the House of Representatives December 9, 1814. Mr. Webster says:

If the Secretary of War has proved the right of Congress to enact a law enforcing a draft of men out of the militia into the Regular Army, he will at any time be able to prove, quite as clearly, that Congress has power to create a Dictator. The arguments which have helped him in one case will equally aid him in the other, the same reason of a supposed or possible State necessity, which is urged now, may be repeated then, with equal pertinency and effect.

Sir, in granting Congress the power to raise armies, the people have granted all the means which are ordinary and usual, and which are consistent with the liberties and security of the people themselves, and they have granted no others. To talk about the unlimited power of the Government over the means to execute its authority, is to hold a language which is true only in regard to despotism. The tyranny of arbitrary governments consists as much in its means as in its ends; and it would be a ridiculous and absurd constitution which should be less cautious to guard against abuses in the one case than in the other. All the means and instruments which a free government exercises, as well as the ends and objects which it pursues, are to partake of its own essential character, and to be conformed to its genuine spirit. A free government with arbitrary means to administer it is a contradiction; a free government without adequate provision for personal security is an absurdity; a free government, with an uncontrolled power of military conscription, is a solecism, at once the most ridiculous and abominable that ever entered into the head of man.

Shades of the departed Webster, the greatest expounder of our Constitution! A little more than 100 years ago what I am reading here to-night was uttered by that great statesman, the man of all in the honored list who best understood and best interpreted the Constitution. I shall now read and print as an appendix to my remarks a more extended extract from Mr. Webster's argument. (See Appendix No. 1.)

WANT SAME PRINCIPLE APPLIED AS WAS APPLIED IN CIVIL WAR.

I have said that the arguments which support the draft proposition of the Civil War refute the draft proposition contained in this bill. This is easily shown by a reference to the debates upon the draft law of the Civil War. No man attempted then to justify the draft except upon the ground of absolute necessity. It was said again and again in the course of those debates that if any other means could be pointed out which gave reasonable hope of securing the men to crush the rebellion to save the Nation, that means would be adopted. What we, as opponents of this bill, are asking to-day simply is that the same principle shall be applied. No man can say with any show of truth that we can not raise in this country by voluntary enlistment every man and more than will be required in this war declared April 4, 1917.

Mr. Olin, of New York, who had the Civil War draft bill in charge in the House in 1863 when that bill was under consideration, said (p. 1214, Congressional Globe):

I should have been glad to have seen this rebellion crushed by the voluntary efforts of the citizens of the Republic, but if this can not be, I believe it to be a part of my duty to place at the command of the General Government every soldier capable of bearing arms and thus give the rebel Confederacy to understand, give the world to understand, that the destruction of the Republic will never come until the Republic becomes a solitude and a desert.

Again he says:

This is the first attempted exercise of that great power * * * to compel all our citizens to devote their lives to sustain, defend, and perpetuate the life of the Republic.

You will observe in Mr. Olin's statement, as well as throughout the entire debate, that the men of that time made no pretense that there had ever previously been any resort to draft in this country. You will also note in this speech, as in that of every other advocate of the draft at the time, that the principle is laid down that every man capable of bearing arms must be put into the Army, and that that must be done in order that the Republic might not perish.

When the time comes as the result of this war upon which we are now embarking that every man must bear arms in order to beat off the foe and save the Republic, I venture to say that no voice will be raised against such legislation as may then be necessary to accomplish that purpose; but until it is felt that there is at least some slight occasion for resorting to the draft I can not see how any man who loves his country and cherishes her institutions can be willing to call into existence this awful autocratic and despotic power the exercise of which nothing can justify except the extremist necessity.

Resorting to the draft at the time and under the conditions described in the Civil War was the exception which proves the rule that voluntary enlistment is the normal manner of raising an army. As well might you say that because a surgeon is justified in cutting off the leg of a patient afflicted with a disease or suffering from an injury which makes his only chance of life dependent upon such an operation that the surgeon might go about cutting off legs at will when no such necessity for the operations existed as to contend that because the draft was justified in the acute crises of the Civil War that it should be applied now.

PRESIDENT LINCOLN'S ATTITUDE.

The letter said to be an unissued letter from President Lincoln concerning the draft of the Civil War printed in the report which accompanied this bill from the Committee on Military Affairs, and from which report I have previously quoted, contains the complete and final answer to the sponsors of this bill. In that letter, found on page 5 of the report, it is said:

We already have, and have had, in the service, as appears, substantially all the men that can be obtained upon this voluntary weighing of motives—

"Voluntary weighing of motives!" Weighing of motives by each man for himself. I continue to quote:

And yet we must somehow obtain more or relinquish the original object of the contest, together with all the blood and treasure already expended in the effort to secure it. To meet this necessity the law for the draft has been enacted.

"Voluntary weighing of motives!" Lincoln understood. He knew that it was the inalienable right of every citizen to weigh for himself the motives pro and con as to his entering the Army. In the case of a minor it was his right and his duty to seek and to some extent be guided by the views of his parents; and it was the right and the duty of the parents to advise and, to some extent at least, control the decision of the minor son who had under consideration the grave question of whether he should volunteer or not. It never occurred to Lincoln that the men who were asked to join the Army should be expected to give up this right of voluntary choice—"voluntary weighing of motives!" It was only in the great crisis, when the iron hand of absolute despotism must be laid upon the individual in order that the Nation might survive, that he considered the possibility of the draft. Again in this same letter he said, with his wonderful clearness of expression:

There can be no army without men. Men can be had only voluntarily or involuntarily. We have ceased to obtain them voluntarily, and to obtain them involuntarily is the draft—the conscription. If you dispute this fact, and declare that men can still be had voluntarily in sufficient numbers, prove the assertion by yourselves volunteering in such numbers, and I shall gladly give up the draft.

Note the words "we have ceased to obtain them voluntarily." Have we ceased to obtain soldiers voluntarily for this war? Why, it has been demonstrated on this floor during the course of this debate, by the Senator from Missosuri [Mr. REED] and others, that you have but to call for the soldiers and they will volunteer. When you gentlemen, supporters of this bill, can say truthfully, as Lincoln said, "We have ceased to obtain men voluntarily," then you have a right, and only then, under the authority of Lincoln's example, to resort to the draft; but until you can say that Lincoln is against you, every authority to which you have appealed is against you, every precedent in this or any other free Government is against you.

But even under these circumstances the draft in the Civil War was a complete failure. It did not produce enough men to suppress the riots which the attempted enforcement of the draft caused. This is strikingly demonstrated by Lincoln himself.

GEN. MILES AGAINST THE DRAFT.

Gen. Nelson A. Miles, an able, devoted soldier and patriot, testified before the House Committee on Military Affairs in January, 1916, on House bill 12766. Gen. Miles began his service in the Civil War as second lieutenant in 1861. He was rapidly promoted for meritorious service, mustered out in 1865, and brevetted major general of volunteers August 25, 1864, for "highly meritorious and distinguished conduct throughout the campaign and particularly for gallantry and valuable services

at the Battle of Reams Station, Va." He was awarded congressional medal of honor July 23, 1892, for distinguished gallantry at Chancellorsville; conducted several campaigns against hostile Indians on the western frontier; was commander of the United States troops at Chicago during the railroad strike trouble in 1894; senior commanding officer of the United States Army 1895 to 1903; retired, August 8, 1903.

Gen. Miles, being examined before this committee, testified as follows:

Mr. GORDON. You are opposed to compulsory service?
Gen. MILES. Absolutely.
Mr. GORDON. Do you believe that we can raise 133,000 men each year for three years for the continental army without compulsion?
Gen. MILES. With compulsion, I hope not. I think it would be a very dangerous step toward centralization. As far as conscription was concerned, that was tried out during the Civil War with unsatisfactory results. I think there were 54,000 men added to the Army—54,000 additional to 2,000,000 men—by conscription, but I know that just at that time of the crisis of the Gettysburg campaign thousands of the best troops, drilled and disciplined men in the Army, had to be taken out of the field and sent back to suppress the riots occasioned by that unpopular measure. Approximately 10,000 or 12,000 were ordered to New York, and I know that there was a brigade in Pennsylvania which was organized at Huntingdon, and, instead of being sent to the field, where they were needed, they were sent to Philadelphia to maintain order. It was a very unpopular measure at that time in that great crisis of the Nation.

On this same subject, before the same committee, Prof. Edward P. Chaney, professor of European history, University of Pennsylvania, testified as follows:

Only two or three times was the draft used; and whether the draft was ever used at other times, I have never seen any authoritative statement. It was recommended, as I say, by Congress for the States. It was not used in the War of 1812 and it was not used in the Mexican War. It was only used at the beginning of the third year of the Civil War, when the bill was passed for the using of the draft. In July, 1863, was the first effort to enforce that which was made. Three times after that the draft was made use of. The draft was accompanied with these two other provisions—that men could pay money indemnity or guarantee a substitute. When they guaranteed substitutes it was, in a certain sense, that they were going recruiting for certain men.

I doubt very much whether Mr. Lincoln would have approved of the draft, certainly at the beginning, if he had not felt it necessary, and he wrote that he was willing to do that because there were no other alternatives. As this actually worked out, somewhat more than half of the men drafted were excused under one exception or another, more than half of those left secured substitutes, and less than half of those still left were actually drafted into the service. Of the something like 2,000,000 men in our Army, only 2 or 3 per cent served under compulsion, and the draft was accompanied with riots.

AMERICANIZE OUR MILITARY, DO NOT MILITARIZE AMERICA.

Maj. William C. Harllee, of the United States Marine Corps, testified before the Senate Military Committee in a previous Congress when the subject of universal military training was under discussion. Maj. Harllee, who served as private, corporal, and sergeant during the Philippine insurrection, and as a cadet at the Academy at West Point for 2 years, and for 17 years as an officer of the Marine Corps, offered some very sensible, enlightening, and progressive views as to the best way of raising and maintaining an army.

He begins his testimony with this very pertinent inquiry:

Instead of attempting to militarize America and to bring America to the ideals of the present military orthodoxy, why not Americanize our military institution and bring it to the ideals of America?

On the subject of conscription Maj. Harllee says:

I am opposed to universal service, or compulsory service, or any other kind of service other than that rendered by willing men. * * * Unhappy or dissatisfied men are of no service to a military or any other body. * * * Unwilling men burden armies, eat its substance, retard its action, and give it panic. Even if there were enough jails and Federal constabularies to enforce universal service without riots among a people, it would not be good business to do it.

No, Mr. President, you can not excuse the attempt to foist the draft upon the people of this country by any appeal to history, or any resort to precedent, and so it is that the supporters of this bill shift their ground. At one time they declare that we can not raise the necessary army by voluntary enlistment; at another time they assert that voluntary enlistment will raise too many. At another time they say that the "selective draft" is necessary in order to get the right kind of young men into the Army; at another they contend that it is necessary in order that the "slackers" may not be left at home. The President has put this wholly theoretical, and, to my mind, fallacious argument in its most attractive form.

CONTRAST'S ATTITUDE OF PRESIDENTS LINCOLN AND WILSON.

For a statement of the President's argument I quote his recent letter to Congressman HELVERING, of Kansas, given to the press on the 19th of this month. In that letter he says:

The idea of the selective draft is that those should be chosen for service in the Army who can be most readily spared from the prosecution of the other activities which the country must engage in and to which it must devote a great deal of its best energy and capacity.

The volunteer system does not do this. When men choose themselves, they sometimes choose without due regard to their other responsibilities.

And again:

The principle of the selective draft, in short, has at its heart this idea, that there is a universal obligation to serve and that a public authority should choose those upon whom the obligation of military service shall rest, and also in a sense choose those who shall do the rest of the Nation's work.

There you have it! There you have Prussianism raised to the nth power. "When men choose themselves, they sometimes choose without due regard to their other responsibilities," so says the President. And what is the remedy? The President's letter furnishes the answer. "A public authority should choose those upon whom the obligation of military service shall rest"; but into what service, trade, or labor the draft agent of the President decides, for the President does not stop with choosing "those upon whom military service shall rest," but "also in a sense chooses those who shall do the rest of the Nation's work." The individual is to have no right of choice. A "public authority" is to do it. The counsels of the father, the wishes and the prayers of the mother, the judgment of the young man himself are all scouted as unworthy of consideration under this plan. Oh, how different was Lincoln's conception! He said let there be "voluntary weighing of motives" by the individual so long as that is possible, and only abandon that course when the very life of the Nation is at stake and to abandon it seems the one possible way of securing an army to preserve the Nation.

No Prussian dream of efficiency could induce Lincoln to abandon the democratic principle that the citizen was able to choose for himself, and had a right to choose for himself, and had the intelligence to choose wisely and the patriotism to make the choice with devotion to his country as well as with due regard to his own obligations, until, as he said, the moment of great crisis arrived and the life of the Nation hung in the balance. Remember that the Prussian system which this bill foolishly attempts to imitate is only efficient—in so far as conscription produces an efficient system—because it has been drilled into the subjects of that country through generations, and because during all that time the individual has had constantly before him the specter of war and invasion and possible destruction by the surrounding nations.

Col. Maude, cited so often as a high authority—Col. F. N. Maude, of the British Army, in an article on the achievements of the British Army in this war, says, speaking of the relative merits of the German or Prussian system and the volunteer—for at the time this article was written Great Britain had not resorted to conscription:

Compulsion had done all that it could do, and more than even the best Prussian dared to expect, for their troops. It has carried them forward to almost certain death in a manner which has exacted the admiration of all our men and officers; but at that critical moment when the fate of empires hangs in the balance it has always failed them and our men—territorials and regulars alike—

Volunteers, for all the territorials are volunteers, and regulars—and all the regulars in Great Britain were volunteers up to the time that this article was written—

have sprung forward upon them with the bayonet with a determination never dreamt of in warfare since the days of Waterloo and the Peninsula.

Your compulsory system, your draft system, may produce a machinelike type of soldiery, but that element which sweeps to victory, which comes from the devotion that leads men to victory, you find wanting under any system that must depend upon compulsion for service.

PRUSSIANIZING THE UNITED STATES.

Maj. Gen. John F. O'Ryan, of New York, in October, 1915, stated the same idea now expressed by the President—not in the fine phrase of the President, but in the blunt words of the camp—in his address to the Technology Club, of New York. Since that time those in authority have felt it necessary to use more diplomatic language to express the same idea. His frankness in speech has not been imitated by any of the advocates of the draft. I quote from the report of his address in the New York Times, under date of October 21, 1915. He had the same idea of the way to make soldiers that the advocates of this bill have.

[From the New York Times, Oct. 21, 1915.]

Maj. Gen. John F. O'Ryan told members of the Technology Club at the fifth "war luncheon" yesterday that the greatest value of a trained soldiery came from the process which made them mere automatons, trained to do the bidding of their officers. "The first thing that must be done," he said, "is to destroy all initiative, and that with the training fits men to be soldiers.

"The recruit does not know how to carry out orders. His mental state differs from that of the trained soldier who obeys mechanically. We must get our men so that they are machines.

"We have to have our men trained so that the influence of fear is overpowered by the peril of an uncompromising military system often backed up by a pistol in the hands of an officer.

"The recruits have got to put their heads into the military noose. They have got to be jacked up. They have got to be bawled out."

That tells the story. That is the condition to which this Prussianizing plan would reduce our men in the ranks. The very first step in that plan is taken when the "public authority" referred to by the President—some underling it may be in the military service—raps at the door with the butt of his musket and tells the parents that he has come to take their boy, to transport him over the seas and put him in the trenches to be killed, or perhaps only blinded or permanently crippled. The parents can not even argue with this petty military agent who is given the power of life or death over their boy, for to do so would not only be useless but it would be resisting the draft, and they would only render themselves liable to the terrible penalties provided for such a crime. What a mockery it is to apply the expression "universal obligation to serve" to such a proceeding as that. That this idea of selective draft has been tolerated up to this point by the people is due, in my opinion, to the fact that it has been presented with a plausibility which has lead them to believe that it would mean equal opportunity and equal liability to serve the country. And the same patriotism and loyalty which would have made the volunteers come forth in overwhelming force had they been called for has led many of the people to remain silent while a controlled press has clamored for the Prussianizing of our Army.

But once they understand what this means, once they feel the iron hand within the velvet glove, we shall see that the spirit is not dead which has raised volunteer armies again and again in defense of liberty. When they see that "universal service" may mean favoritism and unfair discrimination—and no man in the White House, however well intentioned he may be, can prevent abuses under the provisions of this bill—they will find the means of relief through their most powerful weapon—the American citizen's ballot.

WHAT THE SELECTIVE DRAFT MEANS.

It has been said that the obligation to serve the country as a soldier is a universal obligation, like that of paying taxes, to support the Government. In my opinion there is no analogy between the two; but, even if there were, the analogy between the selective draft of this bill and the obligation to pay taxes would mean that it would be left to the judgment of some "public authority" to decide who would pay taxes and who should not.

A little while ago we had with us an English captain, who testified before the Committee on Military Affairs of the House of Representatives on April 14 last. His full title is Capt. Percy George Reginal Benson, and he made a strong statement in favor of our applying the draft. His argument is precisely that of the President.

I quote from his testimony, page 5 of hearings before House Committee on Military Affairs:

Mr. KAHN. In this country it has been stated that by reason of your volunteer system at the beginning many of your best men who could have been utilized as officers were killed?

Capt. BENSON. Undoubtedly. For instance, men of that type went out in the Sportsmen's Battalion, an organization composed of 1,028 men. Those men had the sporting spirit and wanted to go to the front, and instead of the Government saying, "All are liable to serve, and we will not let you go, but we will take you into the officers' training corps for officers," they went into the Army. There was wasted a tremendous lot of valuable material for officers at the beginning in that way.

Do you not see? Under the selective draft, the sports and bloods, whom some friend thought would make officers, or who had a pull, would not get into the trenches. It would be just plain Jimmie Jones and Johnnie Smith who would be taken for that work, and the sportsmen and the politicians' sons and the boys whose fathers had influence would be held back as "material for officers." So the selective draft will choose not only who shall go but where they shall go, whether to be shot or to be brevetted, whether to be kicked and cuffed, "jacked up," and "bawled out" as a private soldier, or whether they shall receive such soft berths as parental pull may provide for them. All this in the name of democracy!

Did you ever hear of a Dreyfus case in an army of American volunteers? Do you think there could have been such a thing as the official murder of the Irishman, Francis Sheehy-Skeffington, by an officer in our volunteer army, and the officer merely be sent to a sanitarium to recuperate?

I have noticed in the papers during the last few days expressions of some of the well-known patriots who have come to the support of this bill. One was John D. Rockefeller, jr., who, in the Washington Star of April 22, has a long interview favoring selective draft because of its "democratic" tendencies. He says:

I know of no better way of putting men upon a parity of manhood than by putting them upon a parity of work.

And Joe Leiter came out with an interview a few days ago favoring this bill because of its "democratic" features. According to the public press, he said:

The administration bill is a sensible attempt to equalize the burdens of war. It places military service upon the same basis as taxes. Those who object to it will be "slackers" at heart or expect to secure commissions or some special privilege under the volunteer system. The only objection to the administration bill is that it does not give the country a permanent policy.

That is just beginning, you know. Give them a little time, and they will fix that all right. This is just a start. It would not have been thought of six months ago, but it has been nursed for years by the military board, and they have seized upon this as a favorable opportunity to fasten it upon the American people not merely as a system to be resorted to in war; it is the first step toward making the draft permanent.

SOME "AUTOCRATIC" TENDENCIES OF THE TIMES.

Mr. President, I have sometimes been sort of lifted out of my surroundings here in the Senate in the last few weeks and made to almost doubt my environment as I have heard Senators talk about democracy and how much we are to do for other governments in spreading the doctrine of democracy. Just a few days ago the country was thrilled with the announcement that the President of the United States, thoroughly in sympathy with the struggles that are being made in Russia to throw off the yoke and establish a free government, and wanting to promote their efforts and sustain them, had selected as a pilot for them in their struggles through the maze and difficulties of establishing a democracy the distinguished gentleman who formerly represented New York in this Senate, Elihu Root. He has been designated by President Wilson to go over to Russia and see to it that the provisions of their constitution shall insure equality for all.

As I remember, that distinguished gentleman took a very active part in a constitutional convention held a few years ago to frame a new constitution for the State of New York. His influence in that body was, of course, very potential, and the document was turned out and submitted to the people to be passed upon in the election of 1914. Its adoption became a very burning issue. The plain people studied the work of that constitutional convention. They became pretty well informed about it and rejected it at the polls by a majority of upward of 500,000. Up to that time Mr. Root had been very prominently mentioned as almost sure to be nominated candidate on the Republican ticket, but after the election, after the people of the State of New York had passed upon the cunning of his handiwork in the framing of that constitution, it led very promptly to his withdrawal as the candidate for the Republican nomination for the Presidency. But in these days of new apostles of democracy he has been selected by this administration to go to Russia and aid the Russian people to establish a free government.

I imagine that some of the people recently released from Siberia, who remember the struggles of their friends, political refugees, to secure an asylum in this country during the time when the distinguished gentleman who has been selected for this high mission by the present administration was in official life, and the obstacles which he continually placed in the way of their securing an asylum in this country, will perhaps enlighten some of those political refugees who have lately come back from Siberia to make their homes in Russia, and they will perhaps have a pretty fair understanding as to just how far to follow his counsel. These are great days for democracy, Mr. President.

This administration has been quite insistent that the people of Mexico had a right to work out the sort of a government they wanted down there for themselves, frame their own constitution, build their own democracy, but under the new doctrine that now prevails we are going to draft an army to go to Europe and shoot democracy into the German Government.

But, Mr. President, the times are too serious, the issues too momentous for humor, even if it be a little grim; and from any point of view we always come back to the proposition that this bill, fathered by the Army board and attempted to be foisted upon the people in the name of "democracy," will destroy democracy. Every interest, every newspaper, every man who has been opposing popular government in this country is to-day lined up in support of this bill.

BILL MEANS A MILITARY AUTOCRACY.

I have trespassed longer upon the time of the Senate than I intended in a general discussion of this measure, for I wish to reserve some time for consideration of the amendments which I have proposed. There are many glaring defects in the bill, even from the standpoint of those who favor it. For example, the provision of section 2, that all persons not alien enemies who have declared their intention to become citizens shall be subject to draft. It is familiar law, though possibly not known to the Army board, that we have no right to draft aliens within our borders into military service, other than locally and in the

nature of police service. Besides, there are treaties with a number of the nations involved specifically forbidding such proceeding on our part. Every person whom we force into the Army under these conditions and every family of every such person, if the drafted men were killed, could properly present claims against the Government.

If this bill contemplated anything except the creation of a military autocracy it would have extended the rights of the men in the ranks and provided proper compensation for them and protection for their families against want, in the case of their death. That we should pay the common soldier $15 a month for the privilege of being shot and crippled for life, and leaving his family destitute, and then refuse to provide a sufficient pension for his dependents, is one of the crying shames of our Army plan. It would have been the first thing to have been corrected in this bill had the Army board back of it had the least idea that the common soldier had any rights entitled to respect.

PLAN SHOULD BE SUBMITTED TO VOTE OF PEOPLE.

I come now, Mr. President, to the amendment I have proposed providing for an advisory vote on the part of the qualified electors upon the following question:

The Government of the United States having declared war against the Government of Germany, shall the United States Government at this time raise an army by draft to send to Europe to prosecute the war?

The methods by which the advisory vote can be obtained are very simple. This vote could be secured while registration was going forward under the bill, which, according to my amendment, strikes out the draft features and provides for raising the required number of men by voluntary enlistment. Practically no expense would be involved in obtaining the vote, and every voter would be given the opportunity of expressing his opinion upon this most vital question. If the people vote in favor of the draft and of sending the Army to Europe, that closes the discussion. If the friends of this bill are sure that it has the support of the people, they should be the first to agree to this amendment. If the principle of the bill has not the support of the people, it should be abandoned. No harm can come from pursuing the course I propose. Incalcuable harm may result if that course is not pursued and this bill is forced through at this time. The draft features can be quickly added to the volunteer features, which are preserved in the bill by the proposed amendment, if the people vote in favor of the draft, and in the meantime enlistments under the volunteer system will have proceeded. Not a day will have been lost. In a matter of such transcendent importance, where it is proposed to reverse the policy of this Government from its beginning, and upon which the people have never had the opportunity to express themselves in any form, a decent regard for the principle of popular government requires that the question involved in this bill should be submitted to the voters.

The proposed amendment, as I have said, is intended to eliminate from the bill all draft features, except those relating to the National Guard, and adds to the bill a simple, speedy, and inexpensive plan by which the voters of the country may express themselves upon the principle of draft.

This is accomplished by leaving the sections numbered first and second of section 1 of the bill untouched, and by slight changes in the language of the bill eliminating the draft features, as indicated on the face of the bill, and providing for voluntary enlistment.

Section 3 of the bill under this plan is necessarily stricken out.

All provisions of the bill relating to registration and raising the required number of troops is retained. The bill if passed in the amended form would therefore permit of everything being done that would be done under the original bill for a number of weeks, so far as actual raising and equipping the Army is concerned.

The proposed amendment does not disturb the provisions of the subdivision second, in section 1, relating to drafting the National Guard, for the reason that this is substantially the law at the present time, and to suggest disturbing it would raise a question not now necessary to consider.

While the work of voluntary enlistment, equipment, and registration would be going forward under the law if the bill in the amended form was enacted, the provisions with respect to a referendum would become operative, and within 45 days or less from the time the bill in its amended form became law we could have the most complete expression of the opinion of the voters of the country on the subject of draft which it would be possible to obtain. This vote is made advisory in order to avoid any possible constitutional difficulty; and there can be little doubt that if the voters express themselves strongly against the draft, we would proceed to raise our army according to the only plan under which we have ever raised an army in this country, namely, by voluntary enlistment. If, however, the voters express themselves in favor of the draft, then it is certain that all substantial opposition to the draft at this time will disappear.

SUBMISSION WOULD OCCASION NO DELAY.

The plan would give the people an opportunity to be heard, and would put at rest any possible controversy which might arise if it is sought to enforce a draft without giving to the voters any opportunity for expression on the subject.

This amendment requires no new machinery to put it in operation. It uses the Census Bureau and the Post Office, and it can be completed within 45 days. The Government Printing Office can supply the necessary ballots within 10 days. They can be delivered at the rate of 1,800,000 per day. As soon as such delivery begins the Director of the Census can start the distribution, and the whole country can be supplied within the time provided. The Director of the Census can determine the size of the ballot, and thus can order it in a form to permit it to run through the counting machinery, so that the counting can be done rapidly. The result will be ascertained promptly, accurately, and in a way to furnish an authoritative guide to Congress.

Mr. President, the suggestion has been made by the Senator on my right and the Senator on my left that a recess might be taken at this hour and that I might conclude my remarks in the morning. If I could be certain to have the floor to go on with my address in the morning, I would very gladly relinquish it at this time and not detain the Members of the Senate and the officers of the Senate a moment longer to-night; but unless I can be assured of being recognized and having the floor to conclude what I have to say to-morrow morning I must go on to-night.

Mr. CHAMBERLAIN. Mr. President, so far as I am personally concerned it would be all right, but I know that there are a number of Senators who expect to speak to-morrow.

The PRESIDING OFFICER. The present occupant of the chair would, of course, be unable to make any promise as to to-morrow, because he is only a temporary occupant of the chair and will not be in the chair in all probability in the morning. It is entirely with the Senate, under the unanimous-consent agreement, and while the Chair assumes that there would be time for the Senator to conclude in the morning, he does not feel that he would have the authority to make any promise that might bind whoever may be in the chair at that time.

Mr. LA FOLLETTE. The Chair has a list before him on the desk, as I understand, of quite a number of Senators who desire to speak.

The PRESIDING OFFICER. There is quite a large number at the desk.

Mr. LA FOLLETTE. They are awaiting recognition under an understanding with the Vice President, and, of course, I might be excluded from recognition to-morrow morning if I yielded the floor under a misapprehension to-night.

Mr. CHAMBERLAIN. Mr. President, I will say to the Senator that I should like to have spoken to-morrow, but there were a number of Senators who expected to speak to-morrow, and so I made my remarks this evening.

Mr. LA FOLLETTE. Mr. President, I am not making any request on the ground of personal convenience to myself. I never felt fresher or better than I do now, or more able to proceed, and I will not waste another moment in the discussion of this matter.

The PRESIDING OFFICER. The Senator will understand that the Chair would personally have no objection to the Senator going on in the morning, but the difficulty is that he can not promise anything as to what might be the ruling of the occupant of the chair in the morning.

Mr. LA FOLLETTE. Very well, Mr. President, I will continue my observations.

Mr. SHEPPARD. I wish to ask the Senator if he does not intend to discuss his amendments to-morrow, also?

Mr. LA FOLLETTE. I can not do so within five minutes.

Mr. SHEPPARD. Ten minutes are allowed, as I understand.

Mr. LA FOLLETTE. No; I can speak once on the bill generally for 10 minutes, and only once. I have two amendments that cover a number of pages, and which are, in my view, important, the discussion of which would require some time. I do not know that I advance the chance of those amendments being favorably considered by the Senate by discussion to-night, but if the matter which I am putting before the Senate now can appear in the RECORD to-morrow before the Senate meets, what I submit to-night on those amendments might pass under the eyes of some Senators who are not here.

Mr. SHEPPARD. I will state to the Senator that I think the RECORD is printed about 3 o'clock, and if he wishes to get his remarks in the RECORD I think he had better conclude pretty soon. I make the suggestion in order that the Senator's remarks get into the RECORD. I want to be sure that they get into the RECORD, for I should like to read them over after having heard them.

Mr. LA FOLLETTE. I am very anxious to get them into the RECORD, and I will not waste any more time in discussing this matter of recognition.

WOULD EXEMPT CONSCIENTIOUS OBJECTORS.

The further amendment which I have proposed adds to the bill a new section to be known as section 12 and requires very little explanation. This bill is so framed as to allow the President great latitude in exempting persons from its provisions who would, except for such exemptions, be liable to draft under the provisions of this bill.

The exemption provisions of the bill are found in section 3, and provide, in the first place, that certain classes shall be exempt as a matter of law, and include in such exempted classes all "officials, legislative, executive, and judicial of the United States and of the several States and Territories." The bill also empowers the President at will to exempt numerous other classes of persons mentioned therein, and further provides that a person who "is found to be a member of any well-organized religious sect or organization, at present organized and existing, whose creed forbids its members to participate in war in any form and whose religious convictions are against war or participation therein in accordance with the creed of said religious organization" shall be exempted. The bill further provides that the—

President is hereby authorized to exclude or discharge from said selective draft * * * persons engaged in industries including agriculture, found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency; those in a status with respect to persons dependent upon them for support, which renders their exclusion or discharge advisable; and those found to be physically and morally deficient.

So far as I can see almost anyone under these provisions of the bill can be exempted, and anyone of the required age that is from 19 to 25 years and found to be physically and morally fit can be refused exemption. Some one must pass upon the thousands and tens of thousands, and perhaps hundreds of thousands, of applications for exemption which will arise if this bill goes into effect. The bill makes no provision for any tribunal, body, or person to pass upon these claims for exemption. The English draft law of January, 1916, which seems to have contained the germ at least of the present bill and which is in many respects vastly superior to it in point of clearness as well as definiteness contains a provision for three tribunals, namely, a local tribunal, an appeal tribunal, and a central tribunal, to pass upon the claims for exemptions.

From the local tribunal an appeal is allowed to the appeal tribunal, and from the appeal tribunal an appeal is allowed to the central tribunal, so that the English law provides for tribunals at least to secure to the subject such right of exemption as the law allows him and endeavors to secure some uniformity of decision. Nothing of the kind is provided in the bill now under consideration.

I have accordingly offered this amendment providing for the three tribunals, substantially as provided for in the English act mentioned, and I have stated specifically in the amendment four grounds of exemption. Some of the grounds of exemption provided for in the amendment may be provided for in section 3 of the bill, to which I have just alluded; and if so, the inclusion of such grounds of exemption does no harm.

I have endeavored in the amendment, however, to extend the right of the conscientious objector, so as to take in all persons who have "a conscientious objection" to the undertaking of combatant service in the present war. If the "selective-draft" law for which this bill provides is to be saved from the danger of becoming a means of oppression and tyranny of the worst form, tribunals must be provided to pass upon the claims of exemption. If the supporters of this bill desire to doom it to failure from the start, they have only to force its passage without any provision for a tribunal to pass upon the claims for exemption, which are bound to arise under it. The English law, even with its liberal provisions for exemption from the operation of the draft, and with its three tribunals for hearing applications for exemption from the draft, has worked badly.

SHOULD GUARD AGAINST MILITARY PERSECUTION.

Mr. Charles P. Trevelyan, M. P., in an open letter to the American people published December 5, 1916, said that up to October, 1916, there were nearly 2,000 young men in prison by reason of conscientious refusal to do military service. I quote this portion of his letter:

Nor would anyone here have believed three years ago that nearly 2,000 Englishmen would have been imprisoned for conscientious refusal of military service, some of them condemned to death, and only respited at the last moment, and many bullied and tortured by the military.

Yet England has a homogenous population, not made up as ours is of people from almost every nation in the world. If the result of the attempted enforcement of the English draft law under the conditions existing there, with its liberal exemptions and tribunals to pass upon the claims for exemptions, are as stated above by Mr. Trevelyan, what can you expect will follow in this country if this bill is passed, without containing even the safeguards of the English law.

Furthermore, as we all know, there are many thousands of spiritual-minded citizens in the United States who believe that all war is wrong, and that it is against civilization and the Christian religion, and who will be killed rather than to kill. These people are by no means confined to members of religious organizations—as that language used in this bill. These people are among our best citizens—sober, industrious, law-abiding, God-fearing people, and yet this bill makes no provision which will allow them to obey the dictates of their conscience if in the operation of the draft they are selected for military service, and neither does it contain any provision to protect these people or any others from being singled out and made the special objects of military persecution under this law. These and other considerations in justice and fairness require the adoption of this amendment.

OUR REAL PROBLEM IN THIS WAR.

Mr. President, the declaration of war as passed by Congress was, to quote the gist of it:

That the state of war between the United States and the Imperial Government of Germany, which has been thrust upon this United States, is hereby formally declared.

This momentous step having been taken, it was to be expected that we should proceed to conduct the war along definite lines and for specific ends. And in the great ordeal with which the Nation is confronted it seems to me the people of the United States will want to know, and that they have the right to know, what the governmental policy is to be and to what ends the war is to be fought.

The general world situation, together with the events that it is claimed caused the United States to enter the war clearly indicate that our efforts should be directed along two well-defined lines:

First. All our naval and military resources should be concentrated on the solving of the submarine problem.

Second. All our moral and diplomatic power should be directed to the earliest possible conclusion of the war on the basis of a durable peace.

We had gone to war because Germany's persistent submarine warfare had interfered with the rights of neutral commerce. Logically our naval and military resources should have been concentrated upon destroying submarine menace—to the assembling of an army of experts from civil and military life, whose genius, skill, and training, backed by all the resources of this great Nation of ours, might cope with the dreaded submarine.

We need not theorize or speculate as to the practical wisdom of the course so clearly marked out for us by the long line of events that led to the declaration of war, nor is it worth while to dwell upon the fact that such a line of action was in accordance with our traditions in keeping us free from entangling alliances and preserving the advantages of our independent place in the world.

Congress was not given an opportunity to say anything about the war policy. With only a day intervening after the declaration of war Congress was asked to appropriate $7,000,000,000—only one billion less than the entire cost of the Civil War—and, without any budget or any guarantee whatever of how it was to be spent, other than that three billions was to be loaned to the allies and the remainder to be used for the prosecution of war, the bill was hurried through Congress under the strange spell of an "emergency" call. The two objects were presented in the one measure, so that it was necessary to vote the loan for the allies if we voted supplies for the Army and Navy necessary for the conduct of the war. I say for myself that otherwise I would not have voted to make the loan, if it had been a separate proposition, if I could have voted for the supplies for the Army without casting my vote for the entire bill. Committed to war, Congress was bound to furnish equipment, to make liberal, generous appropriations for the men and measures that such a declaration necessarily carries with it.

It is for the American public to judge whether, if the President had laid before Congress and the people of the United States his extraordinary program, tieing this country up with the allies, assuming undefined responsibilities and unforeseen

consequences—whether, if he had frankly stated his purpose at the time he asked for the declaration of war—whether the declaration would have been made at all.

The declaration has been made. The most urgent demand of the President has been satisfied. The enormous sum of money has been appropriated by Congress without question and without stint.

THE SUBMARINE MENACE.

But the menace of the submarine is more and more insistent. Each day it becomes more evident that the submarine is the problem of the war.

Yesterday's papers contained the alarming official news that Lord Devonport, the British food controller, had issued a statement on April 25 solemnly warning the British public that severe privation menaced the nation on account of the country's shipping being depleted daily in large volume.

If the nations at war can not force enough ships through the submarine blockade to transport food to their hungry people they surely can not spare ships for the transportation of our troops across the Atlantic.

If we undertake the task with our own Navy, what probable fate awaits the expedition?

The war in Europe furnishes a number of examples of the danger of entering great enterprises with blind confidence in military and naval power that has not been efficiently organized or modernized to meet the enemy.

Much has been made of the unpreparedness of Great Britain. But the history of the war demonstrates that it is not the lack of loyalty of volunteers, but the bullheadedness of British statesmen and military and naval officers in command that is at bottom, the cause of blunders, now frankly admitted. It was not because volunteers did not fight valiantly at the Dardanelles that the siege failed. It was because the noble lords and famous commanders undertook the capture of land fortresses which they should have known were invincible against naval attack.

Mr. President, the report of the Dardanelles commission offers sad proof of the danger—the awful danger—of blind surrender to the dictatorship of any one man, no matter how great a hold he may have on public confidence.

Mr. President, the acute and dangerous situation created by the enemy's submarine warfare might not confront the world to-day if England had given heed to the advice and warnings of her own experts. At this point I wish, without taking the time at this late hour to read in its entirety, to direct attention to the letter of Sir Percy Scott, together with the comment of the London Times of June 5, 1914. This letter of Sir Percy Scott was written December 15, 1913. That was some time before the European war broke out.

Sir Percy Scott warned the British people, at the time of the publication of this letter, that the submarine was to be the controlling factor of the seas. It is a remarkable letter, one worthy the attention of the American Congress and the American people before we commit ourselves to policies which will prove as disastrous as some of those that have been pursued elsewhere without heeding the warning given by Sir Percy Scott.

In connection with that letter I wish to bring to the attention of the Senate a very remarkable editorial which appeared in the Scientific American on the 7th of April, 1917, entitled "Germany's Submarine Effort." The result of this special investigation conducted by the Scientific American presents the seriousness of the problem which confronts this Nation. Also a brief extract from the address of Hon. Walter L. Fisher, former Secretary of the Interior, on the subject of the submarine, when he spoke at congressional hearings nearly two years ago. I ask leave to print the editorial and also the extract from Mr. Fisher's address as a part of the appendix to my remarks.

The PRESIDING OFFICER. Without objection, the matter will be printed in the RECORD.

AN EARLY OFFICIAL ENGLISH WARNING.

Mr. LA FOLLETTE. I read a part of the comment and summary that appeared in the London Times in connection with the letter of Sir Percy Scott.

[From the London Times, Friday, June 5, 1914.]

THE SUBMARINE MENACE—SIR PERCY SCOTT'S VIEWS—USELESSNESS OF GREAT BATTLESHIPS—FUTURE NAVAL WARFARE.

"But the strength of navies can not be reckoned only in dreadnaughts, and the day may come when it will not be reckoned in dreadnaughts at all."—Mr. Churchill, March 26, 1912.

"To the whole system of naval architecture and the methods of computing naval strength are brought under review by the ever-growing power, radius, and sea worthiness of the submarine, and by the increasing range and accuracy of its fatal torpedoes."—Mr. Churchill, March 17, 1914.

The communication which we print below must attract general attention, both at home and abroad, alike from the personality of the distinguished writer and the cardinal importance of his subject. Admiral Sir Percy Scott is a naval officer who has not only shown himself on several occasions able to think ahead of his contemporaries, but has made good his prophecies. To him we owed the presence of the naval guns at Ladysmith, which saved the situation, if not South Africa. He it was who made possible the advance in marksmanship with heavy guns which has been such an important feature in naval efficiency of late years. To him, too, it is due that the navy recently was provided with a "director" which has enormously increased the possibilities of hitting at long ranges and enabled broadside salvo firing to be carried out with a precision before unknown.

* * * * * * *

Sir Percy Scott goes still further in his forecast of the future, for, assuming that submarine can not fight submarine, he sees the end of sea warfare altogether. Neither numbers nor skill are to avail. Nothing will live afloat, for, if opposed nations have provided themselves with a sufficiency of submarines, they can destroy everything which can not hide from these vessels below the surface. The position apparently will become one of the greatest disadvantage to the nation which depends for its existence upon water-borne supplies. Indeed the only obvious benefit which these islands will derive from the change is the removal of all fear of invasion, seeing that, if battleships and cruisers can not cross submarine-infested waters, neither, of course, can transports.

Sir Percy Scott brings the very serious charge against those in authority of wasting the nation's money on ships that will be unable to fight. It is for them, he suggests, to defend that policy by explaining what part the battleship will play in war, how she can be made safe from destruction by the submarine at sea or in port, and how her situation is to be kept secret from aircraft. Instead of battleshpis, he would have the money voted for their construction spent on building more submarines and seaplanes.

Mr. President, the lateness of the hour does not permit me to discuss the inevitable conclusion to be drawn from the authorities I have cited taken in connection with the facts of submarine destruction as now known to the world.

Shall we, heedless of the warning, reckless of human life, load our boys onto transports incapable of defense against submarine attack, to take their chances of being sunk along with the enormous freight tonnage we know is going to the bottom of the sea daily? Shall hundreds of thousands of American troops be sacrificed as the English and Australian troops were at the Dardanelles in a desperate and foolhardy undertaking? Is there not enough slaughter going on now without exposing our young men to the double risk of being blown up at sea and of being killed in the trenches?

The cause of the allies is suffering much more from scarcity of food than from lack of men. The only reasons thus far urged for our sending troops to Europe are "sentimental." In the present desperate condition of the world food supply it is frightful to think of the quantities going to the bottom of the sea. The slaughter of more men is not going to stop the war. The submarine must be coped with and outmatched. From every standpoint it is up to us to fight the war out on this line.

OUR EFFORTS COULD BE MORE POTENT THAN THROUGH ARMIES.

Under any circumstances the raising of a million men by draft, training and equipping them with uniforms and guns, withdrawing them from their normal occupations, is an enormously wasteful project. A careful survey would without doubt demonstrate that the effort might be much more potent in ending the war if expended in raising food and devising means of getting it to the allies.

But if we must have an army of such magnitude for an overseas expedition let it be a volunteer army on the Canadian and Australian basis. Let its ranks be made up of free, willing men who desire to go. This will not raise any constitutional question nor be in such flagrant violation of our traditions, nor will it necessitate any such upheaval of our economic life as this draft proposition seems to call for.

The President and his Cabinet appear to be making plans for the mobilization of all the activities and output of a hundred million people distributed over a territory equal to all Europe, excluding Russia. Germany has been 50 years acquiring efficient control over the business of two-thirds as many folks living in an area about the size of Texas.

Even if it were possible for the United States to work such a transformation over night, it would hardly be wise to do so. If we are to preserve our liberties, these social and economic changes must be wrought out slowly and carefully in the public interest. Students of the subject tell us that one of the evils of the European war is that the autocratic control of business under the pressure and exigency of war does not tend to promote democracy but to strengthen imperialism.

However patriotic the motives of the great financiers and captains of industry, who are being entrusted to execute the far-reaching plans of the President, these men by instinct and training have the imperialistic idea of the right way to manage trade and production. If the transportation business is to be conducted in the public interest like the post-office business, for instance, we can hardly entrust the mobilization of the railroads to their own officials, who are not satisfied with the recent advance in rates which have overflowed their coffers with the

largest net earnings in the history of railroading in this country, but are now demanding another 15 per cent increase on the existing extortionate rates.

Under the high pressure and excitement of the hour the country may be confused and unable to see straight. But before very long the sober common sense of the American people may be depended upon to assert itself. They will want to know why their boys are being drafted, what they are paying taxes for, why the country is being militarized and needlessly dominated.

In my judgment, the only way to avert a strong and bitter reaction is to satisfy the people of the United States that we have conscientiously used our influence and power to bring about a just and durable peace in the world.

PRESIDENT WILSON'S DEMANDS.

Mr. President, in his address to the Senate of January 22 President Wilson outlined what he deemed the basis of a permanent international agreement in language and terms important to recall at this time.

"It must be a peace without victory," the President said, and then he stated these propositions:

First. No peace can last, or ought to last, which does not recognize and accept the principle that governments derive all their just powers from the consent of the governed, and that no right anywhere exists to hand peoples about from sovereignty to sovereignty as if they were property. I take it for granted, for instance, if I may venture upon a single example, that statesmen everywhere are agreed that there should be a united, independent, and autonomous Poland, and that henceforth inviolable security of life, of worship, and of industrial and social development should be guaranteed to all peoples who have lived hitherto under the power of governments devoted to a faith and purpose hostile to their own.

Second. So far as practicable, moreover, every great people now struggling toward a full development of its resources and of its powers should be assured a direct outlet to the great highways of the sea. Where this can not be done by cession of territory, it can no doubt be done by neutralization of direct rights of way under the general guaranty which will assure the peace itself. With a right comity of arrangement, no nation need be shut away from free access to the open paths of the world's commerce.

Third. "Freedom of the sea," says the President, "is a problem closely connected with the limitation of naval armaments and the cooperation of the navies of the world in keeping the seas at once free and safe. And the question of limiting naval armaments opens the wider and perhaps more difficult question of the limitation of armies and of all programs of military preparation. Difficult and delicate as these questions are, they must be faced with the utmost candor and decided in a spirit of real accommodation if peace is to come with healing in its wings, and come to stay. Peace can not be had without concession and sacrifice. There can be no sense of safety and equality among the nations if great preponderating armaments are henceforth to continue here and there to be built up and maintained. The statesmen of the world must plan for peace, and nations must adjust and accommodate their policy to it as they have planned for war and made ready for pitiless contest and rivalry. The question of armaments, whether on land or sea, is the most immediately and intensely practical question connected with the future fortunes of nations and mankind."

In the course of this remarkable address the President expressed the conviction:

I feel confident that I have said what the people of the United States would wish me to say. May I not add that I hope and believe that I am, in effect, speaking for liberals and friends of humanity in every nation and of every program of liberty? I would fain believe that I am speaking for the silent mass of mankind everywhere who have as yet had no place or opportunity to speak their real hearts out concerning the death and ruin they see to have come already upon the persons and homes they hold most dear.

Rarely is it given to one man to speak so movingly to a listening world.

This exalted appeal of the President to the warring nations for a peace "without victory" was made before we became a party to the conflict. But that very fact should make the President, the Congress, and the people of the United States even more strongly resolved to hold to the noble ideals promulgated by President Wilson as the basis of an international agreement.

FREE RUSSIA'S POSITION.

Russia in the very throes of her new birth proclaimed her adherence to the high standards set for the world by President Wilson. She did not ask that her enemy be crushed or conquered by slow attrition. She gave out to the world:

That free Russia does not aim at the domination of other nations, at depriving them of their national patrimony, or at occupying by force foreign territories, but that its object is to establish a durable peace on the rights of nations to decide their own destiny.

We have distinguished visitors in our midst. They are entitled to every honor and consideration. It is to be expected that our American press, which is no less mad for conscription than for war, should blazon in large letters the opinions of the official representatives of the allies as to the necessity of conscription in this country.

If, as reported in the newspapers, Mr. Balfour has suggested that the United States will need 5,000,000 men for the conduct of the war, we can not but infer that he represents the view that our enemy must be crushed or worn out by slow attrition, and that he expects the United States to uphold the exhausted allies in this determination.

OUR DUTY IS TO MAKE AN END OF THE WAR.

Mr. President, the people of the United States will not stand for an indefinite prolongation of this war for these ends. The only way this administration can justify its course is by bringing the war to the earliest possible conclusion on the basis of the President's peace message.

If a tithe of the energy and power we have consumed in making war had been directed to its settlement, world peace would be at hand.

But having entered the war we should use our great power and position to make an end of it. That is what the country expects of the President and Congress. If the expectation is not met, it will grow into a demand and become the foremost issue of the next election. An awakened and terribly overburdened people will hold Congress to a strict accountability.

Already we notice a change of attitude on the part of the allies—a stiffening of their demands since our entrance into the war. It is but human nature that with all our resources back of them they should begin to talk of indemnity and territorial aggrandizement. We are in a position to choose whether we shall lead or be led. If we agree to fight for these drastic conditions and terms of the allies, we can hardly uphold the claim that we are making war for democracy.

Already there is a resolution introduced in the Senate which proposes that we shall bind ourselves as the entente allies have done, to make no peace until all parties are satisfied. The American people should not be confused as to this issue. The power to make a separate peace is a tremendous lever which can be used by us at the opportune time, to bring all the nations to reasonable terms. We should hold ourselves free to render this service to humanity at the earliest possible moment.

APPENDIX NO. 1.

[Speech of Daniel Webster in House of Representatives Dec. 9, 1814.]

Let us examine the nature and extent of the power which is assumed by the various military measures before us. In the present want of men and money the Secretary of War has proposed to Congress a military conscription. For the conquest of Canada the people will not enlist; and if they would, the treasury is exhausted, and they could not be paid. Conscription is chosen as the most promising instrument both of overcoming reluctance to the service and of subduing the difficulties which arise from the deficiencies of the exchequer. The administration asserts the right to fill the ranks of the Regular Army by compulsion. It contends that it may now take 1 out of every 25 men, and any part, or the whole, of the rest, whenever its occasions require. Persons thus taken by force and put into an army may be compelled to serve there during the war or for life. They may be put on any service, at home or abroad, for defense or for invasion, according to the will and pleasure of the Government. This power does not grow out of any invasion of the country, or even out of a state of war. It belongs to government at all times, in peace as well as in war, and it is to be exercised under all circumstances, according to its mere discretion. This, sir, is the amount of the principle contended for by the Secretary of War.

Is this, sir, consistent with the character of a free government? Is this civil liberty? Is this the real character of our Constitution? No, sir; indeed it is not. The Constitution is libeled, foully libeled. The people of this country have not established for themselves such a fabric of despotism. They have not purchased at a vast expense of their own treasure and their own blood a Magna Charta to be slaves. Where is it written in the Constitution, in what article or section is it contained, that you may take children from their parents and parents from their children and compel them to fight the battles of any war in which the folly or the wickedness of government may engage it? Under what concealment has this power laid hidden which now for the first time comes forth, with a tremendous and baleful aspect, to trample down and destroy the dearest rights of personal liberty?

Who will show me any constitutional injunction which makes it the duty of the American people to surrender everything valuable in life, and even life itself, not when the safety of their country and its liberties may demand the sacrifice, but whenever the purposes of an ambitious and mischievous government may require it? Sir, I almost disdain to go into quotations and references to prove that such an abominable doctrine has no foundation in the Constitution of the country. It is enough to know that that instrument was intended as the basis of a free government, and that the power contended for is incompatible with any notion of personal liberty. An attempt to maintain this doctrine upon the provisions of the Constitution is an exercise of perverse ingenuity to extract slavery from the substance of a free government. It is an attempt to show, by proof and argument, that we ourselves are subjects of despotism, and that we have a right to chains and bondage, firmly secured to us and our children by the provisions of our Government. It has been the labor of other men at other times to mitigate and reform the powers of government by construction; to support the rights of personal security by every species of favorable and benign interpretation, and thus to infuse a free spirit into governments not friendly in their general structure and formation to public liberty.

The supporters of the measures before us act on the opposite principle. It is their task to raise arbitrary powers by construction out of a plain written charter of national liberty. It is their pleasing duty to free us of the delusion which we have fondly cherished that we are the subjects of a mild, free, and limited Government, and to demonstrate—and to demonstrate by a regular chain of premises and conclusions—that Government possesses over us a power more tyrannical, more arbitrary, more dangerous, more allied to blood and murder, more full of every form of mischief, more productive of every sort and degree of misery than has been exercised by any civilized Government, with a single exception, in modern times.

The Secretary of War has favored us with an argument on the constitutionality of this power. Those who lament that such doctrines should be supported by the opinion of a high officer of the Government may a little abate their regret when they remember that the same officer, in his last letter of instructions to our ministers abroad, maintained the contrary. In that letter he declares that even the impressment of seamen, for which many more plausible reasons may be given than for the impressment of soldiers, is repugnant to our Constitution. It might therefore be a sufficient answer to his argument in the present case to quote against it the sentiments of its own author, and to place the two opinions before the House, in a state of irreconcilable conflict. Further comment on either might then be properly forborne until he should be pleased to inform us which he retracted and to which he adhered. But the importance of the subject may justify a further consideration of the arguments.

Congress having, by the Constitution, a power to raise armies, the Secretary contends that no restraint is to be imposed on the exercise of this power, except such as is expressly stated in the written letter of the instrument. In other words, that Congress may execute its powers, by any means it chooses, unless such means are particularly prohibited. But the general nature and object of the Constitution impose as rigid a restriction on the means of exercising power as could be done by the most explicit injunctions. It is the first principle applicable to such a case, that no construction shall be admitted which impairs the general nature and character of the instrument. A free constitution of government is to be construed upon free principles, and every branch of its provisions is to receive such an interpretation as is full of its general spirit. No means are to be taken by implication which would strike us absurdly if expressed. And what would have been more absurd than for this Constitution to have said that to secure the great blessings of liberty it gave to government an uncontrolled power of military conscription? Yet such is the absurdity which it is made to exhibit, under the commentary of the Secretary of War.

But it is said that it might happen that an army could not be raised by voluntary enlistment, in which case the power to raise armies would be granted in vain, unless they might be raised by compulsion. If this reasoning could prove anything, it would equally show, that whenever the legitimate power of the Constitution should be so badly administered as to cease to answer the great ends intended by them, such new powers may be assumed or usurped, as any existing administration may deem expedient. This is the result of his own reasoning, to which the Secretary does not profess to go. But it is a true result. For if it is to be assumed, that all powers were granted, which might by possibility become necessary, and that government itself is the judge of this possible necessity, then the powers of government are precisely what it chooses they should be. Apply the same reasoning to any other power granted to Congress, and test its accuracy by the result. Congress has power to borrow money. How is it to exercise this power? Is it confined to voluntary loans? There is no express limitation to that effect, and, in the language of the Secretary, it might happen, indeed it has happened, that persons could not be found willing to lend. Money might be borrowed then in any other mode. In other words, Congress might resort to a forced loan. It might take the money of any man by force, and give him in exchange exchequer notes or certificates of stock. Would this be quite constitutional, sir? It is entirely within the reasoning of the Secretary, and it is a result of his argument, outraging the rights of individuals in a far less degree than the practical consequences which he himself draws from it. A compulsory loan is not to be compared, in point of enormity, with a compulsory military service.

Sir, I invite the supporters of the measures before you to look to their actual operation. Let the men who have so often pledged their own fortunes and their own lives to the support of this war look to the wanton sacrifice which they are about to make of their lives and fortunes. They may talk as they will about substitutes, and compensations, and exemptions. It must come to the draft at last. If the Government can not hire men voluntarily to fight its battles, neither can individuals. If the war should continue there will be no escape, and every man's fate and every man's life will come to depend on the issue of the military draft. Who shall describe to you the horror which your orders of conscription shall create in the once happy villages of this country? Who shall describe the distress and anguish which they will spread over those hills and valleys, where men have heretofore been accustomed to labor and to rest in security and happiness. Anticipate the scene, sir, when the class shall assemble to stand its draft and to throw the dice for blood. What a group of wives and mothers and sisters, of helpless age and helpless infancy, shall gather round the theater of this horrible lottery, as if the stroke of death were to fall from heaven before their eyes on a father, a brother, a son, or a husband. And in a majority of cases, sir, it will be the stroke of death. Under present prospects of the continuance of the war not one-half of them on whom your conscription shall fall will ever return to tell the tale of their sufferings. They will perish of disease and pestilence, or they will leave their bones to whiten in fields beyond the frontier. Does the lot fall on the father of a family? His children, already orphans, shall see his face no more. When they behold him for the last time they shall see him lashed and fettered, and dragged away from his own threshold, like a felon and an outlaw. Does it fall on a son, the hope and the staff of aged parents? That hope shall fail them. On that staff they shall lean no longer. They shall not enjoy the happiness of dying before their children. They shall totter to their grave, bereft of their offspring and unwept by any who inherit their blood. Does it fall on a husband? The eyes which watch his parting steps may swim in tears forever. She is a wife no longer. There is no relation so tender or so sacred that by these accursed measures you do not propose to violate it. There is no happiness so perfect that you do not propose to destroy it. Into the paradise of domestic life you enter, not, indeed, by temptations and sorceries, but by open force and violence.

But this father or this son or this husband goes to the camp. With whom do you associate him? With those only who are sober and virtuous and respectable like himself? No, sir. But you propose to find him companions in the worst men of the worst sort. Another bill lies on your table offering a bounty to deserters from your enemy. Whatever is most infamous in his ranks you propose to make your own. You address yourselves to those who will hear you advise them to perjury and treason. All who are ready to set heaven and earth at defiance at the same time, to violate their oaths and run the hazard of capital punishment, and none others, will yield to your solicitations. And these are they whom you are allowing to join your ranks, by holding out to them inducements and bounties with one hand, while with the other you are driving thither the honest and worthy members of your own community, under the lash and scourge of conscription. In the line of your Army, with the true leveling of despotism, you propose a promiscuous mixture of the worthy and the worthless, the virtuous and the profligate, the husbandman, the merchant, the mechanic of your own country, with the beings whom war selects from the excess of European population, who possess neither interest, feeling, nor character in common with your own people, and who have no other recommendation to your notice than their propensity to crimes.

Nor is it, sir, for the defense of his own house and home that he who is the subject of military draft is to perform the task allotted to him. You will put him upon a service equally foreign to his interests and abhorrent to his feelings. With his aid you are to push your purposes of conquest. The battles which he is to fight are the battles of invasion—battles which he detests perhaps and abhors, less from the danger and the death that gather over them, and the blood with which they drench the plain, than from the principles in which they have their origin. Fresh from the peaceful pursuits of life, and yet a soldier but in name, he is to be opposed to veteran troops, hardened under every scene, inured to every privation, and disciplined in every service. If, sir, in the strife he fall; if, while ready to obey every rightful command of government, he is forced from his home against right, not to contend for the defense of his country, but to prosecute a miserable and detestable project of invasion, and in that strife he fall, it is murder. It may stalk above the cognizance of human law, but in the sight of heaven it is murder; and though millions of years may roll away, while his ashes and yours lie mingled together in the earth, the day will yet come when this spirit and the spirits of his children must be met at the bar of omnipotent justice. May God, in his compassion, shield me from any participation in the enormity of this guilt.

I would ask, sir, whether the supporters of these measures have well weighed the difficulties of their undertaking. Have they considered whether it will be found easy to execute laws which bear such marks of despotism on their front, and which will be so productive of every sort and degree of misery in their execution? For one, sir, I hesitate not to say that they can not be executed. No law professionally passed for the purpose of compelling a service in the Regular Army, nor any law which, under color of military draft, shall compel men to serve in the Army, not for the emergencies mentioned in the Constitution, but for long periods, and for the general objects of war, can be carried into effect. In my opinion it ought not to be carried into effect. The operation of measures thus unconstitutional and illegal ought to be prevented by a resort to other measures which are both constitutional and legal. It will be the solemn duty of the State governments to protect their own authority over their own militia and to interpose between their citizens and arbitrary power. These are among the objects for which the State governments exist; and their highest obligations bind them to the preservation of their own rights and the liberties of their people. I express these sentiments here, sir, because I shall express them to my constituents. Both they and myself live under a Constitution which teaches us that "the doctrine of nonresistance against arbitrary power and oppression is absurd, slavish, and destructive of the good and happiness of mankind." (New Hampshire bill of rights.) With the same earnestness with which I now exhort you to forbear from these measures, I shall exhort them to exercise their unquestionable right of providing for the security of their own liberties.

In my opinion, sir, the sentiments of the free population of this country are greatly mistaken here. The Nation is not yet in a temper to submit to conscription. The people have too fresh and strong a feeling of the blessings of civil liberty to be willing thus to surrender it. You may talk to them as much as you please of the victory and glory to be obtained in the enemy's Provinces; they will hold those objects in light estimation if the means be a forced military service. You may sing to them the song of Canada conquest in all its variety, but they will not be charmed out of the remembrance of their substantial interests and true happiness. Similar pretenses, they know, are the grave in which the liberties of other nations have been buried, and they will take warning.

Laws, sir, of this nature can create nothing but opposition. If you scatter them abroad, like the fabled serpent's teeth, they will spring up into armed men. A military force can not be raised in this manner, but by the means of a military force. If administration has found that it can not form an army without conscription, it will find, if it venture on these experiments, that it can not enforce conscription without an army. The Government was not constituted for such purposes. Framed in the spirit of liberty, and in the love of peace, it has no powers which render it able to enforce such laws. The attempt, if we rashly make it, will fail; and having already thrown away our peace we may thereby throw away our Government.

Allusions have been made, sir, to the state of things in New England, and, as usual, she has been charged with an intention to dissolve the Union. The charge is unfounded. She is much too wise to entertain such purposes. She has had too much experience, and has too strong a recollection of the blessings which the Union is capable of producing under a just administration of government. It is her greatest fear that the course at present pursued will destroy it, by destroying every principle, every interest, every sentiment, and every feeling which have hitherto contributed to uphold it. Those who cry out that the Union is in danger are themselves the authors of that danger. They put its existence to hazard by measures of violence, which it is not capable of enduring. They talk of dangerous designs against government, when they are overthrowing the fabric from its foundations. They alone, sir, are friends to the Union of the States who endeavor to maintain the principles of civil liberty in the country and to preserve the spirit in which the Union was framed.

APPENDIX NO. 2.

[Letter of Percy Scott, English naval authority, which appeared in the London Times of June 5, 1914.]

LARGE SHIPS OR SMALL?—THE NEEDS OF GREAT BRITAIN AT SEA.

TO THE EDITOR OF THE TIMES.

SIR: Although I have retired from His Majesty's Navy, many people have written, and are still writing, to me as to whether we should build small battleships or large. My opinion is that we should not be building either. My reasons for holding this opinion will be found in a letter I wrote some time ago and a copy of which I inclose herewith. I am,

Yours, truly, PERCY SCOTT.

52 SOUTH AUDLEY STREET, *May 31.*

52 SOUTH AUDLEY STREET, GROSVENOR SQUARE, WEST,
December 15, 1913.

DEAR SIR: In reply to your letter, I have seen the correspondence in the press suggesting building smaller battleships and also the arguments as to whether two or four battleships should be laid down in 1914.

If we have battleships, we must have thick armor on them to keep out the enemy's shot, and we must have speed to give a tactical advantage in bringing our fire on the enemy; these are axioms among naval officers. For battleships our Nation and all other nations have very properly decided to have big ships, big guns, thick armor, and high speed.

The other question is, Are we in 1914 to build two or four battleships? The little navyites say two in order to save money; the big navyites say four to, as they think, save the country. If battleships are of use in saving the country, the little navyites are foolish and unpatriotic. If battleships are of no use, then the big navyites are wrong in putting the country to the expense of building four more; the real question to settle before even talking about building more battleships is, Are they of use or are they not? For some thousands of years armed vessels floating on the surface of the water have been used for attack and defense; these vessels to-day vary in size from a canoe containing one man armed with a spear to a 32,000-ton battleship armed with 15-inch guns, and these craft, whether large or small, all float on the water and are visible. In this island we depend upon our food supply coming from overseas; hence it has been necessary for us to have a large number of armed ships to protect our commerce and to safeguard our food supply. This protecting force or insurance of our country is called the Royal Navy and to-day consists of a large number of ships that swim on the water and can be seen and a few that swim under the water and can not be seen.

The introduction of the vessels that swim under water has, in my opinion, entirely done away with the utility of the ships that swim on the top of the water.

The functions of a vessel of war were:

Defensively—
1. To attack ships that come to bombard our ports.
2. To attack ships that come to blockade us.
3. To attack ships convoying a landing party.
4. To attack the enemy's fleet.
5. To attack ships interfering with our commerce.

Offensively—
1. To bombard an enemy's ports.
2. To blockade an enemy.
3. To convoy a landing party.
4. To attack the enemy's fleet.
5. To attack the enemy's commerce.

The submarine renders 1, 2, and 3 impossible, as no man-of-war will dare to come even within sight of a coast that is adequately protected by submarines; therefore the functions of a battleship as regards 1, 2, and 3, both defensively and offensively, have disappeared.

The fourth function of a battleship is to attack an enemy's fleet; but there will be no fleet to attack, as it will not be safe for a fleet to put to sea. This has been demonstrated in all recent maneuvers, both at home and abroad, where submarines have been employed, and the demonstration should have made us realize that; now that submarines have come in, battleships are of no use either for defensive or offensive purposes, and consequently building any more in 1914 will be a misuse of money subscribed by the citizens for the defense of the Empire.

As regards the protection of our commerce on the high seas, we must examine who can interfere with it.

Turkey, Greece, Austria, and Italy must pass through the narrow Straits of Gibraltar to get at our commerce.

Cyprus, Malta, and Gibraltar, well equipped with aeroplanes to observe the enemy's movements and submarines to attack, would make egress from the Mediterranean very difficult.

Spain and Portugal have ports open to the Atlantic and could interfere with our commerce, but war with those countries seems improbable and they are not very far from Gibraltar.

France from Brest could harass our commerce, but if homeward-bound ships gave that port a wide berth and signaled by wireless if they were attacked, fast cruishers and submarines from Plymouth could be very soon on the spot.

Russia and Germany are very badly placed for interfering with our commerce; to get to the Atlantic they must either run the gauntlet of the Channel or pass to the north of Scotland, and even if they get out they have nowhere to coal.

America could attack our commerce, but they would have a long way to come.

If by submarines we close egress from the North Sea and Mediterranean, it is difficult to see how our commerce can be much interfered with.

It has been suggested to me that submarines and aeroplanes could not stop egress from the Mediterranean, that a fleet would steam through at night. With aeroplanes that would report the approach of a fleet and 30 or 40 invisible submarines in the narrow Straits of Gibraltar, trying to pass through them at night would be a very risky operation.

Submarines and aeroplanes have entirely revolutionized naval warfare. No fleet can hide itself from the aeroplane eye, and the submarine can deliver a deadly attack even in broad daylight.

Under these circumstances I can see no use for battleships and very little chance of much employment for fast cruisers. The Navy will be entirely changed; naval officers will no longer live on the sea, but either above it or under it, and the strain on their system and nerve will be so great that a very lengthy period of service will not be advisable; it will be a navy of youth, for we shall require nothing but boldness and daring.

In war time the scouting aeroplanes will always be high above on the lookout, and the submarines in constant readiness, as are the engines of a fire station. If an enemy is sighted, the gong sounds and the leash of a flotilla of submarines will be slipped. Whether it be night or day, fine or rough, they must go out to search for their quarry; if they find her, she is doomed, and they give no quarter; they can not board her and take her as a prize, as in the olden days; they only wait till she sinks, then return home without even knowing the number of human beings that they have sent to the bottom of the ocean.

Will any battleship expose herself to such a dead certainty of destruction? I say no.

Not only is the open sea unsafe, a battleship is not immune from attack even in a closed harbor, for the so-called protecting boom at the entrance can easily be blown up. With a flotilla of submarines commanded by dashing young officers, of whom we have plenty, I would undertake to get through any boom into any harbor and sink or materially damage all the ships in that harbor.

If a battleship is not safe, either on the high seas or in harbor, what is the use of a battleship?

It has been argued to me that if a foreign power destroys our submarines, we are at the mercy of his dreadnaughts. There can be no doubt about the accuracy of this statement, but submarines are difficult to destroy, because it is difficult to attack what you can not see. A power that sends out ships to look for and destroy submarines will be courting disaster; the submarine when in the water must be kept away from, not looked for.

Submarines will be hauled up on land, with arrangements for instantly launching them when required. They can only be attacked by airships dropping bombs upon them.

What we require is an enormous fleet of submarines, airships, and aeroplanes, and a few fast cruisers, provided we can find a place to keep them in safety during war times.

It has been argued to me that our enemy will seize some island in the Atlantic, get some fast cruisers there, with plenty of coal, and from this island prey upon our commerce. This is ridiculous. The moment we hear of it we send a flotilla of submarines, towed by an Atlantic liner. She drops them just when in sight of the island, and she brings them back to England when they have sunk everything they found at the island.

If we go to war with a country that is within the striking distance of submarines, I am of opinion that that country will at once lock up their dreadnaughts in some safe harbor; we shall do the same; their aeroplanes and airships will fly over our country; they will know exactly where our ships are; and their submarines will come over and destroy anything and everything that they can get at.

We shall, of course, do the same, but an island, with many harbors and much shipping, is at a great disadvantage if the enemy has submarines.

I do not think that the importance of submarines has been fully recognized; neither do I think that it has been realized how completely their advent has revolutionized naval warfare. In my opinion, as the motor vehicle has driven the horse from the road, so has the submarine driven the battleship from the sea. I am,

Yours, truly,

PERCY SCOTT.

APPENDIX NO. 3.

EDITORIAL IN SCIENTIFIC AMERICAN OF APRIL 7, 1917, ENTITLED "GERMANY'S SUBMARINE EFFORT."

In war, perhaps more than in any other contest of strength, it is perilous to underestimate the resources and strength of the enemy. That is one of the truisms which are so true that we are in danger of overlooking them altogether. Thus, in regard to the German submarine campaign, we note that there is a tendency to underestimate its potential danger to the allies, and therefore, in the event of its success, to ourselves.

It is generally believed that the submarine-infested areas are so completely covered by the antisubmarine fleets of the allies that the strength of the German attack is constantly being weakened by very large losses; but if we analyze the testimony and apply to it the cold criticism which we would use in any other enterprise; in other words, if we brush aside unauthenticated rumors and confine ourselves entirely to official statements, we shall find that the allied governments have never made any definite statement whatsoever as to the number of German and Austrian submarines that have been captured or sunk.

It is only recently that this journal has been able to obtain a conservative estimate, in quarters where reliable statistics are available; and we are informed that a total loss of 100 would be, if anything, an overstatement of the truth. This figure includes many boats which were supposed to be lost because they were believed to have been heavily hit by shell fire.

For some months we have had a growing conviction, based upon a very close study of the campaign, that the submarine losses were not nearly so large as represented and that with the growth in size, speed, and sea-keeping qualities of the submarine, the problem of meeting and breaking up the so-called blockade is becoming increasingly difficult.

It is our belief that at the time of the Jutland fight, when the German high-seas fleet was driven back with heavy losses and in a badly battered condition to its naval bases, Germany, realizing the hopelessness of any attempt to defeat or break through the British fleet, determined to cease all work upon the construction of capital ships and bend its whole ship-and-engine-building capacity to the creation of a great fleet of submarines for war upon enemy and neutral commerce. Saving and except that this was an utterly illegal form of warfare, the Germans were perfectly right in stating that herein lay their "last chance of victory." For it is a fact that, granted a sufficiently large fleet of submarines, the allies can be, if not starved, at least so hampered by a shortage of food and raw materials for the manufacture of guns, shells, and military equipment that they will be unable to win such an absolute victory as to enable them to dictate the terms of peace. This is the situation as Germany sees it to-day. She has stated that it is her purpose to force the allies to a compromise peace, and whether she can do it or not depends first and last upon her ability to set afloat and man within a definite period of time the thousand or more submarines which would enable her thus to bring the allies to their knees.

What is the German submarine-building capacity? Is it sufficient to enable her, say, within the year to build, equip, and man 1,000 or 1,200 boats? Nobody outside of Germany can answer that question; but the Scientific American believes that she is probably well able to do this, provided, of course, that she is not herself brought to her knees through collapse of her finances, through starvation, or by the absolute overthrow of her armies.

Of course, the only plan by which Germany could build 1,000 submarines in a year would be by what has come to be known as the manufacturing method, of which a notable example is found in the great Ford plant at Detroit. It is pretty safe to say that she has adopted a standard type of craft, the details of which are based upon the experience of the past two and a half years, and that she has enlisted the whole of her shipbuilding plants, public and private, and a corresponding number of her engine-building firms in this work.

We have made investigation of the capacity of the German yards as regards building ways, and it discloses the interesting fact that, without laying down any additional ways, she could have under construction at any given time about 530 submarines of the size of the *U-53*, which came to Newport last year. The 800-ton submarine requires about 30 feet of clear width in order to allow a working space around the hull, and its length is something under 250 feet. Each of the three 625-foot dry docks at Wilhelmshaven, for instance, would permit of the con-

struction of six submarines on its floor, and eight boats could be constructed in each of the larger docks, 822 feet in length. Also the floating docks, of which the Germans have so many, would form excellent building ways. The smaller dry docks, 500 feet or less in length, and the floating docks would take two, three, or four submarines, as the case might be. Moreover, ways suitable for submarine construction can be built rapidly on foreshore or river bank, and the actual shipping and dock-yard capacity, so far as building ways is concerned, could quickly be doubled. If the Germans thought fit, they could have a thousand submarines under construction at the same time.

The limiting factor as to time capacity, however, would not be the provision of ways, or even the construction of the hulls, but rather the rapid construction of the internal equipment. Of this, the engines would present the least difficulty, for Germany is the great Diesel engine country, and if they extended themselves in a concerted effort of this kind the leading heavy-oil engine builders, such as Krupps, the Emden Works, the Augsburg Works, and the Neuremburg Works, reinforced by less known firms and the large number of engineering plants which could be requisitioned for this work, would be well able to take care of the demand. The principal difficulty would be to supply the special apparatus in the way of periscopes, gyroscopic compasses, and the other mechanical details, which must be of the very finest workmanship and require special knowledge and skill. Germany, however, is famous for her optical work, and unless there was a shortage of the materials required, the instrument makers should be able to keep pace with the shipbuilder and the builder of engines.

As to the time for construction, one large shipbuilding firm in this country has assured us that if its plant were doing nothing else it could turn out a submarine of the German type in five months' time. Our Naval Construction Corps estimates that it would take seven months. If Germany is concentrating her whole shipbuilding resource upon the task, we believe that six months might be taken as a fair average.

The central powers may have 200 submarines afloat—and we think it is possible that they have many more than that—and if, as is more than likely, they have some 500 on the ways at the present time, this would mean that in six months they would have 700 U-boats available, and 1,200 by next spring.

But the crews? The German naval personnel numbers over 150,000 men. Her idle battleships can supply all the men required to man the submarines as they are successively set afloat.

Here, as we see it, is the immediate danger point in this great conflict into which we have now entered. It is here that we should apply, and should at once apply, our whole effort.

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APPENDIX NO. 4.

EXTRACT FROM ADDRESS OF HON. WALTER L. FISHER, FORMER SECRETARY OF INTERIOR.

We are at least entitled to ask questions. If our Navy is intended only to defend our own shores from invasion, could we not enormously increase the number of our submarines for the same money that it is proposed to spend on dreadnaughts, and would not the result give us a far more effective Navy for purely defensive purposes? Does not a single superdreadnaught cost as much as many submarines, depending on the types selected? If modern war—if this war—has taught us anything, it is that a navy of the dreadnaught class is of little, if any, practical value against a stronger navy of the same sort. The weaker navy is inevitably bottled up. It dare not come out into the open unless it is prepared to risk all upon the result of its unequal contest with a stronger force. Unless we are prepared to enter the endless competition in naval expenditure, is not the navy of the era that ended with this war a waste of money and a self-deception as an efficient instrument of defense? Is not this confessed by the insistence of those who cling to this type of navy that the United States must increase its Navy until it equals the navy of any other nation? Some say any other nation except England, either because they are appalled at competition in naval expenditure with England, whose existence as a world power depends upon predominance at sea, or because they think we should assume that war will never occur between England and the United States. Some insist that we must have a Navy equal in aggressive strength to the combined navies of any two other nations except England, and that anything less than this will leave us without adequate protection for the very reasons that are given as underlying the dreadnaught naval theory.

Has not this war demonstrated that a navy composed chiefly of great numbers of submarines, supplemented by the torpedo boat, the destroyer, and the aeroplane, would be of immense defensive value against the most powerful dreadnaught navy afloat? Is not a single submarine an effective fighting unit against any fleet, while a single dreadnaught is of practically no value whatever? Might not a few submarines encounter and destroy a mighty fleet, while a dreadnaught navy outclassed in strength by an invading squadron would lie impotent in the harbor? Are we not about to commit this Nation to a program of dreadnaughts that need yet more and more dreadnaughts to make them useful? Is it not wise to delay this program at least until we can know more than is now possible as to the place of the dreadnaught in the future navies of the world?

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 1800) to amend an act approved June 29, 1906, and entitled "An act to authorize the Grand Lodge of the Independent Order of Odd Fellows of the District of Columbia to sell, hold, and convey certain real estate."

PETITIONS AND MEMORIALS.

Mr. CHAMBERLAIN presented a petition of sundry citizens of Scio, Oreg., pledging support to the Government and praying that freedom be given the people of Bohemia, which was referred to the Committee on Foreign Relations.

Mr. PHELAN. I present a petition from the Grand Commandery of the Knights Templar of California, which I ask may be printed in the RECORD.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

SACRAMENTO, CAL., *April 21, 1917.*

JAMES D. PHELAN,
United States Senate, Washington, D. C.:

The Grand Commandery, Knights Templar, of California, in session at Sacramento, Cal., April 20, 1917, unanimously—

Resolved, That the Knights Templar of California avow their belief in some form of impartial and effective conscription in the present national emergency, and urge our Senators and Congressmen to support such measures as may be best forwarded in furtherance thereof; that the present is a propitious time to adopt and effect some efficient system of universal military training for our young men to better fit them for citizenship; and that our Republic in any exigency may justly rely upon them in completest confidence.

THOS. A. DAVIES,
Grand Recorder.

Mr. PHELAN. I present resolutions of the Legislature of California, which I ask to have printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

SACRAMENTO, CAL., *April 26, 1917.*

Hon. JAMES PHELAN,
Washington, D. C.

DEAR SIR: Please be advised that the following resolution has been adopted by both houses of the California Legislature, senate joint resolution introduced by Senator Breed relative to the universal military training bill before the United States Congress:

"Whereas it is vital to the life and liberty of this Nation that it be put upon a basis of preparedness for war in order that it may not invite, as it does, aggression and successful attack by warlike nations and also in order that it may maintain and preserve our institutions of civil and religious liberty: Now, therefore, be it

"*Resolved by the senate, the assembly concurring*, That the Legislature of the State of California hereby indorses the principle of universal military training and respectfully requests the United States Senators from California and the Members of the House of Representatives from this State to support with all their ability a bill in Congress having for its purpose the establishing throughout the United States of a system of universal military training. Your earnest consideration of the resolution is respectfully requested."

CLIFTON E. BROOKS,
Secretary of the Senate.

Mr. PHELAN presented a petition of the Building Trades Council of San Francisco, Cal., praying for the enactment of legislation which will stimulate the production and conserve the supply of foodstuffs, which was referred to the Committee on Agriculture and Forestry.

Mr. GALLINGER presented a petition of S. S. Lightbody, of Rochester, N. H.; J. Levi Meader, of Gonic, N. H.; and Arthur T. Case, of Tilton, N. H., praying for prohibition during the period of the war, which was referred to the Committee on the Judiciary.

Mr. SHEPPARD presented petitions of 21 citizens of Winfield of the San Antonio District Conference of the Methodist Episcopal Church South; of the Polytechnic Methodist Episcopal Church South, of Fort Worth; and of the Tarrant County Sunday School classes of the Methodist Episcopal Church South, all in the State of Texas, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of the county judge of Caldwell County; of the Kewanee Club, of Dallas; and of 5,000 citizens of Rockwell County, all in the State of Texas, praying for selective conscription, which were ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GALLINGER:

A bill (S. 2102) granting an increase of pension to Increase E. Watson; to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 2103) granting an increase of pension to Albert B. Watrous; to the Committee on Pensions.

INCREASE OF MILITARY ESTABLISHMENT.

Mr. OWEN submitted an amendment intended to be proposed by him to the bill (S. 1871) to authorize the President to increase temporarily the Military Establishment of the United States, which was ordered to lie on the table and to be printed.

Mr. WATSON submitted an amendment intended to be proposed by him to the bill (S. 1871) to authorize the President to increase temporarily the Military Establishment of the United States, which was ordered to lie on the table and to be printed.

Mr. FRANCE submitted an amendment intended to be proposed by him to the bill (S. 1871) to authorize the President to increase temporarily the Military Establishment of the United States, which was ordered to lie on the table and to be printed.

Mr. SHAFROTH submitted an amendment intended to be proposed by him to the bill (S. 1871) to authorize the President to increase temporarily the Military Establishment of the United States, which was ordered to lie on the table and to be printed.

Mr. THOMAS submitted an amendment intended to be proposed by him to the bill (S. 1871) to authorize the President to increase temporarily the Military Establishment of the United States, which was ordered to lie on the table and to be printed.

RECESS.

Mr. CHAMBERLAIN. Mr. President, I move that the Senate take a recess until 10 o'clock this morning.

The PRESIDING OFFICER. If no other Senator is ready to proceed with the debate, the motion is in order.

The motion was agreed to; and (at 1 o'clock and 55 minutes a. m., Saturday, April 28, 1917) the Senate took a recess until 10 o'clock a. m. Saturday, April 28, 1917.

HOUSE OF REPRESENTATIVES.

FRIDAY, *April 27, 1917.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in Heaven, infinite in all Thy resources, increase our faith and confidence in Thee; for they that trust in the Lord shall be as Mount Zion which can not be removed, but abideth forever. And increase our faith and confidence in the nobility of soul which Thou hast implanted within every man and which is ever contending against selfishness and ignoble desires for supremacy. That we may hasten the coming of Thy kingdom by living to the ideals exemplified in the life and character of the Jesus of Nazareth. Amen.

The journal of the proceedings of yesterday was read and approved.

INCREASE OF THE MILITARY ESTABLISHMENT.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 3545) to authorize the President to increase temporarily the Military Establishment of the United States.

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present. Evidently there is not a quorum present.

Mr. FITZGERALD. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Bell	Dooling	Lever	Sims
Blackmon	Dupré	Linthicum	Smith, Idaho
Blanton	Dyer	Martin, Ill.	Sterling, Pa.
Borland	Estopinal	Oliver, N. Y.	Sullivan
Buchanan	Flynn	O'Shaunessy	Sumners
Campbell, Kans.	Fuller, Mass.	Pou	Taylor, Colo.
Capstick	Gardner	Powers	Vare
Carter, Okla.	Graham, Pa.	Ragsdale	Ward
Connally, Tex.	Hayes	Raker	Williams
Costello	Hulbert	Robbins	Wise
Curry, Cal.	Johnson, S. Dak.	Rowland	
Davis	Kettner	Scott, Pa.	
Dill	Kincheloe	Shackleford	

The SPEAKER. Three hundred and eighty-two Members have answered to their names, a quorum.

Mr. DENT. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

EXTENSION OF REMARKS.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein a dispatch from the Central Labor Union of Toledo, 10,000 strong, announcing the adoption of resolutions against conscription, and similar resolutions passed by the Machinists' Union and the Glassworkers' Union of Toledo.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD in the manner stated. Is there objection?

There was no objection.

INCREASE OF THE MILITARY ESTABLISHMENT.

Mr. DENT. Mr. Speaker, I renew my motion that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 3545. Before that motion is put, I would like to make this announcement. As far as we can control the situation, I have an understanding with the gentleman from California [Mr. KAHN] that those who desire to speak on either side of this question and who were eliminated by the process of elimination which we finally had to adopt shall have the right to have their remarks extended when we begin to read the bill under the five-minute rule. In other words, that he and I will not object to a liberal extension of time in order that these gentlemen may have the same advantage as those who spoke during general debate.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. DENT. Yes.

Mr. MANN. I understand that the Senate has entered into an agreement to vote to-morrow upon the Senate bill on this same subject. Of course, we would not necessarily be making much progress if the House were to pass a House bill on the subject and the Senate should pass a Senate bill on the same subject unless unanimous consent were given to take it up immediately. It would be desirable, it seems to me, for the House, if possible, to act on the House bill in time to send it to the Senate before a final vote is had on the Senate bill, so that the Senate might vote on the House bill by substituting the text of the Senate bill instead of on the Senate bill by number. Is it the intention of the gentleman to ask the House to sit late to-night with the hope that it might be possible to finish the bill either to-night or early to-morrow morning?

Mr. DENT. Mr. Speaker, I will say that I intended to make that additional announcement, that I shall ask the House to sit until at least 8 o'clock to-night, probably later, in order that we may vote upon this bill sometime to-morrow. I had a conversation last night with Senator CHAMBERLAIN, and he told me that the Senate had reached an agreement to vote upon the bill sometime during the calendar day to-morrow, and that probably it would be sometime during Saturday night. I hope the House will take a vote on this bill prior to 6 o'clock to-morrow evening.

The SPEAKER. The question is on the motion of the gentleman from Alabama that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 3545.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 3545, with Mr. SAUNDERS of Virginia in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 3545, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 3545) authorizing the President to increase temporarily the Military Establishment of the United States.

The CHAIRMAN. The gentleman from California [Mr. KAHN]. [Loud applause.]

Mr. KAHN. Mr. Chairman, I ask that I be allowed to proceed with my remarks and that I be not interrupted with questions until I have made my main statement; after that I shall be glad to answer questions. Mr. Chairman, at the outset I want to thank my colleagues on the Committee on Military Affairs for the uniform courtesy and kindness shown me personally during the time the committee was engaged in formulating this legislation. I have a high regard and deep admiration for the chairman of the committee and the members of the majority. I do not approve of the attacks that have been made upon them, because I believe that they are actuated by the same high motives that actuate the members of the minority. [Applause.] I want to thank, too, the members of the minority on that committee for the loyal support they have given me in all our deliberations on this bill. Theirs is a difficult position to occupy. The minority always does occupy a difficult position. It is hard to stand up against a majority, but I hope before I conclude to convince this House that the views of the minority are sound and that at the very beginning of this great struggle that confronts us we must start our military policy on a proper basis. [Applause.] The high-spirited, patriotic, courageous sacrifice of personal interests and creature comforts, and often even life itself, in volunteering for the Republic. The timid, the selfish, the cowardly, are permitted to shirk their duty. The burden ought never to be allowed to fall upon the shoulders of the former alone. Universal obligation to service ought to rest upon the shoulders of all alike. The Nation should never permit our patriotic citizens who are willing to volunteer solely to do the fighting. I do not—I can not—complain of the volunteer soldier. On many a bloody field in our country's history he has demonstrated his valor and his splendid fighting