Also, petition of Benevolent and Protective Order of Elks, California, favoring vocational rehabilitation of disabled service men and civil employees; to the Committee on Education.

By Mr. FITZGERALD: Petition of employees of Patterson, Teele & Dennis, against repeal of the so-called daylight-saving law; to the Committee on Agriculture.

By Mr. FRENCH: Petition of sundry citizens of Spirit Lake, Idaho, favoring Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Memorial of the American Federation of Labor, condemning mob rule and lynching; to the Committee on the Judiciary.

Also, petition of Mount Rockford (Ill.) district, Epworth League, opposing repeal of the war-time prohibition act and favoring enforcement legislation; to the Committee on the Judiciary.

By Mr. HAYS: Petition of citizens of Cape Girardeau, Mo., for the formation of a league of nations; to the Committee on Foreign Affairs.

By Mr. HUDSPETH: Document to accompany House bill 7050, relating to the claim made by First State Bank, Herrville, Tex.; to the Committee on Claims.

By Mr. JOHNSTON of New York: Petition of executive committee, the Savings Banks Association of the State of New York, favoring passage of act proposed by the National Association of Owners of Railroad Securities, known as the Warfield plan; to the Committee on Interstate and Foreign Commerce.

Also, petition of New York State Council of Farms and Markets, requesting appropriation of $500,000 for the purpose of exterminating insect known as the European corn borer; to the Committee on Appropriations.

Also, petition of sundry citizens of Brooklyn, N. Y., urging repeal of tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. LUFKIN: Petition of Local Union 924, Manchester, Mass., in favor of a league of nations; to the Committee on Foreign Affairs.

By Mr. MAGEE: Petition of many residents of the city of Syracuse and vicinity, requesting the repeal of the tax on sodas, soft drinks, and ice cream as contained in the revenue law; to the Committee on Ways and Means.

By Mr. McDUFFIE: Petition of Bertha Jacobsen and 161 other employees of the Gulf, Florida & Alabama Railway Co., urging Congress to enact such laws as will enable short-line railways to exist and to continue operations at a fair and just profit, and to provide such funds as required for the restoration of the various properties to the prewar status; to the Committee on Interstate and Foreign Commerce.

By Mr. MONAHAN of Wisconsin: Petition of 25 citizens of Hazel Green, Wis., protesting against the repeal of war-time prohibition, and urging enactment of legislation for the enforcement of same; to the Committee on the Judiciary.

Also, petition of Women's Christian Temperance Union, consisting of 85 members, of Mineral Point, Wis., urging enforcement of both war-time and constitutional prohibition; to the Committee on the Judiciary.

Also, petition of 41 citizens of Grant County, Wis., residing in the vicinity of Millville, protesting against the repeal of war-time prohibition, and urging enactment of legislation for the enforcement of same; to the Committee on the Judiciary.

Also, petition of 26 citizens of Madison, Wis., urging the repeal of the tax on candy, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

Also, petition of 51 citizens of Madison, Wis., protesting against and urging repeal of section 904 of the 1918 Federal income-tax law; to the Committee on Ways and Means.

By Mr. MURPHY: Memorial of the American Federation of Labor, protesting against lynching peoples of the colored race; to the Committee on the Judiciary.

Also, petition of citizens of Belmont County, Ohio, asking for an investigation as to the treatment of those of Jewish faith in the new Republic of Poland; to the Committee on Foreign Affairs.

By Mr. NEWTON of Missouri: Petition of a number of citizens of St. Louis, Mo., asking for the repeal of the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. RAMSEYER: Resolution adopted at the thirty-third annual convention of the Iowa Bankers' Association, held at Fort Dodge, Iowa, June 24–25, 1919; to the Committee on Banking and Currency.

By Mr. REBER: Petition of Mr. Joseph Matlauskas, Mr. John A. Kenizura, Mr. Frank Wasilanekas, Mr. John Mikalauckas, Mr. Stanley, Mr. Sosta Rauskas, Mr. Charles Yushkauskas, Mr. Mike Milbuth, Mr. Thomas Wilxaitis, and Mr. Peter Cober, all members of Lithuanian societies and organizations from Tamaqua, Pa., urging the United States to demand the withdrawal of Polish troops from Lithuanian territory and to give Lithuania a moral support in her war against Bolshevism; to the Committee on Foreign Affairs.

By Mr. VARE: Petition of the Philadelphia Board of Trade, protesting against tax exemption on further Government bond issues; to the Committee on Ways and Means.

Also, petition of supervisors of State banks, asking abolition of office of Comptroller of Currency, with letter of commissioner of banking of Pennsylvania attached; to the Committee on Banking and Currency.

By Mr. WATSON of Pennsylvania: Resolution recommending abolition of the office of Comptroller of Currency; to the Committee on the Judiciary.

By Mr. WEBSTER: Petition of Fidsvold Lodge, No. 19, International Order of Good Templars, at Spokane, Wash., requesting the House of Representatives to promptly enact at this session of Congress laws providing for the full enforcement of the eighteenth amendment to the United States Constitution and also definitely defining intoxicating liquors; to the Committee on the Judiciary.

By Mr. WINSLOW: Petition of residents of Worcester, Mass., against the imposition of the tax on ice cream and soft drinks; to the Committee on Ways and Means.

Also, petition of Union Lodge, No. 140, International Order of Good Templars, Worcester, Mass., urging enactment of legislation providing for the enforcement of the eighteenth amendment, etc.; to the Committee on the Judiciary.

SENATE.

THURSDAY, *July 10, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D D., offered the following prayer:

Almighty God, at the threshold of this sacred day we pause for prayer. We lift up our eyes to Thy throne, from which comes all our help. We submit ourselves to Thee, the sovereign King and Lord of all the earth. With the tremendous responsibilities of the hour, with the ever-increasing burdens of the world's life upon us, we turn to God for wisdom and strength and guidance, and pray that the God of our fathers will lead us on and fulfill the great design in us as a Nation. For Christ's sake. Amen.

The VICE PRESIDENT resumed the chair.

The Secretary proceeded to read the Journal of the proceedings of Tuesday last, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PETITIONS AND MEMORIALS.

Mr. FLETCHER. I present a telegram, in the nature of a memorial, which I ask may be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SANFORD, FLA., *July 7, 1919.*

HON. DUNCAN U. FLETCHER,
United States Senator from Florida, Washington, D. C.

DEAR SIR: Recognizing that there are but three choices before our Nation, either to return to the old world conditions prevailing before the war, the war-making status; or, second, the acceptance of some form of soviet or Bolshevik régime, with democracy swept aside; or, third, the adoption of the league of nations, we, people of Sanford, Fla., in patriotic mass meeting, July 6, heartily commend your efficient service and earnestly urge the throwing of your every influence in behalf of the league, that the United States, standing together with other free nations, may insure peace, promote just and humane international cooperation, and help build the new world for which the war was fought.

By committee.

F. P. FORSTER,
President First National Bank.
E. A. DOUGLAS,
Clerk Court.
R. J. HOLLY,
Editor Herald.
Rev. C. W. WHITE,
Pastor Methodist Church.

Mr. FLETCHER. I have a communication from A. S. Butterworth, of Pensacola, Fla., transmitting a petition of the employees of the Gulf, Florida & Alabama Railway, praying for the enactment of legislation to enable short-line railways to exist, and to continue operations at a fair and just profit. I ask that the communication and accompanying petition be referred to the Committee on Interstate Commerce.

The VICE PRESIDENT. Without objection, that action will be taken.

Mr. McCUMBER presented a petition of sundry citizens of Ward County, N. Dak., praying for the repeal of the stamp tax

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on medicines, toilet articles, clothing, etc., which was referred to the Committee on Finance.

Mr. WARREN presented a petition of sundry citizens of Wyoming, praying for the adoption of an amendment to the general leasing bill so as to include bona fide occupants of lands prior to January 1, 1919, which was referred to the Committee on Public Lands.

Mr. FERNALD presented a resolution adopted by the City Council of Lewiston, Me., favoring the independence of Ireland, which was referred to the Committee on Foreign Relations.

Mr. SUTHERLAND presented a petition of sundry citizens of Ohio County, W. Va., praying for the repeal of the tax on ice cream, sodas, and soft drinks, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Martinsburg, W. Va., praying for Government ownership and control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. HALE presented a petition of Advance Lodge No. 10, International Order of Good Templars, of South Lewiston, Me., praying for the enactment of legislation providing for the enforcement of prohibition, which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Belgrade Lake, Me., and a memorial of sundry citizens of Houlton, Me., remonstrating against the proposed plan of the Secretary of the Interior to reclaim swamp and desert lands, etc., which were referred to the Committee on Public Lands.

He also presented a memorial of sundry labor organizations of Portland, Me., remonstrating against the sale of uncompleted ships to any foreign Government, and favoring legislation providing for the completion of such ships, which was referred to the Committee on Commerce.

Mr. WILLIAMS. I ask leave to have inserted in the RECORD a petition addressed to the President and the Senate and House from the Grand Lodge, Brotherhood of Railroad Trainmen of the United States, dealing with the question of the covenant of the league of nations.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

GRAND LODGE,
BROTHERHOOD OF RAILROAD TRAINMEN,
GENERAL OFFICES,
Cleveland Ohio, June 26, 1919.

To His Excellency Woodrow Wilson, President of the United States, and Members of the Senate and House of Representatives.

SIRS: We take pleasure in handing you herewith copies of resolutions adopted by the second triennial convention of the Brotherhood of Railroad Trainmen, representing a membership in excess of 188,000, which convention was held in Columbus, Ohio, May 14 to June 4, 1919:

"Whereas the greatest armed conflict of history is over. It has been the bloodiest and most cruel and destructive war since the world began. Already we look back upon it as a horrible nightmare; and

"Whereas people never voluntarily enter war, which is the result of misgovernment and comes as a lack of cooperation among nations; and

"Whereas President Wilson and the learned representatives of our Allies and the neutral countries have formulated a plan which we hope will bring about closer cooperation among nations, with a view of avoiding future wars—the league of nations. Millions of mothers in the broken homes of the world are dreaming of it to-day. The spirits of 10,000,000 dead men who but yesterday fell victims to the folly and criminal shortsightedness of man are whispering their supplications into the ears of a just God that national butchery shall cease and war shall be no more: Therefore be it

"*Resolved*, That we, the Grand Lodge of the Brotherhood of Railroad Trainmen, in session assembled, go on record as in favor of the league of nations; and be it further

"*Resolved*, That a copy of these resolutions be sent to each Member of Congress and a copy to President Wilson, in care of his secretary, at Washington, D. C."

—

"Whereas in the titanic struggle between democracy and autocracy Woodrow Wilson, our beloved President, the master interpreter of the principles of democracy and the brotherhood of man, has given voice to and made the whole world listen to those principles and ideals for which the workers have struggled and died from time immemorial and has declared that weak nations must receive the same consideration in the affairs of the world as strong ones, and that this is the very basis of humane civilization; and

"Whereas the President in his message cabled to Congress, now in special session convened, has declared that the question of labor stands at the front of all others in every country amidst the present great awakening, and that by calling for a new organization of industry, by which workers may have the opportunity for a genuine partnership and participate in control with capital through voluntary and cooperative means to effect the object of genuine democratization of industry based upon a full recognition of the right of those who work, in whatever rank, to participate in some organic way in every decision which directly affects their welfare or the part they are to play in industry, he has again demonstrated fealty and loyalty to the cause of labor and humanity: Therefore be it

"*Resolved*, That the Brotherhood of Railroad Trainmen in national triennial convention assembled at Columbus, Ohio, hereby expresses its gratitude to and its willingness to support as a solid and united body the greatest, most eloquent, and honest advocate of the rights of the common people since the days of Lincoln, President Woodrow Wilson, and we pledge our lives and what we have of fortune to him and to our Government for the effecting and establishing of the humane aims and objects which he has outlined; be it further

"*Resolved*, That a copy of the above resolution be forwarded to the President of the United States, the Senate, and the House of Representatives at Washington, and a copy of same be given to the press."

Very truly, yours,

W. G. LEE,
President.
A. E. KING,
General Secretary and Treasurer.

ADJOURNMENT TO MONDAY.

Mr. LODGE. I move that when the Senate adjourns to-day it be to meet on Monday next.

The motion was agreed to.

ADDRESS BY THE PRESIDENT OF THE UNITED STATES.

The VICE PRESIDENT. Senators, the hour has practically arrived at which, in accordance with the order of the Senate heretofore made, the Senate is to listen to a communication from the President of the United States. As the Chair understands it, the Senate acting under the order will receive the President of the United States in open executive session. The committee heretofore appointed will kindly escort the President of the United States to the Senate Chamber.

The committee of Senators previously appointed, Mr. LODGE, Mr. MCCUMBER, Mr. BORAH, Mr. HITCHCOCK, and Mr. WILLIAMS, retired, and, at 12 o'clock and 15 minutes p. m., reentered the Chamber escorting the President of the United States.

The Sergeant at Arms of the Senate (David S. Barry), announced the President, who was greeted with prolonged applause.

The members of the President's Cabinet occupied the seats provided for them in the area in front of the Secretary's desk.

The VICE PRESIDENT presented the President of the United States to the Senate, and standing at the Vice President's desk the President spoke as follows:

Gentlemen of the Senate, the treaty of peace with Germany was signed at Versailles on the twenty-eighth of June. I avail myself of the earliest opportunity to lay the treaty before you for ratification and to inform you with regard to the work of the Conference by which that treaty was formulated.

The treaty constitutes nothing less than a world settlement. It would not be possible for me either to summarize or to construe its manifold provisions in an address which must of necessity be something less than a treatise. My services and all the information I possess will be at your disposal and at the disposal of your Committee on Foreign Relations at any time, either informally or in session, as you may prefer; and I hope that you will not hesitate to make use of them. I shall at this time, prior to your own study of the document, attempt only a general characterization of its scope and purpose.

In one sense, no doubt, there is no need that I should report to you what was attempted and done at Paris. You have been daily cognizant of what was going on there,—of the problems with which the Peace Conference had to deal and of the difficulty of laying down straight lines of settlement anywhere on a field on which the old lines of international relationship, and the new alike, followed so intricate a pattern and were for the most part cut so deep by historical circumstances which dominated action even where it might have been best to ignore or reverse them. The cross currents of politics and of interest must have been evident to you. It would be presuming in me to attempt to explain the questions which arose or the many diverse elements that entered into them. I shall attempt something less ambitious than that and more clearly suggested by my duty to report to the Congress the part it seemed necessary for my colleagues and me to play as the representatives of the Government of the United States.

That part was dictated by the rôle America had played in the war and by the expectations that had been created in the minds of the peoples with whom we had associated ourselves in that great struggle.

The United States entered the war upon a different footing from every other nation except our associates on this side the sea. We entered it, not because our material interests were directly threatened or because any special treaty obligations to which we were parties had been violated, but only because we saw the supremacy, and even the validity, of right everywhere put in jeopardy and free government likely to be everywhere imperiled by the intolerable aggression of a power which respected neither right nor obligation and whose very system of government flouted the rights of the citizen as against the autocratic authority of his governors. And in the settlements of the peace we have sought no special reparation for ourselves,

but only the restoration of right and the assurance of liberty everywhere that the effects of the settlement were to be felt. We entered the war as the disinterested champions of right and we interested ourselves in the terms of the peace in no other capacity.

The hopes of the nations allied against the central powers were at a very low ebb when our soldiers began to pour across the sea. There was everywhere amongst them, except in their stoutest spirits, a sombre foreboding of disaster. The war ended in November, eight months ago, but you have only to recall what was feared in midsummer last, four short months before the armistice, to realize what it was that our timely aid accomplished alike for their morale and their physical safety. That first, never-to-be-forgotten action at Chateau-Thierry had already taken place. Our redoubtable soldiers and marines had already closed the gap the enemy had succeeded in opening for their advance upon Paris,—had already turned the tide of battle back towards the frontiers of France and begun the rout that was to save Europe and the world. Thereafter the Germans were to be always forced back, back, were never to thrust successfully forward again. And yet there was no confident hope. Anxious men and women, leading spirits of France, attended the celebration of the fourth of July last year in Paris out of generous courtesy,—with no heart for festivity, no zest for hope. But they came away with something new at their hearts; they have themselves told us so. The mere sight of our men,—of their vigour, of the confidence that showed itself in every movement of their stalwart figures and every turn of their swinging march, in their steady comprehending eyes and easy discipline, in the indomitable air that added spirit to everything they did,—made everyone who saw them that memorable day realize that something had happened that was much more than a mere incident in the fighting, something very different from the mere arrival of fresh troops. A great moral force had flung itself into the struggle. The fine physical force of those spirited men spoke of something more than bodily vigour. They carried the great ideals of a free people at their hearts and with that vision were unconquerable. Their very presence brought reassurance; their fighting made victory certain.

They were recognized as crusaders, and as their thousands swelled to millions their strength was seen to mean salvation. And they were fit men to carry such a hope and make good the assurance it forecast. Finer men never went into battle; and their officers were worthy of them. This is not the occasion upon which to utter a eulogy of the armies America sent to France, but perhaps, since I am speaking of their mission, I may speak also of the pride I shared with every American who saw or dealt with them there. They were the sort of men America would wish to be represented by, the sort of men every American would wish to claim as fellowcountrymen and comrades in a great cause. They were terrible in battle, and gentle and helpful out of it, remembering the mothers and the sisters, the wives and the little children at home. They were free men under arms, not forgetting their ideals of duty in the midst of tasks of violence. I am proud to have had the privilege of being associated with them and of calling myself their leader.

But I speak now of what they meant to the men by whose sides they fought and to the people with whom they mingled with such utter simplicity, as friends who asked only to be of service. They were for all the visible embodiment of America. What they did made America and all that she stood for a living reality in the thoughts not only of the people of France but also of tens of millions of men and women throughout all the toiling nations of the world standing everywhere in peril of its freedom and of the loss of everything it held dear, in deadly fear that its bonds were never to be loosed, its hopes to be forever mocked and disappointed.

And the compulsion of what they stood for was upon us who represented America at the peace table. It was our duty to see to it that every decision we took part in contributed, so far as we were able to influence it, to quiet the fears and realize the hopes of the peoples who had been living in that shadow, the nations that had come by our assistance to their freedom. It was our duty to do everything that it was within our power to do to make the triumph of freedom and of right a lasting triumph in the assurance of which men might everywhere live without fear.

Old entanglements of every kind stood in the way,—promises which governments had made to one another in the days when might and right were confused and the power of the victor was without restraint. Engagements which contemplated any dispositions of territory, any extensions of sovereignty that might seem to be to the interest of those who had the power to insist upon them, had been entered into without thought of what the peoples concerned might wish or profit by: and these could not always be honourably brushed aside. It was not easy to graft the new order of ideas on the old, and some of the fruits of the grafting may, I fear, for a time be bitter. But, with very few exceptions, the men who sat with us at the peace table desired as sincerely as we did to get away from the bad influences, the illegitimate purposes, the demoralizing ambitions, the international counsels and expedients out of which the sinister designs of Germany had sprung as a natural growth.

It had been our privilege to formulate the principles which were accepted as the basis of the peace, but they had been accepted, not because we had come in to hasten and assure the victory and insisted upon them, but because they were readily acceded to as the principles to which honourable and enlightened minds everywhere had been bred. They spoke the conscience of the world as well as the conscience of America, and I am happy to pay my tribute of respect and gratitude to the able, forward-looking men with whom it was my privilege to cooperate for their unfailing spirit of cooperation, their constant effort to accommodate the interests they represented to the principles we were all agreed upon. The difficulties, which were many, lay in the circumstances, not often in the men. Almost without exception the men who led had caught the true and full vision of the problem of peace as an indivisible whole, a problem, not of mere adjustments of interest, but of justice and right action.

The atmosphere in which the Conference worked seemed created, not by the ambitions of strong governments, but by the hopes and aspirations of small nations and of peoples hitherto under bondage to the power that victory had shattered and destroyed. Two great empires had been forced into political bankruptcy, and we were the receivers. Our task was not only to make peace with the central empires and remedy the wrongs their armies had done. The central empires had lived in open violation of many of the very rights for which the war had been fought, dominating alien peoples over whom they had no natural right to rule, enforcing, not obedience, but veritable bondage, exploiting those who were weak for the benefit of those who were masters and overlords only by force of arms. There could be no peace until the whole order of central Europe was set right.

That meant that new nations were to be created,—Poland, Czecho-Slovakia, Hungary itself. No part of ancient Poland had ever in any true sense become a part of Germany, or of Austria, or of Russia. Bohemia was alien in every thought and hope to the monarchy of which she had so long been an artificial part; and the uneasy partnership between Austria and Hungary had been one rather of interest than of kinship or sympathy. The Slavs whom Austria had chosen to force into her empire on the south were kept to their obedience by nothing but fear. Their hearts were with their kinsmen in the Balkans. These were all arrangements of power, not arrangements of natural union or association. It was the imperative task of those who would make peace and make it intelligently to establish a new order which would rest upon the free choice of peoples rather than upon the arbitrary authority of Hapsburgs or Hohenzollerns.

More than that, great populations bound by sympathy and actual kin to Rumania were also linked against their will to the conglomerate Austro-Hungarian monarchy or to other alien sovereignties, and it was part of the task of peace to make a new Rumania as well as a new Slavic state clustering about Serbia.

And no natural frontiers could be found to these new fields of adjustment and redemption. It was necessary to look constantly forward to other related tasks. The German colonies were to be disposed of. They had not been governed; they had been exploited merely, without thought of the interest or even the ordinary human rights of their inhabitants.

The Turkish Empire, moreover, had fallen apart, as the Austro-Hungarian had. It had never had any real unity. It had been held together only by pitiless, inhuman force. Its peoples cried aloud for release, for succour from unspeakable distress, for all that the new day of hope seemed at last to bring within its dawn. Peoples hitherto in utter darkness were to be led out into the same light and given at last a helping hand. Undeveloped peoples and peoples ready for recognition but not yet ready to assume the full responsibilities of statehood were to be given adequate guarantees of friendly protection, guidance, and assistance.

And out of the execution of these great enterprises of liberty sprang opportunities to attempt what statesmen had never found the way before to do: an opportunity to throw safeguards about the rights of racial, national, and religious minorities

by solemn international covenant; an opportunity to limit and regulate military establishments where they were most likely to be mischievous; an opportunity to effect a complete and systematic internationalization of waterways and railways which were necessary to the free economic life of more than one nation and to clear many of the normal channels of commerce of unfair obstructions of law or of privilege; and the very welcome opportunity to secure for labour the concerted protection of definite international pledges of principle and practice.

These were not tasks which the Conference looked about it to find and went out of its way to perform. They were inseparable from the settlements of peace. They were thrust upon it by circumstances which could not be overlooked. The war had created them. In all quarters of the world old established relationships had been disturbed or broken and affairs were at loose ends, needing to be mended or united again, but could not be made what they were before. They had to be set right by applying some uniform principle of justice or enlightened expediency. And they could not be adjusted by merely prescribing in a treaty what should be done. New states were to be set up which could not hope to live through their first period of weakness without assured support by the great nations which had consented to their creation and won for them their independence. Ill governed colonies could not be put in the hands of governments which were to act as trustees for their people and not as their masters if there was to be no common authority among the nations to which they were to be responsible in the execution of their trust. Future international conventions with regard to the control of waterways, with regard to illicit traffic of many kinds, in arms or in deadly drugs, or with regard to the adjustment of many varying international administrative arrangements could not be assured if the treaty were to provide no permanent common international agency, if its execution in such matters was to be left to the slow and uncertain processes of cooperation by ordinary methods of negotiation. If the Peace Conference itself was to be the end of cooperative authority and common counsel among the governments to which the world was looking to enforce justice and give pledges of an enduring settlement, regions like the Saar basin could not be put under a temporary administrative régime which did not involve a transfer of political sovereignty and which contemplated a final determination of its political connections by popular vote to be taken at a distant date; no free city like Danzig could be created which was, under elaborate international guarantees, to accept exceptional obligations with regard to the use of its port and exceptional relations with a State of which it was not to form a part; properly safeguarded plebiscites could not be provided for where populations were at some future date to make choice what sovereignty they would live under; no certain and uniform method of arbitration could be secured for the settlement of anticipated difficulties of final decision with regard to many matters dealt with in the treaty itself; the long-continued supervision of the task of reparation which Germany was to undertake to complete within the next generation might entirely break down; the reconsideration and revision of administrative arrangements and restrictions which the treaty prescribed but which it was recognized might not prove of lasting advantage or entirely fair if too long enforced would be impracticable. The promises governments were making to one another about the way in which labour was to be dealt with, by law not only but in fact as well, would remain a mere humane thesis if there was to be no common tribunal of opinion and judgment to which liberal statesmen could resort for the influences which alone might secure their redemption. A league of free nations had become a practical necessity. Examine the treaty of peace and you will find that everywhere throughout its manifold provisions its framers have felt obliged to turn to the League of Nations as an indispensable instrumentality for the maintenance of the new order it has been their purpose to set up in the world,—the world of civilized men.

That there should be a league of nations to steady the counsels and maintain the peaceful understandings of the world, to make, not treaties alone, but the accepted principles of international law as well, the actual rule of conduct among the governments of the world, had been one of the agreements accepted from the first as the basis of peace with the central powers. The statesmen of all the belligerent countries were agreed that such a league must be created to sustain the settlements that were to be effected. But at first I think there was a feeling among some of them that, while it must be attempted, the formation of such a league was perhaps a counsel of perfection which practical men, long experienced in the world of affairs, must agree to very cautiously and with many misgivings. It was only as the difficult work of arranging an all but universal adjustment of the world's affairs advanced from day to day from one stage of conference to another that it became evident to them that what they were seeking would be little more than something written upon paper, to be interpreted and applied by such methods as the chances of politics might make available if they did not provide a means of common counsel which all were obliged to accept, a common authority whose decisions would be recognized as decisions which all must respect.

And so the most practical, the most skeptical among them turned more and more to the League as the authority through which international action was to be secured, the authority without which, as they had come to see it, it would be difficult to give assured effect either to this treaty or to any other international understanding upon which they were to depend for the maintenance of peace. The fact that the Covenant of the League was the first substantive part of the treaty to be worked out and agreed upon, while all else was in solution, helped to make the formulation of the rest easier. The Conference was, after all, not to be ephemeral. The concert of nations was to continue, under a definite Covenant which had been agreed upon and which all were convinced was workable. They could go forward with confidence to make arrangements intended to be permanent. The most practical of the conferees were at last the most ready to refer to the League of Nations the superintendence of all interests which did not admit of immediate determination, of all administrative problems which were to require a continuing oversight. What had seemed a counsel of perfection had come to seem a plain counsel of necessity. The League of Nations was the practical statesman's hope of success in many of the most difficult things he was attempting.

And it had validated itself in the thought of every member of the Conference as something much bigger, much greater every way, than a mere instrument for carrying out the provisions of a particular treaty. It was universally recognized that all the peoples of the world demanded of the Conference that it should create such a continuing concert of free nations as would make wars of aggression and spoilation such as this that has just ended forever impossible. A cry had gone out from every home in every stricken land from which sons and brothers and fathers had gone forth to the great sacrifice that such a sacrifice should never again be exacted. It was manifest why it had been exacted. It had been exacted because one nation desired dominion and other nations had known no means of defence except armaments and alliances. War had lain at the heart of every arrangement of the Europe,—of every arrangement of the world,—that preceded the war. Restive peoples had been told that fleets and armies, which they toiled to sustain, meant peace; and they now knew that they had been lied to: that fleets and armies had been maintained to promote national ambitions and meant war. They knew that no old policy meant anything else but force, force,—always force. And they knew that it was intolerable. Every true heart in the world, and every enlightened judgment demanded that, at whatever cost of independent action, every government that took thought for its people or for justice or for ordered freedom should lend itself to the new purpose and utterly destroy the old order of international politics. Statesmen might see difficulties, but the people could see none and could brook no denial. A war in which they had been bled white to beat the terror that lay concealed in every Balance of Power must not end in a mere victory of arms and a new Balance. The monster that had resorted to arms must be put in chains that could not be broken. The united power of free nations must put a stop to aggression, and the world must be given peace. If there was not the will or the intelligence to accomplish that now, there must be another and a final war and the world must be swept clean of every power that could renew the terror. The League of Nations was not merely an instrument to adjust and remedy old wrongs under a new treaty of peace. It was the only hope for mankind. Again and again had the demon of war been cast out of the house of the peoples, and the house swept clean by a treaty of peace, only to prepare a time when he would enter in again with spirits worse than himself. The house must now be given a tenant who could hold it against all such. Convenient, indeed indispensable, as statesmen found the newly planned League of Nations to be for the execution of present plans of peace and reparation, they saw it in a new aspect before their work was finished. They saw it as the main object of the peace, as the only thing that could complete it or make it worth while. They saw it as the hope of the world, and that hope they did not dare disappoint. Shall we or any other free people hesitate to accept this great duty? Dare we reject it and break the heart of the world?

And so the result of the Conference of Peace, so far as Germany is concerned, stands complete. The difficulties encoun-

tered were very many. Sometimes they seemed insuperable. It was impossible to accommodate the interests of so great a body of nations,—interests which directly or indirectly affected almost every nation in the world,—without many minor compromises. The treaty, as a result, is not exactly what we would have written. It is probably not what any one of the national delegations would have written. But results were worked out which on the whole bear test. I think that it will be found that the compromises which were accepted as inevitable nowhere cut to the heart of any principle. The work of the Conference squares, as a whole, with the principles agreed upon as the basis of the peace as well as with the practical possibilities of the international situations which had to be faced and dealt with as facts.

I shall presently have occasion to lay before you a special treaty with France whose object is the temporary protection of France from unprovoked aggression by the Power with whom this treaty of peace has been negotiated. Its terms link it with this treaty. I take the liberty, however, of reserving it, because of its importance, for special explication on another occasion.

The rôle which America was to play in the Conference seemed determined, as I have said, before my colleagues and I got to Paris,—determined by the universal expectations of the nations whose representatives, drawn from all quarters of the globe, we were to deal with. It was universally recognized that America had entered the war to promote no private or peculiar interest of her own but only as the champion of rights which she was glad to share with free men and lovers of justice everywhere. We had formulated the principles upon which the settlement was to be made,—the principles upon which the armistice had been agreed to and the parleys of peace undertaken,—and no one doubted that our desire was to see the treaty of peace formulated along the actual lines of those principles,—and desired nothing else. We were welcomed as disinterested friends. We were resorted to as arbiters in many a difficult matter. It was recognized that our material aid would be indispensable in the days to come, when industry and credit would have to be brought back to their normal operation again and communities beaten to the ground assisted to their feet once more, and it was taken for granted, I am proud to say, that we would play the helpful friend in these things as in all others without prejudice or favour. We were generously accepted as the unaffected champions of what was right. It was a very responsible rôle to play; but I am happy to report that the fine group of Americans who helped with their expert advice in each part of the varied settlements sought in every transaction to justify the high confidence reposed in them.

And that confidence, it seems to me, is the measure of our opportunity and of our duty in the days to come, in which the new hope of the peoples of the world is to be fulfilled or disappointed. The fact that America is the friend of the nations, whether they be rivals or associates, is no new fact: it is only the discovery of it by the rest of the world that is new.

America may be said to have just reached her majority as a world power. It was almost exactly twenty-one years ago that the results of the War with Spain put us unexpectedly in possession of rich islands on the other side of the world and brought us into association with other governments in the control of the West Indies. It was regarded as a sinister and ominous thing by the statesmen of more than one European chancellery that we should have extended our power beyond the confines of our continental dominions. They were accustomed to think of new neighbours as a new menace, of rivals as watchful enemies. There were persons amongst us at home who looked with deep disapproval and avowed anxiety on such extensions of our national authority over distant islands and over peoples whom they feared we might exploit, not serve and assist. But we have not exploited them. We have been their friends and have sought to serve them. And our dominion has been a menace to no other nation. We redeemed our honour to the utmost in our dealings with Cuba. She is weak but absolutely free; and it is her trust in us that makes her free. Weak peoples everywhere stand ready to give us any authority among them that will assure them a like friendly oversight and direction. They know that there is no ground for fear in receiving us as their mentors and guides. Our isolation was ended twenty years ago; and now fear of us is ended also, our counsel and association sought after and desired. There can be no question of our ceasing to be a world power. The only question is whether we can refuse the moral leadership that is offered us, whether we shall accept or reject the confidence of the world.

The war and the Conference of Peace now sitting in Paris seem to me to have answered that question. Our participation in the war established our position among the nations and nothing but our own mistaken action can alter it. It was not an accident or a matter of sudden choice that we are no longer isolated and devoted to a policy which has only our own interest and advantage for its object. It was our duty to go in, if we were indeed the champions of liberty and of right. We answered to the call of duty in a way so spirited, so utterly without thought of what we spent of blood or treasure, so effective, so worthy of the admiration of true men everywhere, so wrought out of the stuff of all that was heroic, that the whole world saw at last, in the flesh, in noble action, a great ideal asserted and vindicated, by a nation they had deemed material and now found to be compact of the spiritual forces that must free men of every nation from every unworthy bondage. It is thus that a new rôle and a new responsibility have come to this great nation that we honour and which we would all wish to lift to yet higher levels of service and achievement.

The stage is set, the destiny disclosed. It has come about by no plan of our conceiving, but by the hand of God who led us into this way. We cannot turn back. We can only go forward, with lifted eyes and freshened spirit, to follow the vision. It was of this that we dreamed at our birth. America shall in truth show the way. The light streams upon the path ahead, and nowhere else. [Great applause.]

Upon the conclusion of the address (at 12 o'clock and 55 minutes p. m.) the President of the United States, escorted by the committee of the Senate, retired from the Chamber amid prolonged applause.

On motion of Mr. LODGE, it was—

Ordered, That the injunction of secrecy be removed from the treaty of peace between the United States and Germany this day presented to the Senate by the President of the United States, and that it be referred to the Committee on Foreign Relations, and that the same be printed as a Senate document and in the CONGRESSIONAL RECORD, and that as many additional copies be printed as can be obtained within statutory limits.

The treaty this day submitted to the Senate by the President of the United States is as follows:

TREATY OF PEACE WITH GERMANY.

THE UNITED STATES OF AMERICA, THE BRITISH EMPIRE, FRANCE, ITALY and JAPAN,

These Powers being described in the present Treaty as the Principal Allied and Associated Powers,

BELGIUM, BOLIVIA, BRAZIL, CHINA, CUBA, ECUADOR, GREECE, GUATEMALA, HAITI, THE HEDJAZ, HONDURAS, LIBERIA, NICARAGUA, PANAMA, PERU, POLAND, PORTUGAL, ROUMANIA, THE SERB-CROAT-SLOVENE STATE, SIAM, CZECHO-SLOVAKIA and URUGUAY,

These Powers constituting with the Principal Powers mentioned above the Allied and Associated Powers,

of the one part;

And GERMANY,

of the other part;

Bearing in mind that on the request of the Imperial German Government an Armistice was granted on November 11, 1918, to Germany by the Principal Allied and Associated Powers in order that a Treaty of Peace might be concluded with her, and

The Allied and Associated Powers being equally desirous that the war in which they were successively involved directly or indirectly and which originated in the declaration of war by Austria-Hungary on July 28, 1914, against Serbia, the declaration of war by Germany against Russia on August 1, 1914, and against France on August 3, 1914, and in the invasion of Belgium, should be replaced by a firm, just and durable Peace,

For this purpose the HIGH CONTRACTING PARTIES represented as follows:

THE PRESIDENT OF THE UNITED STATES OF AMERICA, by:

The Honourable Woodrow WILSON, PRESIDENT OF THE UNITED STATES, acting in his own name and by his own proper authority;

The Honourable Robert LANSING, Secretary of State;

The Honourable Henry WHITE, formerly Ambassador Extraordinary and Plenipotentiary of the United States at Rome and Paris;

The Honourable Edward M. HOUSE;

General Tasker H. BLISS, Military Representative of the United States on the Supreme War Council;

HIS MAJESTY THE KING OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND AND OF THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA, by:

The Right Honourable David LLOYD GEORGE, M. P., First Lord of His Treasury and Prime Minister;
The Right Honourable Andrew BONAR LAW, M. P., His Lord Privy Seal;
The Right Honourable Viscount MILNER, G. C. B., G. C. M. G., His Secretary of State for the Colonies;
The Right Honourable Arthur James BALFOUR, O. M., M. P., His Secretary of State for Foreign Affairs;
The Right Honourable George Nicoll BARNES, M. P., Minister without portfolio;

And

for the DOMINION OF CANADA, by:

The Honourable Charles Joseph DOHERTY, Minister of Justice;
The Honourable Arthur Lewis SIFTON, Minister of Customs;

for the COMMONWEALTH OF AUSTRALIA, by:

The Right Honourable William Morris HUGHES, Attorney General and Prime Minister;
The Right Honourable Sir Joseph COOK, G. C. M. G., Minister for the Navy;

for the UNION OF SOUTH AFRICA, by:

General the Right Honourable Louis BOTHA, Minister of Native Affairs and Prime Minister;
Lieutenant-General the Right Honourable Jan Christiaan SMUTS, K. C., Minister of Defence;

for the DOMINION OF NEW ZEALAND, by:

The Right Honourable William Ferguson MASSEY, Minister of Labour and Prime Minister;

for INDIA, by:

The Right Honourable Edwin Samuel MONTAGU, M. P., His Secretary of State for India;
Major-General His Highness Maharaja Sir Ganga Singh Bahadur, Maharaja of BIKANER, G. C. S. I., G. C. I. E., G. C. V. O., K. C. B., A. D. C.;

THE PRESIDENT OF THE FRENCH REPUBLIC, by:

Mr. Georges CLEMENCEAU, President of the Council, Minister of War;
Mr. Stephen PICHON, Minister of Foreign Affairs;
Mr. Louis-Lucien KLOTZ, Minister of Finance;
Mr. André TARDIEU, Commissary General for Franco-American Military Affairs;
Mr. Jules ÇAMBON, Ambassador of France;

HIS MAJESTY THE KING OF ITALY, by:

Baron S. SONNINO, Deputy;
Marquis G. IMPERIALI, Senator, Ambassador of His Majesty the King of Italy at London;
Mr. S. CRESPI, Deputy;

HIS MAJESTY THE EMPEROR OF JAPAN, by:

Marquis SAÏONZI, formerly President of the Council of Ministers;
Baron MAKINO, formerly Minister for Foreign Affairs, Member of the Diplomatic Council;
Viscount CHINDA, Ambassador Extraordinary and Plenipotentiary of H. M. the Emperor of Japan at London;
Mr. K. MATSUI, Ambassador Extraordinary and Plenipotentiary of H. M. the Emperor of Japan at Paris;
Mr. H. IJUIN, Ambassador Extraordinary and Plenipotentiary of H. M. the Emperor of Japan at Rome;

HIS MAJESTY THE KING OF THE BELGIANS, by:

Mr. Paul HYMANS, Minister for Foreign Affairs, Minister of State;
Mr. Jules van den HEUVEL, Envoy Extraordinary and Minister Plenipotentiary, Minister of State;
Mr. Emile VANDERVELDE, Minister of Justice, Minister of State;

THE PRESIDENT OF THE REPUBLIC OF BOLIVIA, by:

Mr. Ismael MONTES, Envoy Extraordinary and Minister Plenipotentiary of Bolivia at Paris;

THE PRESIDENT OF THE REPUBLIC OF BRAZIL, by:

Mr. João Pandiá CALOGERAS, Deputy, formerly Minister of Finance;
Mr. Raul FERNANDES, Deputy;
Mr. Rodrigo Octavio de L. MENEZES, Professor of International Law of Rio de Janeiro;

THE PRESIDENT OF THE CHINESE REPUBLIC, by:

Mr. LOU Tseng-Tsiang, Minister for Foreign Affairs;
Mr. Chengting Thomas WANG, formerly Minister of Agriculture and Commerce;

THE PRESIDENT OF THE CUBAN REPUBLIC, by:

Mr. Antonio Sánchez de BUSTAMANTE, Dean of the Faculty of Law in the University of Havana, President of the Cuban Society of International Law;

THE PRESIDENT OF THE REPUBLIC OF ECUADOR, by:

Mr. Enrique DORN Y DE ALSÚA, Envoy Extraordinary and Minister Plenipotentiary of Ecuador at Paris;

HIS MAJESTY THE KING OF THE HELLENES, by:

Mr. Eleftherios K. VENISÉLOS, President of the Council of Ministers;
Mr. Nicolas POLITIS, Minister for Foreign Affairs;

THE PRESIDENT OF THE REPUBLIC OF GUATEMALA, by:

Mr. Joaquin MÉNDEZ, formerly Minister of State for Public Works and Public Instruction, Envoy Extraordinary and Minister Plenipotentiary of Guatemala at Washington, Envoy Extraordinary and Minister Plenipotentiary on special mission at Paris;

THE PRESIDENT OF THE REPUBLIC OF HAITI, by:

Mr. Tertullien GUILBAUD, Envoy Extraordinary and Minister Plenipotentiary of Haiti at Paris;

HIS MAJESTY THE KING OF THE HEDJAZ, by:

Mr. Rustem HAÏDAR;
Mr. Abdul Hadi AOUNI;

THE PRESIDENT OF THE REPUBLIC OF HONDURAS, by:

Dr. Policarpo BONILLA, on special mission to Washington, formerly President of the Republic of Honduras, Envoy Extraordinary and Minister Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF LIBERIA, by:

The Honourable Charles Dunbar Burgess KING, Secretary of State;

THE PRESIDENT OF THE REPUBLIC OF NICARAGUA, by:

Mr. Salvador CHAMORRO, President of the Chamber of Deputies;

THE PRESIDENT OF THE REPUBLIC OF PANAMA, by:

Mr. Antonio BURGOS, Envoy Extraordinary and Minister Plenipotentiary of Panama at Madrid;

THE PRESIDENT OF THE REPUBLIC OF PERU, by:

Mr. Carlos G. CANDAMO, Envoy Extraordinary and Minister Plenipotentiary of Peru at Paris;

THE PRESIDENT OF THE POLISH REPUBLIC, by:

Mr. Ignace J. PADEREWSKI, President of the Council of Ministers, Minister for Foreign Affairs;
Mr. ROMAN DMOWSKI, President of the Polish National Committee;

THE PRESIDENT OF THE PORTUGUESE REPUBLIC, by:

Dr. Affonso Augusto DA COSTA, formerly President of the Council of Ministers;
Dr. Augusto Luiz Vieira SOARES, formerly Minister for Foreign Affairs;

HIS MAJESTY THE KING OF ROUMANIA, by:

Mr. Ion I. C. BRATIANO, President of the Council of Ministers, Minister for Foreign Affairs;
General Constantin COANDA, Corps Commander, A. D. C. to the King, formerly President of the Council of Ministers;

HIS MAJESTY THE KING OF THE SERBS, THE CROATS, AND THE SLOVENES, by:

Mr. Nicholas P. PACHITICH, formerly President of the Council of Ministers;
Mr. Ante TRUMBIC, Minister for Foreign Affairs;
Mr. Milenko VESNITCH, Envoy Extraordinary and Minister Plenipotentiary of H. M. the King of the Serbs, the Croats and the Slovenes at Paris;

HIS MAJESTY THE KING OF SIAM, by:

His Highness Prince CHAROON, Envoy Extraordinary and Minister Plenipotentiary of H. M. the King of Siam at Paris;
His Serene Highness Prince Traidos PRABANDHU, Under Secretary of State for Foreign Affairs;

THE PRESIDENT OF THE CZECHO-SLOVAK REPUBLIC, by:

Mr. Karel KRAMÁŘ, President of the Council of Ministers;
Mr. Eduard BENEŠ, Minister for Foreign Affairs;

THE PRESIDENT OF THE REPUBLIC OF URUGUAY, by:
Mr. Juan Antonio BUERO, Minister for Foreign Affairs, formerly Minister of Industry;
GERMANY, by:
Mr. Hermann MÜLLER, Minister for Foreign Affairs of the Empire;
Dr. BELL, Minister of the Empire;
Acting in the name of the German Empire and of each and every component State,
WHO having communicated their full powers found in good and due form have AGREED AS FOLLOWS:
From the coming into force of the present Treaty the state of war will terminate. From that moment and subject to the provisions of this Treaty official relations with Germany, and with any of the German States, will be resumed by the Allied and Associated Powers.

PART I.

THE COVENANT OF THE LEAGUE OF NATIONS.

THE HIGH CONTRACTING PARTIES,
In order to promote international co-operation and to achieve international peace and security
by the acceptance of obligations not to resort to war,
by the prescription of open, just and honourable relations between nations,
by the firm establishment of the understandings of international law as the actual rule of conduct among Governments, and
by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organised peoples with one another,
Agree to this Covenant of the League of Nations.

ARTICLE 1.

The original Members of the League of Nations shall be those of the Signatories which are named in the Annex to this Covenant and also such of those other States named in the Annex as shall accede without reservation to this Covenant. Such accession shall be effected by a Declaration deposited with the Secretariat within two months of the coming into force of the Covenant. Notice thereof shall be sent to all other Members of the League.

Any fully self-governing State, Dominion or Colony not named in the Annex may become a Member of the League if its admission is agreed to by two-thirds of the Assembly, provided that it shall give effective guarantees of its sincere intention to observe its international obligations, and shall accept such regulations as may be prescribed by the League in regard to its military, naval and air forces and armaments.

Any Member of the League may, after two years' notice of its intention so to do, withdraw from the League, provided that all its international obligations and all its obligations under this Covenant shall have been fulfilled at the time of its withdrawal.

ARTICLE 2.

The action of the League under this Covenant shall be effected through the instrumentality of an Assembly and of a Council, with a permanent Secretariat.

ARTICLE 3.

The Assembly shall consist of Representatives of the Members of the League.

The Assembly shall meet at stated intervals and from time to time as occasion may require at the Seat of the League or at such other place as may be decided upon.

The Assembly may deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world.

At meetings of the Assembly each Member of the League shall have one vote, and may have not more than three Representatives.

ARTICLE 4.

The Council shall consist of Representatives of the Principal Allied and Associated Powers, together with Representatives of four other Members of the League. These four Members of the League shall be selected by the Assembly from time to time in its discretion. Until the appointment of the Representatives of the four Members of the League first selected by the Assembly, Representatives of Belgium, Brazil, Spain and Greece shall be members of the Council.

With the approval of the majority of the Assembly, the Council may name additional Members of the League whose Representatives shall always be members of the Council; the Council with like approval may increase the number of Members of the League to be selected by the Assembly for representation on the Council.

The Council shall meet from time to time as occasion may require, and at least once a year, at the Seat of the League, or at such other place as may be decided upon.

The Council may deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world.

Any Member of the League not represented on the Council shall be invited to send a Representative to sit as a member at any meeting of the Council during the consideration of matters specially effecting the interests of that Member of the League.

At meetings of the Council, each Member of the League represented on the Council shall have one vote, and may have not more than one Representative.

ARTICLE 5.

Except where otherwise expressly provided in this Covenant or by the terms of the present Treaty, decisions at any meeting of the Assembly or of the Council shall require the agreement of all the Members of the League represented at the meeting.

All matters of procedure at meetings of the Assembly or of the Council, including the appointment of Committees to investigate particular matters, shall be regulated by the Assembly or by the Council and may be decided by a majority of the Members of the League represented at the meeting.

The first meeting of the Assembly and the first meeting of the Council shall be summoned by the President of the United States of America.

ARTICLE 6.

The permanent Secretariat shall be established at the Seat of the League. The Secretariat shall comprise a Secretary General and such secretaries and staff as may be required.

The first Secretary General shall be the person named in the Annex; thereafter the Secretary General shall be appointed by the Council with the approval of the majority of the Assembly.

The secretaries and staff of the Secretariat shall be appointed by the Secretary General with the approval of the Council.

The Secretary General shall act in that capacity at all meetings of the Assembly and of the Council.

The expenses of the Secretariat shall be borne by the Members of the League in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.

ARTICLE 7.

The Seat of the League is established at Geneva.

The Council may at any time decide that the Seat of the League shall be established elsewhere.

All positions under or in connection with the League, including the Secretariat, shall be open equally to men and women.

Representatives of the Members of the League and officials of the League when engaged on the business of the League shall enjoy diplomatic privileges and immunities.

The buildings and other property occupied by the League or its officials or by Representatives attending its meetings shall be inviolable.

ARTICLE 8.

The Members of the League recognise that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations.

The Council, taking account of the geographical situation and circumstances of each State, shall formulate plans for such reduction for the consideration and action of the several Governments.

Such plans shall be subject to reconsideration and revision at least every ten years.

After these plans shall have been adopted by the several Governments, the limits of armaments therein fixed shall not be exceeded without the concurrence of the Council.

The Members of the League agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The Council shall advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those Members of the League which are not able to manufacture the munitions and implements of war necessary for their safety.

The Members of the League undertake to interchange full and frank information as to the scale of their armaments, their military, naval and air programmes and the condition of such of their industries as are adaptable to war-like purposes.

ARTICLE 9.

A permanent Commission shall be constituted to advise the Council on the execution of the provisions of Articles 1 and 8 and on military, naval and air questions generally.

ARTICLE 10.

The Members of the League undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all Members of the League. In case of any such aggression or in case of any threat or danger of such aggression the Council shall advise upon the means by which this obligation shall be fulfilled.

ARTICLE 11.

Any war or threat of war, whether immediately affecting any of the Members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise the Secretary General shall on the request of any Member of the League forthwith summon a meeting of the Council.

It is also declared to be the friendly right of each Member of the League to bring to the attention of the Assembly or of the Council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends.

ARTICLE 12.

The Members of the League agree that if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or to inquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the report by the Council.

In any case under this Article the award of the arbitrators shall be made within a reasonable time, and the report of the Council shall be made within six months after the submission of the dispute.

ARTICLE 13.

The Members of the League agree that whenever any dispute shall arise between them which they recognise to be suitable for submission to arbitration and which cannot be satisfactorily settled by diplomacy, they will submit the whole subject-matter to arbitration.

Disputes as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which if established would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach, are declared to be among those which are generally suitable for submission to arbitration.

For the considerion of any such dispute the court of arbitration to which the case is referred shall be the Court agreed on by the parties to the dispute or stipulated in any convention existing between them.

The Members of the League agree that they will carry out in full good faith any award that may be rendered, and that they will not resort to war against a Member of the League which complies therewith. In the event of any failure to carry out such an award, the Council shall propose what steps should be taken to give effect thereto.

ARTICLE 14.

The Council shall formulate and submit to the Members of the League for adoption plans for the establishment of a Permanent Court of International Justice. The Court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it. The Court may also give an advisory opinion upon any dispute or question referred to it by the Council or by the Assembly.

ARTICLE 15.

If there should arise between Members of the League any dispute likely to lead to a rupture, which is not submitted to arbitration in accordance with Article 13, the Members of the League agree that they will submit the matter to the Council. Any party to the dispute may effect such submission by giving notice of the existence of the dispute to the Secretary General, who will make all necessary arrangements for a full investigation and consideration thereof.

For this purpose the parties to the dispute will communicate to the Secretary General, as promptly as possible, statements of their case with all the relevant facts and papers, and the Council may forthwith direct the publication thereof.

The Council shall endeavour to effect a settlement of the dispute, and if such efforts are successful, a statement shall be made public giving such facts and explanations regarding the dispute and the terms of settlement thereof as the Council may deem appropriate.

If the dispute is not thus settled, the Council either unanimously or by a majority vote shall make and publish a report containing a statement of the facts of the dispute and the recommendations which are deemed just and proper in regard thereto.

Any Member of the League represented on the Council may make public a statement of the facts of the dispute and of its conclusions regarding the same.

If a report by the Council is unanimously agreed to by the members thereof other than the Representatives of one or more of the parties to the dispute, the Members of the League agree that they will not go to war with any party to the dispute which complies with the recommendations of the report.

If the Council fails to reach a report which is unanimously agreed to by the members thereof, other than the Representatives of one or more of the parties to the dispute, the Members of the League reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice.

If the dispute between the parties is claimed by one of them, and is found by the Council, to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the Council shall so report, and shall make no recommendation as to its settlement.

The Council may in any case under this Article refer the dispute to the Assembly. The dispute shall be so referred at the request of either party to the dispute, provided that such request be made within fourteen days after the submission of the dispute to the Council.

In any case referred to the Assembly, all the provisions of this Article and of Article 12 relating to the action and powers of the Council shall apply to the action and powers of the Assembly, provided that a report made by the Assembly, if concurred in by the Representatives of those Members of the League represented on the Council and of a majority of the other Members of the League, exclusive in each case of the Representatives of the parties to the dispute, shall have the same force as a report by the Council concurred in by all the members thereof other than the Representatives of one or more of the parties to the dispute.

ARTICLE 16.

Should any Member of the League resort to war in disregard of its covenants under Articles 12, 13 or 15, it shall *ipso facto* be deemed to have committed an act of war against all other Members of the League, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a Member of the League or not.

It shall be the duty of the Council in such case to recommend to the several Governments concerned what effective military, naval or air force the Members of the League shall severally contribute to the armed forces to be used to protect the covenants of the League.

The Members of the League agree, further, that they will mutually support one another in the financial and economic measures which are taken under this Article, in order to minimise the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State, and that they will take the necessary steps to afford passage through their territory to the forces of any of the Members of the League which are cooperating to protect the covenants of the League.

Any Member of the League which has violated any covenant of the League may be declared to be no longer a Member of the League by a vote of the Council concurred in by the Representatives of all the other Members of the League represented thereon.

ARTICLE 17.

In the event of a dispute between a Member of the League and a State which is not a Member of the League, or between States not Members of the League, the State or States not Members of the League shall be invited to accept the obligations of membership in the League for the purposes of such dispute, upon such conditions as the Council may deem just. If such invitation is accepted, the provisions of Articles 12 to

16 inclusive shall be applied with such modifications as may be deemed necessary by the Council.

Upon such invitation being given the Council shall immediately institute an inquiry into the circumstances of the dispute and recommend such action as may seem best and most effectual in the circumstances.

If a State so invited shall refuse to accept the obligations of membership in the League for the purposes of such dispute, and shall resort to war against a Member of the League, the provisions of Article 16 shall be applicable as against the State taking such action.

If both parties to the dispute when so invited refuse to accept the obligations of membership in the League for the purposes of such dispute, the Council may take such measures and make such recommendations as will prevent hostilities and will result in the settlement of the dispute.

ARTICLE 18.

Every treaty or international engagement entered into hereafter by any Member of the League shall be forthwith registered with the Secretariat and shall as soon as possible be published by it. No such treaty or international engagement shall be binding until so registered.

ARTICLE 19.

The Assembly may from time to time advise the reconsideration by Members of the League of treaties which have become inapplicable and the consideration of international conditions whose continuance might endanger the peace of the world.

ARTICLE 20.

The Members of the League severally agree that this Covenant is accepted as abrogating all obligations or understandings *inter se* which are inconsistent with the terms thereof, and solemnly undertake that they will not hereafter enter into any engagements inconsistent with the terms thereof.

In case any Member of the League shall, before becoming a Member of the League, have undertaken any obligations inconsistent with the terms of this Covenant, it shall be the duty of such Member to take immediate steps to procure its release from such obligations.

ARTICLE 21.

Nothing in this Covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe doctrine, for securing the maintenance of peace.

ARTICLE 22.

To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilisation and that securities for the performance of this trust should be embodied in this Covenant.

The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience or their geographical position can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as Mandatories on behalf of the League.

The character of the mandate must differ accordng to the stage of the development of the people, the geographical situation of the territory, its economic conditions and other similar circumstances.

Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognised subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the Mandatory.

Other peoples, especially those of Central Africa, are at such a stage that the Mandatory must be responsible for the administration of the territory under conditions which will guarantee freedom of conscience and religion, subject only to the maintenance of public order and morals, the prohibition of abuses such as the slave trade, the arms traffic and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defence of territory, and will also secure equal opportunities for the trade and commerce of other Members of the League.

There are territories, such as South-West Africa and certain of the South Pacific Islands, which, owing to the sparseness of their population, or their small size, or their remoteness from the centres of civilisation, or their geographical contiguity to the territory of the Mandatory, and other circumstances, can be best administered under the laws of the Mandatory as integral portions of its territory, subject to the safeguards above mentioned in the interests of the indigenous population.

In every case of mandate, the Mandatory shall render to the Council an annual report in reference to the territory committed to its charge.

The degree of authority, control, or administration to be exercised by the Mandatory shall, if not previously agreed upon by the Members of the League, be explicitly defined in each case by the Council.

A permanent Commission shall be constituted to receive and examine the annual reports of the Mandatories and to advise the Council on all matters relating to the observance of the mandates.

ARTICLE 23.

Subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League:

(*a*) will endeavour to secure and maintain fair and humane conditions of labour for men, women, and children, both in their own countries and in all countries to which their commercial and industrial relations extend, and for that purpose will establish and maintain the necessary international organisations;

(*b*) undertake to secure just treatment of the native inhabitants of territories under their control;

(*c*) will entrust the League with the general supervision over the execution of agreements with regard to the traffic in women and children, and the traffic in opium and other dangerous drugs;

(*d*) will entrust the League with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest;

(*e*) will make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all Members of the League. In this connection, the special necessities of the regions devastated during the war of 1914–1918 shall be borne in mind;

(*f*) will endeavour to take steps in matters of international concern for the prevention and control of disease.

ARTICLE 24.

There shall be placed under the direction of the League all international bureaux already established by general treaties if the parties to such treaties consent. All such international bureaux and all commissions for the regulation of matters of international interest hereafter constituted shall be placed under the direction of the League.

In all matters of international interest which are regulated by general conventions but which are not placed under the control of international bureaux or commissions, the Secretariat of the League shall, subject to the consent of the Council and if desired by the parties, collect and distribute all relevant information and shall render any other assistance which may be necessary or desirable.

The Council may include as part of the expenses of the Secretariat the expenses of any bureau or commission which is placed under the direction of the League.

ARTICLE 25.

The Members of the League agree to encourage and promote the establishment and co-operation of duly authorised voluntary national Red Cross organizations having as purposes the improvement of health, the prevention of disease and the mitigation of suffering throughout the world.

ARTICLE 26.

Amendments to this Covenant will take effect when ratified by the Members of the League whose Representatives compose the Council and by a majority of the Members of the League whose Representatives compose the Assembly.

No such amendment shall bind any Member of the League which signifies its dissent therefrom, but in that case it shall cease to be a Member of the League.

ANNEX.

I. ORIGINAL MEMBERS OF THE LEAGUE OF NATIONS SIGNATORIES OF THE TREATY OF PEACE.

UNITED STATES OF AMERICA.
BELGIUM.
BOLIVIA.
BRAZIL.
BRITISH EMPIRE.
CANADA.
AUSTRALIA.
SOUTH AFRICA.
NEW ZEALAND.
INDIA.
CHINA.
CUBA.
ECUADOR.
FRANCE.
GREECE.
GUATEMALA.
HAITI.
HEDJAZ.
HONDURAS.
ITALY.
JAPAN.
LIBERIA.
NICARAGUA.
PANAMA.
PERU.
POLAND.
PORTUGAL.
ROUMANIA.
SERB-CROAT-SLOVENE STATE.
SIAM.
CZECHO-SLOVAKIA.
URUGUAY.

STATES INVITED TO ACCEDE TO THE COVENANT.

ARGENTINE REPUBLIC.
CHILI.
COLOMBIA.
DENMARK.
NETHERLANDS.
NORWAY.
PARAGUAY.
PERSIA.
SALVADOR.
SPAIN.
SWEDEN.
SWITZERLAND.
VENEZUELA.

II. FIRST SECRETARY GENERAL OF THE LEAGUE OF NATIONS.

The Honourable Sir James Eric DRUMMOND, K. C. M. G., C. B.

PART II.

BOUNDARIES OF GERMANY.

ARTICLE 27.

The boundaries of Germany will be determined as follows:

1. *With Belgium:*

From the point common to the three frontiers of Belgium, Holland and Germany and in a southerly direction:

the north-eastern boundary of the former territory of *neutral Moresnet*, then the eastern boundary of the *Kreis* of Eupen, then the frontier between Belgium and the *Kreis* of Montjoie, then the north-eastern and eastern boundary of the *Kreis* of Malmédy to its junction with the frontier of Luxemburg.

2. *With Luxemburg:*

The frontier of August 3, 1914, to its junction with the frontier of France of the 18th July, 1870.

3. *With France:*

The frontier of July 18, 1870, from Luxemburg to Switzerland with the reservations made in Article 48 of Section IV (Saar Basin) of Part III.

4. *With Switzerland:*

The present frontier.

5. *With Austria:*

The frontier of August 3, 1914, from Switzerland to Czecho-Slovakia as hereinafter defined.

6. *With Czecho-Slovakia:*

The frontier of August 3, 1914, between Germany and Austria from its junction with the old administrative boundary separating Bohemia and the province of Upper Austria to the point north of the salient of the old province of Austrian Silesia situated at about 8 kilometres east of Neustadt.

7. *With Poland:*

From the point defined above to a point to be fixed on the ground about 2 kilometres east of Lorzendorf:

the frontier as it will be fixed in accordance with Article 88 of the present Treaty;

thence in a northerly direction to the point where the administrative boundary of Posnania crosses the river Bartsch:

a line to be fixed on the ground leaving the following places in Poland: Skorischau, Reichthal, Trembatschau, Kunzendorf, Schleise, Gross Kosel, Schreibersdorf, Rippin, Fürstlich-Niefken, Pawelau, Tscheschen, Konradau, Johannisdorf, Modzenowe, Bogdaj, and in Germany: Lorzendorf, Kaulwitz, Glausche, Dalbersdorf, Reesewitz, Stradam, Gross Wartenberg, Kraschen, Neu Mittelwalde, Domaslawitz, Wedelsdorf, Tscheschen Hammer;

thence the administrative boundary of Posnania north-westwards to the point where it cuts the Rawitsch-Herrnstadt railway;

thence to the point where the administrative boundary of Posnania cuts the Reisen-Tschirnau road:

a line to be fixed on the ground passing west of Triebusch and Gabel and east of Saborwitz;

thence the administrative boundary of Posnania to its junction with the eastern administrative boundary of the *Kreis* of Fraustadt;

thence in a north-westerly direction to a point to be chosen on the road between the villages of Unruhstadt and Kopnitz:

a line to be fixed on the ground passing west of Geyersdorf, Brenno, Fehlen, Altkloster, Kiebel, and east of Ulbersdorf, Buchwald, Ilgen, Weine, Lupitze, Schwenten;

thence in a northerly direction to the northernmost point of Lake Chlop:

a line to be fixed on the ground following the median line of the lakes; the town and the station of Bentschen however (including the junction of the lines Schwiebus-Bentschen and Züllichau-Bentschen) remaining in Polish territory;

thence in a north-easterly direction to the point of junction of the boundaries of the *Kreise* of Schwerin, Birnbaum and Meseritz:

a line to be fixed on the ground passing east of Betsche;

thence in a northerly direction the boundary separating the *Kreise* of Schwerin and Birnbaum, then in an easterly direction the northern boundary of Posnania to the point where it cuts the river Netze;

thence upstream to its confluence with the Küddow:

the course of the Netze;

thence upstream to a point to be chosen about 6 kilometres southeast of Schneidemühl:

the course of the Küddow;

thence north-eastwards to the most southern point of the re-entant of the northern boundary of Posnania about 5 kilometres west of Stahren:

a line to be fixed on the ground leaving the Schneidemühl-Konitz railway in this area entirely in German territory;

thence the boundary of Posnania north-eastwards to the point of the salient it makes about 15 kilometres east of Flatow;

thence north-eastwards to the point where the river Kamionka meets the southern boundary of the *Kreis* of Konitz about 3 kilometres north-east of Grunau:

a line to be fixed on the ground leaving the following places to Poland: Jasdrowo, Gr. Lutau, Kl. Lutau, Wittkau, and to Germany: Gr. Butzig, Cziskowo, Battrow, Böck, Grunau;

thence in a northerly direction the boundary between the *Kreise* of Konitz and Schlochau to the point where this boundary cuts the river Brahe;

thence to a point on the boundary of Pomerania 15 kilometres east of Rummelsburg:

a line to be fixed on the ground leaving the following places in Poland: Konarzin, Kelpin, Adl. Briesen, and in Germany: Sampohl, Neuguth, Steinfort, Gr. Peterkau;

then the boundary of Pomerania in an easterly direction to its junction with the boundary between the *Kreise* of Konitz and Schlochau;

thence northwards the boundary between Pomerania and West Prussia to the point on the river Rheda about 3 kilometres north-west of Gohra where that river is joined by a tributary from the north-west;

thence to a point to be selected in the bend of the Piasnitz river about 1½ kilometres north-west of Warschkau:

a line to be fixed on the ground;

thence this river downstream, then the median line of Lake Zarnowitz, then the old boundary of West Prussia to the Baltic Sea.

8. *With Denmark:*

The frontier as it will be fixed in accordance with Articles 109 to 111 of Part III, Section XII (Schleswig).

ARTICLE 28.

The boundaries of East Prussia, with the reservations made in Section IX (East Prussia) of Part III, will be determined as follows:

from a point on the coast of the Baltic Sea about 1½ kilometres north of Pröbbernau church in a direction of about 159° East from true North:

a line to be fixed on the ground for about 2 kilometres;

thence in a straight line to the light at the bend of the Elbing Channel in approximately latitude 54° 19½′ North, longitude 19° 26′ East of Greenwich;

thence to the easternmost mouth of the Nogat River at a bearing of approximately 209° East from true North;

thence up the course of the Nogat River to the point where the latter leaves the Vistula (Weichsel);

thence up the principal channel of navigation of the Vistula, then the southern boundary of the *Kreis* of Marienwerder, then that of the *Kreis* of Rosenberg eastwards to the point where it meets the old boundary of East Prussia.

thence the old boundary between East and West Prussia, then the boundary between the *Kreise* of Osterode and Neidenburg, then the course of the river Skottau downstream, then the course of the Neide upstream to a point situated about 5 kilometres west of Bialutten being the nearest point to the old frontier of Russia;

thence in an easterly direction to a point immediately south of the intersection of the road Neidenburg-Mlava with the old frontier of Russia:

a line to be fixed on the ground passing north of Bialutten;

thence the old frontier of Russia to a point east of Schmallenigken, then the principal channel of nagivation of the Niemen (Memel) downstream, then the Skierwieth arm of the delta to the Kurisches Haff;

thence a straight line to the point where the eastern shore of the Kurische Nehrung meets the administrative boundary about 4 kilometres south-west of Nidden;

thence this administrative boundary to the western shore of the Kurische Nehrung.

ARTICLE 29.

The boundaries as described above are drawn in red on a one-in-a-million map which is annexed to the present Treaty (Map No. 1.)

In the case of any discrepancies between the text of the Treaty and this map or any other map which may be annexed, the text will be final.

ARTICLE 30.

In the case of boundaries which are defined by a waterway, the terms "course" and "channel" used in the present Treaty signify: in the case of non-navigable rivers, the median line of the waterway or of its principal arm, and, in the case of navigable rivers, the median line of the principal channel of navigation. It will rest with the Boundary Commissions provided by the present Treaty to specify in each case whether the frontier line shall follow any changes of the course or channel which may take place or whether it shall be definitely fixed by the position of the course or channel at the time when the present Treaty comes into force.

PART III.

POLITICAL CLAUSES FOR EUROPE.

SECTION I.

BELGIUM.

ARTICLE 31.

Germany, recognizing that the Treaties of April 19, 1839, which established the status of Belgium before the war, no longer conform to the requirements of the situation, consents to the abrogation of the said Treaties and undertakes immediately to recognize and to observe whatever conventions may be entered into by the Principal Allied and Associated Powers, or by any of them, in concert with the Governments of Belgium and of the Netherlands, to replace the said Treaties of 1839. If her formal adhesion should be required to such conventions or to any of their stipulations, Germany undertakes immediately to give it.

ARTICLE 32.

Germany recognizes the full sovereignty of Belgium over the whole of the contested territory of Moresnet (called *Moresnet neutre*).

ARTICLE 33.

Germany renounces in favour of Belgium all rights and title over the territory of Prussian Moresnet situated on the west of the road from Liége to Aix-la-Chapelle; the road will belong to Belgium where it bounds this territory.

ARTICLE 34.

Germany renounces in favour of Belgium all rights and title over the territory comprising the whole of the *Kreise* of Eupen and of Malmédy.

During the six months after the coming into force of this Treaty, registers will be opened by the Belgian authority at Eupen and Malmédy in which the inhabitants of the above territory will be entitled to record in writing a desire to see the whole or part of it remain under German sovereignty.

The results of this public expression of opinion will be communicated by the Belgian Government to the League of Nations, and Belgium undertakes to accept the decision of the League.

ARTICLE 35.

A Commission of seven persons, five of whom will be appointed by the Principal Allied and Associated Powers, one by Germany and one by Belgium, will be set up fifteen days after the coming into force of the present Treaty to settle on the spot the new frontier line between Belgium and Germany, taking into account the economic factors and the means of communication.

Decisions will be taken by a majority and will be binding on the parties concerned.

ARTICLE 36.

When the transfer of the sovereignty over the territories referred to above has become definite, German nationals habitually resident in the territories will definitively acquire Belgian nationality *ipso facto*, and will lose their German nationality.

Nevertheless, German nationals who became resident in the territories after August 1, 1914, shall not obtain Belgian nationality without a permit from the Belgian Government.

ARTICLE 37.

Within the two years following the definitive transfer of the sovereignty over the territories assigned to Belgium under the present Treaty, German nationals over 18 years of age habitually resident in those territories will be entitled to opt for German nationality.

Option by a husband will cover his wife, and option by parents will cover their children under 18 years of age.

Persons who have exercised the above right to opt must within the ensuing twelve months transfer their place of residence to Germany.

They will be entitled to retain their immovable property in the territories acquired by Belgium. They may carry with them their movable property of every description. No export or import duties may be imposed upon them in connection with the removal of such property.

ARTICLE 38.

The German Government will hand over without delay to the Belgian Government the archives, registers, plans, title deeds and documents of every kind concerning the civil, military, financial, judicial or other administrations in the territory transferred to Belgian sovereignty.

The German Government will likewise restore to the Belgian Government the archives and documents of every kind carried off during the war by the German authorities from the Belgian public administrations, in particular from the Ministry of Foreign Affairs at Brussels.

ARTICLE 39.

The proportion and nature of the financial liabilities of Germany and of Prussia which Belgium will have to bear on account of the territories ceded to her shall be fixed in conformity with Articles 254 and 256 of Part IX (Financial Clauses) of the present Treaty.

SECTION II.

LUXEMBURG.

ARTICLE 40.

With regard to the Grand Duchy of Luxemburg, Germany renounces the benefit of all the provisions inserted in her favour in the Treaties of February 8, 1842, April 2, 1847, October 20–25, 1865, August 18, 1866, February 21 and May 11, 1867, May 10, 1871, June 11, 1872, and November 11, 1902, and in all Conventions consequent upon such Treaties.

Germany recognizes that the Grand Duchy of Luxemburg ceased to form part of the German Zollverein as from January 1, 1919, renounces all rights to the exploitation of the railways, adheres to the termination of the régime of neutrality of the Grand Duchy, and accepts in advance all international arrangements which may be concluded by the Allied and Associated Powers relating to the Grand Duchy.

ARTICLE 41.

Germany undertakes to grant to the Grand Duchy of Luxemburg, when a demand to that effect is made to her by the Principal Allied and Associated Powers, the rights and advantages stipulated in favour of such Powers or their nationals in the present Treaty with regard to economic questions, to questions relative to transport and to aerial navigation.

SECTION III.

LEFT BANK OF THE RHINE.

ARTICLE 42.

Germany is forbidden to maintain or construct any fortifications either on the left bank of the Rhine or on the right bank to the west of a line drawn 50 kilometres to the East of the Rhine.

ARTICLE 43.

In the area defined above the maintenance and the assembly of armed forces, either permanently or temporarily, and military manœuvres of any kind, as well as the upkeep of all permanent works for mobilization, are in the same way forbidden.

ARTICLE 44.

In case Germany violates in any manner whatever the provisions of Articles 42 and 43, she shall be regarded as committing a hostile act against the Powers signatory of the present Treaty and as calculated to disturb the peace of the world.

SECTION IV.

SAAR BASIN.

ARTICLE 45.

As compensation for the destruction of the coal-mines in the north of France and as part payment towards the total reparation due from Germany for the damages resulting from the war, Germany cedes to France in full and absolute possession, with exclusive rights of exploitation, unencumbered and free from all debts and charges of any kind, the coal-mines situated in the Saar Basin as defined in Article 48.

ARTICLE 46.

In order to assure the rights and welfare of the population and to guarantee to France complete freedom in working the mines, Germany agrees to the provisions of Chapters I and II of the Annex hereto.

ARTICLE 47.

In order to make in due time permanent provision for the government of the Saar Basin in accordance with the wishes of the populations, France and Germany agree to the provisions of Chapter III of the Annex hereto.

ARTICLE 48.

The boundaries of the territory of the Saar Basin, as dealt with in the present stipulations, will be fixed as follows:

On the south and south-west: by the frontier of France as fixed by the present Treaty.

On the north-west and north: by a line following the northern administrative boundary of the *Kreis* of Merzig from the point where it leaves the French frontier to the point where it meets the administrative boundary separating the commune of Saarhölzbach from the commune of Britten; following this communal boundary southwards and reaching the administrative boundary of the canton of Merzig so as to include in the territory of the Saar Basin the canton of Mettlach, with the exception of the commune of Britten; following successively the northern administrative boundaries of the cantons of Merzig and Haustadt, which are incorporated in the aforesaid Saar Basin, then successively the administrative boundaries separating the *Kreise* of Sarrelouis, Ottweiler and Saint-Wendel from the *Kreise* of Merzig, Trèves (Trier) and the Principality of Birkenfeld as far as a point situated about 500 metres north of the village of Furschweiler (viz., the highest point of the Metzelberg).

On the north-east and east: from the last point defined above to a point about 3½ kilometres east-north-east of Saint-Wendel:

a line to be fixed on the ground passing east of Furschweiler, west of Roschberg, east of points 418, 329 (south of Roschberg), west of Leitersweiler, north-east of point 464, and following the line of the crest southwards to its junction with the administrative boundary of the *Kreis* of Kusel;

thence in a southerly direction the boundary of the *Kreis* of Kusel, then the boundary of the *Kreis* of Homburg towards the south-south-east to a point situated about 1000 metres west of Dunzweiler;

thence to a point about 1 kilometre south of Hornbach:

a line to be fixed on the ground passing through point 424 (about 1000 metres south-east of Dunzweiler), point 363 (Fuchs-Berg), point 322 (south-west of Waldmohr), then east of Jägersburg and Erbach, then encircling Homburg, passing through the points 361 (about 2½ kilometres north-east by east of that town), 342 (about 2 kilometres south-east of that town), 347 (Schreiners-Berg), 356, 350 (about 1½ kilometres south-east of Schwarzenbach), then passing east of Einöd, south-east of points 322 and 333, about 2 kilometres east of Webenheim, about 2 kilometres east of Mimbach, passing east of the plateau which is traversed by the road from Mimbach to Böckweiler (so as to include this road in the territory of the Saar Basin), passing immediately north of the junction of the roads from Böckweiler and Altheim situated about 2 kilometres north of Altheim, then passing south of Ringweilerhof and north of point 322, rejoining the frontier of France at the angle which it makes about 1 kilometre south of Hornbach (see Map No. 2 scale 1/100,000 annexed to the present Treaty).

A Commission composed of five members, one appointed by France, one by Germany, and three by the Council of the League of Nations, which will select nationals of other Powers, will be constituted within fifteen days from the coming into force of the present Treaty, to trace on the spot the frontier line described above.

In those parts of the preceding line which do not coincide with administrative boundaries, the Commission will endeavour to keep to the line indicated, while taking into consideration, so far as is possible, local economic interests and existing communal boundaries.

The decisions of this Commission will be taken by a majority, and will be binding on the parties concerned.

ARTICLE 49.

Germany renounces in favour of the League of Nations, in the capacity of trustee, the government of the territory defined above.

At the end of fifteen years from the coming into force of the present Treaty the inhabitants of the said territory shall be called upon to indicate the sovereignty under which they desire to be placed.

ARTICLE 50.

The stipulations under which the cession of the mines in the Saar Basin shall be carried out, together with the measures intended to guarantee the rights and the well-being of the inhabitants and the government of the territory, as well as the conditions in accordance with which the plebiscite hereinbefore provided for is to be made, are laid down in the Annex hereto. This Annex shall be considered as an integral part of the present Treaty, and Germany declares her adherence to it.

ANNEX.

In accordance with the provisions of Articles 45 to 50 of the present Treaty, the stipulations under which the cession by Germany to France of the mines of the Saar Basin will be effected, as well as the measures intended to ensure respect for the rights and well-being of the population and the government of the territory, and the conditions in which the inhabitants will be called upon to indicate the sovereignty under which they may wish to be placed, have been laid down as follows:

CHAPTER I.

CESSION AND EXPLOITATION OF MINING PROPERTY.

1.

From the date of the coming into force of the present Treaty, all the deposits of coal situated within the Saar Basin as defined in Article 48 of the said Treaty, become the complete and absolute property of the French State.

The French State will have the right of working or not working the said mines, or of transferring to a third party the right of working them, without having to obtain any previous authorisation or to fulfil any formalities.

The French State may always require that the German mining laws and regulations referred to below shall be applied in order to ensure the determination of its rights.

2.

The right of ownership of the French State will apply not only to the deposits which are free and for which concessions have not yet been granted, but also to the deposits for which concessions have already been granted, whoever may be the present proprietors, irrespective of whether they belong to the Prussian State, to the Bavarian State, to other States or bodies, to companies or to individuals, whether they have been worked or not, or whether a right of exploitation distinct from the right of the owners of the surface of the soil has or has not been recognized.

As far as concerns the mines which are being worked, the transfer of the ownership to the French State will apply to all the accessories and subsidiaries of the said mines, in particular to their plant and equipment both on and below the surface, to their extracting machinery, their plants for transforming coal into electric power, coke and by-products, their workshops, means of communication, electric lines, plant for catching and distributing water, land, buildings such as offices, managers', employees' and workmen's dwellings, schools, hospitals and dispensaries, their stocks and supplies of every description, their archives and plans, and in general everything which those who own or exploit the mines possess or enjoy for the purpose of exploiting the mines and their accessories and subsidiaries.

The transfer will apply also to the debts owing for products delivered before the entry into possession by the French State, and after the signature of the present Treaty, and to deposits of money made by customers, whose rights will be guaranteed by the French State.

4.

The French State will acquire the property free and clear of all debts and charges. Nevertheless, the rights acquired, or in course of being acquired, by the employees of the mines and

their accessories and subsidiaries at the date of the coming into force of the present Treaty, in connection with pensions for old age or disability, will not be affected. In return, Germany must pay over to the French State a sum representing the actuarial amounts to which the said employees are entitled.

5.

The value of the property thus ceded to the French State will be determined by the Reparation Commission referred to in Article 233 of Part VIII (Reparation) of the present Treaty.

This value shall be credited to Germany in part payment of the amount due for reparation.

It will be for Germany to indemnify the proprietors or parties concerned, whoever they may be.

6.

No tariff shall be established on the German railways and canals which may directly or indirectly discriminate to the prejudice of the transport of the personnel or products of the mines and their accessories or subsidiaries, or of the material necessary to their exploitation. Such transport shall enjoy all the rights and privileges which any international railway conventions may guarantee to similar products of French origin.

7.

The equipment and personnel necessary to ensure the despatch and transport of the products of the mines and their accessories and subsidiaries, as well as the carriage of workmen and employees, will be provided by the local railway administration of the Basin.

8.

No obstacle shall be placed in the way of such improvements of railways or waterways as the French State may judge necessary to assure the despatch and the transport of the products of the mines and their accessories and subsidiaries, such as double trackage, enlargement of stations, and construction of yards and appurtenances. The distribution of expenses will, in the event of disagreement, be submitted to arbitration.

The French State may also establish any new means of communication, such as roads, electric lines and telephone connections which it may consider necessary for the exploitation of the mines.

It may exploit freely and without any restrictions the means of communication of which it may become the owner, particularly those connecting the mines and their accessories and subsidiaries with the means of communication situated in French territory.

9.

The French State shall always be entitled to demand the application of the German mining laws and regulations in force on November 11, 1918, excepting provisions adopted exclusively in view of the state of war, with a view to the acquisition of such land as it may judge necessary for the exploitation of the mines and their accessories and subsidiaries.

The payment for damage caused to immovable property by the working of the said mines and their accessories and subsidiaries shall be made in accordance with the German mining laws and regulations above referred to.

10.

Every person whom the French State may substitute for itself as regards the whole or part of its rights to the exploitation of the mines and their accessories and subsidiaries shall enjoy the benefit of the privileges provided in this Annex.

11.

The mines and other immovable property which become the property of the French State may never be made the subject of measures of forfeiture, forced sale, expropriation or requisition, nor of any other measure affecting the right of property.

The personnel and the plant connected with the exploitation of these mines or their accessories and subsidiaries, as well as the product extracted from the mines or manufactured in their accessories and subsidiaries, may not at any time be made the subject of any measures of requisition.

The exploitation of the mines and their accessories and subsidiaries, which become the property of the French State, will continue, subject to the provisions of paragraph 23 below, to be subject to the régime established by the German laws and regulations in force on November 11, 1918, excepting provisions adopted exclusively in view of the state of war.

The rights of the workmen shall similarly be maintained, subject to the provisions of the said paragraph 23, as established on November 11, 1918, by the German laws and regulations above referred to.

No impediment shall be placed in the way of the introduction or employment in the mines and their accessories and subsidiaries of workmen from without the Basin.

The employees and workmen of French nationality shall have the right to belong to French labour unions.

13.

The amount contributed by the mines and their accessories and subsidiaries, either to the local budget of the territory of the Saar Basin or to the communal funds, shall be fixed with due regard to the ratio of the value of the mines to the total taxable wealth of the Basin.

14.

The French State shall always have the right of establishing and maintaining, as incidental to the mines, primary or technical schools for its employees and their children, and of causing instruction therein to be given in the French language, in accordance with such curriculum and by such teachers as it may select.

It shall also have the right to establish and maintain hospitals, dispensaries, workmen's houses and gardens and other charitable and social institutions.

15.

The French State shall enjoy complete liberty with respect to the distribution, dispatch and sale prices of the products of the mines and their accessories and subsidiaries.

Nevertheless, whatever may be the total product of the mines, the French Government undertakes that the requirements of local consumption for industrial and domestic purposes shall always be satisfied in the proportion existing in 1913 between the amount consumed locally and the total output of the Saar Basin.

CHAPTER II.

GOVERNMENT OF THE TERRITORY OF THE SAAR BASIN.

16.

The Government of the territory of the Saar Basin shall be entrusted to a Commission representing the League of Nations. This Commission shall sit in the territory of the Saar Basin.

17.

The Governing Commission provided for by paragraph 16 shall consist of five members chosen by the Council of the League of Nations, and will include one citizen of France, one native inhabitant of the Saar Basin, not a citizen of France, and three members belonging to three countries other than France or Germany.

The members of the Governing Commission shall be appointed for one year and may be re-appointed. They can be removed by the Council of the League of Nations, which will provide for their replacement.

The members of the Governing Commission will be entitled to a salary which will be fixed by the Council of the League of Nations, and charged on the local revenues.

18.

The Chairman of the Governing Commission shall be appointed for one year from among the members of the Commission by the Council of the League of Nations and may be reappointed.

The Chairman will act as the executive of the Commission.

19.

Within the territory of the Saar Basin the Governing Commission shall have all the powers of government hitherto belonging to the German Empire, Prussia, or Bavaria, including the appointment and dismissal of officials, and the creation of such administrative and representative bodies as it may deem necessary.

It shall have full powers to administer and operate the railways, canals and the different public services.

Its decisions shall be taken by a majority.

20.

Germany will place at the disposal of the Governing Commission all official documents and archives under the control of Germany, of any German State, or of any local authority, which relate to the territory of the Saar Basin or to the rights of the inhabitants thereof.

21.

It will be the duty of the Governing Commission to ensure, by such means and under such conditions as it may deem suitable, the protection abroad of the interests of the inhabitants of the territory of the Saar Basin.

22.

The Governing Commission shall have the full right of user of all property, other than mines, belonging, either in public or in private domain, to the Government of the German Empire, or the Government of any German State, in the territory of the Saar Basin.

As regards the railways an equitable apportionment of rolling stock shall be made by a mixed Commission on which the Government of the territory of the Saar Basin and the German railways will be represented.

Persons, goods, vessels, carriages, wagons and mails coming from or going to the Saar Basin shall enjoy all the rights and privileges relating to transit and transport which are specified in the provisions of Part XII (Ports, Waterways and Railways) of the present Treaty.

23.

The laws and regulations in force on November 11, 1918, in the territory of the Saar Basin (except those enacted in consequence of the state of war) shall continue to apply.

If, for general reasons or to bring these laws and regulations into accord with the provisions of the present Treaty, it is necessary to introduce modifications, these shall be decided on, and put into effect by the Governing Commission, after consultation with the elected representatives of the inhabitants in such a manner as the Commission may determine.

No modification may be made in the legal régime for the exploitation of the mines, provided for in paragraph 12, without the French State being previously consulted, unless such modification results from a general regulation respecting labour.

In fixing the conditions and hours of labour for men, women and children, the Governing Commission is to take into consideration the wishes expressed by the local labour organisations, as well as the principles adopted by the League of Nations.

24.

Subject to the provisions of paragraph 4, no rights of the inhabitants of the Saar Basin acquired or in process of acquisition at the date of the coming into force of this Treaty, in respect of any insurance system of Germany or in respect of any pension of any kind, are affected by any of the provisions of the present Treaty.

Germany and the Government of the territory of the Saar Basin will preserve and continue all of the aforesaid rights.

25.

The civil and criminal courts existing in the territory of the Saar Basin shall continue.

A civil and criminal court will be established by the Governing Commission to hear appeals from the decisions of the said courts and to decide matters for which these courts are not competent.

The Governing Commission will be responsible for settling the organisation and jurisdiction of the said court.

Justice will be rendered in the name of the Governing Commission.

26.

The Governing Commission will alone have the power of levying taxes and dues in the territory of Saar Basin.

These taxes and dues will be exclusively applied to the needs of the territory.

The fiscal system existing on November 11, 1918, will be maintained as far as possible, and no new tax except customs duties may be imposed without previously consulting the elected representatives of the inhabitants.

27.

The present stipulations will not affect the existing nationality of the inhabitants of the territory of the Saar Basin.

No hindrance shall be placed in the way of those who wish to acquire a different nationality, but in such case the acquisition of the new nationality will involve the loss of any other.

28.

Under the control of the Governing Commission the inhabitants will retain their local assemblies, their religious liberties, their schools and their language.

The right of voting will not be exercised for any assemblies other than the local assemblies, and will belong to every inhabitant over the age of twenty years, without distinction of sex.

29.

Any of the inhabitants of the Saar Basin who may desire to leave the territory will have full liberty to retain in it their immovable property or to sell it at fair prices, and to remove their movable property free of any charges.

30.

There will be no military service, whether compulsory or voluntary, in the territory of the Saar Basin, and the construction of fortifications therein is forbidden.

Only a local gendarmerie for the maintenance of order may be established.

It will be the duty of the Governing Commission to provide in all cases for the protection of persons and property in the Saar Basin.

31.

The territory of the Saar Basin as defined by Article 48 of the present Treaty shall be subjected to the French customs régime. The receipts from the customs duties on goods intended for local consumption shall be included in the budget of the said territory after deduction of all costs of collection.

No export tax shall be imposed upon metallurgical products or coal exported from the said territory to Germany, nor upon German exports for the use of the industries of the territory of the Saar Basin.

Natural or manufactured products originating in the Basin in transit over German territory and, similarly, German products in transit over the territory of the Basin shall be free of all customs duties.

Products which both originate in and pass from the Basin into Germany shall be free of import duties for a period of five years from the date of the coming into force of the present Treaty, and during the same period articles imported from Germany into the territory of the Basin for local consumption shall likewise be free of import duties.

During these five years the French Government reserves to itself the right of limiting to the annual average of the quantities imported into Alsace-Lorraine and France in the years 1911 to 1913 the quantities which may be sent into France of all articles coming from the Basin which include raw materials and semi-manufactured goods imported duty free from Germany. Such average shall be determined after reference to all available official information and statistics.

32.

No prohibition or restriction shall be imposed upon the circulation of French money in the territory of the Saar Basin.

The French State shall have the right to use French money in all purchases, payments and contracts connected with the exploitation of the mines or their accessories and subsidiaries.

33.

The Governing Commission shall have power to decide all questions arising from the interpretation of the preceding provisions.

France and Germany agree that any dispute involving a difference of opinion as to the interpretation of the said provisions shall in the same way be submitted to the Governing Commission, and the decision of a majority of the Commission shall be binding on both countries.

CHAPTER III.

PLEBISCITE.

34.

At the termination of a period of fifteen years from the coming into force of the present Treaty, the population of the territory of the Saar Basin will be called upon to indicate their desires in the following manner:

A vote will take place by communes or districts, on the three following alternatives: (*a*) maintenance of the régime established by the present Treaty and by this Annex; (*b*) union with France; (*c*) union with Germany.

All persons without distinction of sex, more than twenty years old at the date of the voting, resident in the territory at the date of the signature of the present Treaty, will have the right to vote.

The other conditions, methods and the date of the voting shall be fixed by the Council of the League of Nations in such a way as to secure the freedom, secrecy and trustworthiness of the voting.

35.

The League of Nations shall decide on the sovereignty under which the territory is to be placed, taking into account the wishes of the inhabitants as expressed by the voting:

(*a*) If, for the whole or part of the territory, the League of Nations decides in favour of the maintenance of the régime established by the present Treaty and this Annex, Germany hereby agrees to make such renunciation of her sovereignty in favour of the League of Nations as the latter shall deem necessary. It will be the duty of the League of Nations to take appropriate steps to adapt the régime definitively adopted to the permanent welfare of the territory and the general interest;

(*b*) If, for the whole or part of the territory, the League of Nations decides in favour of union with France, Germany hereby agrees to cede to France in accordance with the decision of the League of Nations all rights and title over the territory specified by the League;

(c) If, for the whole or part of the territory, the League of Nations decides in favour of union with Germany, it will be the duty of the League of Nations to cause the German Government to be reestablished in the government of the territory specified by the League.

36.

If the League of Nations decides in favour of the union of the whole or part of the territory of the Saar Basin with Germany, France's rights of ownership in the mines situated in such part of the territory will be repurchased by Germany in their entirety at a price payable in gold. The price to be paid will be fixed by three experts, one nominated by Germany, one by France, and one, who shall be neither a Frenchman nor a German, by the Council of the League of Nations; the decision of the experts will be given by a majority.

The obligation of Germany to make such payment shall be taken into account by the Reparation Commission, and for the purpose of this payment Germany may create a prior charge upon her assets or revenues upon such detailed terms as shall be agreed to by the Reparation Commission.

If, nevertheless, Germany after a period of one year from the date on which the payment becomes due shall not have effected the said payment, the Reparation Commission shall do so in accordance with such instructions as may be given by the League of Nations, and, if necessary, by liquidating that part of the mines which is in question.

37.

If, in consequence of the repurchase provided for in paragraph 36, the ownership of the mines or any part of them is transferred to Germany, the French State and French nationals shall have the right to purchase such amount of coal of the Saar Basin as their industrial and domestic needs are found at that time to require. An equitable arrangement regarding amounts of coal, duration of contract, and prices will be fixed in due time by the Council of the League of Nations.

38.

It is understood that France and Germany may, by special agreements concluded before the time fixed for the payment of the price for the repurchase of the mines, modify the provisions of paragraphs 36 and 37.

39.

The Council of the League of Nations shall make such provisions as may be necessary for the establishment of the régime which is to take effect after the decisions of the League of Nations mentioned in paragraph 35 have become operative, including an equitable apportionment of any obligations of the Government of the territory of the Saar Basin arising from loans raised by the Commission or from other causes.

From the coming into force of the new régime, the powers of the Governing Commission will terminate, except in the case provided for in paragraph 35 (*a*).

40.

In all matters dealt with in the present Annex, the decisions of the Council of the League of Nations will be taken by a majority.

SECTION V.

ALSACE-LORRAINE.

The HIGH CONTRACTING PARTIES, recognising the moral obligation to redress the wrong done by Germany in 1871 both to the rights of France and to the wishes of the population of Alsace and Lorraine, which were separated from their country in spite of the solemn protest of their representatives at the Assembly of Bordeaux,

Agree upon the following Articles:

ARTICLE 51.

The territories which were ceded to Germany in accordance with the Preliminaries of Peace signed at Versailles on February 26, 1871, and the Treaty of Frankfort of May 10, 1871, are restored to French sovereignty as from the date of the Armistice of November 11, 1918.

The provisions of the Treaties establishing the delimitation of the frontiers before 1871 shall be restored.

ARTICLE 52.

The German Government shall hand over without delay to the French Government all archives, registers, plans, titles and documents of every kind concerning the civil, military, financial, judicial or other administrations of the territories restored to French sovereignty. If any of these documents, archives, registers, titles or plans have been misplaced, they will be restored by the German Government on the demand of the French Government.

ARTICLE 53.

Separate agreements shall be made between France and Germany dealing with the interests of the inhabitants of the territories referred to in Article 51, particularly as regards their civil rights, their business and the exercise of their professions, it being understood that Germany undertakes as from the present date to recognise and accept the regulations laid down in the Annex hereto regarding the nationality of the inhabitants or natives of the said territories, not to claim at any time or in any place whatsoever as German nationals those who shall have been declared on any ground to be French, to receive all others in her territory, and to conform, as regards the property of German nationals in the territories indicated in Article 51, with the provisions of Article 297 and the Annex to Section IV of Part X (Economic Clauses) of the present Treaty.

Those German nationals who without acquiring French nationality shall receive permission from the French Government to reside in the said territories shall not be subjected to the provisions of the said Article.

ARTICLE 54.

Those persons who have regained French nationality in virtue of paragraph 1 of the Annex hereto will be held to be Alsace-Lorrainers for the purposes of the present Section.

The persons referred to in paragraph 2 of the said Annex will from the day on which they have claimed French nationality be held to be Alsace-Lorrainers with retroactive effect as from November 11, 1918. For those whose application is rejected, the privilege will terminate at the date of the refusal.

Such juridical persons will also have the status of Alsace-Lorrainers as shall have been recognised as possessing this quality, whether by the French administrative authorities or by a judicial decision.

ARTICLE 55.

The territories referred to in Article 51 shall return to France free and quit of all public debts under the conditions laid down in Article 255 of Part IX (Financial Clauses) of the present Treaty.

ARTICLE 56.

In conformity with the provisions of Article 256 of Part IX (Financial Clauses) of the present Treaty, France shall enter into possession of all property and estate, within the territories referred to in Article 51, which belong to the German Empire or German States, without any payment or credit on this account to any of the States ceding the territories.

This provision applies to all movable or immovable property of public or private domain together with all rights whatsoever belonging to the German Empire or German States or to their administrative areas.

Crown property and the property of the former Emperor or other German sovereigns shall be assimilated to property of the public domain.

ARTICLE 57.

Germany shall not take any action, either by means of stamping or by any other legal or administrative measures not applying equally to the rest of her territory, which may be to the detriment of the legal value or redeemability of German monetary instruments or monies which, at the date of the signature of the present Treaty, are legally current, and at that date are in the possession of the French Government.

ARTICLE 58.

A special Convention will determine the conditions for repayment in marks of the exceptional war expenditure advanced during the course of the war by Alsace-Lorraine or by the public bodies in Alsace-Lorraine on account of the Empire in accordance with German law, such as payment to the families of persons mobilised, requisitions, billeting of troops, and assistance to persons who have been evacuated.

In fixing the amount of these sums Germany shall be credited with that portion which Alsace-Lorraine would have contributed to the Empire to meet the expenses resulting from these payments, this contribution being calculated according to the proportion of the Imperial revenues derived from Alsace-Lorraine in 1913.

ARTICLE 59.

The French Government will collect for its own account the Imperial taxes, duties and dues of every kind leviable in the territories referred to in Article 51 and not collected at the time of the Armistice of November 11, 1918.

ARTICLE 60.

The German Government shall without delay restore to Alsace-Lorrainers (individuals, juridical persons and public institutions) all property, rights and interests belonging to them on November 11, 1918, in so far as these are situated in German territory.

ARTICLE 61.

The German Government undertakes to continue and complete without delay the execution of the financial clauses regarding Alsace-Lorraine contained in the Armistice Conventions.

ARTICLE 62.

The German Government undertakes to bear the expense of all civil and military pensions which had been earned in Alsace-Lorraine on date of November 11, 1918, and the maintenance of which was a charge on the budget of the German Empire.

The German Government shall furnish each year the funds necessary for the payment in francs, at the average rate of exchange for that year, of the sums in marks to which persons resident in Alsace-Lorraine would have been entitled if Alsace-Lorraine had remained under German jurisdiction.

ARTICLE 63.

For the purposes of the obligation assumed by Germany in Part VIII (Reparation) of the present Treaty to give compensation for damages caused to the civil populations of the Allied and Associated countries in the form of fines, the inhabitants of the territories referred to in Article 51 shall be assimilated to the above-mentioned populations.

ARTICLE 64.

The regulations concerning the control of the Rhine and of the Moselle are laid down in Part XII (Ports, Waterways and Railways) of the present Treaty.

ARTICLE 65.

Within a period of three weeks after the coming into force of the present Treaty, the port of Strasburg and the port of Kehl shall be constituted, for a period of seven years, a single unit from the point of view of exploitation.

The administration of this single unit will be carried on by a manager named by the Central Rhine Commission, which shall also have power to remove him.

This manager shall be of French nationality.

He will reside in Strasburg and will be subject to the supervision of the Central Rhine Commission.

There will be established in the two ports free zones in conformity with Part XII (Ports, Waterways and Railways) of the present Treaty.

A special Convention between France and Germany, which shall be submitted to the approval of the Central Rhine Commission, will fix the details of this organisation, particularly as regards finance.

It is understood that for the purpose of the present Article the port of Kehl includes the whole of the area necessary for the movements of the port and the trains which serve it, including the harbour, quays and railroads, platforms, cranes, sheds and warehouses, silos, elevators and hydro-electric plants, which make up the equipment of the port.

The German Government undertakes to carry out all measures which shall be required of it in order to assure that all the making-up and switching of trains arriving at or departing from Kehl, whether for the right bank or the left bank of the Rhine, shall be carried on in the best conditions possible.

All property rights shall be safeguarded. In particular the administration of the ports shall not prejudice any property rights of the French or Baden railroads.

Equality of treatment as respects traffic shall be assured in both ports to the nationals, vessels and goods of every country.

In case at the end of the sixth year France shall consider that the progress made in the improvement of the port of Strasburg still requires a prolongation of this temporary régime, she may ask for such prolongation from the Central Rhine Commission, which may grant an extension for a period not exceeding three years.

Throughout the whole period of any such extension the free zones above provided for shall be maintained.

Pending appointment of the first manager by the Central Rhine Commission a provisional manager who shall be of French nationality may be appointed by the Principal Allied and Associated Powers subject to the foregoing provisions.

For all purposes of the present Article the Central Rhine Commission will decide by a majority of votes.

ARTICLE 66.

The railway and other bridges across the Rhine now existing within the limits of Alsace-Lorraine shall, as to all their parts and their whole length, be the property of the French State, which shall ensure their upkeep.

ARTICLE 67.

The French Government is substituted in all the rights of the German Empire over all the railways which were administered by the Imperial railway administration and which are actually working or under construction.

The same shall apply to the rights of the Empire with regard to railway and tramway concessions within the territories referred to in Article 51.

This substitution shall not entail any payment on the part of the French State.

The frontier railway stations shall be established by a subsequent agreement, it being stipulated in advance that on the Rhine frontier they shall be situated on the right bank.

ARTICLE 68.

In accordance with the provisions of Article 268 of Chapter I of Section I of Part X (Economic Clauses) of the present Treaty, for a period of five years from the coming into force of the present Treaty, natural or manufactured products originating in and coming from the territories referred to in Article 51 shall, on importation into German customs territory, be exempt from all customs duty.

The French Government may fix each year, by decree communicated to the German Government, the nature and amount of the products which shall enjoy this exemption.

The amount of each product which may be thus sent annually into Germany shall not exceed the average of the amounts sent annually in the years 1911–1913.

Further, during the period of five years above mentioned, the German Government shall allow the free export from Germany and the free reimportation into Germany, exempt from all customs duties and other charges (including internal charges), of yarns, tissues, and other textile materials or textile products of any kind and in any condition, sent from Germany into the territories referred to in Article 51, to be subjected there to any finishing process, such as bleaching, dyeing, printing, mercerization, gassing, twisting or dressing.

ARTICLE 69.

During a period of ten years from the coming into force of the present Treaty, central electric supply works situated in German territory and formerly furnishing electric power to the territories referred to in Article 51 or to any establishment the working of which passes permanently or temporarily from Germany to France, shall be required to continue such supply up to the amount of consumption corresponding to the undertakings and contracts current on November 11, 1918.

Such supply shall be furnished according to the contracts in force and at a rate which shall not be higher than that paid to the said works by German nationals.

ARTICLE 70.

It is understood that the French Government preserves its right to prohibit in the future in the territories referred to in Article 51 all new German participation:

(1) In the management or exploitation of the public domain and of public services, such as railways, navigable waterways, water works, gas works, electric power, etc.;

(2) In the ownership of mines and quarries of every kind and in enterprises connected therewith;

(3) In metallurgical establishments, even though their working may not be connected with that of any mine.

ARTICLE 71.

As regards the territories referred to in Article 51, Germany renounces on behalf of herself and her nationals as from November 11, 1918, all rights under the law of May 25, 1910, regarding the trade in potash salts, and generally under any stipulations for the intervention of German organisations in the working of the potash mines. Similarly, she renounces on behalf of herself and her nationals all rights under any agreements, stipulations or laws which may exist to her benefit with regard to other products of the aforesaid territories.

ARTICLE 72.

The settlement of the questions relating to debts contracted before November 11, 1918, between the German Empire and the German States or their nationals residing in Germany on the one part and Alsace-Lorrainers residing in Alsace-Lorraine on the other part shall be effected in accordance with the provisions of Section III of Part X (Economic Clauses) of the present Treaty, the expression "before the war" therein being replaced by the expression "before November 11, 1918." The

rate of exchange applicable in the case of such settlement shall be the average rate quoted on the Geneva Exchange during the month preceding November 11, 1918.

There may be established in the territories referred to in Article 51, for the settlement of the aforesaid debts under the conditions laid down in Section III of Part X (Economic Clauses) of the present Treaty, a special clearing office, it being understood that this office shall be regarded as a "central office" under the provisions of paragraph 1 of the Annex to the said Section.

ARTICLE 73.

The private property, rights and interests of Alsace-Lorrainers in Germany will be regulated by the stipulations of Section IV of Part X (Economic Clauses) of the present Treaty.

ARTICLE 74.

The French Government reserves the right to retain and liquidate all the property, rights and interests which German nationals or societies controlled by Germany possessed in the territories referred to in Article 51 on November 11, 1918, subject to the conditions laid down in the last paragraph of Article 53 above.

Germany will directly compensate her nationals who may have been dispossessed by the aforesaid liquidations.

The product of these liquidations shall be applied in accordance with the stipulations of Sections III and IV of Part X (Economic Clauses) of the present Treaty.

ARTICLE 75.

Notwithstanding the stipulations of Section V of Part X (Economic Clauses) of the present Treaty, all contracts made before the date of the promulgation in Alsace-Lorraine of the French decree of November 30, 1918, between Alsace-Lorrainers (whether individuals or juridical persons) or others resident in Alsace-Lorraine on the one part and the German Empire or German States and their nationals resident in Germany on the other part, the execution of which has been suspended by the Armistice or by subsequent French legislation, shall be maintained.

Nevertheless, any contract of which the French Government shall notify the cancellation to Germany in the general interest within a period of six months from the date of the coming into force of the present Treaty, shall be annulled except in respect of any debt or other pecuniary obligation arising out of any act done or money paid thereunder before November 11, 1918. If this dissolution would cause one of the parties substantial prejudice, equitable compensation, calculated solely on the capital employed without taking account of loss of profits, shall be accorded to the prejudiced party.

With regard to prescriptions, limitations and forfeitures in Alsace-Lorraine, the provisions of Articles 300 and 301 of Section V of Part X (Economic Clauses) shall be applied with the substitution for the expression "outbreak of war" of the expression "November 11, 1918," and for the expression "duration of the war" of the expression "period from November 11, 1918, to the date of the coming into force of the present Treaty."

ARTICLE 76.

Questions concerning rights in industrial, literary or artistic property of Alsace-Lorrainers shall be regulated in accordance with the general stipulations of Section VII of Part X (Economic Clauses) of the present Treaty, it being understood that Alsace-Lorrainers holding rights of this nature under German legislation will preserve full and entire enjoyment of those rights on German territory.

ARTICLE 77.

The German Government undertakes to pay over to the French Government such proportion of all reserves accumulated by the Empire or by public or private bodies dependent upon it, for the purposes of disability and old age insurance, as would fall to the disability and old age insurance fund at Strasburg.

The same shall apply in respect of the capital and reserves accumulated in Germany falling legitimately to other social insurance funds, to miners' superannuation funds, to the fund of the railways of Alsace-Lorraine, to other superannuation organisations established for the benefit of the personnel of public administrations and institutions operating in Alsace-Loraine, and also in respect of the capital and reserves due by the insurance fund of private employees at Berlin, by reason of engagements entered into for the benefit of insured persons of that category resident in Alsace-Loraine.

A special Convention shall determine the conditions and procedure of these transfers.

ARTICLE 78.

With regard to the execution of judgments, appeals and prosecutions, the following rules shall be applied:

(1) All civil and commercial judgments which shall have been given since August 3, 1914, by the Courts of Alsace-Lorraine between Alsace-Lorrainers, or between Alsace-Lorrainers and foreigners, or between foreigners, and which shall not have been appealed from before November 11, 1918, shall be regarded as final and susceptible of immediate execution without further formality.

When the judgment has been given between Alsace-Lorrainers and Germans or between Alsace-Lorrainers and subjects of the allies of Germany, it shall only be capable of execution after the issue of an *exequatur* by the corresponding new tribunal in the restored territory referred to in Article 51.

(2) All judgments given by German Courts since August 3, 1914, against Alsace-Lorrainers for political crimes or misdemeanors shall be regarded as null and void.

(3) All sentences passed since November 11, 1918, by the Court of the Empire at Leipzig on appeals against the decisions of the Courts of Alsace-Lorraine shall be regarded as null and void and shall be so pronounced. The papers in regard to the cases in which such sentences have been given shall be returned to the Courts of Alsace-Lorraine concerned.

All appeals to the Court of the Empire against decisions of the Courts of Alsace-Lorraine shall be suspended. The papers shall be returned under the aforesaid conditions for transfer without delay to the French Cour de Cassation, which shall be competent to decide them.

(4) All prosecutions in Alsace-Lorraine for offences committed during the period between November 11, 1918, and the coming into force of the present Treaty will be conducted under German law except in so far as this has been modified by decrees duly published on the spot by the French authorities.

(5) All other questions as to competence, procedure or administration of justice shall be determined by a special Convention between France and Germany.

ARTICLE 79.

The stipulations as to nationality contained in the Annex hereto shall be considered as of equal force with the provisions of the present Section.

All other questions concerning Alsace-Lorraine which are not regulated by the present Section and the Annex thereto or by the general provisions of the present Treaty will form the subject of further conventions between France and Germany.

ANNEX.

1.

As from November 11, 1918, the following persons are *ipso facto* reinstated in French nationality:

(1) Persons who lost French nationality by the application of the Franco-German Treaty of May 10, 1871, and who have not since that date acquired any nationality other than German;

(2) The legitimate or natural descendants of the persons referred to in the immediately preceding paragraph, with the exception of those whose ascendants in the paternal line include a German who migrated into Alsace-Lorraine after July 15, 1870;

(3) All persons born in Alsace-Lorraine of unknown parents, or whose nationality is unknown.

2.

Within the period of one year from the coming into force of the present Treaty, persons included in any of the following categories may claim French nationality:

(1) All persons not restored to French nationality under paragraph 1 above, whose ascendants include a Frenchman or Frenchwoman who lost French nationality under the conditions referred to in the said paragraph;

(2) All foreigners, not nationals of a German State, who acquired the status of a citizen of Alsace-Lorraine before August 3, 1914;

(3) All Germans domiciled in Alsace-Lorraine, if they have been so domiciled since a date previous to July 15, 1870, or if one of their ascendants was at that date domiciled in Alsace-Lorraine;

(4) All Germans born or domiciled in Alsace-Lorraine who have served in the Allied or Associated armies during the present war, and their descendants;

(5) All persons born in Alsace-Lorraine before May 10, 1871, of foreign parents, and the descendants of such persons;

(6) The husband or wife of any person whose French nationality may have been restored under paragraph 1, or who may have claimed and obtained French nationality in accordance with the preceding provisions.

The legal representative of a minor may exercise, on behalf of that minor, the right to claim French nationality; and if that right has not been exercised, the minor may claim French nationality within the year following his majority.

Except in the cases provided for in No. (6) of the present paragraph, the French authorities reserve to themselves the right, in individual cases, to reject the claim to French nationality.

3.

Subject to the provisions of paragraph 2, Germans born or domiciled in Alsace-Lorraine shall not acquire French nationality by reason of the restoration of Alsace-Lorraine to France, even though they may have the status of citizens of Alsace-Lorraine.

They may acquire French nationality only by naturalization, on condition of having been domiciled in Alsace-Lorraine from a date previous to August 3, 1914, and of submitting proof of unbroken residence within the restored territory for a period of three years from November 11, 1918.

France will be solely responsible for their diplomatic and consular protection from the date of their application for French naturalisation.

The French Government shall determine the procedure by which reinstatement in French nationality as of right shall be effected, and the conditions under which decisions shall be given upon claims to such nationality and applications for naturalisation, as provided by the present Annex.

SECTION VI.

AUSTRIA.

ARTICLE 80.

Germany acknowledges and will respect strictly the independence of Austria, within the frontiers which may be fixed in a Treaty between that State and the Principal Allied and Associated Powers; she agrees that this independence shall be inalienable, except with the consent of the Council of the League of Nations.

SECTION VII.

CZECHO-SLOVAK STATE.

ARTICLE 81.

Germany, in conformity with the action already taken by the Allied and Associated Powers, recognizes the complete independence of the Czecho-Slovak State which will include the autonomous territory of the Ruthenians to the south of the Carpathians. Germany hereby recognizes the frontiers of this State as determined by the Principal Allied and Associated Powers and the other interested States.

ARTICLE 82.

The old frontier as it existed on August 3, 1914, between Austria-Hungary and the German Empire will constitute the frontier between Germany and the Czecho-Slovak State.

ARTICLE 83.

Germany renounces in favour of the Czecho-Slovak State all rights and title over the portion of Silesian territory defined as follows:

starting from a point about 2 kilometres south-east of Katscher, on the boundary between the *Kreise* of Leobschütz and Ratibor:

the boundary between the two *Kreise*;

then, the former boundary between Germany and Austria-Hungary up to a point on the Oder immediately to the south of the Ratibor-Oderberg railway;

thence, towards the north-west and up to a point about 2 kilometres to the south-east of Katscher:

a line to be fixed on the spot passing to the west of Kranowitz.

A Commission composed of seven members, five nominated by the Principal Allied and Associated Powers, one by Poland and one by the Czecho-Slovak State, will be appointed fifteen days after the coming into force of the present Treaty to trace on the spot the frontier line between Poland and the Czecho-Slovak State.

The decisions of this Commission will be taken by a majority and shall be binding on the parties concerned.

Germany hereby agrees to renounce in favour of the Czecho-Slovak State all rights and title over the part of the *Kreis* of Leobschütz comprised within the following boundaries in case after the determination of the frontier between Germany and Poland the said part of that *Kreis* should become isolated from Germany:

from the south-eastern extremity of the salient of the former Austrian frontier at about 5 kilometres to the west of Leobschütz southwards and up to the point of junction with the boundary between the *Kreise* of Leobschütz and Ratibor:

the former frontier between Germany and Austria-Hungary;

then, northwards, the administrative boundary between the *Kreise* of Leobschütz and Ratibor up to a point situated about 2 kilometres to the south-east of Katscher;

thence, north-westwards and up to the starting-point of this definition:

a line to be fixed on the spot passing to the east of Katscher.

ARTICLE 84.

German nationals habitually resident in any of the territories recognized as forming part of the Czecho-Slovak State will obtain Czecho-Slovak nationality *ipso facto* and lose their German nationality.

ARTICLE 85.

Within a period of two years from the coming into force of the present Treaty, German nationals over eighteen years of age habitually resident in any of the territories recognized as forming part of the Czecho-Slovak State will be entitled to opt for German nationality. Czecho-Slovaks who are German nationals and are habitually resident in Germany will have a similar right to opt for Czecho-Slovak nationality.

Option by a husband will cover his wife and option by parents will cover their children under eighteen years of age.

Persons who have exercised the above right to opt must within the succeeding twelve months transfer their place of residence to the State for which they have opted.

They will be entitled to retain their landed property in the territory of the other State where they had their place of residence before exercising the right to opt. They may carry with them their movable property of every description. No export or import duties may be imposed upon them in connection with the removal of such property.

Within the same period Czecho-Slovaks who are German nationals and are in a foreign country will be entitled, in the absence of any provisions to the contrary in the foreign law, and if they have not acquired the foreign nationality, to obtain Czecho-Slovak nationality and lose their German nationality by complying with the requirements laid down by the Czecho-Slovak State.

ARTICLE 86.

The Czecho-Slovak State accepts and agrees to embody in a Treaty with the Principal Allied and Associated Powers such provisions as may be deemed necessary by the said Powers to protect the interests of inhabitants of that State who differ from the majority of the population in race, language or religion.

The Czecho-Slovak State further accepts and agrees to embody in a Treaty with the said Powers such provisions as they may deem necessary to protect freedom of transit and equitable treatment of the commerce of other nations.

The proportion and nature of the financial obligations of Germany and Prussia which the Czecho-Slovak State will have to assume on account of the Silesian territory placed under its sovereignty will be determined in accordance with Article 254 of Part IX (Financial Clauses) of the present Treaty.

Subsequent agreements will decide all questions not decided by the present Treaty which may arise in consequence of the cession of the said territory.

SECTION VIII.

POLAND.

ARTICLE 87.

Germany, in conformity with the action already taken by the Allied and Associated Powers, recognizes the complete independence of Poland, and renounces in her favour all rights and title over the territory bounded by the Baltic Sea, the eastern frontier of Germany as laid down in Article 27 of Part II (Boundaries of Germany) of the present Treaty up to a point situated about 2 kilometres to the east of Lorzendorf, then a line to the acute angle which the northern boundary of Upper Silesia makes about 3 kilometres north-west of Simmenau, then the boundary of Upper Silesia to its meeting point with the old frontier between Germany and Russia, then this frontier to the point where it crosses the course of the Niemen, and then the northern frontier of East Prussia as laid down in Article 28 of Part II aforesaid.

The provisions of this Article do not, however, apply to the territories of East Prussia and the Free City of Danzig, as defined in Article 28 of Part II (Boundaries of Germany) and in Article 100 of Section XI (Danzig) of this Part.

The boundaries of Poland not laid down in the present Treaty will be subsequently determined by the Principal Allied and Associated Powers.

A Commission consisting of seven members, five of whom shall be nominated by the Principal Allied and Associated Powers, one by Germany and one by Poland, shall be constituted fifteen days after the coming into force of the present Treaty to delimit on the spot the frontier line between Poland and Germany.

The decisions of the Commission will be taken by a majority of votes and shall be binding upon the parties concerned.

ARTICLE 88.

In the portion of Upper Silesia included within the boundaries described below, the inhabitants will be called upon to indicate by a vote whether they wish to be attached to Germany or to Poland:

starting from the northern point of the salient of the old province of Austrian Silesia situated about 8 kilometres east of Neustadt, the former frontier between Germany and Austria to its junction with the boundary between the *Kreise* of Leobschütz and Ratibor;

thence in a northerly direction to a point about 2 kilometres southeast of Katscher:

the boundary between the *Kreise* of Leobschütz and Ratibor;

thence in a south-easterly direction to a point on the course of the Oder immediately south of the Ratibor-Oderberg railway:

a line to be fixed on the ground passing south of Kranowitz;

thence the old boundary between Germany and Austria, then the old boundary between Germany and Russia to its junction with the administrative boundary between Posnania and Upper Silesia;

thence this administrative boundary to its junction with the administrative boundary between Upper and Middle Silesia;

thence westwards to the point where the administrative boundary turns in an acute angle to the south-east about 3 kilometres northwest of Simmenau:

the boundary between Upper and Middle Silesia;

then in a westerly direction to a point to be fixed on the ground about 2 kilometres east of Lorzendorf:

a line to be fixed on the ground passing north of Klein Hennersdorf:

thence southwards to the point where the boundary between Upper and Middle Silesia cuts the Städtel-Karlsruhe road:

a line to be fixed on the ground passing west of Hennersdorf, Polkowitz, Noldau, Steinersdorf and Dammer, and east of Strehlitz, Nassadel, Eckersdorf, Schwirz and Städtel;

thence the boundary between Upper and Middle Silesia to its junction with the eastern boundary of the *Kreis* of Falkenberg;

thence the eastern boundary of the *Kreis* of Falkenberg to the point of the salient which is 3 kilometres east of Puschine;

thence to the northern point of the salient of the old province of Austrian Silesia situated about 8 kilometres east of Neustadt:

a line to be fixed on the ground passing east of Zülz.

The régime under which this plebiscite will be taken and given effect to is laid down in the Annex hereto.

The Polish and German Governments hereby respectively bind themselves to conduct no prosecutions on any part of their territory and to take no exceptional proceedings for any political action performed in Upper Silesia during the period of the régime laid down in the Annex hereto and up to the settlement of the final status of the country.

Germany hereby renounces in favour of Poland all rights and title over the portion of Upper Silesia lying beyond the frontier line fixed by the Principal Allied and Associated Powers as the result of the plebiscite.

ANNEX.

1.

Within fifteen days from the coming into force of the present Treaty the German troops and such officials as may be designated by the Commission set up under the provisions of paragraph 2 shall evacuate the plebiscite area. Up to the moment of the completion of the evacuation they shall refrain from any form of requisitioning in money or in kind and from all acts likely to prejudice the material interests of the country.

Within the same period the Workmen's and Soldiers' Councils which have been constituted in this area shall be dissolved. Members of such Councils who are natives of another region and are exercising their functions at the date of the coming into force of the present Treaty, or who have gone out of office since March 1, 1919, shall be evacuated.

All military and semi-military unions formed in the said area by inhabitants of the district shall be immediately disbanded. All members of such military organizations who are not domiciled in the said area shall be required to leave it.

2.

The plebiscite area shall be immediately placed under the authority of an International Commission of four members to be designated by the following Powers; the United States of America, France, the British Empire and Italy. It shall be occupied by troops belonging to the Allied and Associated Powers, and the German Government undertakes to give facilities for the transference of these troops to Upper Silesia.

3.

The Commission shall enjoy all the powers exercised by the German or the Prussian Government, except those of legislation or taxation. It shall also be substituted for the Government of the province and the *Regierungsbezirk*.

It shall be within the competence of the Commission to interpret the powers hereby conferred upon it and to determine to what extent it shall exercise them, and to what extent they shall be left in the hands of the existing authorities.

Changes in the existing laws and the existing taxation shall only be brought into force with the consent of the Commission.

The Commission will maintain order with the help of the troops which will be at its disposal, and, to the extent which it may deem necessary, by means of gendarmerie recruited among the inhabitants of the country.

The Commission shall provide immediately for the replacement of the evacuated German officials and, if occasion arises, shall itself order the evacuation of such authorities and proceed to the replacement of such local authorities as may be required.

It shall take all steps which it thinks proper to ensure the freedom, fairness and secrecy of the vote. In particular, it shall have the right to order the expulsion of any person who may in any way have attempted to distort the result of the plebiscite by methods of corruption or intimidation.

The Commission shall have full power to settle all questions arising from the execution of the present clauses. It shall be assisted by technical advisers chosen by it from among the local population.

The decisions of the Commission shall be taken by a majority vote.

4.

The vote shall take place at such date as may be determined by the Principal Allied and Associated Powers, but not sooner than six months or later than eighteen months after the establishment of the Commission in the area.

The right to vote shall be given to all persons without distinction of sex who:

(*a*) Have completed their twentieth year on the 1st January of the year in which the plebiscite takes place;

(*b*) Were born in the plebiscite area or have been domiciled there since a date to be determined by the Commission, which shall not be subsequent to January 1, 1919, or who have been expelled by the German authorities and have not retained their domicile there.

Persons convicted of political offences shall be enabled to exercise their right of voting.

Every person will vote in the commune where he is domiciled or in which he was born, if he has not retained his domicile in the area.

The result of the vote will be determined by communes according to the majority of votes in each commune.

5.

On the conclusion of the voting, the number of votes cast in each commune will be communicated by the Commission to the Principal Allied and Associated Powers, with a full report as to the taking of the vote and a recommendation as to the line which ought to be adopted as the frontier of Germany in Upper Silesia. In this recommendation regard will be paid to the wishes of the inhabitants as shown by the vote, and to the geographical and economic conditions of the locality.

6.

As soon as the frontier has been fixed by the Principal Allied and Associated Powers, the German authorities will be notified by the International Commission that they are free to take over the administration of the territory which it is recognised should be German; the said authorities must proceed to do so within one month of such notification and in the manner prescribed by the Commission.

Within the same period and in the manner prescribed by the Commission, the Polish Government must proceed to take over the administration of the territory which it is recognised should be Polish.

When the administration of the territory has been provided for by the German and Polish authorities respectively, the powers of the Commission will terminate.

The cost of the army of occupation and expenditure by the Commission, whether in discharge of its own functions or in the administration of the territory, will be charge on the area.

ARTICLE 89.

Poland undertakes to accord freedom of transit to persons, goods, vessels, carriages, wagons and mails in transit between East Prussia and the rest of Germany over Polish territory, including territorial waters, and to treat them at least as favourably as the persons, goods, vessels, carriages, wagons, and mails respectively of Polish or of any other more favoured nationality, origin, importation, starting point, or ownerships as regards facilities, restrictions and all other matters.

Goods in transit shall be exempt from all customs or other similar duties.

Freedom of transit will extend to telegraphic and telephonic services under the conditions laid down by the conventions referred to in Article 98.

ARTICLE 90.

Poland undertakes to permit for a period of fifteen years the exportation to Germany of the products of the mines in any part of Upper Silesia transferred to Poland in accordance with the present Treaty.

Such products shall be free from all export duties or other charges or restrictions on exportation.

Poland agrees to take such steps as may be necessary to secure that any such products shall be available for sale to purchasers in Germany on terms as favourable as are applicable to like products sold under similar conditions to purchasers in Poland or in any other country.

ARTICLE 91.

German nationals habitually resident in territories recognised as forming part of Poland will acquire Polish nationality *ipso facto* and will lose their German nationality.

German nationals, however, or their descendants who became resident in these territories after January 1, 1908, will not acquire Polish nationality without a special authorisation from the Polish State.

Within a period of two years after the coming into force of the present Treaty, German nationals over 18 years of age habitually resident in any of the territories recognised as forming part of Poland will be entitled to opt for German nationality.

Poles who are German nationals over 18 years of age and habitually resident in Germany will have a similar right to opt for Polish nationality.

Option by a husband will cover his wife and option by parents will cover their children under 18 years of age.

Persons who have exercised the above right to opt may within the succeeding twelve months transfer their place of residence to the State for which they have opted.

They will be entitled to retain their immovable property in the territory of the other State where they had their place of residence before exercising the right to opt.

They may carry with them their movable property of every description. No export or import duties or charges may be imposed upon them in connection with the removal of such property.

Within the same period Poles who are German nationals and are in a foreign country will be entitled, in the absence of any provisions to the contrary in the foreign law, and if they have not acquired the foreign nationality, to obtain Polish nationality and to lose their German nationality by complying with the requirements laid down by the Polish State.

In the portion of Upper Silesia submitted to a plebiscite the provisions of this Article shall only come into force as from the definitive attribution of the territory.

ARTICLE 92.

The proportion and the nature of the financial liabilities of Germany and Prussia which are to be borne by Poland will be determined in accordance with Article 254 of Part IX (Financial Clauses) of the present Treaty.

There shall be excluded from the share of such financial liabilities assumed by Poland that portion of the debt which, according to the finding of the Reparation Commission referred to in the above-mentioned Article, arises from measures adopted by the German and Prussian Governments with a view to German colonisation in Poland.

In fixing under Article 256 of the present Treaty the value of the property and possessions belonging to the German Empire and to the German States which pass to Poland with the territory transferred above, the Reparation Commission shall exclude from the valuation buildings, forests and other State property which belonged to the former Kingdom of Poland; Poland shall acquire these properties free of all costs and charges.

In all the German territory transferred in accordance with the present Treaty and recognised as forming definitively part of Poland, the property, rights and interests of German nationals shall not be liquidated under Article 297 by the Polish Government except in accordance with the following provisions:

(1) The proceeds of the liquidation shall be paid direct to the owner;

(2) If on his application the Mixed Arbitral Tribunal provided for by Section VI of Part X (Economic Clauses) of the present Treaty, or an arbitrator appointed by that Tribunal, is satisfied that the conditions of the sale or measures taken by the Polish Government outside its general legislation were unfairly prejudicial to the price obtained, they shall have discretion to award to the owner equitable compensation to be paid by the Polish Government.

Further agreements will regulate all questions arising out of the cession of the above territory which are not regulated by the present Treaty.

ARTICLE 93.

Poland accepts and agrees to embody in a Treaty with the Principal Allied and Associated Powers such provisions as may be deemed necessary by the said Powers to protect the interests of inhabitants of Poland who differ from the majority of the population in race, language or religion.

Poland further accepts and agrees to embody in a Treaty with the said Powers such provisions as they may deem necessary to protect freedom of transit and equitable treatment of the commerce of other nations.

SECTION IX.

EAST PRUSSIA.

ARTICLE 94.

In the area between the southern frontier of East Prussia, as described in Article 28 of Part II (Boundaries of Germany) of the present Treaty, and the line described below, the inhabitants will be called upon to indicate by a vote the State to which they wish to belong:

The western and northern boundary of *Regierungsbezirk* Allenstein to its junction with the boundary between the *Kreise* of Oletsko and Angerburg; thence, the northern boundary of the *Kreis* of Oletsko to its junction with the old frontier of East Prussia.

ARTICLE 95.

The German troops and authorities will be withdrawn from the area defined above within a period not exceeding fifteen days after the coming into force of the present Treaty. Until the evacuation is completed they will abstain from all requisitions in money or in kind and from all measures injurious to the economic interests of the country.

On the expiration of the above-mentioned period the said area will be placed under the authority of an International Commission of five members appointed by the Principal Allied and Associated Powers. This Commission will have general powers of administration and, in particular, will be charged with the duty of arranging for the vote and of taking such measures as it may deem necessary to ensure its freedom, fairness and secrecy. The Commission will have all necessary authority to decide any questions to which the execution of these provisions may give rise. The Commission will make such arrangements as may be necessary for assistance in the exercise of its functions by officials chosen by itself from the local population. Its decisions will be taken by a majority.

Every person, irrespective of sex, will be entitled to vote who:

(*a*) Is 20 years of age at the date of the coming into force of the present Treaty, and

(*b*) Was born within the area where the vote will take place or has been habitually resident there from a date to be fixed by the Commission.

Every person will vote in the commune where he is habitually resident or, if not habitually resident in the area, in the commune where he was born.

The result of the vote will be determined by communes (*Gemeinde*) according to the majority of the votes in each commune.

On the conclusion of the voting the number of votes cast in each commune will be communicated by the Commission to the Principal Allied and Associated Powers, with a full report as to the taking of the vote and a recommendation as to the line

which ought to be adopted as the boundary of East Prussia in this region. In this recommendation regard will be paid to the wishes of the inhabitants as shown by the vote and to the geographical and economic conditions of the locality. The Principal Allied and Associated Powers will then fix the frontier between East Prussia and Poland in this region.

If the line fixed by the Principal Allied and Associated Powers is such as to exclude from East Prussia any part of the territory defined in Article 94, the renunciation of its rights by Germany in favour of Poland, as provided in Article 87 above, will extend to the territories so excluded.

As soon as the line has been fixed by the Principal Allied and Associated Powers, the authorities administering East Prussia will be notified by the International Commission that they are free to take over the administration of the territory to the north of the line so fixed, which they shall proceed to do within one month of such notification and in the manner prescribed by the Commission. Within the same period and as prescribed by the Commission, the Polish Government must proceed to take over the administration of the territory to the south of the line. When the administration of the territory by the East Prussian and Polish authorities respectively has been provided for, the powers of the Commission will terminate.

Expenditure by the Commission, whether in the discharge of its own functions or in the administration of the territory, will be borne by the local revenues. East Prussia will be required to bear such proportion of any deficit as may be fixed by the Principal Allied and Associated Powers.

ARTICLE 96.

In the area comprising the *Kriese* of Stuhm and Rosenberg and the portion of the *Kreis* of Marienburg which is situated east of the Nogat and that of Marienwerder east of the Vistula, the inhabitants will be called upon to indicate by a vote, to be taken in each commune (*Gemeinde*), whether they desire the various communes situated in this territory to belong to Poland or to East Prussia.

ARTICLE 97.

The German troops and authorities will be withdraw from the area defined in Article 96 within a period not exceeding fifteen days after the coming into force of the present Treaty. Until the evacuation is completed they will abstain from all requisitions in money or in kind and from all measures injurious to the economic interests of the country.

On the expiration of the above-mentioned period, the said area will be placed under the authority of an International Commission of five members appointed by the Principal Allied and Associated Powers. This Commission, supported if occasion arises by the necessary forces, will have general powers of administration and in particular will be charged with the duty of arranging for the vote and of taking such measures as it may deem necessary to ensure its freedom, fairness and secrecy. The Commission will conform as far as possible to the provisions of the present Treaty relating to the plebiscite in the Allenstein area; its decisions will be taken by a majority.

Expenditure by the Commission, whether in the discharge of its own functions or in the administration of the territory, will be borne by the local revenues.

On the conclusion of the voting the number of votes cast in each commune will be communicated by the Commission to the Principal Allied and Associated Powers with a full report as to the taking of the vote and a recommendation as to the line which ought to be adopted as the boundary of East Prussia in this region. In this recommendation regard will be paid to the wishes of the inhabitants as shown by the vote and to the geographical and economic conditions of the locality. The Principal Allied and Associated Powers will then fix the frontier between East Prussia and Poland in this region, leaving in any case to Poland for the whole of the section bordering on the Vistula full and complete control of the river including the east bank as far east of the river as may be necessary for its regulation and improvement. Germany agrees that in any portion of the said territory which remains German, no fortifications shall at any time be erected.

The Principal Allied and Associated Powers will at the same time draw up regulations for assuring to the population of East Prussia to the fullest extent and under equitable conditions access to the Vistula and the use of it for themselves, their commerce and their boats.

The determination of the frontier and the foregoing regulations shall be binding upon all the parties concerned.

When the administration of the territory has been taken over by the East Prussian and Polish authorities respectively, the powers of the Commission will terminate.

ARTICLE 98.

Germany and Poland undertake, within one year of the coming into force of this Treaty, to enter into conventions of which the terms, in case of difference, shall be settled by the Council of the League of Nations, with the object of securing, on the one hand to Germany full and adequate railroad, telegraphic and telephonic facilities for communication between the rest of Germany and East Prussia over the intervening Polish territory, and on the other hand to Poland full and adequate railroad, telegraphic and telephonic facilities for communication between Poland and the Free City of Danzig over any German territory that may, on the right bank of the Vistula, intervene between Poland and the Free City of Danzig.

SECTION X.

NEMEL.

ARTICLE 99.

Germany renounces in favour of the Principal Allied and Associated Powers all rights and title over the territories included between the Baltic, the north eastern frontier of East Prussia as defined in Article 28 of Part II (Boundaries of Germany) of the present Treaty and the former frontier between Germany and Russia.

Germany undertakes to accept the settlement made by the Principal Allied and Associated Powers in regard to these territories, particularly in so far as concerns the nationality of the inhabitants.

SECTION XI.

FREE CITY OF DANZIG.

ARTICLE 100.

Germany renounces in favour of the Principal Allied and Associated Powers all rights and title over the territory comprised within the following limits:

from the Baltic Sea southwards to the point where the principal channels of navigation of the Nogat and the Vistula (Weichsel) meet:

the boundary of East Prussia as described in Article 28 of Part II (Boundaries of Germany) of the present Treaty;

thence the principal channel of navigation of the Vistula downstream to a point about 6½ kilometres north of the bridge of Dirschau;

thence north-west to point 5, 1½ kilometres south-east of the church of Güttland.

a line to be fixed on the ground;

thence in a general westerly direction to the salient made by the boundary of the *Kreis* of Berent 8½ kilometres north-east of Schöneck:

a line to be fixed on the ground passing between Mühlbanz on the south and Rambeltsch on the north;

thence the boundary of the *Kreis* of Berent westwards to the re-entrant which it forms 6 kilometres north-north-west of Schöneck;

thence to a point on the median line of Lonkener See:

a line to be fixed on the ground passing north of Neu Fietz and Schatarpi and south of Barenhütte and Lonken;

thence the median line of Lonkener See to its northernmost point;

thence to the southern end of Pollenziner See:

a line to be fixed on the ground;

thence the median line of Pollenziner See to its northernmost point;

thence in a north-easterly direction to a point about 1 kilometre south of Koliebken church, where the Danzig-Neustadt railway crosses a stream:

a line to be fixed on the ground passing south-east of Kamehlen, Krissau, Fidlin, Sulmin (Richthof), Mattern, Schäferei, and to the north-west of Neuendorf, Marschau, Czapielken, Hoch- and Klein- Kelpin, Pulvermühl, Renneberg and the towns of Oliva and Zoppot;

thence the course of the stream mentioned above to the Baltic Sea.

The boundaries described above are drawn on a German map, scale 1/100,000, attached to the present Treaty (Map No. 3).

ARTICLE 101.

A Commission composed of three members appointed by the Principal Allied and Associated Powers, including a High Commissioner as President, one member appointed by Germany and one member appointed by Poland, shall be constituted within fifteen days of the coming into force of the present Treaty for the purpose of delimiting on the spot the frontier of the territory as described above, taking into account as far as possible the existing communal boundaries.

ARTICLE 102.

The Principal Allied and Associated Powers undertake to establish the town of Danzig, together with the rest of the territory described in Article 100, as a Free City. It will be placed under the protection of the League of Nations.

ARTICLE 103.

A constitution for the Free City of Danzig shall be drawn up by the duly appointed representatives of the Free City in agreement with a High Commissioner to be appointed by the League of Nations. This constitution shall be placed under the guarantee of the League of Nations.

The High Commissioner will also be entrusted with the duty of dealing in the first instance with all differences arising between Poland and the Free City of Danzig in regard to this Treaty or any arrangements or agreements made thereunder.

The High Commissioner shall reside at Danzig.

ARTICLE 104.

The Principal Allied and Associated Powers undertake to negotiate a Treaty between the Polish Government and the Free City of Danzig, which shall come into force at the same time as the establishment of the said Free City, with the following objects:

(1) To effect the inclusion of the Free City of Danzig within the Polish Customs frontiers, and to establish a free area in the port;

(2) To ensure to Poland without any restriction the free use and service of all waterways, docks, basins, wharves and other works within the territory of the Free City necessary for Polish imports and exports;

(3) To ensure to Poland the control and administration of the Vistula and of the whole railway system within the Free City, except such street and other railways as serve primarily the needs of the Free City, and of postal, telegraphic and telephonic communication between Poland and the port of Danzig;

(4) To ensure to Poland the right to develop and improve the waterways, docks, basins, wharves, railways and other works and means of communication mentioned in this Article, as well as to lease or purchase through appropriate processes such land and other property as may be necessary for these purposes;

(5) To provide against any discrimination within the Free City of Danzig to the detriment of citizens of Poland and other persons of Polish origin or speech;

(6) To provide that the Polish Government shall undertake the conduct of the foreign relations of the Free City of Danzig as well as the diplomatic protection of citizens of that city when abroad.

ARTICLE 105.

On the coming into force of the present Treaty German nationals ordinarily resident in the territory described in Article 100 will *ipso facto* lose their German nationality in order to become nationals of the Free City of Danzig.

ARTICLE 106.

Within a period of two years from the coming into force of the present Treaty, German nationals over 18 years of age ordinarily resident in the territory described in Article 100 will have the right to opt for German nationality.

Option by a husband will cover his wife and option by parents will cover their children less than 18 years of age.

All persons who exercise the right of option referred to above must during the ensuing twelve months transfer their place of residence to Germany.

These persons will be entitled to preserve the immovable property possessed by them in the territory of the Free City of Danzig. They may carry with them their movable property of every description. No export or import duties shall be imposed upon them in this connection.

ARTICLE 107.

All property situated within the territory of the Free City of Danzig belonging to the German Empire or to any German State shall pass to the Principal Allied and Associated Powers for transfer to the Free City of Danzig or to the Polish State as they may consider equitable.

ARTICLE 108.

The proportion and nature of the financial liabilities of Germany and of Prussia to be borne by the Free City of Danzig shall be fixed in accordance with Article 254 of Part IX (Financial Clauses) of the present Treaty.

All other questions which may arise from the cession of the territory referred to in Article 100 shall be settled by further agreements.

SECTION XII.

SCHLESWIG.

ARTICLE 109.

The frontier between Germany and Denmark shall be fixed in conformity with the wishes of the population.

For this purpose, the population inhabiting the territories of the former German Empire situated to the north of a line, from East to West, (shown by a brown line on the map No. 4, annexed to the present Treaty):

leaving the Baltic Sea about 13 kilometres east-north-east of Flensburg,

running

south-west so as to pass south-east of: Sygum, Ringsberg, Munkbrarup, Adelby, Tastrup, Jarplund, Oversee, and north-west of: Langballigholz, Langballig, Bönstrup, Rüllschau, Weseby, Kleinwolstrup, Gross-Solt,

thence westwards passing south of Frörup and north of Wanderup,

thence in a south-westerly direction passing south-east of Oxlund, Stieglund and Ostenau and north-west of the villages on the Wanderup-Kollund road,

thence in a north-westerly direction passing south-west of Löwenstedt, Joldelund, Goldelund, and north-east of Kolkerheide and Högel to the bend of the Soholmer An, about 1 kilometre east of Soholm, where it meets the southern boundary of the *Kreis* of Tondern,

following this boundary to the North Sea,

passing south of the islands of Fohr and Amrum and north of the islands of Oland and Langeness,

shall be called upon to pronounce by a vote which will be taken under the following conditions:

(1) Within a period not exceeding ten days from the coming into force of the present Treaty, the German troops and authorities (including the *Oberpräsidenten, Regierungs-präsidenten, Landräthe, Amtsvorsteher, Oberbürgermeister*) shall evacuate the zone lying to the north of the line above fixed.

Within the same period the Workmen's and Soldiers' Councils which have been constituted in this zone shall be dissolved; members of such Councils who are natives of another region and are exercising their functions at the date of the coming into force of the present Treaty, or who have gone out of office since March 1, 1919, shall also be evacuated.

The said zone shall immediately be placed under the authority of an International Commission, composed of five members, of whom three will be designated by the Principal Allied and Associated Powers; the Norwegian and Swedish Governments will each be requested to designate a member; in the event of their failing to do so, these two members will be chosen by the Principal Allied and Associated Powers.

The Commission, assisted in case of need by the necessary forces, shall have general powers of administration. In particular, it shall at once provide for filling the places of the evacuated German authorities, and if necessary shall itself give orders for their evacuation, and proceed to fill the places of such local authorities as may be required. It shall take all steps which it thinks proper to ensure the freedom, fairness, and secrecy of the vote. It shall be assisted by German and Danish technical advisers chosen by it from among the local population. Its decisions will be taken by a majority.

One half of the expenses of the Commission and of the expenditure occasioned by the plebiscite shall be paid by Germany.

(2) The right to vote shall be given to all persons, without distinction of sex, who:

(*a*) Have completed their twentieth year at the date of the coming into force of the present Treaty; and

(*b*) Were born in the zone in which the plebiscite is taken, or have been domiciled there since a date before January 1, 1900, or had been expelled by the German authorities without having retained their domicile there.

Every person will vote in the commune (*Gemeinde*) where he is domiciled or of which he is a native.

Military persons, officers, non-commissioned officers and soldiers of the German army, who are natives of the zone of Schleswig in which the plebiscite is taken, shall be given the opportunity to return to their native place in order to take part in the voting there.

(3) In the section of the evacuated zone lying to the north of a line, from East to West (shown by a red line on map No. 4 which is annexed to the present Treaty):

passing south of the island of Alsen and following the median line of Flensburg Fjord.

leaving the fjord about 6 kilometres north of Flensburg and following the course of the stream flowing past Kupfermähle upstream to a point north of Niehuus,

passing north of Pattburg and Ellund and south of Fröslee to meet the eastern boundary of the *Kreis* of Tondern at its junction with the boundary between the old jurisdictions of Slogs and Kjær (*Slogs Herred* and *Kjæ Herred*).

following the latter boundary to where it meets the Scheidebek,

following the course of the Scheidebek (Alte Au), Süder Au and Wied Au downstream successively to the point where the latter bends northwards about 1,500 metres west of Ruttebüll,

thence, in a west-north-westerly direction to meet the North Sea north of Sieltoft,

thence, passing north of the island of Sylt,

the vote above provided for shall be taken within a period not exceeding three weeks after the evacuation of the country by the German troops and authorities.

The result will be determined by the majority of votes cast in the whole of this section. This result will be immediately communicated by the Commission to the Principal Allied and Associated Powers and proclaimed.

If the vote results in favour of the reincorporation of this territory in the Kingdom of Denmark, the Danish Government in agreement with the Commission will be entitled to effect its occupation with their military and administrative authorities immediately after the proclamation.

(4) In the section of the evacuated zone situated to the south of the preceding section and to the north of the line which starts from the Baltic Sea 13 kilometres from Flensburg and ends north of the islands of Oland and Langeness, the vote will be taken within a period .not exceeding five weeks after the plebiscite shall have been held in the first section.

The result will be determined by communes (*Gemeinden*), in accordance with the majority of the votes cast in each commune (*Gemeinde*).

ARTICLE 110.

Pending a delimitation on the spot, a frontier line will be fixed by the Principal Allied and Associated Powers according to a line based on the result of the voting, and proposed by the International Commission, and taking into account the particular geographical and economic conditions of the localities in question.

From that time the Danish Government may effect the occupation of these territories with the Danish civil and military authorities, and the German Government may reinstate up to the said frontier line the German civil and military authorities whom it has evacuated.

Germany hereby renounces definitely in favour of the Principal Allied and Associated Powers all rights of sovereignty over the territories situated to the north of the frontier line fixed in accordance with the above provisions. The Principal Allied and Associated Powers will hand over the said territories to Denmark.

ARTICLE 111.

A Commission composed of seven members, five of whom shall be nominated by the Principal Allied and Associated Powers, one by Denmark, and one by Germany, shall be constituted within fifteen days from the date when the final result of the vote is known, to trace the frontier line on the spot.

The decisions of the Commission will be taken by a majority of votes and shall be binding on the parties concerned.

ARTICLE 112.

All the inhabitants of the territory which is returned to Denmark will acquire Danish nationality *ipso facto*, and will lose their German nationality.

Persons, however, who had become habitually resident in this territory after October 1, 1918, will not be able to acquire Danish nationality without permission from the Danish Government.

ARTICLE 113.

Within two years from the date on which the sovereignty over the whole or part of the territory of Schleswig subjected to the plebiscite is restored to Denmark:

Any person over 18 years of age, born in the territory restored to Denmark, not habitually resident in this region, and possessing German nationality, will be entitled to opt for Denmark;

Any person over 18 years of age habitually resident in the territory restored to Denmark will be entitled to opt for Germany.

Option by a husband will cover his wife and option by parents will cover their children less than 18 years of age.

Persons who have exercised the above right to opt must within the ensuing twelve months transfer their place of residence to the State in favour of which they have opted.

They will be entitled to retain the immovable property which they own in the territory of the other State in which they were habitually resident before opting. They may carry with them their movable property of every description. No export or import duties may be imposed upon them in connection with the removal of such property.

ARTICLE 114.

The proportion and nature of the financial or other obligations of Germany and Prussia which are to be assumed by Denmark will be fixed in accordance with Article 254 of Part IX (Financial Clauses) of the present Treaty.

Further stipulations will determine any other questions arising out of the transfer to Denmark of the whole or part of the territory of which she was deprived by the Treaty of October 30, 1864.

SECTION XIII.

HELIGOLAND.

ARTICLE 115.

The fortifications, military establishments, and harbours of the Islands of Heligoland and Dune shall be destroyed under the supervision of the Principal Allied Governments by German labour and at the expense of Germany within a period to be determined by the said Governments.

The term "harbours" shall include the north-east mole, the west wall, the outer and inner breakwaters and reclaimed land within them, and all naval and military works, fortifications and buildings, constructed or under construction, between lines connecting the following positions taken from the British Admiralty chart No. 126 of April 19, 1918.

(*a*) lat. 54° 10′ 49″ N.; long. 7° 53′ 39″ E.;
(*b*) — 54° 10′ 35″ N.; — 7° 54′ 18″ E.;
(*c*) — 54° 10′ 14″ N.; — 7° 54′ 00″ E.;
(*d*) — 54° 10′ 17″ N.; — 7° 53′ 37″ E.;
(*e*) — 54° 10′ 44″ N.; — 7° 53′ 26″ E.

These fortifications, military establishments and harbours shall not be reconstructed nor shall any similar works be constructed in future.

SECTION XIV.

RUSSIA AND RUSSIAN STATES.

ARTICLE 116.

Germany acknowledges and agrees to respect as permanent and inalienable the independence of all the territories which were part of the former Russian Empire on August 1, 1914.

In accordance with the provisions of Article 259 of Part IX (Financial Clauses) and Article 292 of Part X (Economic Clauses) Germany accepts definitely the abrogation of the Brest-Litovsk Treaties and of all other treaties, conventions and agreements entered into by her with the Maximalist Government in Russia.

The Allied and Associated Powers formally reserve the rights of Russia to obtain from Germany restitution and reparation based on the principles of the present Treaty.

ARTICLE 117.

Germany undertakes to recognize the full force of all treaties or agreements which may be entered into by the Allied and Associated Powers with States now existing or coming into existence in future in the whole or part of the former Empire of Russia as it existed on August 1, 1914, and to recognize the frontiers of any such States as determined therein.

PART IV.

GERMAN RIGHTS AND INTERESTS OUTSIDE GERMANY.

ARTICLE 118.

In territory outside her European frontiers as fixed by the present Treaty, Germany renounces all rights, titles and privileges whatever in or over territory which belonged to her or to her allies, and all rights, titles and privileges whatever their origin which she held as against the Allied and Associated Powers.

Germany hereby undertakes to recognize and to conform to the measures which may be taken now or in the future by the Principal Allied and Associated Powers, in agreement where necessary with third Powers, in order to carry the above stipulation into effect.

In particular Germany declares her acceptance of the following Articles relating to certain special subjects.

SECTION I.

GERMAN COLONIES.

ARTICLE 119.

Germany renounces in favour of the Principal Allied and Associated Powers all her rights and titles over her oversea possessions.

ARTICLE 120.

All movable and immovable property in such territories belonging to the German Empire or to any German State shall pass to the Government exercising authority over such territories, on the terms laid down in Article 257 of Part IX (Financial Clauses) of the present Treaty. The decision of the local courts in any dispute as to the nature of such property shall be final.

ARTICLE 121.

The provisions of Sections I and IV of Part X (Economic Clauses) of the present Treaty shall apply in the case of these territories whatever be the form of Government adopted for them.

ARTICLE 122.

The Government exercising authority over such territories may make such provisions as it thinks fit with reference to the repatriation from them of German nationals and to the conditions upon which German subjects of European origin shall, or shall not, be allowed to reside, hold property, trade or exercise a profession in them.

ARTICLE 123.

The provisions of Article 260 of Part IX (Financial Clauses) of the present Treaty shall apply in the case of all agreements concluded with German nationals for the construction or exploitation of public works in the German oversea possessions, as well as any sub-concessions or contracts resulting therefrom which may have been made to or with such nationals.

ARTICLE 124.

Germany hereby undertakes to pay, in accordance with the estimate to be presented by the French Government and approved by the Reparation Commission, reparation for damage suffered by French nationals in the Cameroons or the frontier zone by reason of the acts of the German civil and military authorities and of German private individuals during the period from January 1, 1900, to August 1, 1914.

ARTICLE 125.

Germany renounces all rights under the Conventions and Agreements with France of November 4, 1911, and September 28, 1912, relating to Equatorial Africa. She undertakes to pay to the French Government, in accordance with the estimate to be presented by that Government and approved by the Reparation Commission, all the deposits, credits, advances, etc., effected by virtue of these instruments in favour of Germany.

ARTICLE 126.

Germany undertakes to accept and observe the agreements made or to be made by the Allied and Associated Powers or some of them with any other Power with regard to the trade in arms and spirits, and to the matters dealt with in the General Act of Berlin of February 26, 1885, the General Act of Brussels of July 2, 1890, and the conventions completing or modifying the same.

ARTICLE 127.

The native inhabitants of the former German oversea possessions shall be entitled to the diplomatic protection of the Governments exercising authority over those territories.

SECTION II.

CHINA.

ARTICLE 128.

Germany renounces in favour of China all benefits and privileges resulting from the provisions of the final Protocol signed at Peking on September 7, 1901, and from all annexes, notes and documents supplementary thereto. She likewise renounces in favour of China any claim to indemnities accruing thereunder subsequent to March 14, 1917.

ARTICLE 129.

From the coming into force of the present Treaty the High Contracting Parties shall apply, in so far as concerns them respectively:

(1) The Arrangement of August 29, 1902, regarding the new Chinese customs tariff;

(2) The Arrangement of September 27, 1905, regarding Whang-Poo, and the provisional supplementary Arrangement of April 4, 1912.

China, however, will no longer be bound to grant to Germany the advantages or privileges which she allowed Germany under these Arrangements.

ARTICLE 130.

Subject to the provisions of Section VIII of this Part, Germany cedes to China all the buildings, wharves and pontoons, barracks, forts, arms and munitions of war, vessels of all kinds, wireless telegraphy installations and other public property belonging to the German Government, which are situated or may be in the German Concessions at Tientsin and Hankow or elsewhere in Chinese territory.

It is understood, however, that premises used as diplomatic or consular residences or offices are not included in the above cession, and, furthermore, that no steps shall be taken by the Chinese Government to dispose of the German public and private property situated within the so-called Legation Quarter at Peking without the consent of the Diplomatic Representatives of the Powers which, on the coming into force of the present Treaty, remain Parties to the Final Protocol of September 7, 1901.

ARTICLE 131.

Germany undertakes to restore to China within twelve months from the coming into force of the present Treaty all the astronomical instruments which her troops in 1900–1901 carried away from China, and to defray all expenses which may be incurred in effecting such restoration, including the expenses of dismounting, packing, transporting, insurance and installation in Peking.

ARTICLE 132.

Germany agrees to the abrogation of the leases from the Chinese Government under which the German Concessions at Hankow and Tientsin are now held.

China, restored to the full exercise of her sovereign rights in the above areas, declares her intention of opening them to international residence and trade. She further declares that the abrogation of the leases under which these concessions are now held shall not affect the property rights of nationals of Allied and Associated Powers who are holders of lots in these concessions.

ARTICLE 133.

Germany waives all claims against the Chinese Government or against any Allied or Associated Government arising out of the internment of German nationals in China and their repatriation. She equally renounces all claims arising out of the capture and condemnation of German ships in China, or the liquidation, sequestration or control of German properties, rights and interests in that country since August 14, 1917. This provision, however, shall not affect the rights of the parties interested in the proceeds of any such liquidation, which shall be governed by the provisions of Part X (Economic Clauses) of the present Treaty.

ARTICLE 134.

Germany renounces in favour of the Government of His Britannic Majesty the German State property in the British Concession at Shameen at Canton. She renounces in favour of the French and Chinese Governments conjointly the property of the German school situated in the French Concession at Shanghai.

SECTION III.

SIAM.

ARTICLE 135.

Germany recognises that all treaties, conventions and agreements between her and Siam, and all rights, title and privileges derived therefrom, including all rights of extraterritorial jurisdiction, terminated as from July 22, 1917.

ARTICLE. 136.

All goods and property in Siam belonging to the German Empire or to any German State, with the exception of premises used as diplomatic or consular residences or offices, pass *ipso facto* and without compensation to the Siamese Government.

The goods, property and private rights of German nationals in Siam shall be dealt with in accordance with the provisions of Part X (Economic Clauses) of the present Treaty.

ARTICLE 137.

Germany waives all claims against the Siamese Government on behalf of herself or her nationals arising out of the seizure or condemnation of German ships, the liquidation of German property, or the internment of German nationals in Siam. This provision shall not affect the rights of the parties interested in the proceeds of any such liquidation, which shall be governed by the provisions of Part X (Economic Clauses) of the present Treaty.

SECTION IV.

LIBERIA.

ARTICLE 138.

Germany renounces all rights and privileges arising from the arrangements of 1911 and 1912 regarding Liberia, and particularly the right to nominate a German Receiver of Customs in Liberia.

She further renounces all claim to participate in any measures whatsoever which may be adopted for the rehabilitation of Liberia.

ARTICLE 139.

Germany recognizes that all treaties and arrangements between her and Liberia terminated as from August 4, 1917.

ARTICLE 140.

The property, rights and interests of Germans in Liberia shall be dealt with in accordance with Part X (Economic Clauses) of the present Treaty.

SECTION V.

MOROCCO.

ARTICLE 141.

Germany renounces all rights, titles and privileges conferred on her by the General Act of Algeciras of April 7, 1906, and by the Franco-German Agreements of February 9, 1909, and November 4, 1911. All treaties, agreements, arrangements and contracts concluded by her with the Sherifian Empire are regarded as abrogated as from August 3, 1914.

In no case can Germany take advantage of these instruments and she undertakes not to intervene in any way in negotiations relating to Morocco which may take place between France and the other Powers.

ARTICLE 142.

Germany having recognized the French Protectorate in Morocco, hereby accepts all the consequences of its establishment, and she renounces the régime of the capitulations therein.

This renunciation shall take effect as from August 3, 1914.

ARTICLE 143.

The Sherifian Government shall have complete liberty of action in regulating the status of German nationals in Morocco and the conditions in which they may establish themselves there.

German protected persons, semsars and "associés agricoles" shall be considered as having ceased, as from August 3, 1914, to enjoy the privileges attached to their status and shall be subject to the ordinary law.

ARTICLE 144.

All property and possessions in the Sherifian Empire of the German Empire and the German States pass to the Maghzen without payment.

For this purpose, the property and possessions of the German Empire and States shall be deemed to include all the property of the Crown, the Empire or the States, and the private property of the former German Emperor and other Royal personages.

All movable and immovable property in the Sherifian Empire belonging to German nationals shall be dealt with in accordance with Sections III and IV of Part X (Economic Clauses) of the present Treaty.

Mining rights which may be recognised as belonging to German nationals by the Court of Arbitration set up under the Moroccan Mining Regulations shall form the subject of a valuation, which the arbitrators shall be requested to make, and these rights shall then be treated in the same way as property in Morocco belonging to German nationals.

ARTICLE 145.

The German Government shall ensure the transfer to a person nominated by the French Government of the shares representing Germany's portion of the capital of the State Bank of Morocco. The value of these shares, as assessed by the Reparation Commission, shall be paid to the Reparation Commission for the credit of Germany on account of the sums due for reparation. The German Government shall be responsible for indemnifying its nationals so dispossessed.

This transfer will take place without prejudice to the repayment of debts which German nationals may have contracted towards the State Bank of Morocco.

ARTICLE 146.

Moroccan goods entering Germany shall enjoy the treatment accorded to French goods.

SECTION VI.

EGYPT.

ARTICLE 147.

Germany declares that she recognises the Protectorate proclaimed over Egypt by Great Britain on December 18, 1914, and that she renounces the régime of the Capitulations in Egypt.

This renunciation shall take effect as from August 4, 1914.

ARTICLE 148.

All treaties, agreements, arrangements and contracts concluded by Germany with Egypt are regarded as abrogated as from August 4, 1914.

In no case can Germany avail herself of these instruments and she undertakes not to intervene in any way in negotiations relating to Egypt which may take place between Great Britain and the other Powers.

ARTICLE 149.

Until an Egyptian law of judicial organization establishing courts with universal jurisdiction comes into force, provision shall be made, by means of decrees issued by His Highness the Sultan, for the exercise of jurisdiction over German nationals and property by the British Consular Tribunals.

ARTICLE 150.

The Egyptian Government shall have complete liberty of action in regulating the status of German nationals and the conditions under which they may establish themselves in Egypt.

ARTICLE 151.

Germany consents to the abrogation of the decree issued by His Highness the Khedive on November 28, 1904, relating to the Commission of the Egyptian Public Debt, or to such changes as the Egyptian Government may think it desirable to make therein.

ARTICLE 152.

Germany consents, in so far as she is concerned, to the transfer to His Britannic Majesty's Government of the powers conferred on His Imperial Majesty the Sultan by the Convention signed at Constantinople on October 29, 1888, relating to the free navigation of the Suez Canal.

She renounces all participation in the Sanitary, Maritime, and Quarantine Board of Egypt and consents, in so far as she is concerned, to the transfer to the Egyptian Authorities of the powers of that Board.

ARTICLE 153.

All property and possessions in Egypt of the German Empire and the German States pass to the Egyptian Government without payment.

For this purpose, the property and possessions of the German Empire and States shall be deemed to include all the property of the Crown, the Empire or the States, and the private property of the former German Emperor and other Royal personages.

All movable and immovable property in Egypt belonging to German nationals shall be dealt with in accordance with Sections III and IV of Part X (Economic Clauses) of the present Treaty.

ARTICLE 154.

Egyptian goods entering Germany shall enjoy the treatment accorded to British goods.

SECTION VII.

TURKEY AND BULGARIA.

ARTICLE 155.

Germany undertakes to recognise and accept all arrangements which the Allied and Associated Powers may make with Turkey and Bulgaria with reference to any rights, interests and privileges whatever which might be claimed by Germany or her nationals in Turkey and Bulgaria and which are not dealt with in the provisions of the present Treaty.

SECTION VIII.

SHANTUNG.

ARTICLE 156.

Germany renounces, in favour of Japan, all her rights, title and privileges—particularly those concerning the territory of Kiaochow, railways, mines and submarine cables—which she acquired in virtue of the Treaty concluded by her with China on March 6, 1898, and of all other arrangements relative to the Province of Shantung.

All German rights in the Tsingtao-Tsinanfu Railway, including its branch lines, together with its subsidiary property of all kinds, stations, shops, fixed and rolling stock, mines, plant and material for the exploitation of the mines, are and

remain acquired by Japan, together with all rights and privileges attaching thereto.

The German State submarine cables from Tsingtao to Shanghai and from Tsingtao to Chefoo, with all the rights, privileges and properties attaching thereto, are similarly acquired by Japan, free and clear of all charges and encumbrances.

ARTICLE 157.

The movable and immovable property owned by the German State in the territory of Kiaochow, as well as all the rights which Germany might claim in consequence of the works or improvements made or of the expenses incurred by her, directly or indirectly, in connection with this territory, are and remain acquired by Japan, free and clear of all charges and encumbrances.

ARTICLE 158.

Germany shall hand over to Japan within three months from the coming into force of the present Treaty the archives, registers, plans, title-deeds and documents of every kind, wherever they may be, relating to the administration, whether civil, military, financial, judicial or other, of the territory of Kiaochow.

Within the same period Germany shall give particulars to Japan of all treaties, arrangements or agreements relating to the rights, title or privileges referred to in the two preceding Articles.

PART V.

MILITARY, NAVAL AND AIR CLAUSES.

In order to render possible the initiation of a general limitation of the armaments of all nations, Germany undertakes strictly to observe the military, naval and air clauses which follow.

SECTION I.

MILITARY CLAUSES.

CHAPTER I.

EFFECTIVES AND CADRES OF THE GERMAN ARMY.

ARTICLE 159.

The German military forces shall be demobilized and reduced as prescribed hereinafter.

ARTICLE 160.

(1) By a date which must not be later than March 31, 1920, the German Army must not comprise more than seven divisions of infantry and three divisions of cavalry.

After that date the total number of effectives in the Army of the States constituting Germany must not exceed one hundred thousand men, including officers and establishments of depots. The Army shall be devoted exclusively to the maintenance of order within the territory and to the control of the frontiers.

The total effective strength of officers, including the personnel of staffs, whatever their composition, must not exceed four thousand.

(2) Divisions and Army Corps headquarters staffs shall be organised in accordance with Table No. I annexed at this Section.

The number and strengths of the units of infantry, artillery, engineers, technical services and troops laid down in the aforesaid Table constitute maxima which must not be exceeded.

The following units may each have their own depot:

An Infantry regiment;

A Cavalry regiment;

A regiment of Field Artillery;

A battalion of Pioneers.

(3) The divisions must not be grouped under more than two army corps headquarters staffs.

The maintenance or formation of forces differently grouped or of other organisations for the command of troops or for preparation for war is forbidden.

The Great German General Staff and all similar organisations shall be dissolved and may not be reconstituted in any form.

The officers, or persons in the position of officers, in the Ministries of War in the different States in Germany and in the Administrations attached to them, must not exceed three hundred in number and are included in the maximum strength of four thousand laid down in the third sub-paragraph of paragraph (1) of this Article.

ARTICLE 161.

Army administrative services consisting of civilian personnel not included in the number of effectives prescribed by the present Treaty will have such personnel reduced in each class to one-tenth of that laid down in the Budget of 1913.

ARTICLE 162.

The number of employees or officials of the German States, such as customs officers, forest guards and coastguards, shall not exceed that of the employees or officials functioning in these capacities in 1913.

The number of gendarmes and employees or officials of the local or municipal police may only be increased to an extent corresponding to the increase of population since 1913 in the districts or municipalities in which they are employed.

These employees and officials may not be assembled for military training.

ARTICLE 163.

The reduction of the strength of the German military forces as provided for in Article 160 may be effected gradually in the following manner:

Within three months from the coming into force of the present Treaty the total number of effectives must be reduced to 200,000 and the number of units must not exceed twice the number of those laid down in Article 160.

At the expiration of this period, and at the end of each subsequent period of three months, a Conference of military experts of the Principal Allied and Associated Powers will fix the reductions to be made in the ensuing three months, so that by March 31, 1920, at the latest the total number of German effectives does not exceed the maximum number of 100,000 men laid down in Article 160. In these successive reductions the same ratio between the number of officers and of men, and between the various kinds of units, shall be maintained as is laid down in that Article.

CHAPTER II.

ARMAMENT, MUNITIONS AND MATERIAL.

ARTICLE 164.

Up till the time at which Germany is admitted as a member of the League of Nations the German Army must not possess an armament greater than the amounts fixed in Table No. II annexed to this Section, with the exception of an optional increase not exceeding one-twentyfifth part for small arms and one-fiftieth part for guns, which shall be exclusively used to provide for such eventual replacements as may be necessary.

Germany agrees that after she has become a member of the League of Nations the armaments fixed in the said Table shall remain in force until they are modified by the Council of the League. Furthermore she hereby agrees strictly to observe the decisions of the Council of the League on this subject.

ARTICLE 165.

The maximum number of guns, machine guns, trench-mortars, rifles and the amount of ammunition and equipment which Germany is allowed to maintain during the period between the coming into force of the present Treaty and the date of March 31, 1920, referred to in Article 160, shall bear the same proportion to the amount authorized in Table No. III annexed to this Section as the strength of the German Army as reduced from time to time in accordance with Article 163 bears to the strength permitted under Article 160.

ARTICLE 166.

At the date of March 31, 1920, the stock of munitions which the German Army may have at its disposal shall not exceed the amounts fixed in Table No. III annexed to this Section.

Within the same period the German Government will store these stocks at points to be notified to the Governments of the Principal Allied and Associated Powers. The German Government is forbidden to establish any other stocks, deposits or reserves of munitions.

ARTICLE 167.

The number and calibre of the guns constituting at the date of the coming into force of the present Treaty the armament of the fortified works, fortresses, and any land or coast forts which Germany is allowed to retain must be notified immediately by the German Government to the Governments of the Principal Allied and Associated Powers, and will constitute maximum amounts which may not be exceeded.

Within two months from the coming into force of the present Treaty, the maximum stock of ammunition for these guns will be reduced to, and maintained at, the following uniform rates:—fifteen hundred rounds per piece for those the calibre of which is 10.5 cm. and under: five hundred rounds per piece for those of higher calibre.

ARTICLE 168.

The manufacture of arms, munitions, or any war material, shall only be carried out in factories or works the location of

which shall be communicated to and approved by the Governments of the Principal Allied and Associated Powers, and the number of which they retain the right to restrict.

Within three months from the coming into force of the present Treaty, all other establishments for the manufacture, preparation, storage or design of arms, munitions, or any war material whatever shall be closed down. The same applies to all arsenals except those used as depots for the authorised stocks of munitions. Within the same period the personnel of these arsenals will be dismissed.

ARTICLE 169.

Within two months from the coming into force of the present Treaty German arms, munitions and war material, including anti-aircraft material, existing in Germany in excess of the quantities allowed, must be surrendered to the Governments of the Principal Allied and Associated Powers to be destroyed or rendered useless. This will also apply to any special plant intended for the manufacture of military material, except such as may be recognised as necessary for equipping the authorised strength of the German army.

The surrender in question will be effected at such points in German territory as may be selected by the said Governments.

Within the same period arms, munitions and war material, including anti-aircraft material, of origin other than German, in whatever state they may be, will be delivered to the said Governments, who will decide as to their disposal.

Arms and munitions which on account of the successive reductions in the strength of the German army become in excess of the amounts authorized by Tables II and III annexed to this Section must be handed over in the manner laid down above within such periods as may be decided by the Conferences referred to in Article 163.

ARTICLE 170.

Importation into Germany of arms, munitions and war material of every kind shall be strictly prohibited.

The same applies to the manufacture for, and export to, foreign countries of arms, munitions and war material of every kind.

ARTICLE 171.

The use of asphyxiating, poisonous or other gases and all analogous liquids, materials or devices being prohibited, their manufacture and importation are strictly forbidden in Germany.

The same applies to materials specially intended for the manufacture, storage and use of the said products or devices.

The manufacture and the importation into Germany of armoured cars, tanks and all similar constructions suitable for use in war are also prohibited.

ARTICLE 172.

Within a period of three months from the coming into force of the present Treaty, the German Government will disclose to the Governments of the Principal Allied and Associated Powers the nature and mode of manufacture of all explosives, toxic substances or other like chemical preparations used by them in the war or prepared by them for the purpose of being so used.

CHAPTER III.

RECRUITING AND MILITARY TRAINING.

ARTICLE 173.

Universal compulsory military service shall be abolished in Germany.

The German Army may only be constituted and recruited by means of voluntary enlistment.

ARTICLE 174.

The period of enlistment for non-commissioned officers and privates must be twelve consecutive years.

The number of men discharged for any reason before the expiration of their term of enlistment must not exceed in any year five per cent. of the total effectives fixed by the second sub-paragraph of paragraph (1) of Article 160 of the present Treaty.

ARTICLE 175.

The officers who are retained in the Army must undertake the obligation to serve in it up to the age of forty-five years at least.

Officers newly appointed must undertake to serve on the active list for twenty-five consecutive years at least.

Officers who have previously belonged to any formations whatever of the Army, and who are not retained in the units allowed to be maintained, must not take part in any military exercise whether theoretical or practical, and will not be under any military obligations whatever.

The number of officers discharged for any reason before the expiration of their term of service must not exceed in any year five per cent. of the total effectives of officers provided for in the third sub-paragraph (1) of Article 160 of the present Treaty.

ARTICLE 176.

On the expiration of two months from the coming into force of the present Treaty there must only exist in Germany the number of military schools which is absolutely indispensable for the recruitment of the officers of the units allowed. These schools will be exclusively intended for the recruitment of officers of each arm, in the proportion of one school per arm.

The number of students admitted to attend the courses of the said schools will be strictly in proportion to the vacancies to be filled in the cadres of officers. The students and the cadres will be reckoned in the effectives fixed by the second and third sub-paragraphs of paragraph (1) of Article 160 of the present Treaty.

Consequently, and during the period fixed above, all military academies or similar institutions in Germany, as well as the different military schools for officers, student officers (*Aspiranten*), cadets, non-commissioned officers or student non-commissioned officers (*Aspiranten*), other than the schools above provided for, will be abolished.

ARTICLE 177.

Educational establishments, the universities, societies of discharged soldiers, shooting or touring clubs and, generally speaking, associations of every description, whatever be the age of their members, must not occupy themselves with any military matters.

In particular they will be forbidden to instruct or exercise their members, or to allow them to be instructed or exercised, in the profession or use of arms.

These societies, associations, educational establishments and universities must have no connection with the Ministries of War or any other military authority.

ARTICLE 178.

All measures of mobilization or appertaining to mobilization are forbidden.

In no case must formations, administrative services or General Staffs include supplementary cadres.

ARTICLE 179.

Germany agrees, from the coming into force of the present Treaty, not to accredit nor to send to any foreign country any military, naval or air mission, nor to allow any such mission to leave her territory, and Germany further agrees to take appropriate measures to prevent German nationals from leaving her territory to become enrolled in the Army, Navy or Air service of any foreign Power, or to be attached to such Army, Navy or Air service for the purpose of assisting in the military, naval or air training thereof, or otherwise for the purpose of giving military, naval or air instruction in any foreign country.

The Allied and Associated Powers agree, so far as they are concerned, from the coming into force of the present Treaty, not to enrol in nor to attach to their armies or naval or air forces any German national for the purpose of assisting in the military training of such armies or naval or air forces, or otherwise to employ any such German national as military, naval or aeronautic instructor.

The present provision does not, however, affect the right of France to recruit for the Foreign Legion in accordance with French military laws and regulations.

CHAPTER IV.

FORTIFICATIONS.

ARTICLE 180.

All fortified works, fortresses and field works situated in German territory to the west of a line drawn fifty kilometres to the east of the Rhine shall be disarmed and dismantled.

Within a period of two months from the coming into force of the present Treaty such of the above fortified works, fortresses and field works as are situated in territory not occupied by Allied and Associated troops shall be disarmed, and within a further period of four months they shall be dismantled. Those which are situated in territory occupied by Allied and Associated troops shall be disarmed and dismantled within such periods as may be fixed by the Allied High Command.

The construction of any new fortification, whatever its nature and importance, is forbidden in the zone referred to in the first paragraph above.

The system of fortified works of the southern and eastern frontiers of Germany shall be maintained in its existing state.

TABLE No. I.

STATE AND ESTABLISHMENT OF ARMY CORPS HEADQUARTERS STAFFS AND OF INFANTRY AND CAVALRY DIVISIONS.

These tabular statements do not form a fixed establishment to be imposed on Germany, but the figures contained in them (number of units and strengths) represent maximum figures, which should not in any case be exceeded.

I.—ARMY CORPS HEADQUARTERS STAFFS.

Unit.	Maximum No. authorised.	Maximum strengths of each unit.	
		Officers.	N.C.O.'s and men.
Army Corps Headquarters Staff	2	30	150
Total for Headquarters Staffs	.....	60	300

II. ESTABLISHMENT OF AN INFANTRY DIVISION.

Unit.	Maximum No. of such units in a single division.	Maximum strengths of each unit.	
		Officers.	N.C.O.'s and men.
Headquarters of an infantry division	1	25	70
Headquarters of divisional infantry	1	4	30
Headquarters of divisional artillery	1	4	30
Regiment of infantry	3	70	2,300
(Each regiment comprises 3 battalions of infantry. Each battalion comprises 3 companies of infantry and 1 machine-gun company.)			
Trench mortar company	3	6	150
Divisional squadron	1	6	150
Field artillery regiment	1	85	1,300
(Each regiment comprises 3 groups of artillery. Each group comprises 3 batteries.)			
Pioneer battalion	1	12	400
(This battalion comprises 2 companies of pioneers, 1 pontoon detachment, 1 searchlight section.)			
Signal detachment	1	12	300
(This detachment comprises 1 telephone detachment, 1 listening section, 1 carrier pigeon section.)			
Divisional medical service	1	20	400
Parks and convoys	.....	14	800
Total for infantry division	.....	410	10,830

III. ESTABLISHMENT OF A CAVALRY DIVISION.

Unit.	Maximum No. of such units in a single division.	Maximum strengths of each unit.	
		Officers.	N.C.O.'s and men.
Headquarters of a cavalry division	1	15	50
Cavalry regiment	6	40	800
(Each regiment comprises 4 squadrons.)			
Horse artillery group (3 batteries)	1	20	400
Total for cavalry division	.....	275	5,250

TABLE No. II.

TABULAR STATEMENT OF ARMAMENT ESTABLISHMENT FOR A MAXIMUM OF SEVEN INFANTRY DIVISIONS, THREE CAVALRY DIVISIONS, AND TWO ARMY CORPS HEADQUARTERS STAFFS.

Material.	Infantry division. (1)	For 7 infantry divisions. (2)	Cavalry division. (3)	For 3 cavalry divisions. (4)	Two army corps headquarters staffs. (5)	Total of columns 2, 4, and 5. (6)
Rifles	12,000	84,000	.....	.....	This establishment must be drawn from the increased armaments of the divisional infantry.	84,000
Carbines	.....	.....	6,000	18,000		18,000
Heavy machine guns	108	756	12	36		792
Light machine guns	162	1,134	.....	.....		1,134
Medium trench mortars	9	63	.....	.....		63
Light trench mortars	27	189	.....	.....		189
7.7-cm. guns	24	168	12	36		204
10.5-cm. howitzers	12	84	.....	.....		84

TABLE No. III.

MAXIMUM STOCKS AUTHORIZED.

Material.	Maximum number of Arms authorised.	Establishment, per unit.	Maximum, totals.
		Rounds.	*Rounds.*
Rifles	84,000	400	40,800,000
Carbines	18,000		
Heavy machine guns	792	8,000	15,408,000
Light machine guns	1,134		
Medium trench mortars	63	400	25,200
Light trench mortars	189	800	151,200
Field artillery:			
7.7 cm. guns	204	1,000	204,000
10.5 cm. howitzers	84	800	67,200

SECTION II.

NAVAL CLAUSES.

ARTICLE 181.

After the expiration of a period of two months from the coming into force of the present Treaty the German naval forces in commission must not exceed:

6 battleships of the *Deutschland* or *Lothringen* type,
6 light cruisers,
12 destroyers,
12 torpedo boats,

or an equal number of ships constructed to replace them as provided in Article 190.

No submarines are to be included.

All other warships, except where there is provision to the contrary in the present Treaty, must be placed in reserve or devoted to commercial purposes.

ARTICLE 182.

Until the completion of the minesweeping prescribed by Article 193 Germany will keep in commission such number of minesweeping vessels as may be fixed by the Governments of the Principal Allied and Associated Powers.

ARTICLE 183.

After the expiration of a period of two months from the coming into force of the present Treaty the total personnel of the German Navy, including the manning of the fleet, coast defences, signal stations, administration and other land services, must not exceed fifteen thousand, including officers and men of all grades and corps.

The total strength of officers and warrant officers must not exceed fifteen hundred.

Within two months from the coming into force of the present Treaty the personnel in excess of the above strength shall be demobilized.

No naval or military corps or reserve force in connection with the Navy may be organised in Germany without being included in the above strength.

ARTICLE 184.

From the date of the coming into force of the present Treaty all the German surface warships which are not in German ports cease to belong to Germany, who renounces all rights over them.

Vessels which, in compliance with the Armistice of November 11, 1918, are now interned in the ports of the Allied and Associated Powers are declared to be finally surrendered.

Vessels which are now interned in neutral ports will be there surrendered to the Governments of the Principal Allied and Associated Powers. The German Government must address a notification to that effect to the neutral Powers on the coming into force of the present Treaty.

ARTICLE 185.

Within a period of two months from the coming into force of the present Treaty the German surface warships enumerated below will be surrendered to the Governments of the Principal Allied and Associated Powers in such Allied ports as the said Powers may direct.

These warships will have been disarmed as provided in Article XXIII of the Armistice of November 11, 1918. Nevertheless they must have all their guns on board.

BATTLESHIPS.

Oldenburg.
Thuringen.
Ostfriesland.
Helgoland.
Posen.
Westfalen.
Rheinland.
Nassau.

LIGHT CRUISERS.

Stettin.	*Stralsund.*
Danzig.	*Augsburg.*
München.	*Kolberg.*
Lübeck.	*Stuttgart.*

and, in addition, forty-two modern destroyers and fifty modern torpedo boats, as chosen by the Governments of the Principal Allied and Associated Powers.

ARTICLE 186.

On the coming into force of the present Treaty the German Government must undertake, under the supervision of the Governments of the Principal Allied and Associated Powers, the breaking-up of all the German surface warships now under construction.

ARTICLE 187.

The German auxiliary cruisers and fleet auxiliaries enumerated below will be disarmed and treated as merchant ships.

INTERRED IN NEUTRAL COUNTRIES:

Berlin.	*Seydlitz.*
Santa Fé.	*Yorck.*

IN GERMANY:

Ammon.	*Fürst Bülow.*
Answald.	*Gertrud.*
Bosnia.	*Kigoma.*
Cordoba.	*Rugia.*
Cassel.	*Santa Elena.*
Dania.	*Schleswig.*
Rio Negro.	*Möwe.*
Rio Pardo.	*Sierra Ventana.*
Santa Cruz.	*Chemnitz.*
Schwaben.	*Emil Georg von Strauss.*
Solingen.	*Habsburg.*
Steigerwald.	*Meteor.*
Franken.	*Waltraute.*
Gundomar.	*Scharnhorst.*

ARTICLE 188.

On the expiration of one month from the coming into force of the present Treaty all German submarines, submarine salvage vessels and docks for submarines, including the tubular dock, must have been handed over to the Governments of the Principal Allied and Associated Powers.

Such of these submarines, vessels and docks as are considered by the said Governments to be fit to proceed under their own power or to be towed shall be taken by the German Government into such Allied ports as have been indicated.

The remainder, and also those in course of construction, shall be broken up entirely by the German Government under the supervision of the said Governments. The breaking-up must be completed within three months at the most after the coming into force of the present Treaty.

ARTICLE 189.

Articles, machinery and material arising from the breaking-up of German warships of all kinds, whether surface vessels or submarines, may not be used except for purely industrial or commercial purposes. They may not be sold or disposed of to foreign countries.

ARTICLE 190.

Germany is forbidden to construct or acquire any warships other than those intended to replace the units in commission provided for in Article 181 of the present Treaty.

The warships intended for replacement purposes as above shall not exceed the following displacement:

Armoured ships	10,000 tons,
Light cruisers	6,000 tons,
Destroyers	800 tons,
Torpedo boats	200 tons.

Except where a ship has been lost, units of the different classes shall only be replaced at the end of a period of twenty years in the case of battleships and cruisers, and fifteen years in the case of destroyers and torpedo boats, counting from the launching of the ship.

ARTICLE 191.

The construction or acquisition of any submarine, even for commercial purposes, shall be forbidden in Germany.

ARTICLE 192.

The warships in commission of the German fleet must have on board or in reserve only the allowance of arms, munitions and war material fixed by the Principal Allied and Associated Powers.

Within a month from the fixing of the quantities as above, arms, munitions and war material of all kinds, including mines and torpedoes, now in the hands of the German Government and in excess of the said quantities, shall be surrendered to the Governments of the said Powers at places to be indicated by them. Such arms, munitions and war material will be destroyed or rendered useless.

All other stocks, depots or reserves of arms, munitions or naval war material of all kinds are forbidden.

The manufacture of these articles in German territory for, and their export to, foreign countries shall be forbidden.

ARTICLE 193.

On the coming into force of the present Treaty Germany will forthwith sweep up the mines in the following areas in the North Sea to the eastward of longitude 4° 00′ E. of Greenwich:

(1) Between parallels of latitude 53° 00′ N. and 59° 00′ N.;
(2) To the northward of latitude 60° 30′ N.

Germany must keep these areas free from mines.

Germany must also sweep and keep free from mines such areas in the Baltic as may ultimately be notified by the Governments of the Principal Allied and Associated Powers.

ARTICLE 194.

The personnel of the German Navy shall be recruited entirely by voluntary engagements entered into for a minimum period of twenty-five consecutive years for officers and warrant officers; twelve consecutive years for petty officers and men.

The number engaged to replace those discharged for any reason before the expiration of their term of service must not exceed five per cent. per annum of the totals laid down in this Section (Article 183).

The personnel discharged from the Navy must not receive any kind of naval or military training or undertake any further service in the Navy or Army.

Officers belonging to the German Navy and not demobilised must engage to serve till the age of forty-five, unless discharged for sufficient reasons.

No officer or man of the German mercantile marine shall receive any training in the Navy.

ARTICLE 195.

In order to ensure free passage into the Baltic to all nations, Germany shall not erect any fortifications in the area comprised between latitudes 55° 27′ N. and 54° 00′ N. and longitudes 9° 00′ E. and 16° 00′ E. of the meridian of Greenwich, nor instal any guns commanding the maritime routes between the North Sea and the Baltic. The fortifications now existing in this area shall be demolished and the guns removed under the supervisions of the Allied Governments and in periods to be fixed by them.

The German Government shall place at the disposal of the Governments of the Principal Allied and Associated Powers all hydrographical information now in its possession concerning the channels and adjoining waters between the Baltic and the North Sea.

ARTICLE 196.

All fortified works and fortifications, other than those mentioned in Section XIII (Heligoland) of Part III (Political Clauses for Europe) and in Article 195, now established within fifty kilometres of the German coast or on German islands off that coast shall be considered as of a defensive nature and may remain in their existing condition.

No new fortifications shall be constructed within these limits. The armament of these defences shall not exceed, as regards the number and calibre of guns, those in position at the date of the coming into force of the present Treaty. The German Government shall communicate forthwith particulars thereof to all the European Governments.

On the expiration of a period of two months from the coming into force of the present Treaty the stocks of ammunition for these guns shall be reduced to and maintained at a maximum figure of fifteen hundred rounds per piece for calibres of 4.1-inch and under, and five hundred rounds per piece for higher calibres.

ARTICLE 197.

During the three months following the coming into force of the present Treaty the German high-power wireless telegraphy stations at Nauen, Hanover and Berlin shall not be used for the transmission of messages concerning naval, military or political questions of interest to Germany or any State which has been allied to Germany in the war, without the assent of the Governments of the Principal Allied and Associated Powers. These stations may be used for commercial purposes, but only under the supervision of the said Governments, who will decide the wave-length to be used.

During the same period Germany shall not build any more high-power wireless telegraphy stations in her own territory or that of Austria, Hungary, Bulgaria or Turkey.

SECTION III.

AIR CLAUSES.

ARTICLE 198.

The armed forces of Germany must not include any military or naval air forces.

Germany may, during a period not extending beyond October 1, 1919, maintain a maximum number of one hundred seaplanes or flying boats, which shall be exclusively employed in searching for submarine mines, shall be furnished with the necessary equipment for this purpose, and shall in no case carry arms, munitions or bombs of any nature whatever.

In addition to the engines installed in the seaplanes or flying boats above mentioned, one spare engine may be provided for each engine of each of these craft.

No dirigible shall be kept.

ARTICLE 199.

Within two months from the coming into force of the present Treaty the personnel of air forces on the rolls of the German land and sea forces shall be demobilised. Up to October 1, 1919, however, Germany may keep and maintain a total number of one thousand men, including officers, for the whole of the cadres and personnel, flying and non-flying, of all formations and establishments.

ARTICLE 200.

Until the complete evacuation of German territory by the Allied and Associated troops, the aircraft of the Allied and Associated Powers shall enjoy in Germany freedom of passage through the air, freedom of transit and of landing.

ARTICLE 201.

During the six months following the coming into force of the present Treaty, the manufacture and importation of aircraft, parts of aircraft, engines for aircraft, and parts of engines for aircraft, shall be forbidden in all German territory.

ARTICLE 202.

On the coming into force of the present Treaty, all military and naval aeronautical material, except the machines mentioned in the second and third paragraphs of Article 198, must be delivered to the Governments of the Principal Allied and Associated Powers.

Delivery must be effected at such places as the said Governments may select, and must be completed within three months.

In particular, this material will include all items under the following heads which are or have been in use or were designed for warlike purposes:

Complete aeroplanes and seaplanes, as well as those being manufactured, repaired or assembled.

Dirigibles able to take the air, being manufactured, repaired or assembled.

Plant for the manufacture of hydrogen.

Dirigible sheds and shelters of every kind for aircraft.

Pending their delivery, dirigibles will, at the expense of Germany, be maintained inflated with hydrogen; the plant for the manufacture of hydrogen, as well as the sheds for dirigibles, may, at the discretion of the said Powers, be left to Germany until the time when the dirigibles are handed over.

Engines for aircraft.

Nacelles and fuselages.

Armament (guns, machine guns, light machine guns, bomb-dropping apparatus, torpedo-dropping apparatus, synchronization apparatus, aiming apparatus).

Munitions (cartridges, shells, bombs loaded or unloaded, stocks of explosives or of material for their manufacture).

Instruments for use on aircraft.

Wireless apparatus and photographic or cinematograph apparatus for use on aircraft.

Component parts of any of the items under the preceding heads.

The material referred to above shall not be removed without special permission from the said Governments.

SECTION IV.

INTER-ALLIED COMMISSIONS OF CONTROL.

ARTICLE 203.

All the military, naval and air clauses contained in the present Treaty, for the execution of which a time-limit is prescribed, shall be executed by Germany under the control of Inter-Allied Commissions specially appointed for this purpose by the Principal Allied and Associated Powers.

ARTICLE 204.

The Inter-Allied Commissions of Control will be specially charged with the duty of seeing to the complete execution of the delivery, destruction, demolition and rendering things useless to be carried out at the expense of the German Government in accordance with the present Treaty.

They will communicate to the German authorities the decisions which the Principal Allied and Associated Powers have reserved the right to take, or which the execution of the military, naval and air clauses may necessitate.

ARTICLE 205.

The Inter-Allied Commissions of Control may establish their organisations at the seat of the central German Government.

They shall be entitled as often as they think desirable to proceed to any point whatever in German territory, or to send subcommissions, or to authorize one or more of their members to go, to any such point.

ARTICLE 206.

The German Government must give all necessary facilities for the accomplishment of their missions to the Inter-Allied Commissions of Control and to their members.

It shall attach a qualified representative to each Inter-Allied Commission of Control for the purpose of receiving the communications which the Commission may have to address to the German Government and of supplying or procuring for the Commission all information or documents which may be required.

The German Government must in all cases furnish at its own cost all labour and material required to effect the deliveries and the works of destruction, dismantling, demolition, and of rendering things useless, provided for in the present Treaty.

ARTICLE 207.

The upkeep and cost of the Commissions of Control and the expenses involved by their work shall be borne by Germany.

ARTICLE 208.

The Military Inter-Allied Commission of Control will represent the Governments of the Principal Allied and Associated Powers in dealing with the German Government in all matters concerning the execution of the military clauses.

In particular it will be its duty to receive from the German Government the notifications relating to the location of the stocks and depots of munitions, the armament of the fortified works, fortresses and forts which Germany is allowed to retain, and the location of the works or factories for the production of arms, munitions and war material and their operations.

It will take delivery of the arms, munitions and war material, will select the points where such delivery is to be effected and will supervise the works of destruction, demolition, and of rendering things useless, which are to be carried out in accordance with the present Treaty.

The German Government must furnish to the Military Inter-Allied Commission of Control all such information and documents as the latter may deem necessary to ensure the complete execution of the military clauses, and in particular all legislative and administrative documents and regulations.

ARTICLE 209.

The Naval Inter-Allied Commission of Control will represent the Governments of the Principal Allied and Associated Powers in dealing with the German Government in all matters concerning the execution of the naval clauses.

In particular it will be its duty to proceed to the building yards and to supervise the breaking-up of the ships which are under construction there, to take delivery of all surface ships or submarines, salvage ships, docks and the tubular docks, and to supervise the destruction and breaking-up provided for.

The German Government must furnish to the Naval Inter-Allied Commission of Control all such information and documents as the Commission may deem necessary to ensure the complete execution of the naval clauses, in particular the designs of the warships, the composition of their armaments, the details and models of the guns, munitions, torpedoes, mines, explosives, wireless telegraphic apparatus and, in general, everything relating to naval war material, as well as all legislative or administrative documents or regulations.

ARTICLE 210.

The Aeronautical Inter-Allied Commission of Control will represent the Governments of the Principal Allied and Associated Powers in dealing with the German Government in all matters concerning the execution of the air clauses.

In particular it will be its duty to make an inventory of the aeronautical material existing in German territory, to inspect

aeroplane, balloon and motor manufactories, and factories producing arms, munitions and explosives capable of being used by aircraft, to visit all aerodromes, sheds, landing grounds, parks and depots, to authorise, where necessary, a removal of material and to take delivery of such material.

The German Government must furnish to the Aeronautical Inter-Allied Commission of Control all such information and legislative, administrative or other documents which the Commission may consider necessary to ensure the complete execution of the air clauses, and in particular a list of the personnel belonging to all the German Air Services, and of the existing material, as well as of that in process of manufacture or on order, and a list of all establishments working for aviation, of their positions, and of all sheds and landing grounds.

SECTION V.

GENERAL ARTICLES.

ARTICLE 211.

After the expiration of a period of three months from the coming into force of the present Treaty, the German laws must have been modified and shall be maintained by the German Government in conformity with this Part of the present Treaty.

Within the same period all the administrative or other measures relating to the execution of this Part of the Treaty must have been taken.

ARTICLE 212.

The following portions of the Armistice of November 11, 1918: Article VI, the first two and the sixth and seventh paragraphs of Article VII; Article IX; Clauses I, II and V of Annex n° 2, and the Protocol, dated April 4, 1919, supplementing the Armistice of November 11, 1918, remain in force so far as they are not inconsistent with the above stipulations.

ARTICLE 213.

So long as the present Treaty remains in force, Germany undertakes to give every facility for any investigation which the Council of the League of Nations, acting if need be by a majority vote, may consider necessary.

PART VI.

PRISONERS OF WAR AND GRAVES.

SECTION I.

PRISONERS OF WAR.

ARTICLE 214.

The repatriation of prisoners of war and interned civilians shall take place as soon as possible after the coming into force of the present Treaty and shall be carried out with the greatest rapidity.

ARTICLE 215.

The repatriation of German prisoners of war and interned civilians shall, in accordance with Article 214, be carried out by a Commission composed of representatives of the Allied and Associated Powers on the one part and of the German Government on the other part.

For each of the Allied and Associated Powers a Sub-Commission, composed exclusively of Representatives of the interested Power and of Delegates of the German Government, shall regulate the details of carrying into effect the repatriation of the prisoners of war.

ARTICLE 216.

From the time of their delivery into the hands of the German authorities the prisoners of war and interned civilians are to be returned without delay to their homes by the said authorities.

Those amongst them who before the war were habitually resident in territory occupied by the troops of the Allied and Associated Powers are likewise to be sent to their homes, subject to the consent and control of the military authorities of the Allied and Associated armies of occupation.

ARTICLE 217.

The whole cost of repatriation from the moment of starting shall be borne by the German Government who shall also provide the land and sea transport and staff considered necessary by the Commission referred to in Article 215.

ARTICLE 218.

Prisoners of war and interned civilians awaiting disposal or undergoing sentence for offences against discipline shall be repatriated irrespective of the completion of their sentence or of the proceedings pending against them.

This stipulation shall not apply to prisoners of war and interned civilians punished for offences committed subsequent to May 1, 1919.

During the period pending their repatriation all prisoners of war and interned civilians shall remain subject to the existing regulations, more especially as regards work and discipline.

ARTICLE 219.

Prisoners of war and interned civilians who are awaiting disposal or undergoing sentence for offences other than those against discipline may be detained.

ARTICLE 220.

The German Government undertakes to admit to its territory without distinction all persons liable to repatriation.

Prisoners of war or other German nationals who do not desire to be repatriated may be excluded from repatriation; but the Allied and Associated Governments reserve to themselves the right either to repatriate them or to take them to a neutral country or to allow them to reside in their own territories.

The German Government undertakes not to institute any exceptional proceedings against these persons or their families nor to take any repressive or vexatious measures of any kind whatsoever against them on this account.

ARTICLE 221.

The Allied and Associated Governments reserve the right to make the repatriation of German prisoners of war or German nationals in their hands conditional upon the immediate notification and release by the German Government of any prisoners of war who are nationals of the Allied and Associated Powers and may still be in Germany.

ARTICLE 222.

Germany undertakes:

(1) To give every facility to Commissions to enquire into the cases of those who cannot be traced; to furnish such Commissions with all necessary means of transport; to allow them access to camps, prisons, hospitals and all other places; and to place at their disposal all documents, whether public or private, which would facilitate their enquiries;

(2) To impose penalties upon any German officials or private persons who have concealed the presence of any nationals of any of the Allied and Associated Powers or have neglected to reveal the presence of any such after it had come to their knowledge.

ARTICLE 223.

Germany undertakes to restore without delay from the date of the coming into force of the present Treaty all articles, money, securities and documents which have belonged to nationals of the Allied and Associated Powers and which have been retained by the German authorities.

ARTICLE 224.

The High Contracting Parties waive reciprocally all repayment of sums due for the maintenance of prisoners of war in their respective territories.

SECTION II.

GRAVES.

ARTICLE 225.

The Allied and Associated Governments and the German Government will cause to be respected and maintained the graves of the soldiers and sailors buried in their respective territories.

They agree to recognise any commission appointed by an Allied or Associated Government for the purpose of identifying, registering, caring for or erecting suitable memorials over the said graves and to facilitate the discharge of its duties.

Furthermore they agree to afford, so far as the provisions of their laws and the requirements of public health allow, every facility for giving effect to requests that the bodies of their soldiers and sailors may be transferred to their own country.

ARTICLE 226.

The graves of prisoners of war and interned civilians who are nationals of the different belligerent States and have died in captivity shall be properly maintained in accordance with Article 225 of the present Treaty.

The Allied and Associated Governments on the one part and the German Government on the other part reciprocally undertake also to furnish to each other:

(1) A complete list of those who have died, together with all information useful for identification;

(2) All information as to the number and position of the graves of all those who have been buried without identification.

PART VII.

PENALTIES.

ARTICLE 227.

The Allied and Associated Powers publicly arraign William II of Hohenzollern, formerly German Emperor, for a supreme offence against international morality and the sanctity of treaties.

A special tribunal will be constituted to try the accused, thereby assuring him the guarantees essential to the right of defence. It will be composed of five judges, one appointed by each of the following Powers: namely, the United States of America, Great Britain, France, Italy and Japan.

In its decision the tribunal will be guided by the highest motives of international policy, with a view to vindicating the solemn obligations of international undertakings and the validity of international morality. It will be its duty to fix the punishment which it considers should be imposed.

The Allied and Associated Powers will address a request to the Government of the Netherlands for the surrender to them of the ex-Emperor in order that he may be put on trial.

ARTICLE 228.

The German Government recognizes the right of the Allied and Associated Powers to bring before military tribunals persons accused of having committed acts in violation of the laws and customs of war. Such persons shall, if found guilty, be sentenced to punishments laid down by law. This provision will apply notwithstanding any proceedings or prosecution before a tribunal in Germany or in the territory of her allies.

The German Government shall hand over to the Allied and Associated Powers, or to such one of them as shall so request, all persons accused of having committed an act in violation of the laws and customs of war, who are specified either by name or by the rank, office or employment which they held under the German authorities.

ARTICLE 229.

Persons guilty of criminal acts against the nationals of one of the Allied and Associated Powers will be brought before the military tribunals of that Power.

Persons guilty of criminal acts against the nationals of more than one of the Allied and Associated Powers will be brought before military tribunals composed of members of the military tribunals of the Powers concerned.

In every case the accused will be entitled to name his own counsel.

ARTICLE 230.

The German Government undertakes to furnish all documents and information of every kind, the production of which may be considered necessary to ensure the full knowledge of the incriminating acts, the discovery of offenders and the just appreciation of responsibility.

PART VIII.

REPARATION.

SECTION I.

GENERAL PROVISIONS.

ARTICLE 231.

The Allied and Associated Governments affirm and Germany accepts the responsibility of Germany and her allies for causing all the loss and damage to which the Allied and Associated Governments and their nationals have been subjected as a consequence of the war imposed upon them by the aggression of Germany and her allies.

ARTICLE 232.

The Allied and Associated Governments recognize that the resources of Germany are not adequate, after taking into account permanent diminutions of such resources which will result from other provisions of the present Treaty, to make complete reparation for all such loss and damage.

The Allied and Associated Governments, however, require, and Germany undertakes, that she will make compensation for all damage done to the civilian population of the Allied and Associated Powers and to their property during the period of the belligerency of each as an Allied or Associated Power against Germany by such aggression by land, by sea and from the air, and in general all damage as defined in Annex I hereto.

In accordance with Germany's pledges, already given, as to complete restoration for Belgium, Germany undertakes, in addition to the compensation for damage elsewhere in this Part provided for, as a consequence of the violation of the Treaty of 1839, to make reimbursement of all sums which Belgium has borrowed from the Allied and Associated Governments up to November 11, 1918, together with interest at the rate of five per cent. (5%) per annum on such sums. This amount shall be determined by the Reparation Commission, and the German Government undertakes thereupon forthwith to make a special issue of bearer bonds to an equivalent amount payable in marks gold, on May 1, 1926, or, at the option of the German Government, on the 1st of May in any year up to 1926. Subject to the foregoing, the form of such bonds shall be determined by the Reparation Commission. Such bonds shall be handed over to the Reparation Commission, which has authority to take and acknowledge receipt thereof on behalf of Belgium.

ARTICLE 233.

The amount of the above damage for which compensation is to be made by Germany shall be determined by an Inter-Allied Commission, to be called the *Reparation Commission* and constituted in the form and with the powers set forth hereunder and in Annexes II to VII inclusive hereto.

This Commission shall consider the claims and give to the German Government a just opportunity to be heard.

The findings of the Commission as to the amount of damage defined as above shall be concluded and notified to the German Government on or before May 1, 1921, as representing the extent of that Government's obligations.

The Commission shall concurrently draw up a schedule of payments prescribing the time and manner for securing and discharging the entire obligation within a period of thirty years from May 1, 1921. If, however, within the period mentioned, Germany fails to discharge her obligations, any balance remaining unpaid may, within the discretion of the Commission, be postponed for settlement in subsequent years, or may be handled otherwise in such manner as the Allied and Associated Governments, acting in accordance with the procedure laid down in this Part of the present Treaty, shall determine.

ARTICLE 234.

The Reparation Commission shall after May 1, 1921, from time to time, consider the resources and capacity of Germany, and, after giving her representatives a just opportunity to be heard, shall have discretion to extend the date, and to modify the form of payments, such as are to be provided for in accordance with Article 233; but not to cancel any part, except with the specific authority of the several Governments represented upon the Commission.

ARTICLE 235.

In order to enable the Allied and Associated Powers to proceed at once to the restoration of their industrial and economic life, pending the full determination of their claims, Germany shall pay in such instalments and in such manner (whether in gold, commodities, ships, securities or otherwise) as the Reparation Commission may fix, during 1919, 1920 and the first four months of 1921, the equivalent of 20,000,000,000 gold marks. Out of this sum the expenses of the armies of occupation subsequent to the Armistice of November 11, 1918, shall first be met, and such supplies of food and raw materials as may be judged by the Governments of the Principal Allied and Associated Powers to be essential to enable Germany to meet her obligations for reparation may also, with the approval of the said Governments, be paid for out of the above sum. The balance shall be reckoned towards liquidation of the amounts due for reparation. Germany shall further deposit bonds as prescribed in paragraph 12 (*c*) of Annex II hereto.

ARTICLE 236.

Germany further agrees to the direct application of her economic resources to reparation as specified in Annexes, III, IV, V, and VI, relating respectively to merchant shipping, to physical restoration, to coal and derivatives of coal, and to dyestuffs and other chemical products; provided always that the value of the property transferred and any services rendered by her under these Annexes, assessed in the manner therein prescribed, shall be credited to her towards liquidation of her obligations under the above Articles.

ARTICLE 237.

The successive instalments, including the above sum, paid over by Germany in satisfaction of the above claims will be divided by the Allied and Associated Governments in proportions which have been determined upon by them in advance on a basis of general equity and of the rights of each.

For the purposes of this division the value of property transferred and services rendered under Article 243, and under Annexes III, IV, V, VI, and VII, shall be reckoned in the same manner as cash payments effected in that year.

ARTICLE 238.

In addition to the payments mentioned above Germany shall effect, in accordance with the procedure laid down by the Reparation Commission, restitution in cash of cash taken away, seized or sequestrated, and also restitution of animals, objects of every nature and securities taken away, seized or sequestrated, in the cases in which it proves possible to identify them in territory belonging to Germany or her allies.

Until this procedure is laid down, restitution will continue in accordance with the provisions of the Armistice of November 11, 1918, and its renewals and the Protocols thereto.

ARTICLE 239.

The German Government undertakes to make forthwith the restitution contemplated by Article 238 and to make the payments and deliveries contemplated by Articles 233, 234, 235 and 236.

ARTICLE 240.

The German Government recognizes the Commission provided for by Article 233 as the same may be constituted by the Allied and Associated Governments in accordance with Annex II, and agrees irrevocably to the possession and exercise by such Commission of the power and authority given to it under the present Treaty.

The German Government will supply to the Commission all the information which the Commission may require relative to the financial situation and operations and to the property, productive capacity, and stocks and current production of raw materials and manufactured articles of Germany and her nationals, and further any information relative to military operations which in the judgment of the Commission may be necessary for the assessment of Germany's liability for reparation as defined in Annex I.

The German Government will accord to the members of the Commission and its authorised agents the same rights and immunities as are enjoyed in Germany by duly accredited diplomatic agents of friendly Powers.

Germany further agrees to provide for the salaries and expenses of the Commission and of such staff as it may employ.

ARTICLE 241.

Germany undertakes to pass, issue and maintain in force any legislation, orders and decrees that may be necessary to give complete effect to these provisions.

ARTICLE 242.

The provisions of this Part of the present Treaty do not apply to the property, rights and interests referred to in Sections III and IV of Part X (Economic Clauses) of the present Treaty, nor to the product of their liquidation, except so far as concerns any final balance in favour of Germany under Article 243 (*a*).

ARTICLE 243.

The following shall be reckoned as credits to Germany in respect of her reparation obligations:

(*a*) Any final balance in favour of Germany under Section V (Alsace-Lorraine) of Part III (Political Clauses for Europe) and Sections III and IV of Part X (Economic Clauses) of the present Treaty;

(*b*) Amounts due to Germany in respect of transfers under Section IV (Saar Basin) of Part III (Political Clauses for Europe), Part IX (Financial Clauses), and Part XII (Ports, Waterways and Railways);

(*c*) Amounts which in the judgment of the Reparation Commission should be credited to Germany on account of any other transfers under the present Treaty of property, rights, concessions or other interests.

In no case however shall credit be given for property restored in accordance with Article 238 of the present Part.

ARTICLE 244.

The transfer of the German submarine cables which do not form the subject of particular provisions of the present Treaty is regulated by Annex VII hereto.

ANNEX I.

Compensation may be claimed from Germany under Article 232 above in respect of the total damage under the following categories:

(1) Damage to injured persons and to surviving dependents by personal injury to or death of civilians caused by acts of war, including bombardments or other attacks on land, on sea, or from the air, and all the direct consequences thereof, and of all operations of war by the two groups of belligerents wherever arising.

(2) Damage caused by Germany or her allies to civilian victims of acts of cruelty, violence or maltreatment (including injuries to life or health as a consequence of imprisonment, deportation, internment or evacuation, of exposure at sea or of being forced to labour), wherever arising, and to the surviving dependents of such victims.

(3) Damage caused by Germany or her allies in their own territory or in occupied or invaded territory to civilian victims of all acts injurious to health or capacity to work, or to honour, as well as to the surviving dependents of such victims.

(4) Damage caused by any kind of maltreatment of prisoners of war.

(5) As damage caused to the peoples of the Allied and Associated Powers, all pensions and compensation in the nature of pensions to naval and military victims of war (including members of the air force), whether mutilated, wounded, sick or invalided, and to the dependents of such victims, the amount due to the Allied and Associated Governments being calculated for each of them as being the capitalised cost of such pensions and compensation at the date of the coming into force of the present Treaty on the basis of the scales in force in France at such date.

(6) The cost of assistance by the Government of the Allied and Associated Powers to prisoners of war and to their families and dependents.

(7) Allowances by the Governments of the Allied and Associated Powers to the families and dependents of mobilised persons or persons serving with the forces, the amount due to them for each calendar year in which hostilities occurred being calculated for each Government on the basis of the average scale for such payments in force in France during that year.

(8) Damage caused to civilians by being forced by Germany or her allies to labour without just remuneration.

(9) Damage in respect of all property wherever situated belonging to any of the Allied or Associated States or their nationals, with the exception of naval and military works or materials, which has been carried off, seized, injured or destroyed by the acts of Germany or her allies on land, on sea or from the air, or damage directly in consequence of hostilities or of any operations of war.

(10) Damage in the form of levies, fines and other similar exactions imposed by Germany or her allies upon the civilian population.

ANNEX II.

1.

The Commission referred to in Article 233 shall be called "The Reparation Commission" and is hereinafter referred to as "the Commission."

2.

Delegates to this Commission shall be nominated by the United States of America, Great Britain, France, Italy, Japan, Belgium and the Serb-Croat-Slovene State. Each of these Powers will appoint one Delegate and also one Assistant Delegate, who will take his place in case of illness or necessary absence, but at other times will only have the right to be present at proceedings without taking any part therein.

On no occasion shall the Delegates of more than five of the above Powers have the right to take part in the proceedings of the Commission and to record their votes. The Delegates of the United States, Great Britain, France and Italy shall have this right on all occasions. The Delegate of Belgium shall have this right on all occasions other than those referred to below. The Delegate of Japan shall have this right on occasions when questions relating to damage at sea, and questions arising under Article 260 of Part IX (Financial Clauses) in which Japanese interests are concerned, are under consideration. The Delegate of the Serb-Croat-Slovene State shall have this right when questions relating to Austria, Hungary or Bulgaria are under consideration.

Each Government represented on the Commission shall have the right to withdraw therefrom upon twelve months notice filed with the Commission and confirmed in the course of the sixth month after the date of the original notice.

3.

Such of the other Allied and Associated Powers as may be interested shall have the right to appoint a Delegate to be present and act as Assessor only while their respective claims and interests are under examination or discussion, but without the right to vote.

4.

In case of the death, resignation or recall of any Delegate, Assistant Delegate or Assessor, a successor to him shall be nominated as soon as possible.

5.

The Commission will have its principal permanent Bureau in Paris and will hold its first meeting in Paris as soon as practicable after the coming into force of the present Treaty, and thereafter will meet in such place or places and at such time as it may deem convenient and as may be necessary for the most expeditious discharge of its duties.

6.

At its first meeting the Commission shall elect, from among the Delegates referred to above, a Chairman and a Vice-Chairman, who shall hold office for one year and shall be eligible for re-election. If a vacancy in the Chairmanship or Vice-Chairmanship should occur during the annual period, the Commission shall proceed to a new election for the remainder of the said period.

7.

The Commission is authorised to appoint all necessary officers, agents and employees who may be required for the execution of its functions, and to fix their remuneration; to constitute committees, whose members need not necessarily be members of the Commission, and to take all executive steps necessary for the purpose of discharging its duties; and to delegate authority and discretion to officers, agents and committees.

8.

All proceedings of the Commission shall be private, unless, on particular occasions, the Commission shall otherwise determine for special reasons.

9.

The Commission shall be required, if the German Government so desire, to hear, within a period which it will fix from time to time, evidence and arguments on the part of Germany on any question connected with her capacity to pay.

10.

The Commission shall consider the claims and give to the German Government a just opportunity to be heard, but not to take any part whatever in the decisions of the Commission. The Commission shall afford a similar opportunity to the allies of Germany, when it shall consider that their interests are in question.

11.

The Commission shall not be bound by any particular code or rules of law or by any particular rule of evidence or of procedure, but shall be guided by justice, equity and good faith. Its decisions must follow the same principles and rules in all cases where they are applicable. It will establish rules relating to methods of proof of claims. It may act on any trustworthy modes of computation.

12.

The Commission shall have all the powers conferred upon it, and shall exercise all the functions assigned to it, by the present Treaty.

The Commission shall in general have wide latitude as to its control and handling of the whole reparation problem as dealt with in this Part of the present Treaty and shall have authority to interpret its provisions. Subject to the provisions of the present Treaty, the Commission is constituted by the several Allied and Associated Governments referred to in paragraphs 2 and 3 above as the exclusive agency of the said Governments respectively for receiving, selling, holding, and distributing the reparation payments to be made by Germany under this Part of the present Treaty. The Commission must comply with the following conditions and provisions:

(*a*) Whatever part of the full amount of the proved claims is not paid in gold, or in ships, securities and commodities or otherwise, Germany shall be required, under such conditions as the Commission may determine, to cover by way of guarantee by an equivalent issue of bonds, obligations or otherwise, in order to constitute an acknowledgment of the said part of the debt.

(*b*) In periodically estimating Germany's capacity to pay, the Commission shall examine the German system of taxation, first, to the end that the sums for reparation which Germany is required to pay shall become a charge upon all her revenues prior to that for the service or discharge of any domestic loan, and secondly, so as to satisfy itself that, in general, the German scheme of taxation is fully as heavy proportionately as that of any of the Powers represented on the Commission.

(*c*) In order to facilitate and continue the immediate restoration of the economic life of the Allied and Associated countries, the Commission will as provided in Article 235 take from Germany by way of security for and acknowledgment of her debt a first instalment of gold bearer bonds free of all taxes and charges of every description established or to be established by the Government of the German Empire or of the German States, or by any authority subject to them; these bonds will be delivered on account and in three portions, the marks gold being payable in conformity with Article 262 of Part IX (Financial Clauses) of the present Treaty as follows:

(1) To be issued forthwith, 20,000,000,000 Marks gold bearer bonds, payable not later than May 1, 1921, without interest. There shall be specially applied towards the amortisation of these bonds the payments which Germany is pledged to make in conformity with Article 235, after deduction of the sums used for the reimbursement of expenses of the armies of occupation and for payment of foodstuffs and raw materials. Such bonds as have not been redeemed by May 1, 1921, shall then be exchanged or new bonds of the same type as those provided for below (paragraph 12, *c*, (2)).

(2) To be issued forthwith, further 40,000,000,000 Marks gold bearer bonds, bearing interest at 2½ per cent. per annum between 1921 and 1926, and thereafter at 5 per cent. per annum with an additional 1 per cent. for amortisation beginning in 1926 on the whole amount of the issue.

(3) To be delivered forthwith a covering undertaking in writing to issue when, but not until, the Commission is satisfied that Germany can meet such interest and sinking fund obligations, a further instalment of 40,000,000,000 Marks gold 5 per cent. bearer bonds, the time and mode of payment of principal and interest to be determined by the Commission.

The dates for payment of interest, the manner of applying the amortisation fund, and all other questions relating to the issue, management and regulation of the bond issue shall be determined by the Commission from time to time.

Further issues by way of acknowledgment and security may be required as the Commission subsequently determines from time to time.

(*d*) In the event of bonds, obligations or other evidence of indebtedness issued by Germany by way of security for or acknowledgment of her reparation debt being disposed of outright, not by way of pledge, to persons other than the several Governments in whose favour Germany's original reparation indebtedness was created, an amount of such reparation indebtedness shall be deemed to be extinguished corresponding to the nominal value of the bonds, etc., so disposed of outright, and the obligation of Germany in respect of such bonds shall be confined to her liabilities to the holders of the bonds, as expressed upon their face.

(*e*) The damage for repairing, reconstructing and rebuilding property in the invaded and devastated districts, including reinstallation of furniture, machinery and other equipment, will be calculated according to the cost at the dates when the work is done.

(*f*) Decisions of the Commission relating to the total or partial cancellation of the capital or interest of any verified debt of Germany must be accompanied by a statement of its reasons.

13.

As to voting, the Commission will observe the following rules:

When a decision of the Commission is taken, the votes of all the Delegates entitled to vote, or in the absence of any of them, of their Assistant Delegates, shall be recorded. Abstention from voting is to be treated as a vote against the proposal under discussion. Assessors have no vote.

On the following questions unanimity is necessary:

(*a*) Questions involving the sovereignty of any of the Allied and Associated Powers, or the cancellation of the whole or any part of the debt or obligations of Germany;

(*b*) Questions of determining the amount and conditions of bonds or other obligations to be issued by the German Government and of fixing the time and manner for selling, negotiating or distributing such bonds;

(*c*) Any postponement, total or partial, beyond the end of 1930, of the payment of instalments falling due between May 1, 1921, and the end of 1926 inclusive;

(*d*) Any postponement, total or partial, of any instalment falling due after 1926 for a period exceeding three years;

(*e*) Questions of applying in any particular case a method of measuring damages different from that which has been previously applied in a similar case;

(*f*) Questions of the interpretation of the provisions of this Part of the present Treaty.

All other questions shall be decided by the vote of a majority.

In case of any difference of opinion among the Delegates, which cannot be solved by reference to their Governments,

upon the question whether a given case is one which requires a unanimous vote for its decision or not, such difference shall be referred to the immediate arbitration of some impartial person to be agreed upon by their Governments, whose award the Allied and Associated Governments agree to accept.

14.

Decisions of the Commission, in accordance with the powers conferred upon it, shall forthwith become binding and may be put into immediate execution without further proceedings.

15.

The Commission will issue to each of the interested Powers, in such form as the Commission shall fix:

(1) A certificate stating that it holds for the account of the said Power bonds of the issues mentioned above, the said certificate, on the demand of the Power concerned, being divisible in a number of parts not exceeding five;

(2) From time to time certificates stating the goods delivered by Germany on account of her reparation debt which it holds for the account of the said Power.

The said certificates shall be registered, and upon notice to the Commission, may be transferred by endorsement.

When bonds are issued for sale or negotiation, and when goods are delivered by the Commission, certificates to an equivalent value must be withdrawn.

16.

Interest shall be debited to Germany as from May 1, 1921, in respect of her debt as determined by the Commission, after allowing for sums already covered by cash payments or their equivalent, or by bonds issued to the Commission, or under Article 243. The rate of interest shall be 5 per cent. unless the Commission shall determine at some future time that circumstances justify a variation of this rate.

The Commission, in fixing on May 1, 1921, the total amount of the debt of Germany, may take account of interest due on sums arising out of the reparation of material damage as from November 11, 1918, up to May 1, 1921.

17.

In case of default by Germany in the performance of any obligation under this Part of the present Treaty, the Commission will forthwith give notice of such default to each of the interested Powers and may make such recommendations as to the action to be taken in consequence of such default as it may think necessary.

18.

The measures which the Allied and Associated Powers shall have the right to take, in case of voluntary default by Germany, and which Germany agrees not to regard as acts of war, may include economic and financial prohibitions and reprisals and in general such other measures as the respective Governments may determine to be necessary in the circumstances.

19.

Payments required to be made in gold or its equivalent on account of the proved claims of the Allied and Associated Powers may at any time be accepted by the Commission in the form of chattels, properties, commodities, businesses, rights, concessions, within or without German territory, ships, bonds, shares or securities of any kind, or currencies of Germany or other States, the value of such substitutes for gold being fixed at a fair and just amount by the Commission itself.

20.

The Commission, in fixing or accepting payment in specified properties or rights, shall have due regard for any legal or equitable interests of the Allied and Associated Powers or of neutral Powers or of their nationals therein.

21.

No member of the Commission shall be responsible, except to the Government appointing him, for any action or omission as such member. No one of the Allied or Associated Governments assumes any responsibility in respect of any other Government.

22.

Subject to the provisions of the present Treaty this Annex may be amended by the unanimous decision of the Governments represented from time to time upon the Commission.

23.

When all the amounts due from Germany and her allies under the present Treaty or the decisions of the Commission have been discharged and all sums received, or their equivalents, shall have been distributed to the Powers interested, the Commission shall be dissolved.

ANNEX III.

1.

Germany recognises the right of the Allied and Associated Powers to the replacement, ton for ton (gross tonnage) and class for class, of all merchant ships and fishing boats lost or damaged owing to the war.

Nevertheless, and in spite of the fact that the tonnage of German shipping at present in existence is much less than that lost by the Allied and Associated Powers in consequence of the German aggression, the right thus recognised will be enforced on German ships and boats under the following conditions:

The German Government, on behalf of themselves and so as to bind all other persons interested, cede to the Allied and Associated Governments the property in all the German merchant ships which are of 1,600 tons gross and upwards; in one-half, reckoned in tonnage, of the ships which are between 1,000 tons and 1,600 tons gross; in one-quarter, reckoned in tonnage, of the steam trawlers; and in one-quarter, reckoned in tonnage, of the other fishing boats.

2.

The German Government will, within two months of the coming into force of the present Treaty, deliver to the Reparation Commission all the ships and boats mentioned in paragraph 1.

3.

The ships and boats mentioned in paragraph 1 include all ships and boats which (*a*) fly, or may be entitled to fly, the German merchant flag; or (*b*) are owned by any German national, company or corporation or by any company or corporation belonging to a country other than an Allied or Associated country and under the control or direction of German nationals; or (*c*) are now under construction (1) in Germany, (2) in other than Allied or Associated countries for the account of any German national, company or corporation.

4.

For the purpose of providing documents of title for the ships and boats to be handed over as above mentioned, the German Government will:

(*a*) Deliver to the Reparation Commission in respect of each vessel a bill of sale or other document of title evidencing the transfer to the Commission of the entire property in the vessel, free from all encumbrances, charges and liens of all kinds, as the Commission may require;

(*b*) Take all measures that may be indicated by the Reparation Commission for ensuring that the ships themselves shall be placed at its disposal.

5.

As an additional part of reparation, Germany agrees to cause merchant ships to be built in German yards for the account of the Allied and Associated Governments as follows:

(*a*) Within three months of the coming into force of the present Treaty, the Reparation Commission will notify to the German Government the amount of tonnage to be laid down in German shipyards in each of the two years next succeeding the three months mentioned above.

(*b*) Within two years of the coming into force of the present Treaty, the Reparation Commission will notify to the German Government the amount of tonnage to be laid down in each of the three years following the two years mentioned above.

(*c*) The amount of tonnage to be laid down in each year shall not exceed 200,000 tons, gross tonnage.

(*d*) The specifications of the ships to be built, the conditions under which they are to be built and delivered, the price per ton at which they are to be accounted for by the Reparation Commission, and all other questions relating to the accounting, ordering, building and delivery of the ships, shall be determined by the Commission.

Germany undertakes to restore in kind and in normal condition of upkeep to the Allied and Associated Powers, within two months of the coming into force of the present Treaty, in accordance with procedure to be laid down by the Reparation Commission, any boats and other movable appliances belonging to inland navigation which since August 1, 1914, have by any means whatever come into her possession or into the possession of her nationals, and which can be identified.

With a view to make good the loss in inland navigation tonnage, from whatever cause arising, which has been incurred during the war by the Allied and Associated Powers, and which cannot be made good by means of the restitution prescribed above, Germany agrees to cede to the Reparation Commission a portion of the German river fleet up to the amount of the loss mentioned above, provided that such cession shall not exceed 20 per cent. of the river fleet as it existed on November 11, 1918.

The conditions of this cession shall be settled by the arbitrators referred to in Article 339 of Part XII (Ports, Waterways

and Railways) of the present Treaty, who are charged with the settlement of difficulties relating to the apportionment of river tonnage resulting from the new international régime applicable to certain river systems or from the territorial changes affecting those systems.

7.

Germany agrees to take any measures that may be indicated to her by the Reparation Commission for obtaining the full title to the property in all ships which have during the war been transferred, or are in process of transfer, to neutral flags, without the consent of the Allied and Associated Governments.

8.

Germany waives all claims of any description against the Allied and Associated Governments and their nationals in respect of the detention, employment, loss or damage of any German ships or boats, exception being made of payments due in respect of the employment of ships in conformity with the Armistice Agreement of January 13, 1919, and subsequent Agreements.

The handing over of the ships of the German mercantile marine must be continued without interruption in accordance with the said Agreement.

9.

Germany waives all claims to vessels or cargoes sunk by or in consequence of naval action and subsequently salved, in which any of the Allied or Associated Governments or their nationals may have any interest either as owners, charterers, insurers or otherwise, notwithstanding any decree of condemnation which may have been made by a Prize Court of Germany or of her allies.

ANNEX IV.

1.

The Allied and Associated Powers require, and Germany undertakes, that in part satisfaction of her obligations expressed in the present Part she will, as hereinafter provided, devote her economic resources directly to the physical restoration of the invaded areas of the Allied and Associated Powers, to the extent that these Powers may determine.

2.

The Allied and Associated Governments may file with the Reparation Commission lists showing:

(*a*) Animals, machinery, equipment, tools and like articles of a commercial character, which have been seized, consumed or destroyed by Germany or destroyed in direct consequence of military operations, and which such Governments, for the purpose of meeting immediate and urgent needs, desire to have replaced by animals and articles of the same nature which are in being in German territory at the date of the coming into force of the present Treaty;

(*b*) Reconstruction materials (stones, bricks, refractory bricks, tiles, wood, window-glass, steel, lime, cement, etc.), machinery, heating apparatus, furniture and like articles of a commercial character which the said Governments desire to have produced and manufactured in Germany and delivered to them to permit of the restoration of the invaded areas.

3.

The lists relating to the articles mentioned in 2 (*a*) above shall be filed within sixty days after the date of the coming into force of the present Treaty.

The lists relating to the articles in 2 (*b*) above shall be filed on or before December 31, 1919.

The lists shall contain all such details as are customary in commercial contracts dealing with the subject matter, including specifications, dates of delivery (but not extending over more than four years), and places of delivery, but not price or value, which shall be fixed as hereinafter provided by the Commission.

4.

Immediately upon the filing of such lists with the Commission, the Commission shall consider the amount and number of the materials and animals mentioned in the lists provided for above which are to be required of Germany. In reaching a decision on this matter the Commission shall take into account such domestic requirements of Germany as it deems essential for the maintenance of Germany's social and economic life, the prices and dates at which similar articles can be obtained in the Allied and Associated countries as compared with those to be fixed for German articles, and the general interest of the Allied and Associated Governments that the industrial life of Germany be not so disorganised as to affect adversely the ability of Germany to perform the other acts of reparation stipulated for.

Machinery, equipment, tools and like articles of a commercial character in actual industrial use are not, however, to be demanded of Germany unless there is no free stock of such articles respectively which is not in use and is available, and then not in excess of thirty per cent. of the quantity of such articles in use in any one establishment or undertaking.

The Commission shall give representatives of the German Government an opportunity and a time to be heard as to their capacity to furnish the said materials, articles and animals.

The decision of the Commission shall thereupon and at the earliest possible moment be communicated to the German Government and to the several interested Allied and Associated Governments.

The German Government undertakes to deliver the materials, articles and animals as specified in the said communication, and the interested Allied and Associated Governments severally agree to accept the same, provided they conform to the specification given, or are not, in the judgment of the Commission, unfit to be utilized in the work of reparation.

5.

The Commission shall determine the value to be attributed to the materials, articles and animals to be delivered in accordance with the foregoing, and the Allied or Associated Power receiving the same agrees to be charged with such value, and the amount thereof shall be treated as a payment by Germany to be divided in accordance with Article 237 of this Part of the present Treaty.

In cases where the right to require physical restoration as above provided is exercised, the Commission shall ensure that the amount to be credited against the reparation obligation of Germany shall be the fair value of work done or materials supplied by Germany, and that the claim made by the interested Power in respect of the damage so repaired by physical restoration shall be discharged to the extent of the proportion which the damage thus repaired bears to the whole of the damage thus claimed for.

6.

As an immediate advance on account of the animals referred to in paragraph 2 (*a*) above, Germany undertakes to deliver in equal monthly instalments in the three months following the coming into force of the present Treaty the following quantities of live stock:

(1) *To the French Government.*

500	stallions (3 to 7 years);
30,000	fillies and mares (18 months to 7 years), type: Ardennais, Boulonnais or Belgian;
2,000	bulls (18 months to 3 years);
90,000	milch cows (2 to 6 years);
1,000	rams;
100,000	sheep;
10,000	goats.

(2) *To the Belgian Government.*

200	stallions (3 to 7 years), large Belgian type;
5,000	mares (3 to 7 years), large Belgian type;
5,000	fillies (18 months to 3 years), large Belgian type;
2,000	bulls (18 months to 3 years);
50,000	milch cows (2 to 6 years);
40,000	heifers;
200	rams;
20,000	sheep;
15,000	sows.

The animals delivered shall be of average health and condition.

To the extent that animals so delivered cannot be identified as animals taken away or seized, the value of such animals shall be credited against the reparation obligations of Germany in accordance with paragraph 5 of this Annex.

7.

Without waiting for the decisions of the Commission referred to in paragraph 4 of this Annex to be taken, Germany must continue the delivery to France of the agricultural material referred to in Article III of the renewal dated January 16, 1919, of the Armistice.

ANNEX V.

1.

Germany accords the following options for the delivery of coal and derivatives of coal to the undermentioned signatories of the present Treaty.

Germany undertakes to deliver to France seven million tons of coal per year for ten years. In addition, Germany undertakes to deliver to France annually for a period not exceeding

ten years an amount of coal equal to the difference between the annual production before the war of the coal mines of the Nord and Pas de Calais, destroyed as a result of the war, and the production of the mines of the same area during the years in question: such delivery not to exceed twenty million tons in any one year of the first five years, and eight million tons in any one year of the succeeding five years.

It is understood that due diligence will be exercised in the restoration of the destroyed mines in the Nord and the Pas de Calais.

3.

Germany undertakes to deliver to Belgium eight million tons of coal annually for ten years.

4.

Germany undertakes to deliver to Italy up to the following quantities of coal:

July 1919 to June 1920		4½	million tons,
— 1920	— 1921	6	—
— 1921	— 1922	7½	—
— 1922	— 1923	8	—
— 1923	— 1924	8½	—
and each of the following five years			

At least two-thirds of the actual deliveries to be land-borne.

5.

Germany further undertakes to deliver annually to Luxemburg, if directed by the Reparation Commission, a quantity of coal equal to the pre-war annual consumption of German coal in Luxemburg.

6.

The prices to be paid for coal delivered under these options shall be as follows:

(*a*) For overland delivery, including delivery by barge, the German pithead price to German nationals, plus the freight to French, Belgian, Italian or Luxemburg frontiers, provided that the pithead price does not exceed the pithead price of British coal for export. In the case of Belgian bunker coal, the price shall not exceed the Dutch bunker price.

Railroad and barge tariffs shall not be higher than the lowest similar rates paid in Germany.

(*b*) For sea delivery, the German export price f. o. b. German ports, or the British export price f. o. b. British ports, whichever may be lower.

7.

The Allied and Associated Governments interested may demand the delivery, in place of coal, of metallurgical coke in the proportion of 3 tons of coke to 4 tons of coal.

8.

Germany undertakes to deliver to France, and to transport to the French frontier by rail or by water, the following products, during each of the three years following the coming into force of this Treaty:

Benzol	35,000 tons.
Coal tar	50,000 tons.
Sulphate of ammonia	30,000 tons.

All or part of the coal tar may, at the option of the French Government, be replaced by corresponding quantities of products of distillation, such as light oils, heavy oils, anthracene, naphthalene or pitch.

9.

The price paid for coke and for the articles referred to in the preceding paragraph shall be the same as the price paid by German nationals under the same conditions of shipment to the French frontier or to the German ports, and shall be subject to any advantages which may be accorded similar products furnished to German nationals.

10.

The foregoing options shall be exercised through the intervention of the Reparation Commission, which, subject to the specific provisions hereof, shall have power to determine all questions relative to procedure and the qualities and quantities of products, the quantity of coke which may be substituted for coal, and the times and modes of delivery and payment. In giving notice to the German Government of the foregoing options the Commission shall give at least 120 days' notice of deliveries to be made after January 1, 1920, and at least 30 days' notice of deliveries to be made between the coming into force of this Treaty and January 1, 1920. Until Germany has received the demands referred to in this paragraph, the provisions of the Protocol of December 25, 1918, (Execution of Article VI of the Armistice of November 11, 1918) remain in force. The notice to be given to the German Government of the exercise of the right of substitution accorded by paragraphs 7 and 8 shall be such as the Reparation Commission may consider sufficient. If the Commission shall determine that the full exercise of the foregoing options would interfere unduly with the industrial requirements of Germany, the Commission is authorised to postpone or to cancel deliveries, and in so doing to settle all questions of priority; but the coal to replace coal from destroyed mines shall receive priority over other deliveries.

ANNEX VI.

1.

Germany accords to the Reparation Commission an option to require as part of reparation the delivery by Germany of such quantities and kinds of dyestuffs and chemical drugs as the Commission may designate, not exceeding 50 per cent. of the total stock of each and every kind of dyestuff and chemical drug in Germany or under German control at the date of the coming into force of the present Treaty.

This option shall be exercised within sixty days of the receipt by the Commission of such particulars as to stocks as may be considered necessary by the Commission.

2.

Germany further accords to the Reparation Commission an option to require delivery during the period from the date of the coming into force of the present Treaty until January 1, 1920, and during each period of six months thereafter until January 1, 1925, of any specified kind of dyestuff and chemical drug up to an amount not exceeding 25 per cent. of the German production of such dyestuffs and chemical drugs during the previous six months period. If in any case the production during such previous six months was, in the opinion of the Commission, less than normal, the amount required may be 25 per cent. of the normal production.

Such option shall be exercised within four weeks after the receipt of such particulars as to production and in such form as may be considered necessary by the Commission; these particulars shall be furnished by the German Government immediately after the expiration of each six months period.

3.

For dyestuffs and chemical drugs delivered under paragraph 1, the price shall be fixed by the Commission having regard to prewar net export prices and to subsequent increases of cost.

For dyestuffs and chemical drugs delivered under paragraph 2, the price shall be fixed by the Commission having regard to prewar net export prices and subsequent variations of cost, or the lowest net selling price of similar dyestuffs and chemical drugs to any other purchaser.

4.

All details, including mode and times of exercising the options, and making delivery, and all other questions arising under this arrangement shall be determined by the Reparation Commission; the German Government will furnish to the Commission all necessary information and other assistance which it may require.

5.

The above expression "dyestuffs and chemical drugs" includes all synthetic dyes and drugs and intermediate or other products used in connection with dyeing, so far as they are manufactured for sale. The present arrangement shall also apply to cinchona bark and salts of quinine.

ANNEX VII.

Germany renounces on her own behalf and on behalf of her nationals in favour of the Principal Allied and Associated Powers all rights, titles or privileges of whatever nature in the submarine cables set out below, or in any portions thereof:

Emden-Vigo: from the Straits of Dover to off Vigo;
Emden-Brest: from off Cherbourg to Brest;
Emden-Teneriffe: from off Dunkirk to off Teneriffe;
Emden-Azores (1): from the Straits of Dover to Fayal;
Emden-Azores (2): from the Straits of Dover to Fayal;
Azores-New-York (1): from Fayal to New York;
Azores-New-York (2): from Fayal to the longitude of Halifax,
Teneriffe-Monrovia: from off Teneriffe to off Monrovia;
Monrovia-Lome:

from about	lat.	2° 30′ N.;
	long.	7° 40′ W. of Greenwich;
to about	lat.	2° 20′ N.;
	long.	5° 30′ W. of Greenwich;
and from about	lat.	3° 48′ N.;
	long.	0° 00′,

to Lome;
Lome-Duala: from Lome to Duala;

Monrovia-Pernambuco: from off Monrovia to off Pernambuco;
Constantinople-Constanza: from Constantinople to Constanza;
Yap-Shanghai, Yap-Guam, and Yap-Menado (Celebes): from Yap Island to Shanghai, from Yap Island to Guam Island, and from Yap Island to Menado.

The value of the above mentioned cables or portions thereof in so far as they are privately owned, calculated on the basis of the original cost less a suitable allowance for depreciation, shall be credited to Germany in the reparation account.

SECTION II.

SPECIAL PROVISIONS.

ARTICLE 245.

Within six months after the coming into force of the present Treaty the German Government must restore to the French Government the trophies, archives, historical souvenirs or works of art carried away from France by the German authorities in the course of the war of 1870–1871 and during this last war, in accordance with a list which will be communicated to it by the French Government; particularly the French flags taken in the course of the war of 1870–1871 and all the political papers taken by the German authorities on October 10, 1870, at the chateau of Cerçay, near Brunoy (Seine-et-Oise) belonging at the time to Mr. Rouher, formerly Minister of State.

ARTICLE 246.

Within six months from the coming into force of the present Treaty, Germany will restore to His Majesty the King of the Hedjaz the original Koran of the Caliph Othman, which was removed from Medina by the Turkish authorities and is stated to have been presented to the ex-Emperor William II.

Within the same period Germany will hand over to his Britannic Majesty's Government the skull of the Sultan Mkwawa which was removed from the Protectorate of German East Africa and taken to Germany.

The delivery of the articles above referred to will be effected in such place and in such conditions as may be laid down by the Governments to which they are to be restored.

ARTICLE 247.

Germany undertakes to furnish to the University of Louvain, within three months after a request made by it and transmitted through the intervention of the Reparation Commission, manuscripts, incunabula, printed books, maps and objects of collection corresponding in number and value to those destroyed in the burning by Germany of the Library of Louvain. All details regarding such replacement will be determined by the Reparation Commission.

Germany undertakes to deliver to Belgium, through the Reparation Commission, within six months of the coming into force of the present Treaty, in order to enable Belgium to reconstitute two great artistic works:

(1) The leaves of the triptych of the Mystic Lamb painted by the Van Eyck brothers, formerly in the Church of St. Bavon at Ghent, now in the Berlin Museum;

(2) The leaves of the triptych of the Last Supper, painted by Dierick Bouts, formerly in the Church of St. Peter at Louvain, two of which are now in the Berlin Museum and two in the Old Pinakothek at Munich.

PART IX.

FINANCIAL CLAUSES.

ARTICLE 248.

Subject to such exceptions as the Reparation Commission may approve, a first charge upon all the assets and revenues of the German Empire and its constituent States shall be the cost of reparation and all other costs arising under the present Treaty or any treaties or agreements supplementary thereto or under arrangements concluded between Germany and the Allied and Associated Powers during the Armistice or its extensions.

Up to May 1, 1921, the German Government shall not export or dispose of, and shall forbid the export or disposal of, gold without the previous approval of the Allied and Associated Powers acting through the Reparation Commission.

ARTICLE 249.

There shall be paid by the German Government the total cost of all armies of the Allied and Associated Governments in occupied German territory from the date of the signature of the Armistice of November 11, 1918, including the keep of men and beasts, lodging and billeting, pay and allowances, salaries and wages, bedding, heating, lighting, clothing, equipment, harness and saddlery, armament and rolling-stock, air services, treatment of sick and wounded, veterinary and remount services, transport service of all sorts (such as by rail, sea or river, motor lorries), communications and correspondence, and in general the cost of all administrative or technical services the working of which is necessary for the training of troops and for keeping their numbers up to strength and preserving their military efficiency.

The cost of such liabilities under the above heads so far as they relate to purchases or requisitions by the Allied and Associated Governments in the occupied territories shall be paid by the German Government to the Allied and Associated Governments in marks at the current or agreed rate of exchange. All other of the above costs shall be paid in gold marks.

ARTICLE 250.

Germany confirms the surrender of all material handed over to the Allied and Associated Powers in accordance with the Armistice of November 11, 1918, and subsequent Armistice Agreements, and recognises the title of the Allied and Associated Powers to such material.

There shall be credited to the German Government, against the sums due from it to the Allied and Associated Powers for reparation, the value, as assessed by the Reparation Commission, referred to in Article 233 of Part VIII (Reparation) of the present Treaty, of the material handed over in accordance with Article VII of the Armistice of November 11, 1918, or Article III of the Armistice Agreement of January 16, 1919, as well as of any other material handed over in accordance with the Armistice of November 11, 1918, and of subsequent Armistice Agreements, for which, as having nonmilitary value, credit should in the judgment of the Reparation Commission be allowed to the German Government.

Property belonging to the Allied and Associated Governments or their nationals restored or surrendered under the Armistice Agreements in specie shall not be credited to the German Government.

ARTICLE 251.

The priority of the charges established by Article 248 shall, subject to the qualifications made below, be as follows:

(*a*) The cost of the armies of occupation as defined under Article 249 during the Armistice and its extensions;

(*b*) The cost of any armies of occupation as defined under Article 249 after the coming into force of the present Treaty;

(*c*) The cost of reparation arising out of the present Treaty or any treaties or conventions supplementary thereto;

(*d*) The cost of all other obligations incumbent on Germany under the Armistice Conventions or under this Treaty or any treaties or conventions supplementary thereto.

The payment for such supplies of food and raw material for Germany and such other payments as may be judged by the Allied and Associated Powers to be essential to enable Germany to meet her obligations in respect of reparation will have priority to the extent and upon the conditions which have been or may be determined by the Governments of the said Powers.

ARTICLE 252.

The right of each of the Allied and Associated Powers to dispose of enemy assets and property within its jurisdiction at the date of the coming into force of the present Treaty is not affected by the foregoing provisions.

ARTICLE 253.

Nothing in the foregoing provisions shall prejudice in any manner charges or mortgages lawfully effected in favour of the Allied or Associated Powers or their nationals respectively, before the date at which a state of war existed between Germany and the Allied or Associated Power concerned, by the German Empire or its constituent States, or by German nationals, on assets in their ownership at that date.

ARTICLE 254.

The Powers to which German territory is ceded shall, subject to the qualifications made in Article 255, undertake to pay:

(1) A portion of the debt of the German Empire as it stood on August 1, 1914, calculated on the basis of the ratio between the average for the three financial years 1911, 1912, 1913, of such revenues of the ceded territory, and the average for the same years of such revenues of the whole German Empire as in the judgment of the Reparation Commission are best calculated to represent the relative ability of the respective territories to make payment;

(2) A portion of the debt as it stood on August 1, 1914, of the German State to which the ceded territory belonged, to be determined in accordance with the principle stated above.

Such portions shall be determined by the Reparation Commission.

The method of discharging the obligation, both in respect of capital and of interest, so assumed shall be fixed by the Reparation Commission. Such method may take the form, *inter alia*, of the assumption by the Power to which the territory is ceded of Germany's liability for the German debt held by her nationals. But in the event of the method adopted involving any payments to the German Government, such payments shall be transferred to the Reparation Commission on account of the sums due for reparation so long as any balance in respect of such sums remains unpaid.

ARTICLE 255.

(1) As an exception to the above provision and inasmuch as in 1871 Germany refused to undertake any portion of the burden of the French debt, France shall be, in respect of Alsace-Lorraine, exempt from any payment under Article 254.

(2) In the case of Poland that portion of the debt which, in the opinion of the Reparation Commission, is attributable to the measures taken by the German and Prussian Governments for the German colonisation of Poland shall be excluded from the apportionment to be made under Article 254.

(3) In the case of all ceded territories other than Alsace-Lorraine, that portion of the debt of the German Empire or German States which, in the opinion of the Reparation Commission, represents expenditure by the Governments of the German Empire or States upon the Government properties referred to in Article 256 shall be excluded from the apportionment to be made under Article 254.

ARTICLE 256.

Powers to which German territory is ceded shall acquire all property and possessions situated therein belonging to the German Empire or to the German States, and the value of such acquisitions shall be fixed by the Reparation Commission, and paid by the State acquiring the territory to the Reparation Commission for the credit of the German Government on account of the sums due for reparation.

For the purposes of this Article the property and possessions of the German Empire and States shall be deemed to include all the property of the Crown, the Empire or the States, and the private property of the former German Emperor and other Royal personages.

In view of the terms on which Alsace-Lorraine was ceded to Germany in 1871, France shall be exempt in respect thereof from making any payment or credit under this Article for any property or possessions of the German Empire or States situated therein.

Belgium also shall be exempt from making any payment or any credit under this Article for any property or possessions of the German Empire or States situated in German territory ceded to Belgium under the present Treaty.

ARTICLE 257.

In the case of the former German territories, including colonies, protectorates or dependencies, administered by a Mandatory under Article 22 of Part I (League of Nations) of the present Treaty, neither the territory nor the Mandatory Power shall be charged with any portion of the debt of the German Empire or States.

All property and possessions belonging to the German Empire or to the German States situated in such territories shall be transferred with the territories to the Mandatory Power in its capacity as such and no payment shall be made nor any credit given to those Governments in consideration of this transfer.

For the purposes of this Article the property and possessions of the German Empire and of the German States shall be deemed to include all the property of the Crown, the Empire or the States and the private property of the former German Emperor and other Royal personages.

ARTICLE 258.

Germany renounces all rights accorded to her or her nationals by treaties, conventions or agreements, of whatsoever kind, to representation upon or participation in the control or administration of commissions, state banks, agencies or other financial or economic organisations of an international character, exercising powers of control or administration, and operating in any of the Allied or Associated States, or in Austria, Hungary, Bulgaria or Turkey, or in the dependencies of these States, or in the former Russian Empire.

ARTICLE 259.

(1) Germany agrees to deliver within one month from the date of the coming into force of the present Treaty, to such authority as the Principal Allied and Associated Powers may designate, the sum in gold which was to be deposited in the Reichsbank in the name of the Council of the Administration of the Ottoman Public Debt as security for the first issue of Turkish Government currency notes.

(2) Germany recognises her obligation to make annually for the period of twelve years the payments in gold for which provision is made in the German Treasury Bonds deposited by her from time to time in the name of the Council of the Administration of the Ottoman Public Debt as security for the second and subsequent issues of Turkish Government currency notes.

(3) Germany undertakes to deliver, within one month from the coming into force of the present Treaty, to such authority as the Principal Allied and Associated Powers may designate, the gold deposit constituted in the Reichsbank or elsewhere, representing the residue of the advance in gold agreed to on May 5, 1915, by the Council of the Administration of the Ottoman Public Debt to the Imperial Ottoman Government.

(4) Germany agrees to transfer to the Principal Allied and Associated Powers any title that she may have to the sum in gold and silver transmitted by her to the Turkish Ministry of Finance in November, 1918, in anticipation of the payment to be made in May, 1919, for the service of the Turkish Internal Loan.

(5) Germany undertakes to transfer to the Principal Allied and Associated Powers, within a period of one month from the coming into force of the present Treaty, any sums in gold transferred as pledge or as collateral security to the German Government or its nationals in connection with loans made by them to the Austro-Hungarian Government.

(6) Without prejudice to Article 292 of Part X (Economic Clauses) of the present Treaty, Germany confirms the renunciation provided for in Article XV of the Armistice of November 11, 1918, of any benefit disclosed by the Treaties of Bucharest and of Brest-Litovsk and by the treaties supplementary thereto.

Germany undertakes to transfer, either to Roumania or to the Principal Allied and Associated Powers as the case may be, all monetary instruments, specie, securities and negotiable instruments, or goods, which she has received under the aforesaid Treaties.

(7) The sums of money and all securities, instruments and goods of whatsoever nature, to be delivered, paid and transferred under the provisions of this Article, shall be disposed of by the Principal Allied and Associated Powers in a manner hereafter to be determined by those Powers.

ARTICLE 260.

Without prejudice to the renunciation of any rights by Germany on behalf of herself or of her nationals in the other provisions of the present Treaty, the Reparation Commission may within one year from the coming into force of the present Treaty demand that the German Government become possessed of any rights and interests of German nationals in any public utility undertaking or in any concession operating in Russia, China, Turkey, Austria, Hungary and Bulgaria, or in the possessions or dependencies of these States or in any territory formerly belonging to Germany or her allies, to be ceded by Germany or her allies to any Power or to be administered by a Mandatory under the present Treaty, and may require that the German Government transfer, within six months of the date of demand, all such rights and interests and any similar rights and interests the German Government may itself possess to the Reparation Commission.

Germany shall be responsible for indemnifying her nationals so dispossessed, and the Reparation Commission shall credit Germany, on account of sums due for reparation, with such sums in respect of the value of the transferred rights and interests as may be assessed by the Reparation Commission, and the German Government shall, within six months from the coming into force of the present Treaty, communicate to the Reparation Commission all such rights and interests, whether already granted, contingent or not yet exercised, and shall renounce on behalf of itself and its nationals in favour of the Allied and Associated Powers, all such rights and interests which have not been so communicated.

ARTICLE 261.

Germany undertakes to transfer to the Allied and Associated Powers any claims she may have to payment or repayment by the Governments of Austria, Hungary, Bulgaria or Turkey, and, in particular, any claims which may arise, now or hereafter, from the fulfilment of undertakings made by Germany during the war to those Governments.

ARTICLE 262.

Any monetary obligation due by Germany arising out of the present Treaty and expressed in terms of gold marks shall be payable at the option of the creditors in pounds sterling payable

in London; gold dollars of the United States of America payable in New York; gold francs payable in Paris; or gold lire payable in Rome.

For the purpose of this Article the gold coins mentioned above shall be defined as being of the weight and fineness of gold as enacted by law on January 1, 1914.

ARTICLE 263.

Germany gives a guarantee to the Brazilian Government that all sums representing the sale of coffee belonging to the State of Sao Paolo in the ports of Hamburg, Bremen, Antwerp and Trieste, which were deposited with the Bank of Bleichröder at Berlin, shall be reimbursed together with interest at the rate or rates agreed upon. Germany having prevented the transfer of the sums in question to the State of Sao Paolo at the proper time, guarantees also that the reimbursement shall be effected at the rate of exchange of the day of the deposit.

PART X.

ECONOMIC CLAUSES.

SECTION I.

COMMERCIAL RELATIONS.

CHAPTER I.

CUSTOMS REGULATIONS, DUTIES AND RESTRICTIONS.

ARTICLE 264.

Germany undertakes that goods the produce or manufacture of any one of the Allied or Associated States imported into German territory, from whatsoever place arriving, shall not be subjected to other or higher duties or charges (including internal charges) than those to which the like goods the produce or manufacture of any other such State or of any other foreign country are subject.

Germany will not maintain or impose any prohibition or restriction on the importation into German territory of any goods the produce or manufacture of the territories of any one of the Allied or Associated States, from whatsoever place arriving, which shall not equally extend to the importation of the like goods the produce or manufacture of any other such State or of any other foreign country.

ARTICLE 265.

Germany further undertakes that, in the matter of the régime applicable on importation, no discrimination against the commerce of any of the Allied and Associated States as compared with any other of the said States or any other foreign country shall be made, even by indirect means, such as customs regulations or procedure, methods of verification or analysis conditions of payment of duties, tariff classification or interpretation, or the operation of monopolies.

ARTICLE 266.

In all that concerns exportation Germany undertakes that goods, natural products or manufactured articles, exported from German territory to the territories of any one of the Allied or Associated States shall not be subjected to other or higher duties or charges (including internal charges) than those paid on the like goods exported to any other such State or to any other foreign country.

Germany will not maintain or impose any prohibition or restriction on the exportation of any goods sent from her territory to any one of the Allied or Associated States which shall not equally extend to the exportation of the like goods, natural products or manufactured articles, sent to any other such State or to any other foreign country.

ARTICLE 267.

Every favour, immunity or privilege in regard to the importation, exportation or transit of goods granted by Germany to any Allied or Associated State or to any other foreign country whatever shall simultaneously and unconditionally, without request and without compensation, be extended to all the Allied and Associated States.

ARTICLE 268.

The provisions of Articles 264 to 267 inclusive of this Chapter and of Article 323 of Part XII (Ports, Waterways and Railways) of the present Treaty are subject to the following exceptions:

(*a*) For a period of five years from the coming into force of the present Treaty, natural or manufactured products which both originate in and come from the territories of Alsace and Lorraine reunited to France shall, on importation into German customs territory, be exempt from all customs duty.

The French Government shall fix each year, by decree communicated to the German Government, the nature and amount of the products which shall enjoy this exemption.

The amount of each product which may be thus sent annually into Germany shall not exceed the average of the amounts sent annually in the years 1911–1913.

Further, during the period above mentioned the German Government shall allow the free export from Germany, and the free re-importation into Germany, exempt from all customs duties and other charges (including internal charges), of yarns, tissues, and other textile materials or textile products of any kind and in any condition, sent from Germany into the territories of Alsace or Lorraine, to be subjected there to any finishing process, such as bleaching, dyeing, printing, mercerisation, gassing, twisting or dressing.

(*b*) During a period of three years from the coming into force of the present Treaty natural or manufactured products which both originate in and come from Polish territories which before the war were part of Germany shall, on importation into German customs territory, be exempt from all customs duty.

The Polish Government shall fix each year, by decree communicated to the German Government, the nature and amount of the products which shall enjoy this exemption.

The amount of each product which may be thus sent annually into Germany shall not exceed the average of the amounts sent annually in the years 1911–1913.

(*c*) The Allied and Associated Powers reserve the right to require Germany to accord freedom from customs duty, on importation into German customs territory, to natural products and manufactured articles which both originate in and come from the Grand Duchy of Luxemburg, for a period of five years from the coming into force of the present Treaty.

The nature and amount of the products which shall enjoy the benefits of this régime shall be communicated each year to the German Government.

The amount of each product which may be thus sent annually into Germany shall not exceed the average of the amounts sent annually in the years 1911–1913.

ARTICLE 269.

During the first six months after the coming into force of the present Treaty, the duties imposed by Germany on imports from Allied and Associated States shall not be higher than the most favourable duties which were applied to imports into Germany on July 31, 1914.

During a further period of thirty months after the expiration of the first six months, this provision shall continue to be applied exclusively with regard to products which, being comprised in Section A of the First Category of the German Customs Tariff of December 25, 1902, enjoyed at the above-mentioned date (July 31, 1914) rates conventionalised by treaties with the Allied and Associated Powers, with the addition of all kinds of wine and vegetable oils, of artificial silk and of washed or scoured wool, whether or not they were the subject of special conventions before July 31, 1914.

ARTICLE 270.

The Allied and Associated Powers reserve the right to apply to German territory occupied by their troops a special customs régime as regards imports and exports, in the event of such a measure being necessary in their opinion in order to safeguard the economic interests of the population of these territories.

CHAPTER II.

SHIPPING.

ARTICLE 271.

As regards sea fishing, maritime coasting trade, and maritime towage, vessels of the Allied and Associated Powers shall enjoy, in German territorial waters, the treatment accorded to vessels of the most favoured nation.

ARTICLE 272.

Germany agrees that, notwithstanding any stipulation to the contrary contained in the Conventions relating to the North Sea fisheries and liquor traffic, all rights of inspection and police shall, in the case of fishing-boats of the Allied Powers, be exercised solely by ships belonging to those Powers.

ARTICLE 273.

In the case of vessels of the Allied or Associated Powers, all classes of certificates or documents relating to the vessel, which were recognised as valid by Germany before the war, or which may hereafter be recognised as valid by the principal maritime States, shall be recognised by Germany as valid and as equivalent to the corresponding certificates issued to German vessels.

A similar recognition shall be accorded to the certificates and documents issued to their vessels by the Governments of new States, whether they have a sea-coast or not, provided that

such certificates and documents shall be issued in conformity with the general practice observed in the principal maritime States.

The High Contracting Parties agree to recognise the flag flown by the vessels of an Allied or Associated Power having no sea-coast which are registered at some one specified place situated in its territory; such place shall serve as the port of registry of such vessels.

CHAPTER III.

UNFAIR COMPETITION.

ARTICLE 274.

Germany undertakes to adopt all the necessary legislative and administrative measures to protect goods the produce or manufacture of any one of the Allied and Associated Powers from all forms of unfair competition in commercial transactions.

Germany undertakes to prohibit and repress by seizure and by other appropriate remedies the importation, exportation, manufacture, distribution, sale or offering for sale in its territory of all goods bearing upon themselves or their usual get-up or wrappings any marks, names, devices, or description whatsoever which are calculated to convey directly or indirectly a false indication of the origin, type, nature, or special characteristics of such goods.

ARTICLE 275.

Germany undertakes on condition that reciprocity is accorded in these matters to respect any law, or any administrative or judicial decision given in conformity with such law, in force in any Allied or Associated State and duly communicated to her by the proper authorities, defining or regulating the right to any regional appellation in respect of wine or spirits produced in the State to which the region belongs, or the conditions under which the use of any such appellation may be permitted; and the importation, exportation, manufacture, distribution, sale or offering for sale of products or articles bearing regional appellations inconsistent with such law or order shall be prohibited by the German Government and repressed by the measures prescribed in the preceding Article.

CHAPTER IV.

TREATMENT OF NATIONALS OF ALLIED AND ASSOCIATED POWERS.

ARTICLE 276.

Germany undertakes:

(*a*) Not to subject the nationals of the Allied and Associated Powers to any prohibition in regard to the exercise of occupations, professions, trade and industry, which shall not be equally applicable to all aliens without exception;

(*b*) Not to subject the nationals of the Allied and Associated Powers in regard to the rights referred to in paragraph (*a*) to any regulation or restriction which might contravene directly or indirectly the stipulations of the said paragraph, or which shall be other or more disadvantageous than those which are applicable to nationals of the most favoured nation;

(*c*) Not to subject the nationals of the Allied and Associated Powers, their property, rights or interests, including companies and associations in which they are interested, to any charge, tax or impost, direct or indirect, other or higher than those which are or may be imposed on her own nationals or their property, rights or interests;

(*d*) Not to subject the nationals of any one of the Allied and Associated Powers to any restriction which was not applicable on July 1, 1914, to the nationals of such Powers unless such restriction is likewise imposed on her own nationals.

ARTICLE 277.

The nationals of the Allied and Associated Powers shall enjoy in German territory a constant protection for their persons and for their property, rights and interests, and shall have free access to the courts of law.

ARTICLE 278.

Germany undertakes to recognise any new nationality which has been or may be acquired by her nationals under the laws of the Allied and Associated Powers and in accordance with the decisions of the competent authorities of these Powers pursuant to naturalisation laws or under treaty stipulations, and to regard such persons as having, in consequence of the acquisition of such new nationality, in all respects severed their allegiance to their country of origin.

ARTICLE 279.

The Allied and Associated Powers may appoint consuls-general, consuls, vice-consuls, and consular agents in German towns and ports. Germany undertakes to approve the designation of the consuls-general, consuls, vice-consuls, and consular agents, whose names shall be notified to her, and to admit them to the exercise of their functions in conformity with the usual rules and customs.

CHAPTER V.

GENERAL ARTICLES.

ARTICLE 280.

The obligations imposed on Germany by Chapter I and by Articles 271 and 272 of Chapter II above shall cease to have effect five years from the date of the coming into force of the present Treaty, unless otherwise provided in the text, or unless the Council of the League of Nations shall, at least twelve months before the expiration of that period, decide that these obligations shall be maintained for a further period with or without amendment.

Article 276 of Chapter IV shall remain in operation, with or without amendment, after the period of five years for such further period, if any, not exceeding five years, as may be determined by a majority of the Council of the League of Nations.

ARTICLE 281.

If the German Government engages in international trade, it shall not in respect thereof have or be deemed to have any rights, privileges or immunities of sovereignty.

SECTION II.

TREATIES.

ARTICLE 282.

From the coming into force of the present Treaty and subject to the provisions thereof the multilateral treaties, conventions and agreements of an economic or technical character enumerated below and in the subsequent Articles shall alone be applied as between Germany and those of the Allied and Associated Powers party thereto:

(1) Conventions of March 14, 1884, December 1, 1886, and March 23, 1887, and Final Protocol of July 7, 1887, regarding the protection of submarine cables.

(2) Convention of October 11, 1909, regarding the international circulation of motor-cars.

(3) Agreement of May 15, 1886, regarding the sealing of railway trucks subject to customs inspection, and Protocol of May 18, 1907.

(4) Agreement of May 15, 1886, regarding the technical standardisation of railways.

(5) Convention of July 5, 1890, regarding the publication of customs tariffs and the organisation of an International Union for the publication of customs tariffs.

(6) Convention of December 31, 1913, regarding the unification of commercial statistics.

(7) Convention of April 25, 1907, regarding the raising of the Turkish customs tariff.

(8) Convention of March 14, 1857, for the redemption of toll dues on the Sound and Belts.

(9) Convention of June 22, 1861, for the redemption of the Stade Toll on the Elbe.

(10) Convention of July 16, 1863, for the redemption of the toll dues on the Scheldt.

(11) Convention of October 29, 1888, regarding the establishment of a definite arrangement guaranteeing the free use of the Suez Canal.

(12) Conventions of September 23, 1910, respecting the unification of certain regulations regarding collisions and salvage at sea.

(13) Convention of December 21, 1904, regarding the exemption of hospital ships from dues and charges in ports.

(14) Convention of February 4, 1898, regarding the tonnage measurement of vessels for inland navigation.

(15) Convention of September 26, 1906, for the suppression of nightwork for women.

(16) Convention of September 26, 1906, for the suppression of the use of white phosphorus in the manufacture of matches.

(17) Conventions of May 18, 1904, and May 4, 1910, regarding the suppression of the White Slave Traffic.

(18) Convention of May 4, 1910, regarding the suppression of obscene publications.

(19) Sanitary Conventions of January 30, 1892, April 15, 1893, April 3, 1894, March 19, 1897, and December 3, 1903.

(20) Convention of May 20, 1875, regarding the unification and improvement of the metric system.

(21) Convention of November 29, 1906, regarding the unification of pharmacopœial formulæ for potent drugs.

(22) Convention of November 16 and 19, 1885, regarding the establishment of a concert pitch.

(23) Convention of June 7, 1905, regarding the creation of an International Agricultural Institute at Rome.

(24) Conventions of November 3, 1881, and April 15, 1889, regarding precautionary measures against phylloxera.

(25) Convention of March 19, 1902, regarding the protection of birds useful to agriculture.

(26) Convention of June 12, 1902, as to the protection of minors.

ARTICLE 283.

From the coming into force of the present Treaty the High Contracting Parties shall apply the conventions and agreements hereinafter mentioned, in so far as concerns them, on condition that the special stipulations contained in this Article are fulfilled by Germany.

Postal Conventions:

Conventions and agreements of the Universal Postal Union concluded at Vienna, July 4, 1891.

Conventions and agreements of the Postal Union signed at Washington, June 15, 1897.

Conventions and agreements of the Postal Union signed at Rome, May 26, 1906.

Telegraphic Conventions:

International Telegraphic Conventions signed at St. Petersburg July 10/22, 1875.

Regulations and Tariffs drawn up by the International Telegraphic Conference, Lisbon, June 11, 1908.

Germany undertakes not to refuse her assent to the conclusion by the new States of the special arrangements referred to in the conventions and arrangements relating to the Universal Postal Union and to the International Telegraphic Union, to which the said new States have adhered or may adhere.

ARTICLE 284.

From the coming into force of the present Treaty the High Contracting Parties shall apply, in so far as concerns them, the International Radio-Telegraphic Convention of July 5, 1912, on condition that Germany fulfils the provisional regulations which will be indicated to her by the Allied and Associated Powers.

If within five years after the coming into force of the present Treaty a new convention regulating international radio-telegraphic communications should have been concluded to take the place of the Convention of July 5, 1912, this new convention shall bind Germany, even if Germany should refuse either to take part in drawing up the convention, or to subscribe thereto.

This new convention will likewise replace the provisional regulations in force.

ARTICLE 285.

From the coming into force of the present Treaty, the High Contracting Parties shall apply in so far as concerns them and under the conditions stipulated in Article 272, the conventions hereinafter mentioned:

(1) The Conventions of May 6, 1882, and February 1, 1889, regulating the fisheries in the North Sea outside territorial waters.

(2) The Conventions and Protocols of November 16, 1887, February 14, 1893, and April 11, 1894, regarding the North Sea liquor traffic.

ARTICLE 286.

The International Convention of Paris of March 20, 1883, for the protection of industrial property, revised at Washington on June 2, 1911; and the International Convention of Berne of September 9, 1886, for the protection of literary and artistic works, revised at Berlin on November 13, 1908, and completed by the additional Protocols signed at Berne on March 20, 1914, will again come into effect as from the coming into force of the present Treaty, in so far as they are not affected or modified by the exceptions and restrictions resulting therefrom.

ARTICLE 287.

From the coming into force of the present Treaty the High Contracting Parties shall apply, in so far as concerns them, the Convention of The Hague of July 17, 1905, relating to civil procedure. This renewal, however, will not apply to France, Portugal and Roumania.

ARTICLE 288.

The special rights and privileges granted to Germany by Article 3 of the Convention of December 2, 1899, relating to Samoa shall be considered to have terminated on August 4, 1914.

ARTICLE 289.

Each of the Allied or Associated Powers, being guided by the general principles or special provisions of the present Treaty, shall notify to Germany the bilateral treaties or conventions which such Allied or Associated Power wishes to revive with Germany.

The notification referred to in the present Article shall be made either directly or through the intermediary of another Power. Receipt thereof shall be acknowledged in writing by Germany. The date of the revival shall be that of the notification.

The Allied and Associated Powers undertake among themselves not to revive with Germany any conventions or treaties which are not in accordance with the terms of the present Treaty.

The notification shall mention any provisions of the said conventions and treaties which, not being in accordance with the terms of the present Treaty, shall not be considered as revived.

In case of any difference of opinion, the League of Nations will be called on to decide.

A period of six months from the coming into force of the present Treaty is allowed to the Allied and Associated Powers within which to make the notification.

Only those bilateral treaties and conventions which have been the subject of such a notification shall be revived between the Allied and Associated Powers and Germany; all the others are and shall remain abrogated.

The above regulations apply to all bilateral treaties or conventions existing between all the Allied and Associated Powers signatories to the present Treaty and Germany, even if the said Allied and Associated Powers have not been in a state of war with Germany.

ARTICLE 290.

Germany recognises that all the treaties, conventions or agreements which she has concluded with Austria, Hungary, Bulgaria or Turkey since August 1, 1914, until the coming into force of the present Treaty are and remain abrogated by the present Treaty.

ARTICLE 291.

Germany undertakes to secure to the Allied and Associated Powers, and to the officials and nationals of the said Powers, the enjoyment of all the rights and advantages of any kind which she may have granted to Austria, Hungary, Bulgaria or Turkey, or to the officials and nationals of these States by treaties, conventions or arrangements concluded before August 1, 1914, so long as those treaties, conventions or arrangements remain in force.

The Allied and Associated Powers reserve the right to accept or not the enjoyment of these rights and advantages.

ARTICLE 292.

Germany recognises that all treaties, conventions or arrangements which she concluded with Russia, or with any State or Government of which the territory previously formed a part of Russia, or with Roumania, before August 1, 1914, or after that date until coming into force of the present Treaty, are and remain abrogated.

ARTICLE 293.

Should an Allied or Associated Power, Russia, or a State or Government of which the territory formerly constituted a part of Russia, have been forced since August 1, 1914, by reason of military occupation or by any other means or for any other cause, to grant or to allow to be granted by the act of any public authority, concessions, privileges and favours of any kind to Germany or to a German national, such concessions, privileges and favours are *ipso facto* annulled by the present Treaty.

No claims or indemnities which may result from this annulment shall be charged against the Allied or Associated Powers or the Powers, States, Governments or public authorities which are released from their engagements by the present Article.

ARTICLE 294.

From the coming into force of the present Treaty Germany undertakes to give the Allied and Associated Powers and their nationals the benefit *ipso facto* of the rights and advantages of any kind which she has granted by treaties, conventions, or arrangements to nonbelligerent States or their nationals since August 1, 1914, until the coming into force of the present Treaty, so long as those treaties, conventions or arrangements remain in force.

ARTICLE 295.

Those of the High Contracting Parties who have not yet signed, or who have signed but not yet ratified, the Opium Convention signed at The Hague on January 23, 1912, agree to bring the said Convention into force, and for this purpose to enact the necessary legislation without delay and in any case within a period of twelve months from the coming into force of the present Treaty.

Furthermore, they agree that ratification of the present Treaty should in the case of Powers which have not yet ratified the Opium Convention be deemed in all respects equivalent to the ratification of that Convention and to the signature of the Special Protocol which was opened at The Hague in accordance with the resolutions adopted by the Third Opium Conference in 1914 for bringing the said Convention into force.

For this purpose the Government of the French Republic will communicate to the Government of the Netherlands a certified copy of the protocol of the deposit of ratifications of the present Treaty, and will invite the Government of the Netherlands to accept and deposit the said certified copy as if it were a deposit of ratifications of the Opium Convention and a signature of the Additional Protocol of 1914.

SECTION III.

DEBTS.

ARTICLE 296.

There shall be settled through the intervention of clearing offices to be established by each of the High Contracting Parties within three months of the notification referred to in paragraph (*e*) hereafter the following classes of pecuniary obligations:

(1) Debts payable before the war and due by a national of one of the Contracting Powers, residing within its territory, to a national of an Opposing Power, residing within its territory;

(2) Debts which became payable during the war to nationals of one Contracting Power residing within its territory and arose out of transactions or contracts with the nationals of an Opposing Power, resident within its territory, of which the total or partial execution was suspended on account of the declaration of war;

(3) Interest which has accrued due before and during the war to a national of one of the Contracting Powers in respect of securities issued by an Opposing Power, provided that the payment of interest on such securities to the nationals of that Power or to neutrals has not been suspended during the war;

(4) Capital sums which have become payable before and during the war to nationals of one of the Contracting Powers in respect of securities issued by one of the Opposing Powers, provided that the payment of such capital sums to nationals of that Power or to neutrals has not been suspended during the war.

The proceeds of liquidation of enemy property, rights and interests mentioned in Section IV and in the Annex thereto will be accounted for through the Clearing Offices, in the currency and at the rate of exchange hereinafter provided in paragraph (*d*), and disposed of by them under the conditions provided by the said Section and Annex.

The settlements provided for in this Article shall be effected according to the following principles and in accordance with the Annex to this Section:

(*a*) Each of the High Contracting Parties shall prohibit, as from the coming into force of the present Treaty, both the payment and the acceptance of payment of such debts, and also all communications between the interested parties with regard to the settlement of the said debts otherwise than through the Clearing Offices;

(*b*) Each of the High Contracting Parties shall be respectively responsible for the payment of such debts due by its nationals, except in the cases where before the war the debtor was in a state of bankruptcy or failure, or had given formal indication of insolvency or where the debt was due by a company whose business has been liquidated under emergency legislation during the war. Nevertheless, debts due by the inhabitants of territory invaded or occupied by the enemy before the Armistice will not be guaranteed by the States of which those territories form part;

(*c*) The sums due to the nationals of one of the High Contracting Parties by the nationals of an Opposing State will be debited to the Clearing Office of the country of the debtor, and paid to the creditor by the Clearing Office of the country of the creditor;

(*d*) Debts shall be paid or credited in the currency of such one of the Allied and Associated Powers, their colonies or protectorates, or the British Dominions or India, as may be concerned. If the debts are payable in some other currency they shall be paid or credited in the currency of the country concerned, whether an Allied or Associated Power, Colony, Protectorate, British Dominion or India, at the pre-war rate of exchange.

For the purpose of this provision the pre-war rate of exchange shall be defined as the average cable transfer rate prevailing in the Allied or Associated country concerned during the month immediately preceding the outbreak of war between the said country concerned and Germany.

If a contract provides for a fixed rate of exchange governing the conversion of the currency in which the debt is stated into the currency of the Allied or Associated country concerned, then the above provisions concerning the rate of exchange shall not apply.

In the case of new States the currency in which and the rate of exchange at which debts shall be paid or credited shall be determined by the Reparation Commission provided for in Part VIII (Reparation);

(*e*) The provisions of this Article and of the Annex hereto shall not apply as between Germany on the one hand and any one of the Allied and Associated Powers, their colonies or protectorates, or any one of the British Dominions or India on the other hand, unless within a period of one month from the deposit of the ratification of the present Treaty by the Power in question, or of the ratification on behalf of such Dominion or of India, notice to that effect is given to Germany by the Government of such Allied or Associated Power or of such Dominion or of India as the case may be;

(*f*) The Allied and Associated Powers who have adopted this Article and the Annex hereto may agree between themselves to apply them to their respective nationals established in their territory so far as regards matters between their nationals and German nationals. In this case the payments made by application of this provision will be subject to arrangements between the Allied and Associated Clearing Offices concerned.

ANNEX.

1.

Each of the High Contracting Parties will, within three months from the notification provided for in Article 296, paragraph (*e*), establish a Clearing Office for the collection and payment of enemy debts.

Local Clearing Offices may be established for any particular portion of the territories of the High Contracting Parties. Such local Clearing Offices may perform all the functions of a central Clearing Office in their respective districts, except that all transactions with the Clearing Office in the Opposing State must be effected through the central Clearing Office.

2.

In this Annex the pecuniary obligations referred to in the first paragraph of Article 296 are described "as enemy debts", the persons from whom the same are due as "enemy debtors", the persons to whom they are due as "enemy creditors", the Clearing Office in the country of the creditor is called the "Creditor Clearing Office", and the Clearing Office in the country of the debtor is called the "Debtor Clearing Office."

3.

The High Contracting Parties will subject contraventions of paragraph (*a*) of Article 296 to the same penalties as are at present provided by their legislation for trading with the enemy. They will similarly prohibit within their territory all legal process relating to payment of enemy debts, except in accordance with the provisions of this Annex.

4.

The Government guarantee specified in paragraph (*b*) of Article 296 shall take effect whenever, for any reason, a debt shall not be recoverable, except in a case where at the date of the outbreak of war the debt was barred by the laws of prescription in force in the country of the debtor, or where the debtor was at that time in a state of bankruptcy or failure or had given formal indication of insolvency, or where the debt was due by a company whose business has been liquidated under emergency legislation during the war. In such case the procedure specified by this Annex shall apply to payment of the dividends.

The terms "bankruptcy" and "failure" refer to the application of legislation providing for such juridicial conditions. The expression "formal indication of insolvency" bears the same meaning as it has in English law.

5.

Creditors shall give notice to the Creditor Clearing Office within six months of its establishment of debts due to them, and shall furnish the Clearing Office with any documents and information required of them.

The High Contracting Parties will take all suitable measures to trace and punish collusion between enemy creditors and debtors. The Clearing Offices will communicate to one another any evidence and information which might help the discovery and punishment of such collusion.

The High Contracting Parties will facilitate as much as possible postal and telegraphic communication at the expense of the parties concerned and through the intervention of the Clearing

Offices between debtors and creditors desirous of coming to an agreement as to the amount of their debt.

The Creditor Clearing Office will notify the Debtor Clearing Office of all debts declared to it. The Debtor Clearing Office will, in due course, inform the Creditor Clearing Office which debts are admitted and which debts are contested. In the latter case, the Debtor Clearing Office will give the grounds for the non-admission of debt.

6.

When a debt has been admitted, in whole or in part, the Debtor Clearing Office will at once credit the Creditor Clearing Office with the amount admitted, and at the same time notify it of such credit.

7.

The debt shall be deemed to be admitted in full and shall be credited forthwith to the Creditor Clearing Office unless within three months from the receipt of the notification or such longer time as may be agreed to by the Creditor Clearing Office notice has been given by the Debtor Clearing Office that it is not admitted.

8.

When the whole or part of a debt is not admitted the two Clearing Offices will examine into the matter jointly and will endeavour to bring the parties to an agreement.

9.

The Creditor Clearing Office will pay to the individual creditor the sums credited to it out of the funds placed at its disposal by the Government of its country and in accordance with the conditions fixed by the said Government, retaining any sums considered necessary to cover risks, expenses or commissions.

10.

Any person having claimed payment of an enemy debt which is not admitted in whole or in part shall pay to the clearing office, by way of fine, interest at 5 per cent. on the part not admitted. Any person having unduly refused to admit the whole or part of a debt claimed from him shall pay, by way of fine, interest at 5 per cent. on the amount with regard to which his refusal shall be disallowed.

Such interest shall run from the date of expiration of the period provided for in paragraph 7 until the date on which the claim shall have been disallowed or the debt paid.

Each Clearing Office shall in so far as it is concerned take steps to collect the fines above provided for, and will be responsible if such fines cannot be collected.

The fines will be credited to the other Clearing Office, which shall retain them as a contribution towards the cost of carrying out the present provisions.

11.

The balance between the Clearing Offices shall be struck monthly and the credit balance paid in cash by the debtor State within a week.

Nevertheless, any credit balances which may be due by one or more of the Allied and Associated Powers shall be retained until complete payment shall have been effected of the sums due to the Allied or Associated Powers or their nationals on account of the war.

12.

To facilitate discussion between the Clearing Offices each of them shall have a representative at the place where the other is established.

13.

Except for special reasons all discussions in regard to claims will, so far as possible, take place at the Debtor Clearing Office.

14.

In conformity with Article 296, paragraph (*b*), the High Contracting Parties are responsible for the payment of the enemy debts owing by their nationals.

The Debtor Clearing Office will therefore credit the Creditor Clearing Office with all debts admitted, even in case of inability to collect them from the individual debtor. The Governments concerned will, nevertheless, invest their respective Clearing Offices with all necessary powers for the recovery of debts which have been admitted.

As an exception, the admitted debts owing by persons having suffered injury from acts of war shall only be credited to the Creditor Clearing Office when the compensation due to the person concerned in respect of such injury shall have been paid.

15.

Each Government will defray the expenses of the Clearing Office set up in its territory, including the salaries of the staff.

16.

Where the two Clearing Offices are unable to agree whether a debt claimed is due, or in case of a difference between an enemy debtor and an enemy creditor or between the Clearing Offices, the dispute shall either be referred to arbitration if the parties so agree under conditions fixed by agreement between them, or referred to the Mixed Arbitral Tribunal provided for in Section VI hereafter.

At the request of the Creditor Clearing Office the dispute may, however, be submitted to the jurisdiction of the Courts of the place of domicile of the debtor.

17.

Recovery of sums found by the Mixed Arbitral Tribunal, the Court, or the Arbitration Tribunal to be due shall be effected through the Clearing Offices as if these sums were debts admitted by the Debtor Clearing Office.

18.

Each of the Governments concerned shall appoint an agent who will be responsible for the presentation to the Mixed Arbitral Tribunal of the cases conducted on behalf of its Clearing Office. This agent will exercise a general control over the representatives or counsel employed by its nationals.

Decisions will be arrived at on documentary evidence, but it will be open to the Tribunal to hear the parties in person, or according to their preference by their representatives approved by the two Governments, or by the agent referred to above, who shall be competent to intervene along with the party or to reopen and maintain a claim abandoned by the same.

19.

The Clearing Offices concerned will lay before the Mixed Arbitral Tribunal all the information and documents in their possession, so as to enable the Tribunal to decide rapidly on the cases which are brought before it.

20.

Where one of the parties concerned appeals against the joint decision of the two Clearing Offices he shall make a deposit against the costs, which deposit shall only be refunded when the first judgment is modified in favour of the appellant and in proportion to the success he may attain, his opponent in case of such a refund being required to pay an equivalent proportion of the costs and expenses. Security accepted by the Tribunal may be substituted for a deposit.

A fee of 5 per cent. of the amount in dispute shall be charged in respect of all cases brought before the Tribunal. This fee shall, unless the Tribunal directs otherwise, be borne by the unsuccessful party. Such fee shall be added to the deposit referred to. It is also independent of the security.

The Tribunal may award to one of the parties a sum in respect of the expenses of the proceedings.

Any sum payable under this paragraph shall be credited to the Clearing Office of the successful party as a separate item.

21.

With a view to the rapid settlement of claims, due regard shall be paid in the appointment of all persons connected with the Clearing Offices or with the Mixed Arbitral Tribunal to their knowledge of the language of the other country concerned.

Each of the Clearing Offices will be at liberty to correspond with the other and to forward documents in its own language.

22.

Subject to any special agreement to the contrary between the Governments concerned, debts shall carry interest in accordance with the following provisions:

Interest shall not be payable on sums of money due by way of dividend, interest or other periodical payments which themselves represent interest on capital.

The rate of interest shall be 5 per cent. per annum except in cases where, by contract, law or custom, the creditor is entitled to payment of interest at a different rate. In such cases the rate to which he is entiled shall prevail.

Interest shall run from the date of commencement of hostilities (or, if the sum of money to be recovered fell due during the war, from the date at which it fell due) until the sum is credited to the Clearing Office of the creditor.

Sums due by way of interest shall be treated as debts admitted by the Clearing Offices and shall be credited to the Creditor Clearing Office in the same way as such debts.

23.

Where by decision of the Clearing Offices or the Mixed Arbitral Tribunal a claim is held not to fall within Article 296, the creditor shall be at liberty to prosecute the claim before the Courts or to take such other proceedings as may be open to him.

The presentation of a claim to the Clearing Office suspends the operation of any period of prescription.

24.

The High Contracting Parties agree to regard the decisions of the Mixed Arbitral Tribunal as final and conclusive, and to render them binding upon their nationals.

25.

In any case where a Creditor Clearing Office declines to notify a claim to the Debtor Clearing Office, or to take any step provided for in this Annex, intended to make effective in whole or in part a request of which it has received due notice, the enemy creditor shall be entitled to receive from the Clearing Office a certificate setting out the amount of the claim, and shall then be entitled to prosecute the claim before the courts or to take such other proceedings as may be open to him.

SECTION IV.

PROPERTY, RIGHTS AND INTERESTS.

ARTICLE 297.

The question of private property, rights and interests in an enemy country shall be settled according to the principles laid down in this Section and to the provisions of the Annex hereto.

(*a*) The exceptional war measures and measures of transfer (defined in paragraph 3 of the Annex hereto) taken by Germany with respect to the property, rights and interests of nationals of Allied or Associated Powers, including companies and associations in which they are interested, when liquidation has not been completed, shall be immediately discontinued or stayed and the property, rights and interests concerned restored to their owners, who shall enjoy full rights therein in accordance with the provisions of Article 298.

(*b*) Subject to any contrary stipulations which may be provided for in the present Treaty, the Allied and Associated Powers reserve the right to retain and liquidate all property, rights and interests belonging at the date of the coming into force of the present Treaty to German nationals, or companies controlled by them, within their territories, colonies, possessions and protectorates, including territories ceded to them by the present Treaty.

The liquidation shall be carried out in accordance with the laws of the Allied or Associated State concerned, and the German owner shall not be able to dispose of such property, rights or interests not to subject them to any charge without the consent of that State.

German nationals who acquire *ipso facto* the nationality of an Allied or Associated Power in accordance with the provisions of the present Treaty will not be considered as German nationals within the meaning of this paragraph.

(*c*) The price or the amount of compensation in respect of the exercise of the right referred to in the preceding paragraph (*b*) will be fixed in accordance with the methods of sale or valuation adopted by the laws of the country in which the property has been retained or liquidated.

(*d*) As between the Allied and Associated Powers or their nationals on the one hand and Germany or her nationals on the other hand, all the exceptional war measures, or measures of transfer, or acts done or to be done in execution of such measures as defined in paragraphs 1 and 3 of the Annex hereto shall be considered as final and binding upon all persons except as regards the reservations laid down in the present Treaty.

(*e*) The nationals of Allied and Associated Powers shall be entitled to compensation in respect of damage or injury inflicted upon their property, rights or interests, including any company or association in which they are interested, in German territory as it existed on August 1, 1914, by the application either of the exceptional war measures or measures of transfer mentioned in paragraphs 1 and 3 of the Annex hereto. The claims made in this respect by such nationals shall be investigated, and the total of the compensation shall be determined by the Mixed Arbitral Tribunal provided for in Section VI or by an Arbitrator appointed by that Tribunal. This compensation shall be borne by Germany, and may be charged upon the property of German nationals within the territory or under the control of the claimant's State. This property may be constituted as a pledge for enemy liabilities under the conditions fixed by paragraph 4 of the Annex hereto. The payment of this compensation may be made by the Allied or Associated State, and the amount will be debited to Germany.

(*f*) Whenever a national of an Allied or Associated Power is entitled to property which has been subjected to a measure of transfer in German territory and expresses a desire for its restitution, his claim for compensation in accordance with paragraph (*e*) shall be satisfied by the restitution of the said property if it still exists in specie.

In such case Germany shall take all necessary steps to restore the evicted owner to the possession of his property, free from all encumbrances or burdens with which it may have been charged after the liquidation, and to indemnify all third parties injured by the restitution.

If the restitution provided for in this paragraph cannot be effected, private agreements arranged by the intermediation of the Powers concerned or the Clearing Offices provided for in the Annex to Section III may be made, in order to secure that the national of the Allied or Associated Power may secure compensation for the injury referred to in paragraph (*e*) by the grant of advantages or equivalents which he agrees to accept in place of the property, rights or interests of which he was deprived.

Through restitution in accordance with this Article, the price or the amount of compensation fixed by the application of paragraph (*e*) will be reduced by the actual value of the property restored, account being taken of compensation in respect of loss of use or deterioration.

(*g*) The rights conferred by paragraph (*f*) are reserved to owners who are nationals of Allied or Associated Powers within whose territory legislative measures prescribing the general liquidation of enemy property, rights or interests were not applied before the signature of the Armistice.

(*h*) Except in cases where, by application of paragraph (*f*), restitutions in specie have been made, the net proceeds of sales of enemy property, rights or interests wherever situated carried out either by virtue of war legislation, or by application of this Article, and in general all cash assets of enemies, shall be dealt with as follows:

(1) As regards Powers adopting Section III and the Annex thereto, the said proceeds and cash assets shall be credited to the Power of which the owner is a national, through the Clearing Office established thereunder; any credit balance in favour of Germany resulting therefrom shall be dealt with as provided in Article 243.

(2) As regards Powers not adopting Section III and the Annex thereto, the proceeds of the property, rights and interests, and the cash assets, of the nationals of Allied or Associated Powers held by Germany shall be paid immediately to the person entitled thereto or to his Government; the proceeds of the property, rights and interests, and the cash assets, of German nationals received by an Allied or Associated Power shall be subject to disposal by such Power in accordance with its laws and regulations and may be applied in payment of the claims and debts defined by this Article or paragraph 4 of the Annex hereto. Any property, rights and interests or proceeds thereof or cash assets not used as above provided may be retained by the said Allied or Associated Power and if retained the cash value thereof shall be dealt with as provided in Article 243.

In the case of liquidations effected in new States, which are signatories of the present Treaty as Allied and Associated Powers, or in States which are not entitled to share in the reparation payments to be made by Germany, the proceeds of liquidations effected by such States shall, subject to the rights of the Reparation Commission under the present Treaty, particularly under Articles 235 and 260, be paid direct to the owner. If on the application of that owner, the Mixed Arbitral Tribunal, provided for by Section VI of this Part, or an arbitrator appointed by that Tribunal, is satisfied that the conditions of the sale or measures taken by the Government of the State in question outside its general legislation were unfairly prejudicial to the price obtained, they shall have discretion to award to the owner equitable compensation to be paid by that State.

(*i*) Germany undertakes to compensate her nationals in respect of the sale or retention of their property, rights or interests in Allied or Associated States.

(*j*) The amount of all taxes and imposts upon capital levied or to be levied by Germany on the property, rights and interests of the nationals of the Allied or Associated Powers from November 11, 1918, until three months from the coming into force of the present Treaty, or, in the case of property, rights or interests which have been subjected to exceptional measures of war, until restitution in accordance with the present Treaty, shall be restored to the owners.

ARTICLE 298.

Germany undertakes, with regard to the property, rights and interests, including companies and associations in which they

were interested, restored to nationals of Allied and Associated Powers in accordance with the provisions of Article 297, paragraph (*a*) or (*f*):

(*a*) to restore and maintain, except as expressly provided in the present Treaty, the property, rights and interests of the nationals of Allied or Associated Powers in the legal position obtaining in respect of the property, rights and interests of German nationals under the laws in force before the war;

(*b*) not to subject the property, rights or interests of the nationals of the Allied or Associated Powers to any measures in derogation of property rights which are not applied equally to the property, rights and interests of German nationals, and to pay adequate compensation in the event of the application of these measures.

ANNEX.

1.

In accordance with the provisions of Article 297, paragraph (*d*), the validity of vesting orders and of orders for the winding up of businesses or companies, and of any other orders, directions, decisions or instructions of any court or any department of the Government of any of the High Contracting Parties made or given, or purporting to be made or given, in pursuance of war legislation with regard to enemy property, rights and interests is confirmed. The interests of all persons shall be regarded as having been effectively dealt with by any order, direction, decision or instruction dealing with property in which they may be interested, whether or not such interests are specifically mentioned in the order, direction, decision, or instruction. No question shall be raised as to the regularity of a transfer of any property, rights or interests dealt with in pursuance of any such order, direction, decision or instruction. Every action taken with regard to any property, business, or company, whether as regards its investigation, sequestration, compulsory administration, use, requisition, supervision, or winding up, the sale or management of property, rights or interests, the collection or discharge of debts, the payment of costs, charges or expenses, or any other matter whatsoever, in pursuance of orders, directions, decisions, or instructions of any court or of any department of the Government of any of the High Contracting Parties, made or given, or purporting to be made or given, in pursuance of war legislation with regard to enemy property, rights or interests, is confirmed. Provided that the provisions of this paragraph shall not be held to prejudice the titles to property heretofore acquired in good faith and for value and in accordance with the laws of the country in which the property is situated by nationals of the Allied and Associated Powers.

The provisions of this paragraph do not apply to such of the above-mentioned measures as have been taken by the German authorities in invaded or occupied territory, nor to such of the above mentioned measures as have been taken by Germany or the German authorities since November 11, 1918, all of which shall be void.

2.

No claim or action shall be made or brought against any Allied or Associated Power or against any person acting on behalf of or under the direction of any legal authority or Department of the Government of such a Power by Germany or by any German national wherever resident in respect of any act or omission with regard to his property, rights or interests during the war or in preparation for the war. Similarly no claim or action shall be made or brought against any person in respect of any act or omission under or in accordance with the exceptional war measures, laws or regulations of any Allied or Associated Power.

3.

In Article 297 and this Annex the expression "exceptional war measures" includes measures of all kinds, legislative, administrative, judicial or others, that have been taken or will be taken hereafter with regard to enemy property, and which have had or will have the effect of removing from the proprietors the power of disposition over their property, though without affecting the ownership, such as measures of supervision, of compulsory administration, and of sequestration; or measures which have had or will have as an object the seizure of, the use of, or the interference with enemy assets, for whatsoever motive, under whatsoever form or in whatsoever place. Acts in the execution of these measures include all detentions, instructions, orders or decrees of Government departments or courts applying these measures to enemy property, as well as acts performed by any person connected with the administration or the supervision of enemy property, such as the payment of debts, the collecting of credits, the payment of any costs, charges or expenses, or the collecting of fees.

Measures of transfer are those which have affected or will affect the ownership of enemy property by transferring it in whole or in part to a person other than the enemy owner, and without his consent, such as measures directing the sale, liquidation, or devolution of ownership in enemy property, or the cancelling of titles or securities.

4.

All property, rights and interests of German nationals within the territory of any Allied or Associated Power and the net proceeds of their sale, liquidation or other dealing therewith may be charged by that Allied or Associated Power in the first place with payment of amounts due in respect of claims by the nationals of that Allied or Associated Power with regard to their property, rights and interests, including companies and associations in which they are interested, in German territory, or debts owing to them by German nationals, and with payment of claims growing out of acts committed by the German Government or by any German authorities since July 31, 1914, and before that Allied or Associated Power entered into the war. The amount of such claims may be assessed by an arbitrator appointed by Mr. Gustave Ador, if he is willing, or if no such appointment is made by him, by an arbitrator appointed by the Mixed Arbitral Tribunal provided for in Section VI. They may be charged in the second place with payment of the amounts due in respect of claims by the nationals of such Allied or Associated Power with regard to their property, rights and interests in the territory of other enemy Powers, in so far as those claims are otherwise unsatisfied.

5.

Notwithstanding the provisions of Article 297, where immediately before the outbreak of war a company incorporated in an Allied or Associated State had rights in common with a company controlled by it and incorporated in Germany to the use of trade-marks in third countries, or enjoyed the use in common with such company of unique means of reproduction of goods or articles for sale in third countries, the former company shall alone have the right to use these trade-marks in third countries to the exclusion of the German company, and these unique means of reproduction shall be handed over to the former company, notwithstanding any action taken under German war legislation with regard to the latter company or its business, industrial property or shares. Nevertheless, the former company, if requested, shall deliver the latter company derivative copies permitting the continuation of reproduction of articles for use within German territory.

6.

Up to the time when restitution is carried out in accordance with Article 297, Germany is responsible for the conservation of property, rights and interests of the nationals of Allied or Associated Powers, including companies and associations in which they are interested, that have been subjected by her to exceptional war measures.

7.

Within one year from the coming into force of the present Treaty the Allied or Associated Powers will specify the property, rights and interests over which they intend to exercise the right provided in Article 297, paragraph (*f*).

8.

The restitution provided in Article 297 will be carried out by order of the German Government or of the authorities which have been substituted for it. Detailed accounts of the action of administrators shall be furnished to the interested persons by the German authorities upon request, which may be made at any time after the coming into force of the present Treaty.

9.

Until completion of the liquidation provided for by Article 297, paragraph (*b*), the property, rights and interests of German nationals will continue to be subject to exceptional war measures that have been or will be taken with regard to them.

10.

Germany will, within six months from the coming into force of the present Treaty, deliver to each Allied or Associated Power all securities, certificates, deeds, or other documents of title held by its nationals and relating to property, rights or interests situated in the territory of that Allied or Associated Power, including any shares, stock, debentures, debenture stock, or other obligations of any company incorporated in accordance with the laws of that Power.

Germany will at any time on demand of any Allied or Associated Power furnish such information as may be required with regard to the property, rights and interests of German nationals within the territory of such Allied or Associated Power, or with

regard to any transactions concerning such property, rights or interests effected since July 1, 1914.

11.

The expression "cash assets" includes all deposits or funds established before or after the declaration of war, as well as all assets coming from deposits, revenues, or profits collected by administrators, sequestrators, or others from funds placed on deposit or otherwise, but does not include sums belonging to the Allied or Associated Powers or to their component States, Provinces, or Municipalities.

12.

All investments wheresoever effected with the cash assets of nationals of the High Contracting Parties, including companies and associations in which such nationals were interested, by persons responsible for the administration of enemy properties or having control over such administration, or by order of such persons or of any authority whatsoever shall be annulled. These cash assets shall be accounted for irrespective of any such investment.

13.

Within one month from the coming into force of the present Treaty, or on demand at any time, Germany will deliver to the Allied and Associated Powers all accounts, vouchers, records, documents and information of any kind which may be within German territory, and which concern the property, rights and interests of the nationals of those Powers, including companies and associations in which they are interested, that have been subjected to an exceptional war measure, or to a measure of transfer either in German territory or in territory occupied by Germany or her allies.

The controllers, supervisors, managers, administrators, sequestrators, liquidators and receivers shall be personally responsible under guarantee of the German Government for the immediate delivery in full of these accounts and documents, and for their accuracy.

14.

The provisions of Article 297 and this Annex relating to property, rights and interests in an enemy country, and the proceeds of the liquidation thereof, apply to debts, credits and accounts, Section III regulating only the method of payment.

In the settlement of matters provided for in Article 297 between Germany and the Allied or Associated States, their colonies or protectorates, or any one of the British Dominions or India, in respect of any of which a declaration shall not have been made that they adopt Section III, and between their respective nationals, the provisions of Section III respecting the currency in which payment is to be made and the rate of exchange and of interest shall apply unless the Government of the Allied or Associated Power concerned shall within six months of the coming into force of the present Treaty notify Germany that the said provisions are not to be applied.

15.

The provisions of Article 297 and this Annex apply to industrial, literary and artistic property which has been or will be dealt with in the liquidation of property, rights, interests, companies or businesses under war legislation by the Allied or Associated Powers, or in accordance with the stipulations of Article 297, paragraph (*b*).

SECTION V.

CONTRACTS, PRESCRIPTIONS, JUDGMENTS.

ARTICLE 299.

(*a*) Any contract concluded between enemies shall be regarded as having been dissolved as from the time when any two of the parties became enemies, except in respect of any debt or other pecuniary obligation arising out of any act done or money paid thereunder, and subject to the exceptions and special rules with regard to particular contracts or classes of contracts contained herein or in the Annex hereto.

(*b*) Any contract of which the execution shall be required in the general interest, within six months from the date of the coming into force of the present Treaty, by the Allied or Associated Governments of which one of the parties is a national, shall be excepted from dissolution under this Article.

When the execution of the contract thus kept alive would, owing to the alteration of trade conditions, cause one of the parties substantial prejudice the Mixed Arbitral Tribunal provided for by Section VI shall be empowered to grant to the prejudiced party equitable compensation.

(*c*) Having regard to the provisions of the constitution and law of the United States of America, of Brazil, and of Japan, neither the present Article, nor Article 300, nor the Annex hereto shall apply to contracts made between nationals of these States and German nationals; nor shall Article 305 apply to the United States of America or its nationals.

(*d*) The present Article and the annex hereto shall not apply to contracts the parties to which became enemies by reason of one of them being an inhabitant of territory of which the sovereignty has been transferred, if such party shall acquire under the present Treaty the nationality of an Allied or Associated Power, nor shall they apply to contracts between nationals of the Allied and Associated Powers between whom trading has been prohibited by reason of one of the parties being in Allied or Associated territory in the occupation of the enemy.

(*e*) Nothing in the present Article or the annex hereto shall be deemed to invalidate a transaction lawfully carried out in accordance with a contract between enemies if it has been carried out with the authority of one of the belligerent Powers.

ARTICLE 300.

(*a*) All periods of prescription, or limitation of right of action, whether they began to run before or after the outbreak of war, shall be treated in the territory of the High Contracting Parties, so far as regards relations between enemies, as having been suspended for the duration of the war. They shall begin to run again at earliest three months after the coming into force of the present Treaty. This provision shall apply to the period prescribed for the presentation of interest or dividend coupons or for the presentation for repayment of securities drawn for repayment or repayable on any other ground.

(*b*) Where, on account of failure to perform any act or comply with any formality during the war, measures of execution have been taken in German territory to the prejudice of a national of an Allied or Associated Power, the claim of such national shall, if the matter does not fall within the competence of the Courts of an Allied or Associated Power, be heard by the Mixed Arbitral Tribunal provided for by Section VI.

(*c*) Upon the application of any interested person who is a national of an Allied or Associated Power the Mixed Arbitral Tribunal shall order the restoration of the rights which have been prejudiced by the measures of execution referred to in paragraph (*b*), wherever, having regard to the particular circumstances of the case, such restoration is equitable and possible.

If such restoration is inequitable or impossible the Mixed Arbitral Tribunal may grant compensation to the prejudiced party to be paid by the German Government.

(*d*) Where a contract between enemies has been dissolved by reason either of failure on the part of either party to carry out its provisions or of the exercise of a right stipulated in the contract itself the party prejudiced may apply to the Mixed Arbitral Tribunal for relief. The Tribunal will have the powers provided for in paragraph (*c*).

(*e*) The provisions of the preceding paragraphs of this Article shall apply to the nationals of Allied and Associated Powers who have been prejudiced by reason of measures referred to above taken by Germany in invaded or occupied territory, if they have not been otherwise compensated.

(*f*) Germany shall compensate any third party who may be prejudiced by any restitution or restoration ordered by the Mixed Arbitral Tribunal under the provisions of the preceding paragraphs of this Article.

(*g*) As regards negotiable instruments, the period of three months provided under paragraph (*a*) shall commence as from the date on which any exceptional regulations applied in the territories of the interested Power with regard to negotiable instruments shall have definitely ceased to have force.

ARTICLE 301.

As between enemies no negotiable instrument made before the war shall be deemed to have become invalid by reason only of failure within the required time to present the instrument for acceptance or payment or to give notice of non-acceptance or non-payment to drawers or indorsers or to protest the instrument, nor by reason of failure to complete any formality during the war.

Where the period within which a negotiable instrument should have been presented for acceptance or for payment, or within which notice of non-acceptance or non-payment should have been given to the drawer or indorser, or within which the instrument should have been protested, has elapsed during the war, and the party who should have presented or protested the instrument or have given notice of non-acceptance or non-payment has failed to do so during the war, a period of not less than three months from the coming into force of the present Treaty shall be allowed within which presentation, notice of non-acceptance or non-payment or protest may be made.

ARTICLE 302.

Judgments given by the Courts of an Allied or Associated Power in all cases, which, under the present Treaty, they are competent to decide, shall be recognised in Germany as final, and shall be enforced without it being necessary to have them declared executory.

If a judgment in respect to any dispute which may have arisen has been given during the war by a German Court against a national of an Allied or Associated State in a case in which he was not able to make his defence, the Allied and Associated national who has suffered prejudice thereby shall be entitled to recover compensation, to be fixed by the Mixed Arbitral Tribunal provided for in Section VI.

At the instance of the national of the Allied or Associated Power the compensation above-mentioned may, upon order to that effect of the Mixed Arbitral Tribunal, be effected where it is possible by replacing the parties in the situation which they occupied before the judgment was given by the German Court.

The above compensation may likewise be obtained before the Mixed Arbitral Tribunal by the nationals of Allied or Associated Powers who have suffered prejudice by judicial measures taken in invaded or occupied territories, if they have not been otherwise compensated.

ARTICLE 303.

For the purpose of Sections III, IV, V and VII, the expression "during the war" means for each Allied or Associated Power the period between the commencement of the state of war between that Power and Germany and the coming into force of the present Treaty.

ANNEX.

I. *General Provisions.*

1.

Within the meaning of Articles 299, 300 and 301, the parties to a contract shall be regarded as enemies when trading between them shall have been prohibited or otherwise became unlawful under laws, orders or regulations to which one of those parties was subject. They shall be deemed to have become enemies from the date when such trading was prohibited or otherwise became unlawful.

2.

The following classes of contracts are excepted from dissolution by Article 299 and, without prejudice to the rights contained in Article 297 (*b*) of Section IV, remain in force subject to the application of domestic laws, orders or regulations made during the war by the Allied and Associated Powers and subject to the terms of the contracts:

(*a*) Contracts having for their object the transfer of estates or of real or personal property where the property therein had passed or the object had been delivered before the parties became enemies;

(*b*) Leases and agreements for leases of land and houses;

(*c*) Contracts of mortgage, pledge or lien;

(*d*) Concessions concerning mines, quarries or deposits;

(*e*) Contracts between individuals or companies and States, provinces, municipalities, or other similar juridical persons charged with administrative functions, and concessions granted by States, provinces, municipalities, or other similar juridical persons charged with administrative functions.

3.

If the provisions of a contract are in part dissolved under Article 299, the remaining provisions of that contract shall, subject to the same application of domestic laws as is provided for in paragraph 2, continue in force if they are severable, but where they are not severable the contract shall be deemed to have been dissolved in its entirety.

II. *Provisions relating to certain classes of Contracts.*

Stock Exchange and Commercial Exchange Contracts.

4.

(*a*) Rules made during the war by any recognised Exchange or Commercial Association providing for the closure of contracts entered into before the war by an enemy are confirmed by the High Contracting Parties, as also any action taken thereunder, provided:

(1) That the contract was expressed to be made subject to the rules of the Exchange or Association in question;

(2) That the rules applied to all persons concerned;

(3) That the conditions attaching to the closure were fair and reasonable.

(*b*) The preceding paragraph shall not apply to rules made during the occupation by Exchanges or Commercial Associations in the districts occupied by the enemy.

(*c*) The closure of contracts relating to cotton "futures," which were closed as on July 31, 1914, under the decision of the Liverpool Cotton Association, is also confirmed,

Security.

5.

The sale of a security held for an unpaid debt owing by an enemy shall be deemed to have been valid irrespective of notice to the owner if the creditor acted in good faith and with reasonable care and prudence, and no claim by the debtor on the ground of such sale shall be admitted.

This stipulation shall not apply to any sale of securities effected by an enemy during the occupation in regions invaded or occupied by the enemy.

Negotiable Instruments.

6.

As regards Powers which adopt Section III and the Annex thereto the pecuniary obligations existing between enemies and resulting from the issue of negotiable instruments shall be adjusted in conformity with the said Annex by the instrumentality of the Clearing Offices, which shall assume the rights of the holder as regards the various remedies open to him.

7.

If a person has either before or during the war become liable upon a negotiable instrument in accordance with an undertaking given to him by a person who has subsequently become an enemy, the latter shall remain liable to indemnify the former in respect of his liability notwithstanding the outbreak of war.

III. *Contracts of Insurance.*

8.

Contracts of insurance entered into by any person with another person who subsequently became an enemy will be dealt with in accordance with the following paragraphs.

Fire Insurance.

9.

Contracts for the insurance of property against fire entered into by a person interested in such property with another person who subsequently became an enemy shall not be deemed to have been dissolved by the outbreak of war, or by the fact of the person becoming an enemy, or on account of the failure during the war and for a period of three months thereafter to perform his obligations under the contract, but they shall be dissolved at the date when the annual premium becomes payable for the first time after the expiration of a period of three months after the coming into force of the present Treaty.

A settlement shall be effected of unpaid premiums which became due during the war, or of claims for losses which occurred during the war.

10.

Where by administrative or legislative action an insurance against fire effected before the war has been transferred during the war from the original to another insurer, the transfer will be recognised and the liability of the original insurer will be deemed to have ceased as from the date of the transfer. The original insurer will, however, be entitled to receive on demand full information as to the terms of the transfer, and if it should appear that these terms were not equitable they shall be amended so far as may be necessary to render them equitable.

Furthermore, the insured shall, subject to the concurrence of the original insurer, be entitled to retransfer the contract to the original insurer as from the date of the demand.

Life Insurance.

11.

Contracts of life insurance entered into between an insurer and a person who subsequently became an enemy shall not be deemed to have been dissolved by the outbreak of war, or by the fact of the person becoming an enemy.

Any sum which during the war became due upon a contract deemed not to have been dissolved under the preceding provision shall be recoverable after the war with the addition of interest at five per cent. per annum from the date of its becoming due up to the day of payment.

Where the contract has lapsed during the war owing to non-payment of premiums, or has become void from breach of the conditions of the contract, the assured or his representatives or the person entitled shall have the right at any time within twelve months of the coming into force of the present Treaty to claim from the insurer the surrender value of the policy at the date of its lapse or avoidance.

Where the contract has lapsed during the war owing to non-payment of premiums the payment of which has been prevented

by the enforcement of measures of war, the assured or his representative or the persons entitled shall have the right to restore the contract on payment of the premiums with interest at five per cent. per annum within three months from the coming into force of the present Treaty.

12.

Any Allied or Associated Power may within three months of the coming into force of the present Treaty cancel all the contracts of insurance running between a German insurance company and its nationals under conditions which shall protect its nationals from any prejudice.

To this end the German insurance company will hand over to the Allied or Associated Government concerned the proportion of its assets attributable to the policies so cancelled and will be relieved from all liability in respect of such policies. The assets to be handed over shall be determined by an actuary appointed by the Mixed Arbitral Tribunal.

13.

Where contracts of life insurance have been entered into by a local branch of an insurance company established in a country which subsequently became an enemy country, the contract shall, in the absence of any stipulation to the contrary in the contract itself, be governed by the local law, but the insurer shall be entitled to demand from the insured or his representatives the refund of sums paid on claims made or enforced under measures taken during the war, if the making or enforcement of such claims was not in accordance with the terms of the contract itself or was not consistent with the laws or treaties existing at the time when it was entered into.

14.

In any case where by the law applicable to the contract the insurer remains bound by the contract notwithstanding the non-payment of premiums until notice is given to the insured of the termination of the contract, he shall be entitled where the giving of such notice was prevented by the war to recover the unpaid premiums with interest at five per cent. per annum from the insured.

15.

Insurance contracts shall be considered as contracts of life assurance for the purpose of paragraphs 11 to 14 when they depend on the probabilities of human life combined with the rate of interest for the calculation of the reciprocal engagements between the two parties.

Marine Insurance.

16.

Contracts of marine insurance including time policies and voyage policies entered into between an insurer and a person who subsequently became an enemy, shall be deemed to have been dissolved on his becoming an enemy, except in cases where the risk undertaken in the contract had attached before he became an enemy.

Where the risk had not attached, money paid by way of premium or otherwise shall be recoverable from the insurer.

Where the risk had attached effect shall be given to the contract notwithstanding the party becoming an enemy, and sums due under the contract either by way of premiums or in respect of losses shall be recoverable after the coming into force of the present Treaty.

In the event of any agreement being come to for the payment of interest on sums due before the war to or by the nationals of States which have been at war and recovered after the war, such interest shall in the case of losses recoverable under contracts of marine insurance run from the expiration of a period of one year from the date of the loss.

17.

No contract of marine insurance with an insured person who subsequently became an enemy shall be deemed to cover losses due to belligerent action by the Power of which the insurer was a national or by the allies or associates of such Power.

18.

Where it is shown that a person who had before the war entered into a contract of marine insurance with an insurer who subsequently became an enemy entered after the outbreak of war into a new contract covering the same risk with an insurer who was not an enemy, the new contract shall be deemed to be substituted for the original contract as from the date when it was entered into, and the premiums payable shall be adjusted on the basis of the original insurer having remained liable on the contract only up till the time when the new contract was entered into.

Other Insurances.

19.

Contracts of insurance entered into before the war between an insurer and a person who subsequently became an enemy, other than contracts dealt with in paragraphs 9 to 18, shall be treated in all respects on the same footing as contracts of fire insurance between the same persons would be dealt with under the said paragraphs.

Re-insurance.

20.

All treaties of re-insurance with a person who became an enemy shall be regarded as having been abrogated by the person becoming an enemy, but without prejudice in the case of life or marine risks which had attached before the war to the right to recover payment after the war for sums due in respect of such risks.

Nevertheless if, owing to invasion, it has been impossible for the re-insured to find another re-insurer, the treaty shall remain in force until three months after the coming into force of the present Treaty.

Where a re-insurance treaty becomes void under this paragraph, there shall be an adjustment of accounts between the parties in respect both of premiums paid and payable and of liabilities for losses in respect of life or marine risks which had attached before the war. In the case of risks other than those mentioned in paragraphs 11 to 18 the adjustment of accounts shall be made as at the date of the parties becoming enemies without regard to claims for losses which may have occurred since that date.

21.

The provisions of the preceding paragraph will extend equally to re-insurances existing at the date of the parties becoming enemies of particular risks undertaken by the insurer in a contract of insurance against any risks other than life or marine risks.

22.

Re-insurance of life risks effected by particular contracts and not under any general treaty remain in force.

The provisions of paragraph 12 apply to treaties of re-insurance of life insurance contracts in which enemy companies are the re-insurers.

23.

In case of a re-insurance effected before the war of a contract of marine insurance, the cession of a risk which had been ceded to the re-insurer shall, if it had attached before the outbreak of war, remain valid and effect be given to the contract notwithstanding the outbreak of war; sums due under the contract of re-insurance in respect either of premiums or of losses shall be recoverable after the war.

24.

The provisions of paragraphs 17 and 18 and the last part of paragraph 16 shall apply to contracts for the re-insurance of marine risks.

SECTION VI.

MIXED ARBITRAL TRIBUNAL.

ARTICLE 304.

(*a*) Within three months from the date of the coming into force of the present Treaty, a Mixed Arbitral Tribunal shall be established between each of the Allied and Associated Powers on the one hand and Germany on the other hand. Each such Tribunal shall consist of three members. Each of the Governments concerned shall appoint one of these members. The President shall be chosen by agreement between the two Governments concerned.

In case of failure to reach agreement, the President of the Tribunal and two other persons either of whom may in case of need take his place, shall be chosen by the Council of the League of Nations, or, until this is set up, by M. Gustave Ador if he is willing. These persons shall be nationals of Powers that have remained neutral during the war.

If any Government does not proceed within a period of one month in case there is a vacancy to appoint a member of the Tribunal, such member shall be chosen by the other Government from the two persons mentioned above other than the President.

The decision of the majority of the members of the Tribunal shall be the decision of the Tribunal.

(*b*) The Mixed Arbitral Tribunals established pursuant to paragraph (*a*), shall decide all questions within their competence under Sections III, IV, V and VII.

In addition, all questions, whatsoever their nature, relating to contracts concluded before the coming into force of the present Treaty between nationals of the Allied and Associated Powers and German nationals shall be decided by the Mixed Arbitral Tribunal, always excepting questions which, under the laws of the Allied, Associated or Neutral Powers, are within the jurisdiction of the National Courts of those Powers. Such questions shall be decided by the National Courts in question, to the exclusion of the Mixed Arbitral Tribunal. The party who is a national of an Allied or Associated Power may nevertheless bring the case before the Mixed Arbitral Tribunal if this is not prohibited by the laws of his country.

(c) If the number of cases justifies it, additional members shall be appointed and each Mixed Arbitral Tribunal shall sit in divisions. Each of these divisions will be constituted as above.

(d) Each Mixed Arbitral Tribunal will settle its own procedure except in so far as it is provided in the following Annex, and is empowered to award the sums to be paid by the loser in respect of the costs and expenses of the proceedings.

(e) Each Government will pay the remuneration of the member of the Mixed Arbitral Tribunal appointed by it and of any agent whom it may appoint to represent it before the Tribunal. The remuneration of the President will be determined by special agreement between the Governments concerned; and this remuneration and the joint expenses of each Tribunal will be paid by the two Governments in equal moieties.

(f) The High Contracting Parties agree that their courts and authorities shall render to the Mixed Arbitral Tribunals direct all the assistance in their power, particularly as regards transmitting notices and collecting evidence.

(g) The High Contracting Parties agree to regard the decisions of the Mixed Arbitral Tribunal as final and conclusive, and to render them binding upon their nationals.

ANNEX.

1.

Should one of the members of the Tribunal either die, retire, or be unable for any reason whatever to discharge his function, the same procedure will be followed for filling the vacancy as was followed for appointing him.

2.

The Tribunal may adopt such rules of procedure as shall be in accordance with justice and equity and decide the order and time at which each party must conclude its arguments, and may arrange all formalities required for dealing with the evidence.

3.

The agent and counsel of the parties on each side are authorized to present orally and in writing to the Tribunal arguments in support or in defence of each case.

4.

The Tribunal shall keep record of the questions and cases submitted and the proceedings thereon, with the dates of such proceedings.

5.

Each of the Powers concerned may appoint a secretary. These secretaries shall act together as joint secretaries of the Tribunal and shall be subject to its direction. The Tribunal may appoint and employ any other necessary officer or officers to assist in the performance of its duties.

6.

The Tribunal shall decide all questions and matters submitted upon such evidence and information as may be furnished by the parties concerned.

7.

Germany agrees to give the Tribunal all facilities and information required by it for carrying out its investigations.

8.

The language in which the proceedings shall be conducted shall, unless otherwise agreed, be English, French, Italian or Japanese, as may be determined by the Allied or Associated Power concerned.

9.

The place and time for the meetings of each Tribunal shall be determined by the President of the Tribunal.

ARTICLE 305.

Whenever a competent court has given or gives a decision in a case covered by Sections III, IV, V or VII, and such decision is inconsistent with the provisions of such Sections, the party who is prejudiced by the decision shall be entitled to obtain redress which shall be fixed by the Mixed Arbitral Tribunal. At the request of the national of an Allied or Associated Power, the redress may, whenever possible, be effected by the Mixed Arbitral Tribunal directing the replacement of the parties in the position occupied by them before the judgment was given by the German court.

SECTION VII.

INDUSTRIAL PROPERTY.

ARTICLE 306.

Subject to the stipulations of the present Treaty, rights of industrial, literary and artistic property, as such property is defined by the International Conventions of Paris and of Berne, mentioned in Article 286, shall be re-established or restored, as from the coming into force of the present Treaty, in the territories of the High Contracting Parties, in favour of the persons entitled to the benefit of them at the moment when the state of war commenced or their legal representatives. Equally, rights which, except for the war, would have been acquired during the war in consequence of an application made for the protection of industrial property, or the publication of a literary or artistic work, shall be recognised and established in favour of those persons who would have been entitled thereto, from the coming into force of the present Treaty.

Nevertheless, all acts done by virtue of the special measures taken during the war under legislative, executive or administrative authority of any Allied or Associated Power in regard to the rights of German nationals in industrial, literary or artistic property shall remain in force and shall continue to maintain their full effect.

No claim shall be made or action brought by Germany or German nationals in respect of the use during the war by the Government of any Allied or Associated Power, or by any persons acting on behalf or with the assent of such Government, of any rights in industrial, literary or artistic property, nor in respect of the sale, offering for sale, or use of any products, articles or apparatus whatsoever to which such rights applied.

Unless the legislation of any one of the Allied or Associated Powers in force at the moment of the signature of the present Treaty otherwise directs, sums due or paid in virtue of any act or operation resulting from the execution of the special measures mentioned in paragraph I of this Article shall be dealt with in the same way as other sums due to German nationals are directed to be dealt with by the present Treaty; and sums produced by any special measures taken by the German Government in respect of rights in industrial, literary or artisic property belonging to the nationals of the Allied or Associated Powers shall be considered and treated in the same way as other debts due from German nationals.

Each of the Allied and Associated Powers reserves to itself the right to impose such limitations, conditions or restrictions on rights of industrial, literary or artistic property (with the exception of trade-marks) acquired before or during the war, or which may be subsequently acquired in accordance with its legislation, by German nationals, whether by granting licences, or by the working, or by preserving control over their exploitation, or in any other way, as may be considered necessary for national defence, or in the public interest, or for assuring the fair treatment by Germany of the rights of industrial, literary and artistic property held in German territory by its nationals, or for securing the due fulfilment of all the obligations undertaken by Germany in the present Treaty. As regards rights of industrial, literary and artistic property acquired after the coming into force of the present Treaty, the right so reserved by the Allied and Associated Powers shall only be exercised in cases where these limitations, conditions or restrictions may be considered necessary for national defence or in the public interest.

In the event of the application of the provisions of the preceding paragraph by any Allied or Associated Power, there shall be paid reasonable indemnities or royalties, which shall be dealt with in the same way other sums due to German nationals are directed to be dealt with by the present Treaty.

Each of the Allied or Associated Powers reserves the right to treat as void and of no effect any transfer in whole or in part of or other dealing with rights of or in respect of industrial, literary or artistic property effected after August 1, 1914, or in the future, which would have the result of defeating the objects of the provisions of this Article.

The provisions of this Article shall not apply to rights in industrial, literary or artistic property which have been dealt with in the liquidation of businesses or companies under war legislation by the Allied or Associated Powers, or which may be so dealt with by virtue of Article 297, paragraph (b).

ARTICLE 307.

A minimum of one year after the coming into force of the present Treaty shall be accorded to the nationals of the High Contracting Parties, without extension fees or other penalty, in order to enable such persons to accomplish any act, fulfil any formality, pay any fees, and generally satisfy any obligation prescribed by the laws or regulations of the respective States relating to the obtaining, preserving, or opposing rights to, or in respect of, industrial property either acquired before August 1, 1914, or which, except for the war, might have been acquired since that date as a result of an application made before the war or during its continuance, but nothing in this Article shall give any right to reopen interference proceedings in the United States of America where a final hearing has taken place.

All rights in, or in respect of, such property which may have lapsed by reason of any failure to accomplish any act, fulfil any formality, or make any payment, shall revive, but subject in the case of patents and designs to the imposition of such conditions as each Allied or Associated Power may deem reasonably necessary for the protection of persons who have manufactured or made use of the subject matter of such property while the rights had lapsed. Further, where rights to patents or designs belonging to German nationals are revived under this Article, they shall be subject in respect of the grant of licences to the same provisions as would have been applicable to them during the war, as well as to all the provisions of the present Treaty.

The period from August 1, 1914, until the coming into force of the present Treaty shall be excluded in considering the time within which a patent should be worked or a trade mark or design used, and it is further agreed that no patent, registered trade mark or design in force on August 1, 1914, shall be subject to revocation or cancellation by reason only of the failure to work such patent or use such trade mark or design for two years after the coming into force of the present Treaty.

ARTICLE 308.

The rights of priority, provided by Article 4 of the International Convention for the Protection of Industrial Property of Paris, of March 20, 1883, revised at Washington in 1911 or by any other Convention or Statute, for the filing or registration of applications for patents or models of utility, and for the registration of trade marks, designs and models which had not expired on August 1, 1914, and those which have arisen during the war, or would have arisen but for the war, shall be extended by each of the High Contracting Parties in favour of all nationals of the other High Contracting Parties for a period of six months after the coming into force of the present Treaty.

Nevertheless, such extension shall in no way affect the right of any of the High Contracting Parties or of any person who before the coming into force of the present Treaty was *bonâ fide* in possession of any rights of industrial property conflicting with rights applied for by another who claims rights of priority in respect of them, to exercise such rights by itself or himself personally, or by such agents or licensees as derived their rights from it or him before the coming into force of the present Treaty; and such persons shall not be amenable to any action or other process of law in respect of infringement.

ARTICLE 309.

No action shall be brought and no claim made by persons residing or carrying on business within the territories of Germany on the one part and of the Allied or Associated Powers on the other, or persons who are nationals of such Powers respectively, or by any one deriving title during the war from such persons, by reason of any action which has taken place within the territory of the other party between the date of the declaration of war and that of the coming into force of the present Treaty, which might constitute an infringement of the rights of industrial property or rights of literary and artistic property, either existing at any time during the war or revived under the provisions of Articles 307 and 308.

Equally, no action for infringement of industrial, literary or artistic property rights by such persons shall at any time be permissible in respect of the sale or offering for sale for a period of one year after the signature of the present Treaty in the territories of the Allied or Associated Powers on the one hand or Germany on the other, of products or articles manufactured, or of literary or artistic works published, during the period between the declaration of war and the signature of the present Treaty, or against those who have acquired and continue to use them. It is understood, nevertheless, that this provision shall not apply when the possessor of the rights was domiciled or had an industrial or commercial establishment in the districts occupied by Germany during the war.

This Article shall not apply as between the United States of America on the one hand and Germany on the other.

ARTICLE 310.

Licences in respect of industrial, literary or artistic property concluded before the war between nationals of the Allied or Associated Powers or persons residing in their territory or carrying on business therein, on the one part, and German nationals, on the other part, shall be considered as cancelled as from the date of the declaration of war between Germany and the Allied or Associated Powers. But, in any case, the former beneficiary of a contract of this kind shall have the right, within a period of six months after the coming into force of the present Treaty, to demand from the proprietor of the rights the grant of a new licence, the conditions of which, in default of agreement between the parties, shall be fixed by the duly qualified tribunal in the country under whose legislation the rights had been acquired, except in the case of licences held in respect of rights acquired under German law. In such cases the conditions shall be fixed by the Mixed Arbitral Tribunal referred to in Section VI of this Part. The tribunal may, if necessary, fix also the amount which it may deem just should be paid by reason of the use of the rights during the war.

No licence in respect of industrial, literary or artistic property, granted under the special war legislation of any Allied or Associated Power, shall be affected by the continued existence of any licence entered into before the war, but shall remain valid and of full effect, and a licence so granted to the former beneficiary of a licence entered into before the war shall be considered as substituted for such licence.

Where sums have been paid during the war by virtue of a licence or agreement concluded before the war in respect of rights of industrial property or for the reproduction or the representation of literary, dramatic or artistic works, these sums shall be dealt with in the same manner as other debts or credits of German nationals, as provided by the present Treaty.

This Article shall not apply as between the United States of America on the one hand and Germany on the other.

ARTICLE 311.

The inhabitants of territories separated from Germany by virtue of the present Treaty shall, notwithstanding this separation and the change of nationality consequent thereon, continue to enjoy in Germany all the rights in industrial, literary and artistic property to which they were entitled under German legislation at the time of the separation.

Rights of industrial, literary and artistic property which are in force in the territories separated from Germany under the present Treaty at the moment of the separation of these territories from Germany, or which will be re-established or restored in accordance with the provisions of Article 306 of the present Treaty, shall be recognized by the State to which the said territory is transferred and shall remain in force in that territory for the same period of time given them under the German law.

SECTION VIII.

SOCIAL AND STATE INSURANCE IN CEDED TERRITORY.

ARTICLE 312.

Without prejudice to the provisions contained in other Articles of the present Treaty, the German Government undertakes to transfer to any Power to which German territory in Europe is ceded, and to any Power administering former German territory as a mandatory under Article 22 of Part I (League of Nations), such portion of the reserves accumulated by the Government of the German Empire or of German States, or by public or private organisations under their control, as is attributable to the carrying on of Social or State Insurance in such territory.

The Powers to which these funds are transferred must apply them to the performance of the obligations arising from such insurances.

The conditions of the transfer will be determined by special conventions to be concluded between the German Government and the Governments concerned.

In case these special conventions are not concluded in accordance with the above paragraph within three months after the coming into force of the present Treaty, the conditions of transfer shall in each case be referred to a Commission of five members, one of whom shall be appointed by the German Government, one by the other interested Government and three by the Governing Body of the International Labour Office from the nationals of other States. This Commission shall by majority vote within three months after appointment adopt recommendations for submission to the Council of the League of Nations, and the decisions of the Council shall forthwith be accepted as final by Germany and the other Government concerned.

PART XI.

AERIAL NAVIGATION.

ARTICLE 313.

The aircraft of the Allied and Associated Powers shall have full liberty of passage and landing over and in the territory and territorial waters of Germany, and shall enjoy the same privileges as German aircraft, particularly in case of distress by land or sea.

ARTICLE 314.

The aircraft of the Allied and Associated Powers shall, while in transit to any foreign country whatever, enjoy the right of flying over the territory and territorial waters of Germany without landing, subject always to any regulations which may be made by Germany, and which shall be applicable equally to the aircraft of Germany and to those of the Allied and Associated countries.

ARTICLE 315.

All aerodromes in Germany open to national public traffic shall be open for the aircraft of the Allied and Associated Powers, and in any such aerodrome such aircraft shall be treated on a footing of equality with German aircraft as regards charges of every description, including charges for landing and accommodation.

ARTICLE 316.

Subject to the present provisions, the rights of passage, transit and landing, provided for in Articles 313, 314 and 315, are subject to the observance of such regulations as Germany may consider it necessary to enact, but such regulations shall be applied without distinction to German aircraft and to those of the Allied and Associated countries.

ARTICLE 317.

Certificates of nationality, airworthiness, or competency, and licences, issued or recognised as valid by any of the Allied or Associated Powers, shall be recognised in Germany as valid and as equivalent to the certificates and licences issued by Germany.

ARTICLE 318.

As regards internal commercial air traffic, the aircraft of the Allied and Associated Powers shall enjoy in Germany most favoured nation treatment.

ARTICLE 319.

Germany undertakes to enforce the necessary measures to ensure that all German aircraft flying over her territory shall comply with the Rules as to lights and signals, Rules of the Air and Rules for Air Traffic on and in the neighbourhood of aerodromes, which have been laid down in the Convention relative to Aerial Navigation concluded between the Allied and Associated Powers.

ARTICLE 320.

The obligations imposed by the preceding provisions shall remain in force until January 1, 1923, unless before that date Germany shall have been admitted into the League of Nations or shall have been authorised, by consent of the Allied and Associated Powers, to adhere to the Convention relative to Aerial Navigation concluded between those Powers.

PART XII.

PORTS, WATERWAYS AND RAILWAYS.

SECTION I.

GENERAL PROVISIONS.

ARTICLE 321.

Germany undertakes to grant freedom of transit through her territories on the routes most convenient for international transit, either by rail, navigable waterway, or canal, to persons, goods, vessels, carriages, wagons and mails coming from or going to the territories of any of the Allied and Associated Powers (whether contiguous or not); for this purpose the crossing of territorial waters shall be allowed. Such persons, goods, vessels, carriages, wagons and mails shall not be subjected to any transit duty or to any undue delays or restrictions, and shall be entitled in Germany to national treatment as regards charges, facilities, and all other matters.

Goods in transit shall be exempt from all Customs or other similar duties.

All charges imposed on transport in transit shall be reasonable, having regard to the conditions of the traffic. No charge, facility or restriction shall depend directly or indirectly on the ownership or on the nationality of the ship or other means of transport on which any part of the through journey has been, or is to be, accomplished.

ARTICLE 322.

Germany undertakes neither to impose nor to maintain any control over transmigration traffic through her territories beyond measures necessary to ensure that passengers are *bonâ fide* in transit; nor to allow any shipping company or any other private body, corporation or person interested in the traffic to take any part whatever in, or to exercise any direct or indirect influence over, any administrative service that may be necessary for this purpose.

ARTICLE 323.

Germany undertakes to make no discrimination or preference, direct or indirect, in the duties, charges and prohibitions relating to importations into or exportations from her territories, or, subject to the special engagements contained in the present Treaty, in the charges and conditions of transport of goods or persons entering or leaving her territories, based on the frontier crossed; or on the kind, ownership or flag of the means of transport (including aircraft) employed; or on the original or immediate place of departure of the vessel, wagon or aircraft or other means of transport employed, or its ultimate or intermediate destination; or on the route of or places of transshipment on the journey; or on whether any port through which the goods are imported or exported is a German port or a port belonging to any foreign country or on whether the goods are imported or exported by sea, by land or by air.

Germany particularly undertakes not to establish against the ports and vessels of any of the Allied and Associated Powers any surtax or any direct or indirect bounty for export or import by German ports or vessels, or by those of another Power, for example by means of combined tariffs. She further undertakes that persons or goods passing through a port or using a vessel of any of the Allied and Associated Powers shall not be subjected to any formality or delay whatever to which such persons or goods would not be subjected if they passed through a German port or a port of any other Power, or used a German vessel or a vessel of any other Power.

ARTICLE 324.

All necessary administrative and technical measures shall be taken to shorten, as much as possible, the transmission of goods across the German frontiers and to ensure their forwarding and transport from such frontiers, irrespective of whether such goods are coming from or going to the territories of the Allied and Associated Powers or are in transit from or to those territories, under the same material conditions in such matters as rapidity of carriage and care *en route* as are enjoyed by other goods of the same kind carried on German territory under similar conditions of transport.

In particular, the transport of perishable goods shall be promptly and regularly carried out, and the customs formalities shall be effected in such a way as to allow the goods to be carried straight through by trains which make connection.

ARTICLE 325.

The seaports of the Allied and Associated Powers are entitled to all favours and to all reduced tariffs granted on German railways or navigable waterways for the benefit of German ports or of any port of another Power.

ARTICLE 326.

Germany may not refuse to participate in the tariffs or combinations of tariffs intended to secure for ports of any of the Allied and Associated Powers advantages similar to those granted by Germany to her own ports or the ports of any other Power.

SECTION II.

NAVIGATION.

CHAPTER I.

FREEDOM OF NAVIGATION.

ARTICLE 327.

The nationals of any of the Allied and Associated Powers as well as their vessels and property shall enjoy in all German ports and on the inland navigation routes of Germany the same treatment in all respects as German nationals, vessels and property.

In particular the vessels of any one of the Allied or Associated Powers shall be entitled to transport goods of any description, and passengers, to or from any ports or places in German territory to which German vessels may have access, under conditions which shall not be more onerous than those applied in the case of national vessels; they shall be treated on a footing of equality with national vessels as regards port and harbour facilities and charges of every description, including facilities for stationing, loading and unloading, and duties and charges

of tonnage, harbour, pilotage, lighthouse, quarantine, and all analogous duties and charges of whatsoever nature, levied in the name of or for the profit of the Government, public functionaries, private individuals, corporations or establishments of any kind.

In the event of Germany granting a preferential régime to any of the Allied or Associated Powers or to any other foreign Power, this régime shall be extended immediately and unconditionally to all the Allied and Associated Powers.

There shall be no impediment to the movement of persons or vessels other than those arising from prescriptions concerning customs, police, sanitation, emigration and immigration, and those relating to the import and export of prohibited goods. Such regulations must be reasonable and uniform and must not impede traffic unnecessarily.

CHAPTER II.

FREE ZONES IN PORTS.

ARTICLE 328.

The free zones existing in German ports on August 1, 1914, shall be maintained. These free zones, and any other free zones which may be established in German territory by the present Treaty, shall be subject to the régime provided for in the following Articles.

Goods entering or leaving a free zone shall not be subjected to any import or export duty, other than those provided for in Article 330.

Vessels and goods entering a free zone may be subjected to the charges established to cover expenses of administration, upkeep and improvement of the port, as well as to the charges for the use of various installations, provided that these charges shall be reasonable having regard to the expenditure incurred, and shall be levied in the conditions of equality provided for in Article 327.

Goods shall not be subjected to any other charges except a statistical duty which shall not exceed 1 per mille *ad valorem*, and which shall be devoted exclusively to defraying the expenses of compiling statements of the traffic in the port.

ARTICLE 329.

The facilities granted for the erection of warehouses, for packing and for unpacking goods, shall be in accordance with trade requirements for the time being. All goods allowed to be consumed in the free zone shall be exempt from duty, whether of excise or of any other description, apart from the statistical duty provided for in Article 328 above.

There shall be no discrimination in regard to any of the provisions of the present Article between persons belonging to different nationalities or between goods of different origin or destination.

ARTICLE 330.

Import duties may be levied on goods leaving the free zone for consumption in the country on the territory of which the port is situated. Conversely, export duties may be levied on goods coming from such country and brought into the free zone. These import and export duties shall be levied on the same basis and at the same rates as similar duties levied at the other Customs frontiers of the country concerned. On the other hand, Germany shall not levy, under any denomination, any import, export or transit duty on goods carried by land or water across her territory to or from the free zone from or to any other State.

Germany shall draw up the necessary regulations to secure and guarantee such freedom of transit over such railways and waterways in her territory as normally give access to the free zone.

CHAPTER III.

CLAUSES RELATING TO THE ELBE, THE ODER, THE NIEMEN (RUSSSTROM-MEMEL-NIEMEN) AND THE DANUBE.

(I)—*General Clauses.*

ARTICLE 331.

The following rivers are declared international:

the Elbe (*Labe*) from its confluence with the Vltava (*Moldau*), and the Vltava (*Moldau*) from Prague;
the Oder (*Odra*) from its confluence with the Oppa;
the Niemen (*Russstrom-Memel-Niemen*) from Grodno;
the Danube from Ulm;

and all navigable parts of these river systems which naturally provide more than one State with access to the sea, with or without transshipment from one vessel to another; together with lateral canals and channels constructed either to duplicate or to improve naturally navigable sections of the specified river systems, or to connect two naturally navigable sections of the same river.

The same shall apply to the Rhine-Danube navigable waterway, should such a waterway be constructed under the conditions laid down in Article 353.

ARTICLE 332.

On the waterways declared to be international in the preceding Article, the nationals, property and flags of all Powers shall be treated on a footing of perfect equality, no distinction being made to the detriment of the nationals, property or flag of any Power between them and the nationals, property or flag of the riparian State itself or of the most favoured nation.

Nevertheless, German vessels shall not be entitled to carry passengers or goods by regular services between the ports of any Allied or Associated Power, without special authority from such Power.

ARTICLE 333.

Where such charges are not precluded by any existing conventions, charges varying on different sections of a river may be levied on vessels using the navigable channels or their approaches, provided that they are intended solely to cover equitably the cost of maintaining in a navigable condition, or of improving, the river and its approaches, or to meet expenditure incurred in the interests of navigation. The schedule of such charges shall be calculated on the basis of such expenditure and shall be posted up in the ports. These charges shall be levied in such a manner as to render any detailed examination of cargoes unnecessary, except in cases of suspected fraud or contravention.

ARTICLE 334.

The transit of vessels, passengers and goods on these waterways shall be effected in accordance with the general conditions prescribed for transit in Section I above.

When the two banks of an international river are within the same State goods in transit may be placed under seal or in the custody of customs agents. When the river forms a frontier goods and passengers in transit shall be exempt from all customs formalities; the loading and unloading of goods, and the embarkation and disembarkation of passengers, shall only take place in the ports specified by the riparian State.

ARTICLE 335.

No dues of any kind other than those provided for in the present Part shall be levied along the course or at the mouth of these rivers.

This provision shall not prevent the fixing by the riparian States of customs, local octroi or consumption duties, or the creation of reasonable and uniform charges levied in the ports, in accordance with public tariffs, for the use of cranes, elevators, quays, warehouses, etc.

ARTICLE 336.

In default of any special organisation for carrying out the works connected with the upkeep and improvement of the international portion of a navigable system, each riparian State shall be bound to take suitable measures to remove any obstacle or danger to navigation and to ensure the maintenance of good conditions of navigation.

If a State neglects to comply with this obligation any riparian State, or any State represented on the International Commission, if there is one, may appeal to the tribunal instituted for this purpose by the League of Nations.

ARTICLE 337.

The same procedure shall be followed in the case of a riparian State undertaking any works of a nature to impede navigation in the international section. The tribunal mentioned in the preceding Article shall be entitled to enforce the suspension or suppression of such works, making due allowance in its decisions for all rights in connection with irrigation, waterpower, fisheries, and other national interests, which, with the consent of all the riparian States or of all the States represented on the International Commission, if there is one, shall be given priority over the requirements of navigation.

Appeal to the tribunal of the League of Nations does not require the suspension of the works.

ARTICLE 338.

The régime set out in Articles 332 to 337 above shall be superseded by one to be laid down in a General Convention drawn up by the Allied and Associated Powers, and approved by the League of Nations, relating to the waterways recognised in such Convention as having an international character. This Convention shall apply in particular to the whole or part of the above-mentioned river systems of the Elbe (*Labe*), the Oder (*Odra*), the Niemen (*Russstrom-Memel-Niemen*), and the Dan-

ube, and such other parts of these river systems as may be covered by a general definition.

Germany undertakes, in accordance with the provisions of Article 379, to adhere to the said General Convention as well as to all projects prepared in accordance with Article 343 below for the revision of existing international agreements and regulations.

ARTICLE 339.

Germany shall cede to the Allied and Associated Powers concerned, within a maximum period of three months from the date on which notification shall be given her, a proportion of the tugs and vessels remaining registered in the ports of the river systems referred to in Article 331 after the deduction of those surrendered by way of restitution or reparation. Germany shall in the same way cede material of all kinds necessary to the Allied and Associated Powers concerned for the utilisation of those river systems.

The number of the tugs and boats, and the amount of the material so ceded, and their distribution, shall be determined by an arbitrator or arbitrators nominated by the United States of America, due regard being had to the legitimate needs of the parties concerned, and particularly to the shipping traffic during the five years preceding the war.

All craft so ceded shall be provided with their fittings and gear, shall be in a good state of repair and in condition to carry goods, and shall be selected from among those most recently built.

The cessions provided for in the present Article shall entail a credit of which the total amount, settled in a lump sum by the arbitrator or arbitrators, shall not in any case exceed the value of the capital expended in the initial establishment of the material ceded, and shall be set off against the total sums due from Germany; in consequence, the indemnification of the proprietors shall be a matter for Germany to deal with.

(2) *Special Clauses relating to the Elbe, the Oder and the Niemen (Russstrom-Memel-Niemen).*

ARTICLE 340.

The Elbe (*Labe*) shall be placed under the administration of an International Commission which shall comprise:

4 representatives of the German States bordering on the river;
2 representatives of the Czecho-Slovak State;
1 representative of Great Britain;
1 representative of France;
1 representative of Italy;
1 representative of Belgium.

Whatever be the number of members present, each delegation shall have the right to record a number of votes equal to the number of representatives allotted to it.

If certain of these representatives cannot be appointed at the time of the coming into force of the present Treaty, the decisions of the Commission shall nevertheless be valid.

ARTICLE 341.

The Oder (*Odra*) shall be placed under the administration of an International Commission, which shall comprise:

1 representative of Poland;
3 representatives of Prussia;
1 representative of the Czecho-Slovak State;
1 representative of Great Britain;
1 representative of France;
1 representative of Denmark;
1 representative of Sweden.

If certain of these representatives cannot be appointed at the time of the coming into force of the present Treaty, the decisions of the Commission shall nevertheless be valid.

ARTICLE 342.

On a request being made to the League of Nations by any riparian State, the Niemen (*Russstrom-Memel-Niemen*) shall be placed under the administration of an International Commission, which shall comprise one representative of each riparian State, and three representatives of other States specified by the League of Nations.

ARTICLE 343.

The International Commissions referred to in Articles 340 and 341 shall meet within three months of the date of the coming into force of the present Treaty. The International Commission referred to in Article 342 shall meet within three months from the date of the request made by a riparian State. Each of these Commissions shall proceed immediately to prepare a project for the revision of the existing international agreements and regulations, drawn up in conformity with the General Convention referred to in Article 338, should such Convention have been already concluded. In the absence of such Convention, the project for revision shall be in conformity with the principles of Articles 332 to 337 above.

ARTICLE 344.

The projects referred to in the preceding Article shall, *inter alia:*

(*a*) designate the headquarters of the International Commission, and prescribe the manner in which its President is to be nominated;

(*b*) specify the extent of the Commission's powers, particularly in regard to the execution of works of maintenance, control, and improvement on the river system, the financial régime, the fixing and collection of charges, and regulations for navigation;

(*c*) define the sections of the river or its tributaries to which the international régime shall be applied.

ARTICLE 345.

The international agreements and regulations at present governing the navigation of the Elbe (*Labe*), the Oder (*Odra*), and the Niemen (*Russstrom-Memel-Niemen*) shall be provisionally maintained in force until the ratification of the above-mentioned projects. Nevertheless, in all cases where such agreements and regulations in force are in conflict with the provisions of Articles 332 to 337 above, or of the General Convention to be concluded, the latter provisions shall prevail.

(3) *Special Clauses relating to the Danube.*

ARTICLE 346.

The European Commission of the Danube reassumes the powers it possessed before the war. Nevertheless, as a provisional measure, only representatives of Great Britain, France, Italy and Roumania shall constitute this Commission.

ARTICLE 347.

From the point where the competence of the European Commission ceases, the Danube system referred to in Article 331 shall be placed under the administration of an International Commission composed as follows:

2 representatives of German riparian States;
1 representative of each other riparian State;
1 representative of each non-riparian State represented in the future on the European Commission of the Danube.

If certain of these representatives cannot be appointed at the time of the coming into force of the present Treaty, the decisions of the Commission shall nevertheless be valid.

ARTICLE 348.

The International Commission provided for in the preceding Article shall meet as soon as possible after the coming into force of the present Treaty, and shall undertake provisionally the administration of the river in conformity with the provisions of Articles 332 to 337, until such time as a definitive statute regarding the Danube is concluded by the Powers nominated by the Allied and Associated Powers.

ARTICLE 349.

Germany agrees to accept the régime which shall be laid down for the Danube by a Conference of the Powers nominated by the Allied and Associated Powers, which shall meet within one year after the coming into force of the present Treaty, and at which German representatives may be present.

ARTICLE 350.

The mandate given by Article 57 of the Treaty of Berlin of July 13, 1878, to Austria-Hungary, and transferred by her to Hungary, to carry out works at the Iron Gates, is abrogated. The Commission entrusted with the administration of this part of the river shall lay down provisions for the settlement of accounts subject to the financial provisions of the present Treaty. Charges which may be necessary shall in no case be levied by Hungary.

ARTICLE 351.

Should the Czecho-Slovak State, the Serb-Croat-Slovene State or Roumania with the authorisation of or under mandate from the International Commission, undertake maintenance, improvement, weir, or other works on a part of the river system which forms a frontier, these States shall enjoy on the opposite bank, and also on the part of the bed which is outside their territory, all necessary facilities for the survey, execution and maintenance of such works.

ARTICLE 352.

Germany shall be obliged to make to the European Commission of the Danube all restitutions, reparations and indemnities for damages inflicted on the Commission during the war.

ARTICLE 353.

Should a deep-draught Rhine-Danube navigable waterway be constructed, Germany undertakes to apply thereto the régime prescribed in Articles 332 to 338.

CHAPTER IV.

CLAUSES RELATING TO THE RHINE AND THE MOSELLE.

ARTICLE 354.

As from the coming into force of the present Treaty, the Convention of Mannheim of October 17, 1868, together with the Final Protocol thereof, shall continue to govern navigation on the Rhine, subject to the conditions hereinafter laid down.

In the event of any provisions of the said Convention being in conflict with those laid down by the General Convention referred to in Article 338 (which shall apply to the Rhine) the provisions of the General Convention shall prevail.

Within a maximum period of six months from the coming into force of the present Treaty, the Central Commission referred to in Article 355 shall meet to draw up a project of revision of the Convention of Mannheim. This project shall be drawn up in harmony with the provisions of the General Convention referred to above, should this have been concluded by that time, and shall be submitted to the Powers represented on the Central Commission. Germany hereby agrees to adhere to the project so drawn up.

Further, the modifications set out in the following Articles shall immediately be made in the Convention of Mannheim.

The Allied and Associated Powers reserve to themselves the right to arrive at an understanding in this connection with Holland, and Germany hereby agrees to accede if required to any such understanding.

ARTICLE 355.

The Central Commission provided for in the Convention of Mannheim shall consist of nineteen members, viz:

2 representatives of the Netherlands;
2 representatives of Switzerland;
4 representatives of German riparian States;
4 representatives of France, which in addition shall appoint the President of the Commission;
2 representatives of Great Britain;
2 representatives of Italy;
2 representatives of Belgium.

The headquarters of the Central Commission shall be at Strasburg.

Whatever be the number of members present, each Delegation shall have the right to record a number of votes equal to the number of representatives allotted to it.

If certain of these representatives cannot be appointed at the time of the coming into force of the present Treaty, the decisions of the Commission shall nevertheless be valid.

ARTICLE 356.

Vessels of all nations, and their cargoes, shall have the same rights and privileges as those which are granted to vessels belonging to the Rhine navigation, and to their cargoes.

None of the provisions contained in Articles 15 to 20 and 26 of the above-mentioned Convention of Mannheim, in Article 4 of the Final Protocol thereof, or in later Conventions, shall impede the free navigation of vessels and crews of all nations on the Rhine and on waterways to which such Conventions apply, subject to compliance with the regulations concerning pilotage and other police measures drawn up by the Central Commission.

The provisions of Article 22 of the Convention of Mannheim and of Article 5 of the Final Protocol thereof shall be applied only to vessels registered on the Rhine. The Central Commission shall decide on the steps to be taken to ensure that other vessels satisfy the conditions of the general regulations applying to navigation on the Rhine.

ARTICLE 357.

Within a maximum period of three months from the date on which notification shall be given Germany shall cede to France tugs and vessels, from among those remaining registered in German Rhine ports after the deduction of those surrendered by way of restitution or reparation, or shares in German Rhine navigation companies.

When vessels and tugs are ceded, such vessels and tugs, together with their fittings and gear, shall be in good state of repair, shall be in condition to carry on commercial traffic on the Rhine, and shall be selected from among those most recently built.

The same procedure shall be followed in the matter of the cession by Germany to France of:

(1) the installations, berthing and anchorage accommodation, platforms, docks, warehouses, plant, etc., which German subjects or German companies owned on August 1, 1914, in the port of Rotterdam, and

(2) the shares or interests which Germany or German nationals possessed in such installations at the same date.

The amount and specifications of such cessions shall be determined within one year of the coming into force of the present Treaty by an arbitrator or arbitrators appointed by the United States of America, due regard being had to the legitimate needs of the parties concerned.

The cessions provided for in the present Article shall entail a credit of which the total amount, settled in a lump sum by the arbitrator or arbitrators mentioned above, shall not in any case exceed the value of the capital expended in the initial establishment of the ceded material and installations, and shall be set off against the total sums due from Germany; in consequence, the indemnification of the proprietors shall be a matter for Germany to deal with.

ARTICLE 358.

Subject to the obligation to comply with the provisions of the Convention of Mannheim or of the Convention which may be substituted therefor, and to the stipulations of the present Treaty, France shall have on the whole course of the Rhine included between the two extreme points of the French frontiers:

(*a*) the right to take water from the Rhine to feed navigation and irrigation canals (constructed or to be constructed) or for any other purpose, and to execute on the German bank all works necessary for the exercise of this right;

(*b*) the exclusive right to the power derived from works of regulation on the river, subject to the payment to Germany of the value of half the power actually produced, this payment, which will take into account the cost of the works necessary for producing the power, being made either in money or in power and in default of agreement being determined by arbitration. For this purpose France alone shall have the right to carry out in this part of the river all works of regulation (weirs or other works) which she may consider necessary for the production of power. Similarly, the right of taking water from the Rhine is accorded to Belgium to feed the Rhine-Meuse navigable waterway provided for below.

The exercise of the rights mentioned under (*a*) and (*b*) of the present Article shall not interfere with navigability nor reduce the facilities for navigation, either in the bed of the Rhine or in the derivations which may be substituted therefor, nor shall it involve any increase in the tolls formerly levied under the Convention in force. All proposed schemes shall be laid before the Central Commission in order that that Commission may assure itself that these conditions are complied with.

To ensure the proper and faithful execution of the provisions contained in (*a*) and (*b*) above, Germany:

(1) binds herself not to undertake or to allow the construction of any lateral canal or any derivation on the right bank of the river opposite the French frontiers;

(2) recognises the possession by France of the right of support on and the right of way over all lands situated on the right bank which may be required in order to survey, to build, and to operate weirs which France, with the consent of the Central Commission, may subsequently decide to establish. In accordance with such consent, France shall be entitled to decide upon and fix the limits of the necessary sites, and she shall be permitted to occupy such lands after a period of two months after simple notification, subject to the payment by her to Germany of indemnities of which the total amount shall be fixed by the Central Commission. Germany shall make it her business to indemnify the proprietors whose property will be burdened with such servitudes or permanently occupied by the works.

Should Switzerland so demand, and if the Central Commission approves, the same rights shall be accorded to Switzerland for the part of the river forming her frontier with other riparian States;

(3) shall hand over to the French Government, during the month following the coming into force of the present Treaty, all projects, designs, drafts of concessions and of specifications concerning the regulation of the Rhine for any purpose whatever which have been drawn up or received by the Governments of Alsace-Lorraine or of the Grand Duchy of Baden.

ARTICLE 359.

Subject to the preceding provisions, no works shall be carried out in the bed or on either bank of the Rhine where it forms the boundary of France and Germany without the previous approval of the Central Commission or of its agents.

ARTICLE 360.

France reserves the option of substituting herself as regards the rights and obligations resulting from agreements arrived at between the Government of Alsace-Lorraine and the Grand Duchy of Baden concerning the works to be carried out on the Rhine; she may also denounce such agreements within a term of five years dating from the coming into force of the present Treaty.

France shall also have the option of causing works to be carried out which may be recognised as necessary by the Central Commission for the upkeep or improvement of the navigability of the Rhine above Mannheim.

ARTICLE 361.

Should Belgium within a period of 25 years from the coming into force of the present Treaty decide to create a deep-draught Rhine-Meuse navigable waterway, in the region of Ruhrort, Germany shall be bound to construct, in accordance with plans to be communicated to her by the Belgian Government, after agreement with the Central Commission, the portion of this navigable waterway situated within her territory.

The Belgian Government shall, for this purpose, have the right to carry out on the ground all necessary surveys.

Should Germany fail to carry out all or part of these works, the Central Commission shall be entitled to carry them out instead; and, for this purpose, the Commission may decide upon and fix the limits of the necessary sites and occupy the ground after a period of two months after simple notification, subject to the payment of indemnities to be fixed by it and paid by Germany.

This navigable waterway shall be placed under the same administrative régime as the Rhine itself, and the division of the cost of initial construction, including the above indemnities, among the States crossed thereby shall be made by the Central Commission.

ARTICLE 362.

Germany hereby agrees to offer no objection to any proposals of the Central Rhine Commission for extending its jurisdiction:

(1) to the Moselle below the Franco-Luxemburg frontier down to the Rhine, subject to the consent of Luxemburg;

(2) to the Rhine above Basle up to the Lake of Constance, subject to the consent of Switzerland;

(3) to the lateral canals and channels which may be established either to duplicate or to improve naturally navigable sections of the Rhine or the Moselle, or to connect two naturally navigable sections of these rivers, and also any other parts of the Rhine river system which may be covered by the General Convention provided for in Article 338 above.

CHAPTER V.

CLAUSES GIVING TO THE CZECHO-SLOVAK STATE THE USE OF NORTHERN PORTS.

ARTICLE 363.

In the ports of Hamburg and Stettin Germany shall lease to the Czecho-Slovak State, for a period of 99 years, areas which shall be placed under the general régime of free zones and shall be used for the direct transit of goods coming from or going to that State.

ARTICLE 364.

The delimitation of these areas, and their equipment, their exploitation, and in general all conditions for their utilisation, including the amount of the rental, shall be decided by a Commission consisting of one delegate of Germany, one delegate of the Czecho-Slovak State and one delegate of Great Britain. These conditions shall be susceptible of revision every ten years in the same manner.

Germany declares in advance that she will adhere to the decisions so taken.

SECTION III.

RAILWAYS.

CHAPTER I.

CLAUSES RELATING TO INTERNATIONAL TRANSPORT.

ARTICLE 365.

Goods coming from the territories of the Allied and Associated Powers, and going to Germany, or in transit through Germany from or to the territories of the Allied and Associated Powers, shall enjoy on the German railways as regards charges to be collected (rebates and drawbacks being taken into account), facilities, and all other matters, the most favourable treatment applied to goods of the same kind carried on any German lines, either in internal traffic, or for export, import or in transit, under similar conditions of transport, for example as regards length of route. The same rule shall be applied, on the request of one or more of the Allied and Associated Powers, to goods specially designated by such Power or Powers coming from Germany and going to their territories.

International tariffs established in accordance with the rates referred to in the preceding paragraph and involving through waybills shall be established when one of the Allied and Associated Powers shall require it from Germany.

ARTICLE 366.

From the coming into force of the present Treaty the High Contracting Parties shall renew, in so far as concerns them and under the reserves indicated in the second paragraph of the present Article, the conventions and arrangements signed at Berne on October 14, 1890, September 20, 1893, July 16, 1895, June 16, 1898, and September 19, 1906, regarding the transportation of goods by rail.

If within five years from the date of the coming into force of the present Treaty a new convention for the transportation of passengers, luggage and goods by rail shall have been concluded to replace the Berne Convention of October 14, 1890, and the subsequent additions referred to above, this new convention and the supplementary provisions for international transport by rail which may be based on it shall bind Germany, even if she shall have refused to take part in the preparation of the convention or to subscribe to it. Until a new convention shall have been concluded, Germany shall conform to the provisions of the Berne Convention and the subsequent additions referred to above, and to the current supplementary provisions.

ARTICLE 367.

Germany shall be bound to co-operate in the establishment of through ticket services (for passengers and their luggage) which shall be required by any of the Allied and Associated Powers to ensure their communication by rail with each other and with all other countries by transit across the territories of Germany; in particular Germany shall, for this purpose, accept trains and carriages coming from the territories of the Allied and Associated Powers and shall forward them with a speed at least equal to that of her best long-distance trains on the same lines. The rates applicable to such through services shall not in any case be higher than the rates collected on German internal services for the same distance, under the same conditions of speed and comfort.

The tariffs applicable under the same conditions of speed and comfort to the transportation of emigrants going to or coming from ports of the Allied and Associated Powers and using the German railways shall not be at a higher kilometric rate than the most favourable tariffs (drawbacks and rebates being taken into account) enjoyed on the said railways by emigrants going to or coming from any other ports.

ARTICLE 368.

Germany shall not apply specially to such through services, or to the transportation of emigrants going to or coming from the ports of the Allied and Associated Powers, any technical, fiscal or administrative measures, such as measures of customs examination, general police, sanitary police, and control, the result of which would be to impede or delay such services.

ARTICLE 369.

In case of transport partly by rail and partly by internal navigation, with or without through waybill, the preceding Articles shall apply to the part of the journey performed by rail.

CHAPTER II.

ROLLING-STOCK.

ARTICLE 370.

Germany undertakes that German wagons shall be fitted with apparatus allowing:

(1) of their inclusion in goods trains on the lines of such of the Allied and Associated Powers as are parties to the Berne Convention of May 15, 1886, as modified on May 18, 1907, without hampering the action of the continuous brake which may be adopted in such countries within ten years of the coming into force of the present Treaty, and

(2) of the acceptance of wagons of such countries in all goods trains on the German lines.

The rolling-stock of the Allied and Associated Powers shall enjoy on the German lines the same treatment as German rolling-stock as regards movement, upkeep and repairs.

CHAPTER III.

CESSIONS OF RAILWAY LINES.

ARTICLE 371.

Subject to any special provisions concerning the cession of ports, waterways and railways situated in the territories over which Germany abandons her sovereignty, and to the financial

conditions relating to the concessionnaires and the pensioning of the personnel, the cession of railways will take place under the following conditions:

(1) The works and installations of all the railroads shall be handed over complete and in good condition.

(2) When a railway system possessing its own rolling-stock is handed over in its entirety by Germany to one of the Allied and Associated Powers, such stock shall be handed over complete, in accordance with the last inventory before November 11, 1918, and in a normal state of upkeep.

(3) As regards lines without any special rolling-stock, Commissions of experts designated by the Allied and Associated Powers, on which Germany shall be represented, shall fix the proportion of the stock existing on the system to which those lines belong to be handed over. These Commissions shall have regard to the amount of the material registered on these lines in the last inventory before November 11, 1918, the length of track (sidings included), and the nature and amount of the traffic. These Commissions shall also specify the locomotives, carriages and wagons to be handed over in each case; they shall decide upon the conditions of their acceptance, and shall make the provisional arrangements necessary to ensure their repair in German workshops.

(4) Stocks of stores, fittings and plant shall be handed over under the same conditions as the rolling-stock.

The provisions of paragraphs 3 and 4 above shall be applied to the lines of former Russian Poland converted by Germany to the German gauge, such lines being regarded as detached from the Prussian State System.

CHAPTER IV.

PROVISIONS RELATING TO CERTAIN RAILWAY LINES.

ARTICLE 372.

When as a result of the fixing of new frontiers a railway connection between two parts of the same country crosses another country, or a branch line from one country has its terminus in another, the conditions of working, if not specifically provided for in the present Treaty, shall be laid down in a convention between the railway administrations concerned. If the administrations cannot come to an agreement as to the terms of such convention, the points of difference shall be decided by commissions of experts composed as provided in the preceding Article.

ARTICLE 373.

Within a period of five years from the coming into force of the present Treaty the Czecho-Slovak State may require the construction of a railway line in German territory between the stations of Schlauney and Nachod. The cost of construction shall be borne by the Czecho-Slovak State.

ARTICLE 374.

Germany undertakes to accept, within ten years of the coming into force of the present Treaty, on request being made by the Swiss Government after agreement with the Italian Government, the denunciation of the International Convention of October 13, 1909, relative to the St. Gothard railway. In the absence of agreement as to the conditions of such denunciation, Germany hereby agrees to accept the decision of an arbitrator designated by the United States of America.

CHAPTER V.

TRANSITORY PROVISIONS.

ARTICLE 375.

Germany shall carry out the instructions given her, in regard to transport, by an authorised body acting on behalf of the Allied and Associated Powers:

(1) For the carriage of troops under the provisions of the present Treaty, and of material, ammunition and supplies for army use;

(2) As a temporary measure, for the transportation of supplies for certain regions, as well as for the restoration, as rapidly as possible, of the normal conditions of transport, and for the organisation of postal and telegraphic services.

SECTION IV.

DISPUTES.

AND REVISION OF PERMANENT CLAUSES.

ARTICLE 376.

Disputes which may arise between interested Powers with regard to the interpretation and application of the preceding Articles shall be settled as provided by the League of Nations.

ARTICLE 377.

At any time the League of Nations may recommend the revision of such of these Articles as relate to a permanent administrative régime.

ARTICLE 378.

The stipulations in Articles 321 to 330, 332, 365, and 367 to 369 shall be subject to revision by the Council of the League of Nations at any time after five years from the coming into force of the present Treaty.

Failing such revision, no Allied or Associated Power can claim after the expiration of the above period of five years the benefit of any of the stipulations in the Articles enumerated above on behalf of any portion of its territories in which reciprocity is not accorded in respect of such stipulations. The period of five years during which reciprocity cannot be demanded may be prolonged by the Council of the League of Nations.

SECTION V.

SPECIAL PROVISION.

ARTICLE 379.

Without prejudice to the special obligations imposed on her by the present Treaty for the benefit of the Allied and Associated Powers, Germany undertakes to adhere to any General Conventions regarding the international régime of transit, waterways, ports or railways which may be concluded by the Allied and Associated Powers, with the approval of the League of Nations, within five years of the coming into force of the present Treaty.

SECTION VI.

CAUSES RELATING TO THE KIEL CANAL.

ARTICLE 380.

The Kiel Canal and its approaches shall be maintained free and open to the vessels of commerce and of war of all nations at peace with Germany on terms of entire equality.

ARTICLE 381.

The nationals, property and vessels of all Powers shall, in respect of charges, facilities, and in all other respects, be treated on a footing of perfect equality in the use of the Canal, no distinction being made to the detriment of nationals, property and vessels of any Power between them and the nationals, property and vessels of Germany or of the most favoured nation.

No impediment shall be placed on the movement of persons or vessels other than those arising out of police, customs, sanitary, emigration or immigration regulations and those relating to the import or export of prohibited goods. Such regulations must be reasonable and uniform and must not unnecessarily impede traffic.

ARTICLE 382.

Only such charges may be levied on vessels using the Canal or its approaches as are intended to cover in an equitable manner the cost of maintaining in a navigable condition, or of improving, the Canal or its approaches, or to meet expenses incurred in the interests of navigation. The schedule of such charges shall be calculated on the basis of such expenses, and shall be posted up in the ports.

These charges shall be levied in such a manner as to render any detailed examination of cargoes unnecessary, except in the case of suspected fraud or contravention.

ARTICLE 383.

Goods in transit may be placed under seal or in the custody of customs agents; the loading and unloading of goods, and the embarkation and disembarkation of passengers, shall only take place in the ports specified by Germany.

ARTICLE 384.

No charges of any kind other than those provided for in the present Treaty shall be levied along the course or at the approaches of the Kiel Canal.

ARTICLE 385.

Germany shall be bound to take suitable measures to remove any obstacle or danger to navigation, and to ensure the maintenance of good conditions of navigation. She shall not undertake any works of a nature to impede navigation on the Canal or its approaches.

ARTICLE 386.

In the event of violation of any of the conditions of Articles 380 to 386, or of disputes as to the interpretation of these Articles, any interested Power can appeal to the jurisdiction instituted for the purpose by the League of Nations.

In order to avoid reference of small questions to the League of Nations, Germany will establish a local authority at Kiel qualified to deal with disputes in the first instance and to give satisfaction so far as possible to complaints which may be presented through the consular representatives of the interested Powers.

PART XIII.

LABOUR.

SECTION I.

ORGANISATION OF LABOUR.

Whereas the League of Nations has for its object the establishment of universal peace, and such a peace can be established only if it is based upon social justice;

And whereas conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required: as, for example, by the regulation of the hours of work, including the establishment of a maximum working day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection of the interests of workers when employed in countries other than their own, recognition of the principle of freedom of association, the organisation of vocational and technical education and other measures;

Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries;

The HIGH CONTRACTING PARTIES, moved by sentiments of justice and humanity as well as by the desire to secure the permanent peace of the world, agree to the following:

CHAPTER I.

ORGANISATION.

ARTICLE 387.

A permanent organisation is hereby established for the promotion of the objects set forth in the Preamble.

The original Members of the League of Nations shall be the original Members of this organisation, and hereafter membership of the League of Nations shall carry with it membership of the said organisation.

ARTICLE 388.

The permanent organisation shall consist of:

(1) a General Conference of Representatives of the Members and,

(2) an International Labour Office controlled by the Governing Body described in Article 393.

ARTICLE 389.

The meetings of the General Conference of Representatives of the Members shall be held from time to time as occasion may require, and at least once in every year. It shall be composed of four Representatives of each of the Members, of whom two shall be Government Delegates and the two others shall be Delegates representing respectively the employers and the workpeople of each of the Members.

Each Delegate may be accompanied by advisers, who shall not exceed two in number for each item on the agenda of the meeting. When questions specially affecting women are to be considered by the Conference, one at least of the advisers should be a woman.

The Members undertake to nominate non-Government Delegates and advisers chosen in agreement with the industrial organisations, if such organisations exist, which are most representative of employers or workpeople, as the case may be, in their respective countries.

Advisers shall not speak except on a request made by the Delegate whom they accompany and by the special authorization of the President of the Conference, and may not vote.

A Delegate may by notice in writing addressed to the President appoint one of his advisers to act as his deputy, and the adviser, while so acting, shall be allowed to speak and vote.

The names of the Delegates and their advisers will be communicated to the International Labour Office by the Government of each of the Members.

The credentials of Delegates and their advisers shall be subject to scrutiny by the Conference, which may, by two-thirds of the votes cast by the Delegates present, refuse to admit any Delegate or adviser whom it deems not to have been nominated in accordance with this Article.

ARTICLE 390.

Every Delegate shall be entitled to vote individually on all matters which are taken into consideration by the Conference.

If one of the Members fails to nominate one of the non-Government Delegates whom it is entitled to nominate, the other non-Government Delegate shall be allowed to sit and speak at the Conference, but not to vote.

If in accordance with Article 389 the Conference refuses admission to a Delegate of one of the Members, the provisions of the present Article shall apply as if that Delegate had not been nominated.

ARTICLE 391.

The meetings of the Conference shall be held at the seat of the League of Nations, or at such other place as may be decided by the Conference at a previous meeting by two-thirds of the votes cast by the Delegates present.

ARTICLE 392.

The International Labour Office shall be established at the seat of the League of Nations as part of the organisation of the League.

ARTICLE 393.

The International Labour Office shall be under the control of a Governing Body consisting of twenty-four persons, appointed in accordance with the following provisions:

The Governing Body of the International Labour Office shall be constituted as follows:

Twelve persons representing the Governments;

Six persons elected by the Delegates to the Conference representing the employers;

Six persons elected by the Delegates to the Conference representing the workers.

Of the twelve persons representing the Governments eight shall be nominated by the Members which are of the chief industrial importance, and four shall be nominated by the Members selected for the purpose by the Government Delegates to the Conference, excluding the Delegates of the eight Members mentioned above.

Any question as to which are the Members of the chief industrial importance shall be decided by the Council of the League of Nations.

The period of office of the Members of the Governing Body will be three years. The method of filling vacancies and other similar questions may be determined by the Governing Body subject to the approval of the Conference.

The Governing Body shall, from time to time, elect one of its members to act as its Chairman, shall regulate its own procedure and shall fix its own times of meeting. A special meeting shall be held if a written request to that effect is made by at least ten members of the Governing Body.

ARTICLE 394.

There shall be a Director of the International Labour Office, who shall be appointed by the Governing Body, and, subject to the instructions of the Governing Body, shall be responsible for the efficient conduct of the International Labour Office and for such other duties as may be assigned to him.

The Director or his deputy shall attend all meetings of the Governing Body.

ARTICLE 395.

The staff of the International Labour Office shall be appointed by the Director, who shall, so far as is possible with due regard to the efficiency of the work of the Office, select persons of different nationalities. A certain number of these persons shall be women.

ARTICLE 396.

The functions of the International Labour Office shall include the collection and distribution of information on all subjects relating to the international adjustment of conditions of industrial life and labour, and particularly the examination of subjects which it is proposed to bring before the Conference with a view to the conclusion of international conventions, and the conduct of such special investigations as may be ordered by the Conference.

It will prepare the agenda for the meetings of the Conference.

It will carry out the duties required of it by the provisions of this Part of the present Treaty in connection with international disputes.

It will edit and publish in French and English, and in such other languages as the Governing Body may think desirable, a periodical paper dealing with problems of industry and employment of international interest.

Generally, in addition to the functions set out in this Article, it shall have such other powers and duties as may be assigned to it by the Conference.

ARTICLE 397.

The Government Departments of any of the Members which deal with questions of industry and employment may communicate directly with the Director through the Representative of their Government on the Governing Body of the International Labour Office, or failing any such Representative, through such other qualified official as the Government may nominate for the purpose.

ARTICLE 398.

The International Labour Office shall be entitled to the assistance of the Secretary-General of the League of Nations in any matter in which it can be given.

ARTICLE 399.

Each of the Members will pay the travelling and subsistence expenses of its Delegates and their advisers and of its Representatives attending the meetings of the Conference or Governing Body, as the case may be.

All the other expenses of the International Labour Office and of the meetings of the Conference or Governing Body shall be paid to the Director by the Secretary-General of the League of Nations out of the general funds of the League.

The Director shall be responsible to the Secretary-General of the League for the proper expenditure of all moneys paid to him in pursuance of this Article.

CHAPTER II.

PROCEDURE.

ARTICLE 400.

The agenda for all meetings of the Conference will be settled by the Governing Body, who shall consider any suggestion as to the agenda that may be made by the Government of any of the Members or by any representative organisation recognised for the purpose of Article 389.

ARTICLE 401.

The Director shall act as the Secretary of the Conference, and shall transmit the agenda so as to reach the Members four months before the meeting of the Conference, and, through them, the non-Government Delegates when appointed.

ARTICLE 402.

Any of the Governments of the Members may formally object to the inclusion of any item or items in the agenda. The grounds for such objection shall be set forth in a reasoned statement addressed to the Director, who shall circulate it to all the Members of the Permanent Organisation.

Items to which such objection has been made shall not, however, be excluded from the agenda, if at the Conference a majority of two-thirds of the votes cast by the Delegates present is in favour of considering them.

If the Conference decides (otherwise than under the preceding paragraph) by two-thirds of the votes cast by the Delegates present that any subject shall be considered by the Conference, that subject shall be included in the agenda for the following meeting.

ARTICLE 403.

The Conference shall regulate its own procedure, shall elect its own President, and may appoint committees to consider and report on any matter.

Except as otherwise expressly provided in this Part of the present Treaty, all matters shall be decided by a simple majority of the votes cast by the Delegates present.

The voting is void unless the total number of votes cast is equal to half the number of the Delegates attending the Conference.

ARTICLE 404.

The Conference may add to any committees which it appoints technical experts, who shall be assessors without power to vote.

ARTICLE 405.

When the Conference has decided on the adoption of proposals with regard to an item in the agenda, it will rest with the Conference to determine whether these proposals should take the form: (*a*) of a recommendation to be submitted to the Members for consideration with a view to effect being given to it by national legislation or otherwise, or (*b*) of a draft international convention for ratification by the Members.

In either case a majority of two-thirds of the votes cast by the Delegates present shall be necessary on the final vote for the adoption of the recommendation or draft convention, as the case may be, by the Conference.

In framing any recommendation or draft convention of general application the Conference shall have due regard to those countries in which climatic conditions, the imperfect development of industrial organisation or other special circumstances make the industrial conditions substantially different and shall suggest the modifications, if any, which it considers may be required to meet the case of such countries.

A copy of the recommendation or draft convention shall be authenticated by the signature of the President of the Conference and of the Director and shall be deposited with the Secretary-General of the League of Nations. The Secretary-General will communicate a certified copy of the recommendation or draft convention to each of the Members.

Each of the Members undertakes that it will, within the period of one year at most from the closing of the session of the Conference, or if it is impossible owing to exceptional circumstances to do so within the period of one year, then at the earliest practicable moment and in no case later than eighteen months from the closing of the session of the Conference, bring the recommendation or draft convention before the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action.

In the case of a recommendation, the Members will inform the Secretary-General of the action taken.

In the case of a draft convention, the Member will, if it obtains the consent of the authority or authorities within whose competence the matter lies, communicate the formal ratification of the convention to the Secretary-General and will take such action as may be necessary to make effective the provisions of such convention.

If on a recommendation no legislative or other action is taken to make a recommendation effective, or if the draft convention fails to obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the Member.

In the case of a federal State, the power of which to enter into conventions on labour matters is subject to limitations, it shall be in the discretion of that Government to treat a draft convention to which such limitations apply as a recommendation only, and the provisions of this Article with respect to recommendations shall apply in such case.

The above Article shall be interpreted in accordance with the following principle:

In no case shall any Member be asked or required, as a result of the adoption of any recommendation or draft convention by the Conference, to lessen the protection afforded by its existing legislation to the workers concerned.

ARTICLE 406.

Any convention so ratified shall be registered by the Secretary-General of the League of Nations, but shall only be binding upon the Members which ratify it.

ARTICLE 407.

If any convention coming before the Conference for final consideration fails to secure the support of two-thirds of the votes cast by the Delegates present, it shall nevertheless be within the right of any of the Members of the Permanent Organisation to agree to such convention among themselves.

Any convention so agreed to shall be communicated by the Governments concerned to the Secretary-General of the League of Nations, who shall register it.

ARTICLE 408.

Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of conventions to which it is a party. These reports shall be made in such form and shall contain such particulars as the Governing Body may request. The Director shall lay a summary of these reports before the next meeting of the Conference.

ARTICLE 409.

In the event of any representation being made to the International Labour Office by an industrial association of employers or of workers that any of the Members has failed to secure in any respect the effective observance within its jurisdiction of any convention to which it is a party, the Governing Body may communicate this representation to the Government against which it is made and may invite that Government to make such statement on the subject as it may think fit.

ARTICLE 410.

If no statement is received within a reasonable time from the Government in question, or if the statement when received is not deemed to be satisfactory by the Governing Body, the latter shall have the right to publish the representation and the statement, if any, made in reply to it.

ARTICLE 411.

Any of the Members shall have the right to file a complaint with the International Labour Office if it is not satisfied that

any other Member is securing the effective observance of any convention which both have ratified in accordance for the foregoing Articles.

The Governing Body may, if it thinks fit, before referring such a complaint to a Commission of Enquiry, as hereinafter provided for, communicate with the Government in question in the manner described in Article 409.

If the Governing Body does not think it necessary to communicate the complaint to the Government in question, or if, when they have made such communication, no statement in reply has been received within a reasonable time which the Governing Body considers to be satisfactory, the Governing Body may apply for the appointment of a Commission of Enquiry to consider the complaint and to report thereon.

The Governing Body may adopt the same procedure either of its own motion or on receipt of a complaint from a Delegate to the Conference.

When any matter arising out of Articles 410 or 411 is being considered by the Governing Body, the Government in question shall, if not already represented thereon, be entitled to send a representative to take part in the procceedings of the Governing Body while the matter is under consideration. Adequate notice of the date on which the matter will be considered shall be given to the Government in question.

ARTICLE 412.

The Commission of Enquiry shall be constituted in accordance with the following provisions:

Each of the Members agrees to nominate within six months of the date on which the present Treaty comes into force three persons of industrial experience, of whom one shall be a representative of employers, one a representative of workers, and one a person of independent standing, who shall together form a panel from which the Members of the Commission of Enquiry shall be drawn.

The qualifications of the persons so nominated shall be subject to scrutiny by the Governing Body, which may by two-thirds of the votes cast by the representatives present refuse to accept the nomination of any person whose qualifications do not in its opinion comply with the requirements of the present Article.

Upon the application of the Governing Body, the Secretary-General of the League of Nations shall nominate three persons, one from each section of this panel, to constitute the Commission of Enquiry, and shall designate one of them as the President of the Commission. None of these three persons shall be a person nominated to the panel by any Member directly concerned in the complaint.

ARTICLE 413.

The Members agree that, in the event of the reference of a complaint to a Commission of Enquiry under Article 411, they will each, whether directly concerned in the complaint or not, place at the disposal of the Commission all the information in their possession which bears upon the subject-matter of the complaint.

ARTICLE 414.

When the Commission of Enquiry has fully considered the complaint, it shall prepare a report embodying its findings on all questions of fact relevant to determining the issue between the parties and containing such recommendations as it may think proper as to the steps which should be taken to meet the complaint and the time within which they should be taken.

It shall also indicate in this report the measures, if any, of an economic character against a defaulting Government which it considers to be appropriate, and which it considers other Governments would be justified in adopting.

ARTICLE 415.

The Secretary-General of the League of Nations shall communicate the report of the Commission of Enquiry to each of the Governments concerned in the complaint, and shall cause it to be published.

Each of these Governments shall within one month inform the Secretary-General of the League of Nations whether or not it accepts the recommendations contained in the report of the Commission; and if not, whether it proposes to refer the complaint to the Permanent Court of International Justice of the League of Nations.

ARTICLE 416.

In the event of any Member failing to take the action required by Article 405, with regard to a recommendation or draft Convention, any other Member shall be entitled to refer the matter to the Permanent Court of International Justice.

ARTICLE 417.

The decision of the Permanent Court of International Justice in regard to a complaint or matter which has been referred to it in pursuance of Article 415 or Article 416 shall be final.

ARTICLE 418.

The Permanent Court of International Justice may affirm, vary or reverse any of the findings or recommendations of the Commission of Enquiry, if any, and shall in its decision indicate the measures, if any, of an economic character which it considers to be appropriate, and which other Governments would be justified in adopting against a defaulting Government.

ARTICLE 419.

In the event of any Member failing to carry out within the time specified the recommendations, if any, contained in the report of the Commission of Enquiry, or in the decision of the Permanent Court of International Justice, as the case may be, any other Member may take against that Member the measures of an economic character indicated in the report of the Commission or in the decision of the Court as appropriate to the case.

ARTICLE 420.

The defaulting Government may at any time inform the Governing Body that it has taken the steps necessary to comply with the recommendations of the Commission of Enquiry or with those in the decision of the Permanent Court of International Justice, as the case may be, and may request it to apply to the Secretary-General of the League to constitute a Commission of Enquiry to verify its contention. In this case the provisions of Articles 412, 413, 414, 415, 417 and 418 shall apply, and if the report of the Commission of Enquiry or the decision of the Permanent Court of International Justice is in favour of the defaulting Government, the other Governments shall forthwith discontinue the measures of an economic character that they have taken against the defaulting Government.

CHAPTER III.

GENERAL.

ARTICLE 421.

The Members engage to apply conventions which they have ratified in accordance with the provisions of this Part of the present Treaty to their colonies, protectorates and possessions which are not fully self-governing:

(1) Except where owing to the local conditions the convention is inapplicable, or

(2) Subject to such modifications as may be necessary to adapt the convention to local conditions.

And each of the Members shall notify to the International Labour Office the action taken in respect of each of its colonies, protectorates and possessions which are not fully self-governing.

ARTICLE 422.

Amendments to this Part of the present Treaty which are adopted by the Conference by a majority of two-thirds of the votes cast by the Delegates present shall take effect when ratified by the States whose representatives compose the Council of the League of Nations and by three-fourths of the Members.

ARTICLE 423.

Any question or dispute relating to the interpretation of this Part of the present Treaty or of any subsequent convention concluded by the Members in pursuance of the provisions of this Part of the present Treaty shall be referred for decision to the Permanent Court of International Justice.

CHAPTER IV.

TRANSITORY PROVISIONS.

ARTICLE 424.

The first meeting of the Conference shall take place in October, 1919. The place and agenda for this meeting shall be as specified in the Annex hereto.

Arrangements for the convening and the organisation of the first meeting of the Conference will be made by the Government designated for the purpose in the said Annex. That Government shall be assisted in the preparation of the documents for submission to the Conference by an International Committee constituted as provided in the said Annex.

The expenses of the first meeting and of all subsequent meetings held before the League of Nations has been able to establish a general fund, other than the expenses of Delegates and their advisers, will be borne by the Members in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.

ARTICLE 425.

Until the League of Nations has been constituted all communications which under the provisions of the foregoing Articles should be addressed to the Secretary-General of the

League will be preserved by the Director of the International Labour Office, who will transmit them to the Secretary-General of the League.

ARTICLE 426.

Pending the creation of a Permanent Court of International Justice disputes which in accordance with this Part of the present Treaty would be submitted to it for decision will be referred to a tribunal of three persons appointed by the Council of the League of Nations.

ANNEX.

FIRST MEETING OF ANNUAL LABOUR CONFERENCE, 1919.

The place of meeting will be Washington.

The Government of the United States of America is requested to convene the Conference.

The International Organising Committee will consist of seven Members, appointed by the United States of America, Great Britain, France, Italy, Japan, Belgium and Switzerland. The Committee may, if it thinks necessary, invite other Members to appoint representatives.

Agenda:

(1) Application of principle of the 8-hours day or of the 48-hours week.

(2) Question of preventing or providing against unemployment.

(3) Women's employment:

(*a*) Before and after child-birth, including the question of maternity benefit;

(*b*) During the night;

(*c*) In unhealthy processes.

(4) Employment of children:

(*a*) Minimum age of employment;

(*b*) During the night;

(*c*) In unhealthy processes.

(5) Extension and application of the International Conventions adopted at Berne in 1906 on the prohibition of night work for women employed in industry and the prohibition of the use of white phosphorus in the manufacture of matches.

SECTION II.

GENERAL PRINCIPLES.

ARTICLE 427.

The High Contracting Parties, recognising that the well-being, physical, moral and intellectual, of industrial wage-earners is of supreme international importance, have framed, in order to further this great end, the permanent machinery provided for in Section I and associated with that of the League of Nations.

They recognise that differences of climate, habits and customs, of economic opportunity and industrial tradition, make strict uniformity in the conditions of labour difficult of immediate attainment. But, holding as they do, that labour should not be regarded merely as an article of commerce, they think that there are methods and principles for regulating labour conditions which all industrial communities should endeavour to apply, so far as their special circumstances will permit.

Among these methods and principles, the following seem to the High Contracting Parties to be of special and urgent importance:

First.—The guiding principle above enunciated that labour should not be regarded merely as a commodity or article of commerce.

Second.—The right of association for all lawful purposes by the employed as well as by the employers.

Third.—The payment to the employed of a wage adequate to maintain a reasonable standard of life as this is understood in their time and country.

Fourth.—The adoption of an eight hours day or a forty-eight hours week as the standard to be aimed at where it has not already been attained.

Fifth.—The adoption of a weekly rest of at least twenty-four hours, which should include Sunday wherever practicable.

Sixth.—The abolition of child labour and the imposition of such limitations on the labour of young persons as shall permit the continuation of their education and assure their proper physical development.

Seventh.—The principle that men and women should receive equal remuneration for work of equal value.

Eighth.—The standard set by law in each country with respect to the conditions of labour should have due regard to the equitable economic treatment of all workers lawfully resident therein.

Ninth.—Each State should make provision for a system of inspection in which women should take part, in order to ensure the enforcement of the laws and regulations for the protection of the employed.

Without claiming that these methods and principles are either complete or final, the High Contracting Parties are of opinion that they are well fitted to guide the policy of the League of Nations; and that, if adopted by the industrial communities who are members of the League, and safeguarded in practice by an adequate system of such inspection, they will confer lasting benefits upon the wage-earners of the world.

PART XIV.

GUARANTEES.

SECTION 1.

WESTERN EUROPE.

ARTICLE 428.

As a guarantee for the execution of the present Treaty by Germany, the German territory situated to the west of the Rhine, together with the bridgeheads, will be occupied by Allied and Associated troops for a period of fifteen years from the coming into force of the present Treaty.

ARTICLE 429.

If the conditions of the present Treaty are faithfully carried out by Germany, the occupation referred to in Article 428 will be successively restricted as follows:

(1) At the expiration of five years there will be evacuated: the bridgehead of Cologne and the territories north of a line running along the Ruhr, then along the railway Jülich, Duren, Euskirchen, Rheinbach, thence along the road Rheinbach to Sinzig, and reaching the Rhine at the confluence with the Ahr; the roads, railways and places mentioned above being excluded from the area evacuated.

(2) At the expiration of ten years there will be evacuated: the bridgehead of Coblenz and the territories north of a line to be drawn from the intersection between the frontiers of Belgium, Germany and Holland, running about from 4 kilometres south of Aix la-Chapelle, then to and following the crest of Forst Gemünd, then east of the railway of the Urft Valley, then along Blankenheim, Valdorf, Dreis, Ulmen to and following the Moselle from Bremm to Nehren, then passing by Kappel and Simmern, then following the ridge of the heights between Simmern and the Rhine and reaching this river at Bacharach; all the places, valleys, roads and railways mentioned above being excluded from the area evacuated.

(3) At the expiration of fifteen years there will be evacuated: the bridgehead of Mainz, the bridgehead of Kehl and the remainder of the German territory under occupation.

If at that date the guarantees against unprovoked aggression by Germany are not considered sufficient by the Allied and Associated Governments, the evacuation of the occupying troops may be delayed to the extent regarded as necessary for the purpose of obtaining the required guarantees.

ARTICLE 430.

In case either during the occupation or after the expiration of the fifteen years referred to above the Reparation Commission finds that Germany refuses to observe the whole or part of her obligations under the present Treaty with regard to reparation, the whole or part of the areas specified in Article 429 will be re-occupied immediately by the Allied and Associated forces.

ARTICLE 431.

If before the expiration of the period of fifteen years Germany complies with all the undertakings resulting from the present Treaty, the occupying forces will be withdrawn immediately.

ARTICLE 432.

All matters relating to the occupation and not provided for by the present Treaty shall be regulated by subsequent agreements, which Germany hereby undertakes to observe.

SECTION II.

EASTERN EUROPE.

ARTICLE 433.

As a guarantee for the execution of the provisions of the present Treaty, by which Germany accepts definitely the abrogation of the Brest-Litovsk Treaty, and of all treaties, conventions and agreements entered into by her with the Maximalist Government in Russia, and in order to ensure the restoration of peace and good government in the Baltic Provinces and Lithuania, all German troops at present in the said territories shall return to within the frontiers of Germany as soon as the Governments of the Principal Allied and Associated Powers shall think the moment suitable, having regard to the internal situation of these territories. These troops shall abstain from all requisitions and seizures and from any other coercive measures, with a view to obtaining supplies intended for Germany, and shall in no way interfere with such measures

for national defence as may be adopted by the Provisional Governments of Esthonia, Latvia and Lithuania.

No other German troops shall, pending the evacuation or after the evacuation is complete, be admitted to the said territories.

PART XV.

MISCELLANEOUS PROVISIONS.

ARTICLE 434.

Germany undertakes to recognise the full force of the Treaties of Peace and Additional Conventions which may be concluded by the Allied and Associated Powers with the Powers who fought on the side of Germany and to recognise whatever dispositions may be made concerning the territories of the former Austro-Hungarian Monarchy, of the Kingdom of Bulgaria and of the Ottoman Empire, and to recognize the new States within their frontiers as there laid down.

ARTICLE 435.

The High Contracting Parties, while they recognize the guarantees stipulated by the Treaties of 1815, and especially by the Act of November 20, 1815, in favour of Switzerland, the said guarantees constituting international obligations for the maintenance of peace, declare nevertheless that the provisions of these treaties, conventions, declarations and other supplementary Acts concerning the neutralized zone of Savoy, as laid down in paragraph 1 of Article 92 of the Final Act of the Congress of Vienna and in paragraph 2 of Article 3 of the Treaty of Paris of November 20, 1815, are no longer consistent with present conditions. For this reason the High Contracting Parties take note of the agreement reached between the French Government and the Swiss Government for the abrogation of the stipulations relating to this zone which are and remain abrogated.

The High Contracting Parties also agree that the stipulations of the Treaties of 1815 and of the other supplementary Acts concerning the free zones of Upper Savoy and the Gex district are no longer consistent with present conditions, and that it is for France and Switzerland to come to an agreement together with a view to settling between themselves the status of these territories under such conditions as shall be considered suitable by both countries.

ANNEX.

I.

The Swiss Federal Council has informed the French Government on May 5, 1919, that after examining the provisions of Article 435 in a like spirit of sincere friendship it has happily reached the conclusion that it was possible to acquiesce in it under the following conditions and reservations:

(1) The neutralized zone of Haute-Savoie:

(*a*) It will be understood that as long as the Federal Chambers have not ratified the agreement come to between the two Governments concerning the abrogation of the stipulations in respect of the neutralized zone of Savoy, nothing will be definitively settled, on one side or the other, in regard to this subject.

(*b*) The assent given by the Swiss Government to the abrogation of the above mentioned stipulations presupposes, in conformity with the text adopted, the recognition of the guarantees formulated in favour of Switzerland by the Treaties of 1815 and particularly by the Declaration of November 20, 1815.

(*c*) The agreement between the Governments of France and Switzerland for the abrogation of the above mentioned stipulations will only be considered as valid if the Treaty of Peace contains this Article in its present wording. In addition the Parties to the Treaty of Peace should endeavour to obtain the assent of the signatory Powers of the Treaties of 1815 and of the Declaration of November 20, 1815, which are not signatories of the present Treaty of Peace.

(2) Free zone of Haute-Savoie and the district of Gex:

(*a*) The Federal Council makes the most express reservations to the interpretation to be given to the statement mentioned in the last paragraph of the above Article for insertion in the Treaty of Peace, which provides that "the stipulations of the Treaties of 1815 and other supplementary acts concerning the free zones of Haute-Savoie and the Gex district are no longer consistent with present conditions." The Federal Council would not wish that its acceptance of the above wording should lead to the conclusion that it would agree to the suppression of a system intended to give neighbouring territory the benefit of a special régime which is appropriate to the geographical and economical situation and which has been well tested.

In the opinion of the Federal Council the question is not the modification of the customs system of the zones as set up by the Treaties mentioned above, but only the regulation in a manner more appropriate to the economic conditions of the present day of the terms of the exchange of goods between the regions in question. The Federal Council has been led to make the preceding observations by the perusal of the draft Convention concerning the future constitution of the zones which was annexed to the note of April 26 from the French Government. While making the above reservations the Federal Council declares its readiness to examine in the most friendly spirit any proposals which the French Government may deem it convenient to make on the subject.

(*b*) It is conceded that the stipulations of the Treaties of 1815 and other supplementary acts relative to the free zones will remain in force until a new arrangement is come to between France and Switzerland to regulate matters in this territory.

II.

The French Government have addressed to the Swiss Government, on May 18, 1919, the following note in reply to the communication set out in the preceding paragraph:

In a note dated May 5 the Swiss Legation in Paris was good enough to inform the Government of the French Republic that the Federal Government adhered to the proposed Article to be inserted in the Treaty of Peace between the Allied and Associated Governments and Germany.

The French Government have taken note with much pleasure of the agreement thus reached, and, at their request, the proposed Article, which had been accepted by the Allied and Associated Governments, has been inserted under No. 435 in the Peace conditions presented to the German Plenipotentiaries.

The Swiss Government, in their note of May 5 on this subject, have expressed various views and reservations.

Concerning the observations relating to the free zones of Haute-Savoie and the Gex district, the French Government have the honour to observe that the provisions of the last paragraph of Article 435 are so clear that their purport cannot be misapprehended, especially where it implies that no other Power but France and Switzerland will in future be interested in that question.

The French Government, on their part, are anxious to protect the interests of the French territories concerned, and, with that object, having their special situation in view, they bear in mind the desirability of assuring them a suitable customs régime and determining, in a manner better suited to present conditions, the methods of exchanges between these territories and the adjacent Swiss territories, while taking into account the reciprocal interests of both regions.

It is understood that this must in no way prejudice the right of France to adjust her customs line in this region in conformity with her political frontier, as is done on the other portions of her territorial boundaries, and as was done by Switzerland long ago on her own boundaries in this region.

The French Government are pleased to note on this subject in what a friendly disposition the Swiss Government take this opportunity of declaring their willingness to consider any French proposal dealing with the system to be substituted for the present régime of the said free zones, which the French Government intend to formulate in the same friendly spirit.

Moreover, the French Government have no doubt that the provisional maintenance of the régime of 1815 as to the free zones referred to in the above mentioned paragraph of the note from the Swiss Legation of May 5, whose object is to provide for the passage from the present régime to the conventional régime, will cause no delay whatsoever in the establishment of the new situation which has been found necessary by the two Governments. This remark applies also to the ratification by the Federal Chambers, dealt with in paragraph 1 (*a*), of the Swiss note of May 5, under the heading "Neutralized zone of Haute-Savoie."

ARTICLE 436.

The High Contracting Parties declare and place on record that they have taken note of the Treaty signed by the Government of the French Republic on July 17, 1918, with His Serene Highness the Prince of Monaco defining the relations between France and the Principality.

ARTICLE 437.

The High Contracting Parties agree that, in the absence of a subsequent agreement to the contrary, the Chairman of any Commission established by the present Treaty shall in the event of an equality of votes be entitled to a second vote.

ARTICLE 438.

The Allied and Associated Powers agree that where Christian religious missions were being maintained by German societies or persons in territory belonging to them, or of which the government is entrusted to them in accordance with the present Treaty, the property which these missions or missionary societies possessed, including that of trading societies whose profits were devoted to the support of missions, shall continue to be devoted to missionary purposes. In order to ensure the due execution of this undertaking the Allied and Associated Governments will hand over such property to boards of trustees

appointed by or approved by the Governments and composed of persons holding the faith of the Mission whose property is involved.

The Allied and Associated Governments, while continuing to maintain full control as to the individuals by whom the Missions are conducted, will safeguard the interests of such Missions.

Germany, taking note of the above undertaking, agrees to accept all arrangements made or to be made by the Allied or Associated Government concerned for carrying on the work of the said missions or trading societies and waives all claims on their behalf.

ARTICLE 439.

Without prejudice to the provisions of the present Treaty, Germany undertakes not to put forward directly or indirectly against any Allied or Associated Power, signatory of the present Treaty, including those which without having declared war, have broken off diplomatic relations with the German Empire, any pecuniary claim based on events which occurred at any time before the coming into force of the present Treaty.

The present stipulation will bar completely and finally all claims of this nature, which will be thenceforward extinguished, whoever may be the parties in interest.

ARTICLE 440.

Germany accepts and recognises as valid and binding all decrees and orders concerning German shops and goods and all orders relating to the payment of costs made by any Prize Court of any of the Allied or Associated Powers, and undertakes not to put forward any claim arising out of such decrees or orders on behalf of any German national.

The Allied and Associated Powers reserve the right to examine in such manner as they may determine all decisions and orders of German Prize Courts, whether affecting the property rights of nationals of those Powers or of neutral Powers. Germany agrees to furnish copies of all the documents constituting the record of the cases, including the decisions and orders made, and to accept and give effect to the recommendations made after such examination of the cases.

THE PRESENT TREATY, of which the French and English texts are both authentic, shall be ratified.

The deposit of ratifications shall be made at Paris as soon as possible.

Powers of which the seat of the Government is outside Europe will be entitled merely to inform the Government of the French Republic through their diplomatic representative at Paris that their ratification has been given; in that case they must transmit the instrument of ratification as soon as possible.

A first procès-verbal of the deposit of ratifications will be drawn up as soon as the Treaty has been ratified by Germany on the one hand, and by three of the Principal Allied and Associated Powers on the other hand.

From the date of this first procès-verbal the Treaty will come into force between the High Contracting Parties who have ratified it. For the determination of all periods of time provided for in the present Treaty this date will be the date of the coming into force of the Treaty.

In all other respects the Treaty will enter into force for each Power at the date of the deposit of its ratification.

The French Government will transmit to all the signatory Powers a certified copy of the procès-verbaux of the deposit of ratifications.

IN FAITH WHEREOF the above-named Plenipotentiaries have signed the present Treaty.

Done at Versailles, the twenty-eighth day of June, one thousand nine hundred and nineteen, in a single copy which will remain deposited in the archives of the French Republic, and of which authenticated copies will be transmitted to each of the Signatory Powers.

Mr. LODGE. Mr. President, I move that the treaty submitted by the President of the United States be printed, in both languages, for the use of the Senate, together with the maps.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

Mr. LODGE. I move that the Senate return to legislative session.

The motion was agreed to.

Mr. LODGE. I send to the desk a concurrent resolution and ask for its immediate consideration.

The resolution (S. Con. Res. 5) was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 50,000 copies of the treaty with Germany in the English text alone, and without maps, 10,000 of which shall be for the use of the House of Representatives and 40,000 for the use of the Senate.

The VICE PRESIDENT. Is there any objection to the present consideration of the concurrent resolution?

Mr. PITTMAN. I ask the Senator to include in his request that the address delivering the treaty be printed with it.

Mr. LODGE. I think it would be better to have them printed as separate documents. I was going to move the printing of the address.

Mr. PITTMAN. Then I will wait for that to be done.

The VICE PRESIDENT. Is there any objection to the present consideration of the concurrent resolution?

The concurrent resolution was considered by unanimous consent and agreed to.

Mr. PITTMAN. I ask unanimous consent that the address of the President of the United States be printed as a Senate document.

The VICE PRESIDENT. Is there any objection?

Mr. SMOOT. Mr. President, all I have to say is that an equal number should be printed, if possible. One is a request for unanimous consent and the other is a concurrent resolution. I have no objection at all to the printing within the $500 limit, as provided by law.

Mr. WILLIAMS. I hope there will not be any $500 limit upon this printing.

Mr. LODGE. Of course, there can not be upon the treaty, and there must not be upon the message. I asked for unanimous consent for both, and it was given, as I understood.

Mr. BRANDEGEE. Mr. President, I rise to a question of order. I ask for order in the Chamber.

The VICE PRESIDENT rapped for order.

Mr. LODGE. Mr. President, I hope that these copies of the treaty that are for general distribution will be printed, not in RECORD type but in good large type, so that they can be easily read. I am aware, of course, that the $500 limit applies to both the address and the treaty; but I think we ought to pass these orders at once, because there will be a very great demand both for the address and the treaty, and the Senate ought to have it as soon as possible for distribution.

Mr. SMOOT. Such an order is contrary to law.

Mr. PITTMAN's order was reduced to writing and agreed to, as follows:

Ordered, That the address of the President of the United States, delivered in the Senate Chamber this day, be printed as a Senate document and that 50,000 copies be printed for the use of the Senate.

Mr. LODGE. I am reminded that it is not a question of the rules, but a question of law. Therefore I ask a reconsideration of the vote by which the concurrent resolution was agreed to.

The VICE PRESIDENT. Without objection, that will be done.

Mr. LODGE. I now ask that these prints be made up to the $500 limit, and that the concurrent resolution be referred to the Committee on Printing for action.

Mr. PITTMAN. That includes the order for the printing of the address also?

Mr. LODGE. Certainly; I am including both the address and the treaty.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

REPORTS OF COMMITTEES.

Mr. McLEAN, from the Committee on Banking and Currency, to which was referred the following bill and joint resolution, reported them each without amendment and submitted reports thereon.

A bill (S. 2395) amending section 25 of an act approved December 23, 1913, known as the Federal reserve act, as amended by the act approved September 7, 1916 (Rept. No. 69); and

A joint resolution (S. J. Res. 42) authorizing national banks to subscribe to the united war work campaign (Rept. No. 68).

Mr. WADSWORTH, from the Committee on Claims, to which were referred the following bills, reported them each without amendment:

A bill (S. 175) for the relief of Kny-Scheerer Corporation; and

A bill (S. 2145) for the relief of Edward N. McCarty.

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 631) repealing certain provisions contained in the urgent deficiency act approved December 22, 1911 (Rept. No. 71); and

A bill (S. 1722) for the relief of Watson B. Dickerman, administrator of the estate of Charles Backman, deceased (Rept. No. 72).

He also, from the same committee, to which were referred the following bills, reported them severally with an amendment and submitted reports thereon:

A bill (S. 390) for the relief of Peter McKay (Rept. No. 73);

A bill (S. 629) for the relief of the Alaska Steamship Co. (Rept. No. 74);

A bill (S. 822) for the relief of James W. Cross (Rept. No. 75); and

A bill (S. 1195) for the relief of Alfred Sjostrom (Rept. No. 76).

AMERICAN PRINTING HOUSE FOR THE BLIND.

Mr. KENYON. I ask unanimous consent that the Committee on Education and Labor be discharged from the further consideration of the bill (S. 2104) providing additional aid for the American Printing House for the Blind, and that the bill be referred to the Committee on Appropriations, where it properly belongs.

The VICE PRESIDENT. Without objection, it is so ordered.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 2426) to repeal section 16 of the act of Congress approved July 17, 1916, known as the Federal farm-loan act; to the Committee on Banking and Currency.

By Mr. CURTIS:

A bill (S. 2427) to provide for the classification of Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. McCUMBER:

A bill (S. 2428) for the relief of the legal representatives of the estate of Henry H. Sibley, deceased; to the Committee on Claims.

A bill (S. 2429) granting a pension to F. A. Patterson; to the Committee on Pensions.

By Mr. SPENCER:

A bill (S. 2430) to provide for deporting certain aliens, and for other purposes; to the Committee on Immigration.

Mr. FERNALD:

A bill (S. 2431) for the relief of the estate of Gen. George L. Beal; to the Committee on Claims.

EXPORTS OF MEAT PRODUCTS.

Mr. SHERMAN submitted the following resolution (S. Res. 114), which was referred to the Committee on Foreign Relations:

Resolved, That the Federal Trade Commission be, and is hereby, requested to furnish to the Senate at the earliest possible moment copies of all documents, correspondence, or other papers in its possession relating to its efforts or action in promoting or concerning the export trade in meats from the United States to the Kingdom of Great Britain or any of its colonial dependencies or other countries, and especially any communications by the Federal Trade Commission, or any of its members, officers, agents, or employees with the officers or agents of any foreign government, and, more especially, all communications had with the ministry of reconstruction of Great Britain or the members thereof appointed in 1918, and to include all correspondence with the Hon. Charles A. McCurdy, M. P., of the ministry of foods and recently chairman of the committee on trusts; also such correspondence with any other member of the ministry of reconstruction in relation to the meat industries of the United States.

DEPARTMENTAL PUBLICITY WORK.

Mr. SHERMAN submitted the following resolution (S. Res. 115), which was referred to the Committee on Appropriations:

Resolved, That the several departments and bureaus of the Government are directed to report to the Senate, first, all men and agencies employed by that particular branch of the Government, whether paid out of public funds or otherwise, whose services, in whole or in part, are given to the dissemination of news or matters affecting such department or bureau, or for any other kind of publicity work, together with salaries and hours of labor and duties performed of all such employees, that copy furnished the press during the months of 1919 be submitted with such statement, and that data be furnished separately as of dates October 1, 1916, July 1, 1917, July 1, 1918, and July 1, 1919.

JAPANESE CONTROL OF SHANTUNG.

Mr. BORAH. I submit a resolution, and ask that it be read and referred to the Committee on Foreign Relations.

The resolution (S. Res. 116) was read and referred to the Committee on Foreign Relations, as follows:

Resolved, That the President be requested, if not incompatible with the public interest, to send to the Senate a copy of any letter or written protest by any member or members of the American Peace Commission against the disposition or adjustment which was made with reference to Shantung, and particularly a copy of a letter written by Gen. Tasker H. Bliss, member of the peace commission, on behalf of himself; Robert Lansing, Secretary of State; and Hon. Henry White, members of the peace commission, protesting against the provisions of the treaty with reference to Shantung.

2. Any memoranda or other information in the possession of the American Peace Commission or any member thereof, with reference to the attempt of Japan or her peace delegates to intimidate the Chinese peace delegates and to control the action of said Chinese delegates through and by means of intimidation.

STATEMENT OF APPROPRIATIONS.

Mr. WARREN. Mr. President, as a matter of law, the Committees on Appropriations of the Senate and House are directed, every Congress, to assemble and furnish to the Congress in compact form all the figures and laws pertaining to appropriations, with a list of the offices discontinued, if any; the new offices created, if any, and the salaries of each class; all increases, decreases, and omissions of salaries; contracts requiring future payments, and so forth, and so forth.

At the close of each session the committee is expected to place before the Senate and in the RECORD figures showing the amount of appropriations for the current year and those provided for the ensuing year.

The reason why this was not done at the end of the last Congress is obvious, as we were in some confusion and seven or eight of the large appropriation bills providing for 1920 were at the time of adjournment unacted upon. In consequence of this some inaccurate statements have been indulged in, both in speech and in print. Now that those appropriation bills of the Sixty-fifth Congress have been completed in the present Congress, the committee takes the earliest practicable opportunity to present the facts for record.

I present for the RECORD four tables. The first one shows the appropriations for 1919. I mention only the totals. The grand total of those appropriations is $27,092,094,720.75. Of course, that includes the $3,000,000,000 loaned to our Allies during that year and all the appropriations inclusive, the regular, deficiency, miscellaneous, and permanent appropriations.

Like appropriations just completed for 1920 amount to $7,337,597,283.58, a decrease in 1920 from 1919 amounting to $19,754,497,437.17.

I submit next a table which shows the figures of the eight large appropriation bills which have been passed up to this time during the first session of the Sixty-sixth Congress, with some analysis of the miscellaneous, permanent, indefinite, and deficiency appropriations, the figures being the same as the first. I also present a table showing, first, what was in the unfinished bills as far as they had reached when we adjourned March 4; second, what was asked for by the departments since in the way of estimates; and third, what we really appropriated, those totals, omitting the smaller figures, being about two and three-fourths of a billion dollars agreed upon, as against four and a half billion dollars asked for, and to which we appropriated but $1,685,867,893.64.

I submit still another table which shows the amounts sought to be appropriated by the Sixty-fifth Congress, third session, the eight bills left over, unacted upon, and the amounts later passed in these same bills in the present session of the Sixty-sixth Congress, with the difference. The difference amounts to $939,692,541.97, that being the amount less in the eight bills as passed by the Sixty-sixth Congress than the amount carried in the old bills which failed to pass when the Sixty-fifth Congress closed. I ask that these tables be printed in the RECORD.

The tables were ordered to be printed in the RECORD, as follows:

Comparison of appropriations for the fiscal year 1919, made during the second session of the Sixty-fifth Congress, with appropriations for the fiscal year 1920, made during the third session of the Sixty-fifth Congress and the first session of the Sixty-sixth Congress to date.

	1919	1920	Increase of 1920 over 1919.	Decrease of 1920 under 1919.
Agriculture	$27,875,353.00	$33,899,761.00	$6,024,408.00	
Army	10,225,478,312.91	772,324,877.50		$9,453,153,435.41
Diplomatic and Consular	7,937,376.66	9,843,661.67	1,906,285.01	
District of Columbia	15,046,768.66	15,364,421.00	317,652.34	
Fortification	2,814,348,267.85	11,214,291.00		2,803,133,976.85
Indian	11,021,910.00	11,131,397.03	109,487.03	
Legislative, etc	69,937,863.25	97,963,831.77	28,025,968.52	
Military Academy	2,515,005.01	2,277,932.20		237,072.81
Navy	1,573,468,415.84	616,096,838.88		957,371,576.96
Pension	220,050,000.00	215,030,000.00		5,020,000.00
Post Office	377,573,342.00	609,466,149.00	231,892,807.00	
River and harbor	23,771,900.00	33,378,364.00	9,606,464.00	
Sundry civil	2,019,654,470.07	605,160,207.95		1,414,494,262.12
Total regular annual appropriations	17,388,678,985.25	3,033,151,733.00	277,883,071.90	14,633,410,324.15
Deficiencies	4,325,012,456.83	1,112,450,234.11		3,212,562,222.72
Miscellaneous	[1] 4,270,987,863.00	1,117,708,436.47		3,153,279,426.53
Permanent appropriations	1,107,415,415.67	[2] 2,074,286,880.00	966,871,464.33	
Grand total	27,092,094,720.75	7,337,597,283.58	1,244,754,536.23	20,999,251,973.40

[1] This sum includes $3,000,000,000 for loans to our Allies, reimbursable by foreign Governments to whom advances are made.

[2] This sum includes estimated amounts as follows: For the payment of interest on the public debt, $1,000,000,000; miscellaneous redemptions of the public debt, $964,020,000; miscellaneous, permanent, and indefinite appropriations, $85,266,880; and increased compensation to certain Government employees, $25,000,000.

APPROPRIATIONS FOR THE FISCAL YEAR 1919–20.

Statement of appropriations made during the third session of the Sixty-fifth Congress and the first session of the Sixty-sixth Congress, comprising appropriations for the support of the Government for the fiscal year 1920 and deficiencies in appropriations for the fiscal year 1919 and prior years.

REGULAR ANNUAL APPROPRIATION ACTS.

Agriculture	$33,899,761.00	
Army	772,324,877.50	
Diplomatic and Consular	9,843,661.67	
District of Columbia	15,364,421.00	
Fortification	11,214,291.00	
Indian	11,131,397.03	
Legislative, etc	97,963,831.77	
Military Academy	2,277,932.20	
Naval	616,096,838.88	
Pension	215,030,000.00	
Post Office (includes $78,000,000 for the construction of roads for the fiscal year 1921)	609,466,149.00	
River and harbor	33,378,364.00	
Sundry civil	605,160,207.95	
Total, regular annual acts		$3,033,151,733.00

DEFICIENCY APPROPRIATION ACTS.

Second deficiency, fiscal year 1919	$292,714,084.71	
Third deficiency, fiscal year 1919	24,305,929.40	
War risk insurance and pension deficiency	45,044,500.00	
Railroad deficiency	750,000,000.00	
Expenses incident to the first session of the Sixty-sixth Congress	385,720.00	
Total, deficiency acts		1,112,450,234.11

APPROPRIATIONS IN MISCELLANEOUS ACTS.

Wheat-price guaranty	$1,000,000,000.00	
Relief in Europe	100,000,000.00	
Public Health Service hospitals	9,835,333.00	
Revenue act	7,525,000.00	
Sundry miscellaneous acts	348,103.47	
Total, miscellaneous acts		1,117,708,436.47

PERMANENT AND INDEFINITE APPROPRIATIONS (ESTIMATED).

Interest on public debt	$1,000,000,000.00	
Miscellaneous public debt redemption	964,020,000.00	
Miscellaneous permanent and indefinite appropriations	85,266,880.00	
Increased compensation to certain Government employees	25,000,000.00	
Total, permanents, etc		2,074,286,880.00
Grand total		7,337,597,283.58

Comparison of the amounts of the appropriation bills as agreed upon with amounts asked for and considered during the Sixty-sixth Congress, first session.

Title of act.	Amounts as agreed upon, Sixty-sixth Congress, first session.	Amounts asked for and considered, Sixty-sixth Congress, first session.	Decrease of amounts agreed upon Sixty-sixth Congress, first session, under amounts asked for and considered, Sixty-sixth Congress, first session.
Agriculture	$33,899,761.00	$34,993,686.00	$1,093,925.00
Army	772,324,877.50	1,268,322,269.04	495,997,391.54
District of Columbia	15,364,421.00	15,635,701.00	271,280.00
Indian	11,131,397.03	11,939,813.89	808,416.86
Navy	616,096,838.88	975,903,621.28	359,806,782.40
Sundry civil	605,160,207.95	964,591,556.25	359,431,348.30
Railroad deficiency	750,000,000.00	1,200,000,000.00	450,000,000.00
Third deficiency	24,305,929.40	[1] 42,764,678.94	18,458,749.54
War risk insurance and Pension deficiency	45,044,500.00	45,044,500.00	
Expenses incident to first session of the Sixty-sixth Congress	385,720.00	385,720.00	
Total	2,873,713,652.76	4,559,581,546.40	1,685,867,893.64

[1] This amount does not include $45,044,500 estimated in connection with the bill making urgent deficiency appropriations for the Bureau of War Risk Insurance and for the payment of pensions. Of this sum $42,615,000 was not estimated at the third session of the Sixty-fifth Congress and therefore not included in the total of $42,764,678.94, which sum does include $2,429,500 for above-named purposes.

Comparison of the amounts of the eight appropriation bills which failed of final enactment at the third session of the Sixty-fifth Congress with the amounts of the same bills as they have been finally agreed upon at the first session of the Sixty-sixth Congress.

Title of act.	Last action figures Sixty-fifth Congress, third session.	Amount as agreed upon Sixty-sixth Congress, first session.	Decrease, Sixty-sixth Congress, first session, under Sixty-fifth Congress, third session.	Increase, Sixty-sixth Congress, first session, over Sixty-fifth Congress, third session.
Agriculture	[1] $37,344,852.00	$33,899,761.00	$3,445,091.00	
Army	[1] 1,240,500,066.98	772,324,877.50	468,175,189.48	
District of Columbia	[2] 14,446,364.00	15,364,421.00		$918,057.00
Indian	[2] 11,457,797.03	11,131,397.03	326,400.00	
Navy	[1] 824,708,121.88	616,096,838.88	208,611,283.00	
Sundry civil	[3] 851,171,859.25	605,160,207.95	246,011,651.30	
Railroad deficiency	[1] 750,000,000.00	750,000,000.00		
Third deficiency	[4] 38,346,913.59	[5] 24,305,929.40	14,040,984.19	
Total	3,767,975,974.73	2,828,283,432.76	940,610,598.97	918,057.00

[1] Amount as reported to the Senate.
[2] Amount as passed the Senate.
[3] Amount as passed the House.
[4] Amount as reported to the Senate exclusive of $750,000,000 for railroad deficiency passed as a separate measure, but included in third deficiency act for the third session of the Sixty-fifth Congress as reported to the Senate. Also exclusive of $53,750,000 for emergency shipping fund carried in the amount of the sundry civil bill for the Sixty-fifth Congress, third session, as it passed the House.
[5] This amount does not include $45,044,500 carried in the bill making urgent deficiency appropriations for the Bureau of War Risk Insurance and for the payment of pensions. Of this sum $42,615,000 was not estimated or considered at the third session of the Sixty-fifth Congress, and $2,429,500 was included in the third deficiency bill at that session.

Net decrease, Sixty-sixth Congress, first session, under Sixty-fifth Congress, third session $939,692,541.97

TREATY OF PEACE WITH GERMANY.

Mr. SWANSON. Mr. President, I desire to give notice that on Monday next, after the routine morning business, I shall address the Senate on the league of nations and the treaty of peace with Germany.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 1 o'clock and 15 minutes p. m.) the Senate adjourned until Monday, July 14, 1919, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate July 10, 1919.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

H. Percival Dodge, of Massachusetts, to be envoy extraordinary and minister plenipotentiary of the United States of America to the Kingdom of the Serbs, Croats, and Slovenes.

SECRETARY OF EMBASSY AND LEGATION.

CLASS 2.

Richard C. Bundy, of Ohio, now a secretary of embassy or legation of class 3 to be a secretary of embassy or legation of class 2 of the United States of America.

CONSULS.

CLASS 8.

Harry A. McBride, of Michigan, formerly a consul of class 8, to be a consul of class 8 of the United States of America, to which office he was reappointed during the last recess of the Senate.

Raymond C. Mackay, of Wisconsin, now vice consul at Hankow.

Keith Merrill, of Minnesota, now vice consul at London.

John P. Hurley, of Brooklyn, N. Y.

William W. Early, of Aulander, N. C.

William P. Garrety, of New York City.

CLASS 5.

Edward J. Norton, of Tennessee, formerly consul at Bombay and now vice consul at Malaga, to be a consul of class 5 of the United States of America.

ASSISTANT ATTORNEY GENERAL.

Robert P. Stewart, of Deadwood, S. Dak., to be Assistant Attorney General, vice Claude R. Porter, resigned.

MEMBER OF UNITED STATES SHIPPING BOARD.

John Barton Payne, of Illinois, to be a member of the United States Shipping Board, vice Edward N. Hurley, resigned.

SOLICITOR OF INTERNAL REVENUE.

Robert N. Miller, of Louisville, Ky., to be Solicitor of Internal Revenue, vice D. M. Kelleher, resigned.

JUDGE OF THE COURT OF CLAIMS.

Samuel J. Graham, of Pittsburgh, Pa., to be judge of the Court of Claims, vice Samuel S. Barney, resigned.

UNITED STATES DISTRICT JUDGE.

Charles E. Bunnell, of Fairbanks, Alaska, to be United States district judge, fourth division, District of Alaska. (A reappointment, his term having expired.)

UNITED STATES ATTORNEYS.

Vernon A. Bullard, of Burlington, Vt., to be United States attorney, District of Vermont. (A reappointment, his term having expired.)

Lee Douglas, of Nashville, Tenn., to be United States attorney, middle district of Tennessee. (A reappointment, his term having expired.)

John A. Fain, of Oklahoma City, Okla., to be United States attorney, western district of Oklahoma. (A reappointment, his term having expired.)

Edwin S. Wertz, of Cleveland, Ohio, to be United States attorney, northern district of Ohio. (A reappointment, his term having expired.)

W. V. Gregory, of Mayfield, Ky., to be United States attorney, western district of Kentucky, vice Perry B. Miller, term expired.

Edward C. Knotts, of Springfield, Ill., to be United States attorney, southern district of Illinois. (A reappointment, his term having expired.)

John F. Crosby, of Hartford, Conn., to be United States attorney, district of Connecticut. (Mr. Crosby is now serving under appointment by court.)

Mrs. A. A. Adams, of San Francisco, Calif., to be United States attorney, northern district of California. (Mrs. Adams is now serving under appointment by court.)

Rinehart F. Roth, of Fairbanks, Alaska, to be United States attorney, District of Alaska, division No. 4. (A reappointment, his term having expired.)

J. M. Clements, of Helena, Mont., to be United States attorney, District of Alaska, division No. 2, vice G. J. Lomen, appointed by court.

UNITED STATES MARSHALS.

Stanley H. Trezevant, of Memphis, Tenn., to be United States marshal, western district of Tennessee. (A reappointment, his term having expired.)

William R. Bennett, of San Juan, P. R., to be United States marshal, district of Porto Rico. (A reappointment, his term having expired.)

Michael Devanney, of Cincinnati, Ohio, to be United States marshal, southern district of Ohio. (A reappointment, his term having expired.)

Thomas D. McCarthy, of New York, N. Y., to be United States marshal, southern district of New York. (A reappointment, his term having expired.)

Albert Bollschweiler, of Trenton, N. J., to be United States marshal, district of New Jersey. (A reappointment, his term having expired.)

Thomas Pickett, of Reno, Nev., to be United States marshal, district of Nevada, vice Joseph McEachin, resigned.

Herman O'Connor, of Grand Rapids, Mich., to be United States marshal, western district of Michigan. (A reappointment, his term having expired.)

John J. Mitchell, of Boston, Mass., to be United States marshal, district of Massachusetts. (A reappointment, his term having expired.)

John Hugh Kirkpatrick, of Shreveport, La., to be United States marshal, western district of Louisiana. (A reappointment, his term having expired.)

PUBLIC HEALTH SERVICE.

Dr. Guy McM. Parkhurst to be assistant surgeon in the Public Health Service, to be effective from date of oath.

Dr. Clarence A. Ransom to be assistant surgeon in the Public Health Service, to be effective from date of oath.

Asst. Surg. David J. Prather to be passed assistant surgeon in the Public Health Service, to rank as such from April 8, 1919.

Asst. Surg. Louis L. Williams, jr., to be passed assistant surgeon in the Public Health Service, to rank as such from April 8, 1919.

Asst. Surg. Warren F. Fox to be passed assistant surgeon in the Public Health Service, to rank as such from April 9, 1919.

UNITED STATES COAST AND GEODETIC SURVEY.

John Dalrymple Powell, of Virginia, to be hydrographic and geodetic engineer in the United States Coast and Geodetic Survey, Department of Commerce. (Vice himself. Is now serving under recess appointment by promotion from junior hydrographic and geodetic engineer.)

COAST GUARD.

First Lieut. James F. Hottel to be a captain in the Coast Guard from March 16, 1919.

Second Lieut. Fred A. Nichols to be a first lieutenant in the Coast Guard from March 16, 1919.

Second Lieut. of Engineers Webb C. Magiathlin to be a first lieutenant of Engineers in the Coast Guard from September 27, 1918.

Second Lieut. of Engineers Whitney M. Prall to be a first lieutenant of Engineers in the Coast Guard from March 18, 1919.

Third Lieut. of Engineers Walter M. Troll to be a second lieutenant of Engineers in the Coast Guard from September 27, 1918.

RECEIVERS OF PUBLIC MONEYS.

Mrs. Lulu Hurley, of Nevada, who was appointed March 14, 1919, at Elko, Nev., vice Ashley G. Dawley, deceased. (Recess appointment.)

Donaciano E. Rodriguez, of New Mexico, who was appointed March 14, 1919, at Las Cruces, N. Mex., vice Santiago P. Ascarate; term expired. (Recess appointment.)

William Norris Dickinson, of North Dakota, who was appointed March 14, 1919, at Williston, N. Dak., vice Charles A. Mansfield, deceased. (Recess appointment.)

REGISTERS OF LAND OFFICE.

Miss Effie A. Frisbee, of Alaska, who was appointed March 14, 1919, at Juneau, Alaska, vice Clyde B. Walker, resigned. (Recess appointee.)

James E. Truesdale, of South Dakota, who was appointed April 21, 1919, at Timber Lake, S. Dak.; vice William Healey, deceased. (Recess appointee.)

Frank P. Wheeler, of California, at Eureka, Calif.; term expired February 12, 1919. (Reappointment.)

Henry A. Meier, of Nebraska, at Lincoln, Nebr.; term expired March 2, 1919. (Reappointment.)

John L. Burnside, of New Mexico, at Las Cruces, N. Mex.; term expired March 19, 1918. (Reappointment.)

Emmett Patton, of New Mexico, at Roswell, N. Mex.; term expired March 19, 1918. (Reappointment.)

Gould B. Blakely, of Utah, at Salt Lake City, Utah; term expired March 2, 1919. (Reappointment.)

William O'Leary, of North Dakota, at Minot, N. Dak., vice Clarence R. Bierly, deceased.

Frank F. Steele, of Montana, at Helena, Mont.; term expired January 24, 1919. (Reappointment.)

Raymundo Harrison, of New Mexico, at Fort Sumner, N. Mex.; term expired January 25, 1919. (Reappointment.)

William G. Cowan, of New Mexico, at Roswell, N. Mex.; term expired March 19, 1918. (Reappointment.)

Matthias N. Fegtly, of Oregon, at Vale, Oreg.; term expired February 12, 1919. (Reappointment.)

Heber C. Jex, of Utah, at Salt Lake City, Utah; term expired March 2, 1919. (Reappointment.)

Claude E. Rusk, of Washington, at Yakima, Wash.; term expired March 2, 1919. (Reappointment.)

William F. Page, of Washington, at Spokane, Wash.; term expired March 2, 1919. (Reappointment.)

PROMOTIONS IN THE REGULAR ARMY.

CAVALRY ARM.

To be colonels.

Lieut. Col. Lawrence J. Fleming, Cavalry, from July 1, 1919.

Lieut. Col. Oren B. Meyer, Cavalry, from July 1, 1919.

Lieut. Col. Charles J. Symmonds, Cavalry, from July 2, 1919.

Lieut. Col. Edward D. Anderson, Cavalry (General Staff), from July 3, 1919.

Lieut. Col. George P. White, Cavalry, from July 3, 1919.

JUDGE ADVOCATE GENERAL'S DEPARTMENT.

Lieut. Col. Walter A. Bethel, judge advocate, to be judge advocate with the rank of colonel from June 26, 1919.

Maj. Irvin L. Hunt, judge advocate, to be judge advocate with the rank of lieutenant colonel from June 26, 1919.

INFANTRY.

First Lieut. James D. Basey, Infantry, to be captain with rank from July 20, 1918 (subject to examination required by law).

MEDICAL CORPS.

First Lieut. James Kerr Anderson, Medical Corps, United States Army (temporary), to be first lieutenant with rank from June 16, 1919.

Maj. John Newton Merrick to be first lieutenant with rank from June 11, 1919, Medical Corps, United States Army (temporary).

Maj. Everett Allen Anderson to be first lieutenant with rank from June 5, 1919, Medical Corps (temporary).

Maj. George Newlove to be first lieutenant with rank from June 5, 1919, Medical Corps (temporary).

Lieut. Col. Luke Baker Peck to be first lieutenant with rank from June 16, 1919, Medical Corps, United States Army (temporary).

To be captains with rank from September 18, 1918.

First Lieut. William M. Archer, jr., Medical Corps.
First Lieut. Henry F. Philips, Medical Corps.

First Lieut. Nicholson F. Curtis to be captain with rank from October 9, 1918, Medical Corps.

First Lieut. John S. C. Fielden, jr., to be captain with rank from November 8, 1918, Medical Corps.

To be captains with rank from November 24, 1918.

First Lieut. John M. Hewitt, Medical Corps.
First Lieut. Claude W. Cummings, Medical Corps.
First Lieut. James M. Troutt, Medical Corps.
First Lieut. Alan De F. Smith, Medical Corps.
First Lieut. Frank M. Ende, Medical Corps.
First Lieut. Samuel A. White, Medical Corps.
First Lieut. Albert W. Greenwell, Medical Corps.
First Lieut. Francis M. Fitts, Medical Corps.
First Lieut. Eric A. Fennel, Medical Corps.
First Lieut. Paul E. McNabb, Medical Corps.
First Lieut. Harvey E. Webb, Medical Corps.
First Lieut. George F. Aycock, Medical Corps.
First Lieut. Henry W. Grady, Medical Corps.
First Lieut. Philip J. Lukens, jr., Medical Corps.
First Lieut. Norman McL. Scott, Medical Corps.
First Lieut. Marion R. Mobley, Medical Corps.
First Lieut. Frederick K. Herpel, Medical Corps.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Capt. Hilary P. Jones to be a rear admiral in the Navy from the 1st day of April, 1919.

Capt. Charles P. Plunkett to be a rear admiral in the Navy from the 7th day of April, 1919.

Commander Walter S. Crosley, an additional number in grade, to be a captain in the Navy from the 15th day of August, 1918.

Commander Orton P. Jackson to be a captain in the Navy from the 11th day of October, 1918.

Commander Frank B. Upham to be a captain in the Navy from the 16th day of December, 1918.

Commander Clark D. Stearns to be a captain in the Navy from the 7th day of April, 1919.

Lieut. Commander Lloyd S. Shapley to be a commander in the Navy from the 1st day of July, 1918.

Lieut. Commander Arthur P. Fairfield to be a commander in the Navy from the 11th day of October, 1918.

Lieut. Edwin B. Woodworth to be a lieutenant commander in the Navy from the 1st day of July, 1917.

Lieut. Henry G. Fuller to be a lieutenant commander in the Navy from the 23d day of January, 1918.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of July, 1918:

Edwin A. Wolleson,
Claude B. Mayo,
Fletcher C. Starr, and
Charles F. Russell.

The following-named lieutenants to be lieutenant commanders in the Navy from the 15th day of August, 1918:

Charles A. Dunn and
John W. Lewis.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 7th day of March, 1918:

Alston R. Simpson,
Edgar M. Williams, and
George M. Lowry.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 8th day of June, 1918:

John A. Byers,
Edward O. McDonnell,
Harold Dodd,
Harold B. Grow,
James A. Saunders,
Robert D. Moore,
Walter S. DeLany,
Stephan B. Robinson, and
Roscoe E. Schuirman.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July, 1918:

Hans Ertz,
Charles W. McNair,
Otto M. Forster,
John Wilbur,
Edward H. McKitterick, and
Laurence R. Brown.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 7th day of June, 1919:

James C. Jones, jr.,
John L. Hill,
Norman C. Gillette, and
Laurance T. DuBose.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 5th day of June, 1918:

Warner P. Portz,
James M. Shoemaker,
Edouard V. M. Isaacs,
Robert M. Fortson,
Dallas D. Dupre,
Raymond Burhen,
Frederic P. Culbert,
Powell McC. Rhea,
Philip C. Morgan,
Frederick G. Richards,
Chester E. Lewis,
Isaac Schlossbach, and
Joseph H. Chadwick.

The following-named midshipmen to be ensigns in the Navy from the 7th day of June, 1919:

Maurice VanCleave and
Harold A. Walker.

Medical Insp. Ammen Farenholt to be a medical director in the Navy, with the rank of captain, from the 15th day of October, 1917.

Medical Insp. Middleton S. Elliott to be a medical director in the Navy, with the rank of captain, from the 1st day of January, 1918.

Medical Insp. Dudley N. Carpenter to be a medical director in the Navy, with the rank of captain, from the 1st day of February, 1918.

The following-named surgeons to be medical inspectors in the Navy, with the rank of commander, from the 15th day of October, 1917:

Archibald M. Fauntleroy,
Joseph P. Traynor, and
John L. Neilson.

The following-named surgeons to be medical inspectors in the Navy, with the rank of commander, from the 1st day of January, 1918:

Charles C. Grieve,
John D. Manchester,
James S. Woodward, and
James A. Randall.

Surg. Robert G. Heiner to be a medical inspector in the Navy, with the rank of commander, from the 1st day of February, 1918.

Surg. Owen J. Mink to be a medical inspector in the Navy, with the rank of commander, from the 1st day of July, 1918.

Surg. Harold W. Smith to be a medical inspector in the Navy, with the rank of commander, from the 8th day of February, 1919.

Passed Asst. Surg. Micajah Boland to be a surgeon in the Navy, with the rank of lieutenant commander, from the 1st day of July, 1918.

Asst. Surg. Joel T. Boone to be a passed assistant surgeon in the Navy, with the rank of lieutenant, from the 22d day of April, 1918.

The following-named assistant surgeons of the United States Naval Reserve Force to be assistant surgeons in the Navy, with the rank of lieutenant (junior grade), from the 10th day of December, 1918:

Reuben B. Anderson and
Irvin Pope, jr.

The following-named assistant dental surgeons to be passed assistant dental surgeons in the Navy, with the rank of lieutenant, from the 4th day of February, 1916:

Joseph D. Halleck and
Marion E. Harrison.

Asst. Dental Surg. Thomas J. Daly, jr., to be a passed assistant dental surgeon in the Navy, with the rank of lieutenant, from the 30th day of July, 1918.

The following-named dental surgeons to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 20th day of February, 1917:

Griffin G. Frazier and
Carl S. Ziesel.

Dental Surg. Cedric T. Lynes to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade), from the 8th day of May, 1917.

The following-named dental surgeons to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 3d day of July, 1917:

Louis F. Snyder,
Guy E. Nicholas,
Francis S. Weir,
Leon C. Frost, and
Anthony A. Norkiewicz.

The following-named dental surgeons to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 30th day of July, 1917:

Alvin B. Ward and
Eugene D. Jarboe.

The following-named dental surgeons to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 16th day of October, 1917:

Spry O. Claytor,
James M. Campbell, and
John A. Walsh.

Dental Surg. David L. Cohen to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade), from the 1st day of November, 1917.

The following-named dental surgeons to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 9th day of February, 1918:

Howard R. McCleery,
George A. Collins, and
James F. McGrath.

The following-named chaplains to be chaplains in the Navy, with the rank of captain, from the 1st day of July, 1918:

George L. Bayard and
Matthew C. Gleeson.

Acting Chaplain Roy L. Lewis to be a chaplain in the Navy, with the rank of lieutenant (junior grade) from the 4th day of March, 1919.

Acting Chaplain William W. Elder to be a chaplain in the Navy, with the rank of lieutenant (junior grade), from the 22d day of March, 1919.

Naval Constructor Lewis B. McBride to be a naval constructor in the Navy, with the rank of commander, from the 21st day of December, 1918.

Assistant Naval Constructor Jerome C. Hunsaker to be a naval constructor in the Navy, with the rank of lieutenant, from the 1st day of April, 1918.

The following-named assistant naval constructors to be naval constructors in the Navy, with the rank of lieutenant, from the 9th day of June, 1919:

Edmund R. Norton and
Andrew W. Carmichael.

The following-named boatswains to be chief boatswains in the Navy from the 11th day of January, 1919:

George B. Llewellyn,
William A. Fulkerson,
Ernest L. Jones,
William C. Milligan,
Edwin R. Wroughton,
William C. Carpenter, and
Charles L. Greene.

The following-named gunners to be chief gunners in the Navy from the 15th day of February, 1918:

Frederick Petry,
Frederick Evans, and
Daniel F. Mulvihill.

The following-named gunners to be chief gunners in the Navy from the 13th day of January, 1919:

Arthur T. Brill,
Michael Garland,
John C. Heck,
Arthur Boquett,
Sigvart Thompson,
Arthur S. Rollins,
Ward T. Hall,
Erich Richter,
Anthony E. Bentfeld,
John Harder,
John J. Welch, and
Charles C. Stotz.

The following-named machinists to be chief machinists in the Navy from the 28th day of December, 1918:

Oliver T. Miller,
Walter S. Belknap,
John J. Coyle,
George C. Lacock, and
Anton Hengst.

Machinist Vincent F. LeVerne to be a chief machinist in the Navy from the 2d day of January, 1919.

The following-named carpenters to be chief carpenters in the Navy from the 1st day of November, 1918:

Louis T. Herrmann, and
Robert B. Pick.

The following-named pharmacists to be chief pharmacists in the Navy from the 9th day of October, 1918:

John Haupt, and
Charles E. Reinhardt.

Pay Clerk Alexander Riggin to be a chief pay clerk in the Navy from the 17th day of April, 1918.

Pay Clerk Thomas C. Edrington to be a chief pay clerk in the Navy from the 24th day of September, 1918.

Pay Clerk Robert C. Vasey to be a chief pay clerk in the Navy from the 30th day of December, 1918.

Pay Clerk Melvin E. Throneson to be a chief pay clerk in the Navy from the 19th day of January, 1919.

Pay Clerk William H. Abbey to be a chief pay clerk in the Navy from the 22d day of January, 1919.

Pay Clerk Houston S. Stubbs to be a chief pay clerk in the Navy from the 4th day of February, 1919.

Pay Clerk Herbert C. Lassiter to be a chief pay clerk in the Navy from the 20th day of February, 1919.

Lieut. (Junior Grade) Wilson E. Madden, retired, to be a lieutenant on the retired list of the Navy from the 3d day of March, 1919.

Lieut. (Junior Grade) Homer B. Gilbert to be a lieutenant on the retired list of the Navy from the 19th day of March, 1919.

Lieut. (Junior Grade) John F. Atkinson, retired, to be a lieutenant on the retired list of the Navy from the 6th day of April, 1919.

Lieut. (Junior Grade) Coburn S. Marston to be a lieutenant on the retired list of the Navy from the 3d day of May, 1919.

Ensign Shirley A. Wilson, retired, to be a lieutenant (junior grade) on the retired list of the Navy from the 1st day of January, 1919.

Boatswain Henry Feehan, retired, to be a chief boatswain on the retired list of the Navy from the 19th day of January, 1919.

Boatswain Alvah M. Smith, retired, to be a chief boatswain on the retired list of the Navy from the 6th day of March, 1919.

Machinist Michael A. Rossiter, retired, to be a chief machinist on the retired list of the Navy from the 11th day of May, 1919.

Capt. Richard H. Jackson to be a rear admiral in the Navy, for temporary service, from the 30th day of June, 1919.

Commander Fletcher L. Sheffield, an additional number in grade, to be a captain in the Navy, for temporary service, from the 30th day of June, 1919.

Commander Herbert C. Cocke to be a captain in the Navy, for temporary service, from the 30th day of June, 1919.

The following-named ensigns of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 15th day of June, 1919:

Ray C. Billups,
Jesse G. Johnson,
Claude C. Levin,
Archibald F. Stanley,
Walter J. Nelson,
Stuart D. Preston,
James D. Veatch,
Ernest F. Janney,
Roy G. Whittemore,
Fletcher W. Browning,
Ralph W. Buchanan,
Denis B. Delaney,
Horace G. Barton,
Carl W. Hamilton,
Hurston S. Buck,
Clifton T. Miller,
James T. Rice,
Edward C. Bottomly,
Lyman LeR. Dixon,
Joseph J. Rochefort, and
Clarence E. Keller.

Dental Surgeon Edwin N. Cochran, United States Naval Reserve Force, to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 1st day of July, 1919.

Pay Clerk Dillon F. Zimmerman to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of July, 1918.

Acting Pay Clerk John W. Towery to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of May, 1919.

Acting Pay Clerk George H. Upton to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 15th day of June, 1919.

Asst. Paymaster Carswell C. Furr, United States Naval Reserve Force, to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 15th day of June, 1919.

Asst. Paymaster Morris R. Grady, United States Naval Reserve Force, to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 15th day of June, 1919.

The following-named officers of the United States Naval Reserve Force to be assistant civil engineers in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 15th day of June, 1919:

Arthur M. Campbell,
Robert E. Hancock,
Paul F. Fagan,
Charles C. Mathis, and
William W. Schneider.

Boatswain William G. Platt to be a chief boatswain in the Navy, for temporary service, from the 15th day of June, 1919.

Gunner Arthur De Graw to be a chief gunner in the Navy, for temporary service, from the 15th day of June, 1919.

The following-named pharmacists to be chief pharmacists in the Navy, for temporary service, from the 15th day of June, 1919:

Edwin A. Rozea,
Lester E. Bote, and
Clarence Beasley.

Acting Pay Clerk John J. Solosky to be a chief pay clerk in the Navy, for temporary service, from the 15th day of June, 1919.

Ensign Raymond P. Le Viness, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 15th day of June, 1919.

Capt. Archibald H. Scales to be a rear admiral in the Navy, for temporary service, from the 1st day of April, 1919.

Capt. Victor Blue, an additional number in grade, to be a rear admiral in the Navy, for temporary service, from the 1st day of April, 1919.

Capt. Frederic B. Bassett, jr., to be a rear admiral in the Navy, for temporary service, from the 7th day of April, 1919.

Commander Harold E. Cook to be a captain in the Navy, for temporary service, from the 1st day of April, 1919.

Commander John M. Enochs to be a captain in the Navy, for temporary service, from the 7th day of April, 1919.

Lieut. Commander Ralph C. Parker to be a commander in the Navy, for temporary service, from the 1st day of April, 1919.

Lieut. Commander Carl C. Krakow to be a commander in the Navy, for temporary service, from the 7th day of April, 1919.

Lieut. Henry G. Fuller to be a lieutenant commander in the Navy, for temporary service, from the 31st day of August, 1917.

Ensign Edward Webb to be a lieutenant (junior grade) in the Navy, for temporary service, from the 1st day of July, 1918.

Ensign John C. Williams to be a lieutenant (junior grade) in the Navy, for temporary service, from the 21st day of September, 1918.

Ensign Walter S. Gabel, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 1st day of December, 1918.

Harold S. Bogan, chief quartermaster, to be an ensign in the Navy, for temporary service, from the 15th day of December, 1918.

The following-named ensigns of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 15th day of January, 1919:

Harry W. Abrahams and
Arthur B. Robinson.

The following-named warrant officers to be ensigns in the Navy, for temporary service, from the 1st day of March, 1919:

George V. Morey,
Arthur L. Holcomb,
Charles W. Hinds,
Ashton B. Smith.
Ray Parrott, and
George Walker.

Ensign Ronald A. Cox, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 1st day of March, 1919.

The following-named warrant officers to be ensigns in the Navy, for temporary service, from the 15th day of March, 1919:

Cecil G. Langdon and
Frederick A. Smith.

The following-named warrant officers to be ensigns in the Navy, for temporary service, from the 1st day of April, 1919:

Lester C. Wishard,
Mars W. Palmer, and
Thomas G. Powers.

The following-named enlisted men to be ensigns in the Navy, for temporary service, from the 1st day of April, 1919:

Frank T. Middleton,
Frank L. Arms, and
Bloomfield M. Fairbanks.

William R. Brown, chief quartermaster, to be an ensign in the Navy, for temporary service, from the 15th day of April, 1919.

Ensign George W. Caldwell, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 15th day of April, 1919.

The following-named ensigns of the United States Naval Reserve Force, to be ensigns in the Navy, for temporary service, from the 22d day of April, 1919:

William T. Burgess,
Thomas V. Corey,
James S. Bush,
Wallace H. Gregg,
Milton P. Wilson,
John J. O'Brien,
William H. Potter,
James P. McCarthy,
Russell A. Runyan,
Albert E. Bogdon,
Arthur J. Macdonald,
Culver Beebee,
James H. Rowley, jr.,
Eugene T. Auger,
George L. Bright,
Wesley E. Whitehouse,
Frederick A. Van Patten,
Roscoe N. Gary,
Earle R. Evans,
Charles R. Price,
J. E. Freeman,
William K. Boone, jr.,
Albert H. Schow,
William G. Dow,
Harvey R. Adams,
Harry E. Lucker,
John D. Vance,
Harry A. Swartz,
Archie E. Vanderwall,
Benjamin H. Taylor,
Thomas J. Bay,
Clarence E. Bence,
John P. Bowling,
R. J. Scofield,
Bennie B. Cutrer,
Thomas H. Galt,
Alexander W. MacNichol,
Lambert Muller-Thym,
Michael O'Sullivan,
R. S. Tewksbury,
Ches C. Childs,
Howard C. Ritter,
Joseph F. Taggard,
Edwin M. Brown,
Herbert B. Rowedder,
Joseph S. Borkoski,
Carleton B. Gildersleeve,
Myles J. Greene,
Lee L. Wilbur,
Donald H. Weaver,
Robert S. Witherington,
Henry P. Stelling,
Arthur J. Gibson,
Christopher C. Cox, jr.,
Harold B. Herty,
Eustace L. Adams,
Walter A. Donop,
Edwin H. Cole,
John McCormick,
Allan B. Pedin,
Julius F. Wilson,

Michael Warnick, jr.,
Arthur W. Daniels,
H. A. Currier Rose,
Milton T. Anderson,
Joseph L. Shotwell,
Arthur D. MacDonald,
Albert J. Burry,
Robert Robinson,
Albert M. Wright,
Henry I. Hyneman,
Bertrand Leppel,
Paul N. Baker,
Kenneth B. Galindo,
Samuel S. Fried,
Edwin D. Hale,
Milo Hazard,
Bernard S. Wilson,
Charles Wykoff,
Thomas A. McDonald,
Ralph A. Beardsley,
Fred J. Barden,
Ralph L. Smith,
Harry C. Uhl,
Walter Dickey,
Paul L. Mather,
Paul E. Hackett,
Philip D. B. Perham,
Herbert H. Taylor,
John M. Keep,
Bernard H. Kinnicutt,
Llewellyn B. Roberts,
William T. Reid,
Arthur E. Griffin,
Floyd J. Nuber,
Leedom B. Andrews,
Russell B. Osterholt,
Harry H. Iredell,
Thomas A. Hanna,
Charles H. Ross,
Robert W. Callahan,
Robert T. Greer,
Eugene O. Lovejoy,
Henry G. Erwin,
Russell R. Fling,
Ralph W. Floody,
John J. Reilly,
Charles K. Smith,
David B. Steffens,
Charles H. Miller,
Joseph W. Rixey,
Charles B. Carlon,
Joseph B. Benedict,
Jack V. Lund,
John L. Akins,
Clarence E. Kiefer,
William R. Burns,
Lawrence C. Hunt,
Harold P. Underwood,
Stephen A. Theard,
Julius F. Marullo,
Edwin J. Houghton,
John M. Higgins,
Clyde W. Brockett,
Edwin C. Millhouse,
Samuel J. Waddell,
Maynard L. Patton,
Raymond V. Wiman,
Charles M. Carroll,
Martin E. Didrichsen,
Charles W. Blodgett,
Julius A. Hobson, jr.,
Philip B. Wickes,
Harry T. Kelly,
Joseph P. Barry,
Charles J. Stadelman,
Frederick M. Wood,
Henry C. Roberts,
George K. Reilly,
Albert L. Demaree,
Joseph C. Powell,
John M. Ferry, jr.,
Samuel K. Waters,
Edward E. Scott,
John G. Doherty,
Barclay K. Read,
Charles R. Will,
Howard H. Wright,
Lewis Compton,
Carl A. Novinger,
Paul F. Carroll,
Fred S. Bristol,
Frank R. Walker,
Leon G. DeBrohun,
Joseph A. Guard,
Frank J. Gregory,
Victor J. Oliver,
William B. Saint George,
John C. Carty,
Arthur D. Murphy,
Paul G. Wrenn,
Walter F. Hinckley,
Clyde C. Connor,
Robert G. Holden,
Glenn S. Holman,
John G. Maxwell,
Horace M. Rosebush,
David L. Ullman,
Clarence L. Waters,
Thomas W. D. Crockett,
John W. Darr,
Eben G. Bailey,
Albert Birkholz,
Edward P. Donnelly,
Frank W. Falen,
John M. Fewell,
William Gibson,
James Govoni,
Cecil H. Grant,
Harold E. Hansen,
Ralph L. Lovejoy,
Frank S. MacGreger,
Russell G. Phipps,
Myron T. Richardson,
Charles J. Stockman,
James H. Sullivan,
William J. Cruickshank,
Charles E. Lathrop,
Joseph G. Nevins,
Glenn W. Rodgers,
Frederick U. Weigert,
Hugo G. Werner,
George D. Young,
Robert K. Madsen, jr.,
H. William Hansen,
Herbert D. Holdridge,
John A. Smith,
Homer Howard,
Roy T. Hazzard,
Karl A. Drager,
Harrel R. Scott,
Matthias S. Clark,
Elmer O. Davis,
Ambrose L. Osborn,
Edwin J. Braddon,
Hjalmar Eclov,
James S. Warner,
John Schroeder,
Frederick J. Murphy,
Henry J. O'Donoghue,
Arthur J. Silva,
Harry R. Ewen,
Paul G. Haas,
Elmer C. Schacht,
Lynn G. Bricker,
George A. Moore,
James C. Taylor,
Harold W. Alden,
Charles L. Flory,
Raymond R. Morgan,
Robert F. Estill,
Russell Dodd,
William M. M. Lobrano,
Sam Stone Bush, jr.,
Claude M. Donahue,
William M. Junkin,
William A. Dobson,
Lawrence K. Powell,
Frederick J. Keller,
William H. Kershaw,
Arthur J. Feltault,

Harold C. Patterson,
Charles B. Barnard,
Arnold P. Harn,
Clifford C. Lucia,
Harris W. Reynolds,
John A. Sedgwick,
Willard Shaw,
Jackson R. Tate,
Julian A. McPhee,
Arthur W. Peterson,
Roy A. Ibach,
Esmond I. Parker,
Hugh P. Campbell, jr.,
Angus G. Nicolson,
George S. Bacon,
Lawrence F. Blodgett,
Willis C. Carling,
Orrin E. Cummings,
James D. Fisher,
Charles M. Fitzgerald,
William F. Fleming,
James E. Fraher,
Robert W. Grubb,
Casco C. Houghton,
Melville W. Lyon,
Donald McClary,
John H. Parsons,
David A. Peterson,
Arthur E. Pierce,
Clarence H. Pike,
Harold E. Ruisseau,
Ralph H. Smith,
Alan F. Winslow,
Thomas O. Brandon,
Frank Hill,
Jesse W. Boisseau,
Thomas J. Keane,
Clyde E. Brown,
Robert W. Dragoo,
Prentiss D. Moore,
George A. Douglass,
Raymond A. Gardner,
Howard W. Bradbury,
John A. Capocifolo,
Roger V. Mullany,
Charles Wayland,
Stanley F. Nolan,
Andrew D. White,
Clifton H. Cantelou,
John H. Cooper,
Albert A. Blumberg,
Edgar E. Ballard,
Russell D. Bell,
John F. Coady,
Thomas B. Eaton,
Solton Engel,
Charles C. Ferrenz,
Homer S. Fox,
Rufus C. Harding,
James S. Haughey,
William C. Hemphill,
Benjamin L. Hinckley,
Fred E. Hughens,
Frederick H. Lauder,
David Liebovitz,
Frank L. Lienhard,
Leroy G. Miller,
Joseph W. Mullally,
Henry L. Naff,
Frank L. Orr,
Claude T. Schaefer,
Roswell B. Sherman,
William A. Shy,
Allen McK. Slichter,
Herbert S. Torsleff,
Carl H. Troeger,
Willard Von Pape,
Clarence E. Waterman,
Edwin O. Watkinson,
Herman C. Weidman,
Lester M. Wolf,
Horace G. Buckley,
Warren I. Fulton,
Mercer M. Fallon,
Fred D. Heegler,
Miles H. Gray,
James B. Bliss,
Warren H. Buchanan,
Carl H. Cather,
Benjamin F. Stairley,
Dottie E. Zook,
Arthur E. Roebke,
James M. Fassett,
James R. Hardie,
James R. Peters,
Clyde A. Coggins,
Warren E. Lovejoy,
David T. Evans,
Martin M. Weisman,
Nelson S. Hogan,
John W. Welch,
Alvin K. Holmes,
Clifford Camp,
Daniel L. Metts,
Joseph P. Cremin,
Joseph B. Weix,
Frank L. Howard,
Hilmar M. Hektner,
Stonewall J. McMurray,
Samuel R. Sloan,
Carlyle M. Terry,
Cyril J. Alt,
Harry V. Barrow,
Robert Blair,
Charles L. Blatchford,
Robert W. Boughter,
Arthur N. Brabrook,
Frank R. Brooks,
Edward H. Brown,
Henry B. Buckham,
Richard C. Buckley,
Horace D. Byington,
Arthur M. Carden,
William M. Cashin,
Charles A. Christian,
Carter B. Cook,
Robert D. Cronly, 2d,
John D. Crump,
Raymond L. De Muro,
Harold A. Drew,
Carl W. Farrell,
Hal S. Fewell,
Russell L. Fillner,
Howard W. Fletcher,
George J. Flynn,
Lester R. Gorman,
Louis L. Green,
Ray L. Hamilton,
J. Gail Hanes,
Herman J. Hanna,
Ralph S. Holgerson,
Edward J. Hopper, jr.,
Harold M. Hubbard,
Sidney L. Huff,
Elmer D. Jensen,
Otto F. Johanns,
George E. Kenyon,
Alphonsus L. Madden,
Jonter A. Nicholls,
Wilbur F. Peery,
Ralph S. Pratt,
Harry Redfern,
Paul M. Ressinger,
Charles W. Roesel,
Carl A. Ryder,
Hugo F. Sasse,
Eugene A. Schaal,
Henry L. Schwartz,
David J. Sharp,
Hugo A. Stahl,
George W. Stuart, jr.,
Albert A. Walters,
John F. Wegforth,
Joseph E. Welsh,
Carl E. Wiencke,
Charles H. Edmiston,
Fred C. Lewis,
William H. Allen,
William M. Kelso,
William S. Evatt,

Herbert L. Prothers,
John T. Garber,
Russell S. Hook,
Benton B. Baker,
Frederick E. Dukes,
Earl F. Mitchell,
Ernest A. Cushman,
Thomas W. Dixon,
James A. Dwyer,
Paul H. Eames,
Frederick L. Farrell,
James M. Fernald,
Jonathan P. Gilmore,
Benjamin S. Henderson,
Percy W. Howard,
Alan B. Hudson,
William A. McCreery, jr.,
Lorn C. McKinley,
Chester D. McMillan,
Loren H. Myers,
Maurice A. O'Connor,
Clifford B. Schiano,
Harold B. Simmons,
Francis A. Skelton,
John F. Wall,
Groff L. Woodward,
John A. Paulson,
Everett G. Mayes,
Eugene T. M. Ashe,
Peter S. Barbour,
Fred L. Barnes,
Charles D. Belding,
Earle O. Bingham,
Merritt A. Bittinger,
George S. Blome,
Orlo W. Bond,
Leopold Boucher,
Thomas R. Buckham, 2d,
Albert R. Buehler,
Don S. Burton,
James F. Carukin,
Edwin N. Cohen,
William B. Coleman,
Chester L. Connelly,
Frank L. Conway,
Roy C. Cooley,
Harry C. Davies,
Ross E. Denison,
Leroy Dozier,
Arthur W. Drummet,
William D. Dwyer, jr.,
Thomas H. Eaton,
Francis J. Eberly,
Theodore E. Emery,
Russell L. Engle,
Francis J. Enright,
Charles P. Fahey,
Harold S. Forgeron,
Edgar A. Gardner,
Vincent B. Gehlen,
George S. Gelsanliter,
Andrew A. Gerry,
Herman A. Hansen,
Charles E. Harbin,
Thomas F. Hayes,
Russell G. Herron,
Walter L. Holmgren,
John P. Horgan,
Francis P. Hornaday,
James H. Houser,
Carleton G. Howe,
Francis DeW. Hurd,
Myron L. Hyman,
Edgar J. James,
Chester M. Jenkins,
Elder P. Johnson,
Forrest E. Johnson,
Reuben H. Johnson,
John J. Jordan,
Edwin M. Joslyn,
Jacob F. Kiefer,
John W. Kimman,
Edward V. Kurtzrock,
Charles W. LaBlanc,
John A. Lemmer,
Henry M. Lewis, jr.,
Herbert Loewy,
Clarence Z. Logan,
George L. Lynch,
Robert MacIntyre,
Harry McK. Martens,
Merritte M. Maxwell,
John W. McCrae,
Arthur L. McElroy,
Zerah B. Miles,
Paul C. Monser,
Paul Moore,
Harold F. Nickerson,
Arthur M. Nolan,
Arthur L. Nunn,
Raymond E. Overmire,
Andrew C. Panella,
John W. Patrick,
John G. Patterson,
Lisle L. Pollock,
Langdon A. Pope,
Benjamin C. Purrington,
Evard E. Puryear,
Alfred G. Raufer,
Harry N. Rooney,
Leo D. Rosenak,
John K. Ross,
Sigfred A. Sandeen,
John H. Schad,
Charles W. Schofield,
Alfred C. Schroeder,
George B. Service,
Harold G. Seyler,
Timothy A. Sheehan,
William J. Sheerin,
George W. Silsby, jr.,
Harold C. Smith,
Irving B. Smith,
Leland R. Smith,
Emil L. Stephenson,
Waymon A. Stephenson,
Robert F. Stockin,
John E. Stoddard,
Floyd E. Sullivan,
Louis C. Summers,
John E. Swaysland,
James A. Taylor, jr.,
Frederick L. Thompson,
George E. Thompson,
Dorian E. Todd,
Haskell C. Todd,
Joseph P. Tomelty,
Cecil S. Travis,
Arvid Tripp,
Eldon F. Tripp,
George H. Trubenback,
Sheldon K. Turner,
George E. Underhill,
Harold J. Walker,
Florentin P. Wencker,
James L. Wheelock,
William H. Wilhelm,
Raymond W. Robertson,
Albert L. Schrader,
Luman F. Marsh,
Arthur H. Small,
Bernard R. Lewis,
Henry A. Tyburc,
Cyril P. Connolly,
Thomas C. Kizer,
Paul R. Conley,
Philander M. Smith,
Charles D. Hickox,
Alfred B. Berlin,
Charles J. Wolf, jr.,
George H. Pratt,
Dallas M. Stephens,
Norman W. Eberle,
Walter A. Nelson,
Frank Urban,
Francis S. McCabe,
Charles W. Kellogg,
Alfred D. Bosley,
Jennings B. Rudisill,
John Armstrong,

Leslie J. Arnold,
Denzil F. Balthis,
Edwin L. Barr,
Harold W. Bentley,
Frank A. Blomberg,
Ralph W. Bowers,
Andrew Boyd, jr.,
Robert C. Browne,
George H. Burrows,
Robert T. Carey,
Horace F. Chandler,
Willis H. Chase,
Vincent F. Clark,
Elmer A. Cottier,
Albert E. Crabtree,
Ernest S. Croasdale,
James J. Cunningham,
Daniel M. Diener,
Elmer O. Dobroth,
Durbin R. Downey,
William R. Drachbar,
William H. Eichorn,
Abraham R. Elson,
John S. Engs, jr.,
Henry L. Ewbank,
Hugh J. Fanning,
Lauren W. Faulkner,
Lynn Fausett,
George R. Fitzsimons,
James H. Foskett,
Stephen P. Fox,
Stuart K. Fox,
John R. Fristoe,
James D. George,
Harry D. Goldy,
Joseph W. Golinkin,
Richard F. Graner,
Fred J. Haigis,
William R. Hanrahan,
Howell Hedrick,
Virgil E. Hendrickson,
Abraham A. Henning,
Howard C. Hirsch,
Frank M. Hopper,
John F. Hrivnak,
Wilbert L. Hunt,
Harold K. Jackson,
Gustave A. Jetter, jr.,
Cecil C. Johnson,
Leon J. Johnson,
Webb W. Jordan,
Edward C. King,
Bryan E. Langston,
Winfred W. Liddell,
Robert H. Long,
Malcolm D. MacGregor,
Gordan J. Malone,
Anton L. Mare,
Claire H. Masters,
George A. Maven,
Joseph J. McCann,
William C. McClure,
Elbert E. McGee,
James J. McGlynn,
John D. McNamar,
Edward L. Micheau,
Frank Miller,
Joseph T. Moran, jr.,
Charles E. Movius,
Leonard J. Mulrooney,
John D. Murphy,
Basil Neel,
LeRoy A. Nelson,
Robert W. Nicholas,
Paul F. Opp,
Robert E. Permut,
Maurice W. Piper,
Raymond E. Proom,
Otto F. Reis,
Paul G. Robinson,
Errol V. Rosenthal,
Joseph A. Ruetty,
Joseph H. Seyfreid,
Jesse B. Short,
Lowe P. Siddons,
Richard J. Sloman,
Jeremiah Smith,
Raymond O. Smith,
Renshaw Smith, jr.,
Robert D. Stewart,
Sedgwick W. Stiles,
Herman M. Stone,
William L. Travis,
Charles W. Wallace,
Charles D. Warner,
John E. Weaver,
Donald M. Weld,
William J. Williams,
Stanley B. Zaring,
Clement H. Watson,
Frederick W. Hamilton,
William W. McQueen,
Nat H. Hayes,
Philip M. Cooper,
Edward A. Morris,
Hugh E. Dischinger,
Stanley E. Eikenberry,
Jay P. Gwaltney,
William L. Day,
Arden H. Brockbank,
Cyril E. Taylor,
Irvin M. Hansen,
James K. Fuller,
Lurton F. Gottlieb,
Elliott C. Newell,
David M. Evans,
Floyd Gills,
Walter B. Warner,
George L. Nicholas,
William C. Strowd,
Everette H. Croxton,
Courtenay S. Overin,
Philip M. Fisher, jr.,
Joseph P. Ryan,
John A. Chisholm,
Paul J. Leavens,
Gaylord N. Hess,
Herbert N. Royden, jr.,
Donald B. Hyde,
Louis C. DeRochemont,
Harold B. Corwin,
Edward R. J. Griffin,
Alden M. Bartlett,
John A. Pierson,
Albert L. Prosser,
Richard H. Brazeal,
Philip F. Breen,
Claude P. Crankshaw,
William T. Swain,
Harold S. Fraine,
James E. Dwyer,
Edward P. Murray,
Robert W. Hawes,
Joseph S. Donnell, jr.,
Charles C. Ratner,
Frank R. Horton,
Richard H. Morris,
James B. Wallace,
Raymond J. Bruning,
Joseph F. Keenan,
Seth F. H. Lagerstadt,
George M. Illich,
Frank Fendel,
Hyman L. Heller,
J. Fred Nutter,
Hugo M. Rosenberg,
William L. Hickey,
John C. Weare,
James R. Keiser,
Herbert B. Butcher,
J. I. Charles Taylor,
John G. Winn,
Emanuel Taylor,
Karl E. Madden,
Erland F. Andrew,
Percival B. Truslow,
Laurence Thompson,
Marshall A. Townsend,
William E. Martens,
Fox Trimble,
William I. Thompson,

George E. Twining,
Patrick E. Seawright, and
Joseph H. Twiss.

The following-named ensigns of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 24th day of April, 1919:

Hamlet W. Scott,
Lawrence J. Archer, jr.,
Clarence J. Ragle, and
Richard N. Donelson.

Ensign Arthur K. Aranoff, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 20th day of April, 1919.

The following-named warrant officers to be ensigns in the Navy, for temporary service, from the 1st day of May, 1919:

Alexander Martin McMahon,
William Miller, and
Karl Sommerfeld.

The following-named enlisted men to be ensigns in the Navy, for temporary service, from the 1st day of May, 1919:

William Olsen,
Frank Schweinhoffer, and
John Campbell Dallas.

Ensign Clarence T. Bunker, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 1st day of May, 1919.

The following-named ensigns of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 2d day of May, 1919:

Fred W. Darnell,
Harrell Clifford,
Lawrence Bennett,
Norman M. Nelson,
Albert J. Steelman,
Harold J. Bellingham,
Albert M. Van Eaton,
Lester W. Hansen,
Edmond F. Maxwell,
Harold R. Anderson,
John E. Gabrielson,
Thomas V. Hughes,
Rowland H. Koenig,
Clyde L. Lee,
Harold Ramslie,
Andrew J. George,
George C. Weldin,
Walter O. Roenicke, and
Harold E. Gray.

Ensign Albert H. Roos, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 4th day of May, 1919.

Ensign Nelson H. Eisenhardt, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 9th day of May, 1919.

The following-named ensigns of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 10th day of May, 1919:

Frederick O. Krueger,
Sumner C. Cheever,
Harold H. Kendrick,
Walter W. Heathman,
Ethan J. G. Allen,
Sam J. Strother,
Albert E. Conlon,
Oliver L. Brillhart,
Jerome F. Krutmeyer,
Felix G. Chouinard,
Leland W. Sweeney,
Louis K. Melbye,
Adolphus I. Baker,
William H. Frost,
Robert P. Gillam,
William A. Lower,
Carleton D. Moore,
William A. Geary,
Richard G. Noyes, and
Victor F. Youngman.

Ensign Charles G. Miller, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 11th day of May, 1919.

Gunner Fred Beauford Chilson to be an ensign in the Navy, for temporary service, from the 15th day of May, 1919.

John Thomas Sunderman, chief quartermaster, to be an ensign in the Navy, for temporary service, from the 15th day of May, 1919.

The following-named ensigns of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 15th day of May, 1919:

Bellinger Dunham,
Alexander J. R. Ferguson,
James C. Andrews,
Dean H. Beeman,
Gerald O. Boland,
Samuel E. Cunningham,
Chase H. Daugherty,
Gustav J. Dohrenwend, jr.,
Dempsey K. Dodge,
John P. Doyle,
Edward J. Fitzwilliam,
Earl A. Giantvalley,
Gustavius H. Griffin,
Walter E. Hall,
Frederick W. Hollingshead,
Gail P. Helgeson,
Virl Z. Hill,
Charles H. Kay,
Alfred L. Lind,
Lawrence C. Lovejoy,
Ransom F. Maddux,
John J. Manning,
Byron F. Murklee,
Albert J. Petrasek,
William J. Platt,
William F. Raftery,
Elijah J. Reeves,
Joseph I. Rogers,
Ralph G. Slater,
Walter D. Thomson, jr.,
Louis Weiss, and
Charles J. Wideman.

The following-named warrant officers to be ensigns in the Navy, for temporary service, from the 1st day of June, 1919:

John L. Albice,
Joseph E. Jackson, and
Meinrad A. Schur.

William L. Lewis, chief quartermaster, to be an ensign in the Navy, for temporary service, from the 1st day of June, 1919.

The following-named ensigns of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 1st day of June, 1919:

Horace K. Hutchens,
John H. Gwathmey,
Robert Petross,
Forrest A. Rhoads,
Evander P. Bateham,
Harry H. Baumgartner,
Roscoe H. Schell,
Edward M. Gleason, jr.,
Earl V. Kaufman,
Orion H. Reeves,
Bernard J. Loughman,
William W. Behrens,
Rody Patterson,
John F. McMenamin,
Walter E. Medford,
Lewis R. McDowell,
Russell C. Bartman,
Harry Q. Taylor,
William D. Hodges,
Bernhard H. Wolter,
Kenneth C. Manning,
Cyril W. Connolly,
Joseph L. Fendrich, jr.,
Raymond A. McClellan,
Charles G. Drasher,
Stephen A. Mileham,
Joseph C. Frearson,
Charles H. Butcher,
Thomas B. O'Connell,
Ferdinand H. de Bermingham, jr.,
Scott A. Fuller,
George O. Spaur,
Frederick W. Sievert,
Leigh C. Stewart,
Carl M. Platz,
Lawrence H. Cook,
George D. Birdsall,
Leon J. Benwell,
Harold R. Holcomb,
Samuel J. McKee,

Ralph A. Branham,
Harold J. Kircher,
Edward M. Petterson,
Bryan Jones,
Harry Fredman,
Ray W. Bridenbecker,
George S. Pomeroy, jr.,
William J. Long,
Nullet F. Schneider,
Gordon T. House,
Forest O. Conser,
Dana R. Curry,
Forman Hamilton,
John A. Heiser, jr.,
Marshall W. Hettrick,
William W. Maurer, and
Henry G. Walsh.

The following-named officers of the United States Naval Reserve Force to be assistant surgeons in the Navy, with rank of lieutenant (junior grade), for temporary service, from the 15th day of June, 1919:

Albert E. Man,
Lincoln Humphreys,
Henry C. Weber,
Albin H. Cecha,
Ernest F. Slater,
Richard M. Little,
Walter P. Keene,
Marshall H. Hood,
Rudolph C. Miller,
Irving E. Stowe,
Carl C. Hugger,
William J. Walsh,
Francis P. Field,
Fleete S. Steele,
Thomas M. Kelly,
William A. Gills,
Axlphar A. Marsteller,
Percy F. McMurdo,
Harry W. Croop,
Max Silverman,
John A. Topper,
John W. Green,
Edward M. Steger,
Harry E. Murphy,
Carl J. Robertson,
Joash I. Yohannan,
John C. W. Taylor,
Samuel W. Connor,
Chester F. McGill,
Leland M. French,
Ward C. Alden,
Maurice S. Mathis,
Robert F. Schanz,
Henry L. Dyer,
Franklyn A. Howell,
Thomas C. Quirk,
Claude E. Smith,
Allen G. Ireland,
Earl E. Dockrey,
Frank H. Towner,
Thomas C. Eley,
Herbert G. Hughes,
Alfred L. Potter,
James E. Burgman,
Gregory L. Robillard,
Lloyd F. Craver,
Alfred N. Sweet,
Jacob Skeer,
Paul F. Cope,
Richard N. Mackey,
Ross U. Whiteside,
Gustavus A. Schaub,
Charles Wheatley,
Charles D. Sinkinson, jr.,
Francis E. Hypes,
Harold C. Kelley,
Harry B. Spaulding,
James E. Fetherston,
Albert H. Faber,
Bert N. Wright,
Alfred S. Grussner,
Ambrose J. Callaghan,
Kenneth S. Davis,
Joseph N. Gehlen,
Richard F. Mullin,
John W. Wear, jr.,
Clarence N. Smith,
Gustave R. Petz,
William G. Rowe,
John G. Davis,
Anton R. Schier,
Thomas F. Long,
Felix O. Bell,
William A. Simpson,
William S. Bunkley,
Joseph J. Horton,
Alfred H. Ehrenclou,
Gleaves B. Kenny,
Roger D. Mackey,
Douglas C. McBride,
Earle E. Sullivan,
William J. Rogers,
George G. Herman,
George P. Quinn,
Roy J. Leutsker,
Joshua H. Harris,
Benjamin H. Adams,
Isom A. Rankin,
Walter G. Hausheer,
Daniel Luttinger,
William C. Lyon,
Frederick Ludwig,
Francis L. Hughes,
Cyrus R. Currier,
Ernest L. Tracy,
Henry L. Fougerousse,
Otis B. Spalding,
Williard W. Wild,
Lawrence W. Ehegartner,
David E. Horrigan,
Norman S. Betts,
Elba B. Todd,
Arthur H. Flickwir,
J. Howard Branan,
Marvin B. Glismann,
Lea B. Sartin,
Victor B. Riden,
Frank Sabiston,
Albert H. Aldridge,
Leon H. Griggs,
Franklin P. Dwinell,
James P. Bowles,
George M. Le Gallee,
Clyde W. Brunson,
Chauncey D. Miller,
James E. Purdy,
John P. Gilmer,
Foster C. Rulison,
David W. Eisenberg,
Sydney Walker, jr.,
Francis H. Webster,
Herbert C. Gifford,
James D. Blackwood, jr.,
David C. Thompson,
Worcester R. Angell,
Llewellyn C. Merrill,
Houston R. Farley,
George M. Malkin,
Benjamin G. Baker,
Zachariah A. Barker, and
John B. Bostick.

The following-named officers of the United States Naval Reserve Force to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 15th day of June, 1919:

Nicholas S. Duggan,
William J. Rogers,
Chester H. Webber,
Martin P. Kane,
Charles E. Detmer,
Frank B. Ferrill,
Horace S. Hursh,
Howard C. Miller,
Anton C. Tranchina,
Edward B. Howell,
Philip H. MacInnis,
Daniel A. Doherty,
George S. Maynard,
Joseph E. Sullivan,
Albion C. Tollinger,
Edmund Laughlin,

John A. Waters,
Edward J. Fitzgerald,
Carlton B. Morse,
Benjamin H. Barton,
Tyler W. Spear, and
James J. Spring.

Pay Inspector Ray Spear to be a pay director in the Navy, with the rank of captain, for temporary service, from the 23d day of April, 1919.

Pay Clerk Chauncey G. Olinger to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of July, 1918.

Lieut. (Junior Grade) Edward L. Rowse, United States Naval Reserve Force, to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of December, 1918.

Assistant Paymaster Cyrus B. Kitchen, United States Naval Reserve Force, to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 15th day of January, 1919.

Acting Pay Clerk William A. White to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of February, 1919.

The following-named acting pay clerks to be assistant paymasters in the Navy, with the rank of ensign, for temporary service, from the 1st day of March, 1919:

Guy J. Cheatham,
Paul J. Fleming, and
Walter W. Mahany.

The following-named acting pay clerks to be assistant paymasters in the Navy, with the rank of ensign, for temporary service, from the 15th day of March, 1919:

Harry J. Gillen,
John H. Davis,
Harold T. Smith, and
Charles J. Lanier.

Acting Pay Clerk Otis C. Pettit to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of April, 1919.

Assistant Paymaster Joseph J. Lynam, United States Naval Reserve Force, to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of April, 1919.

The following-named acting pay clerks to be assistant paymasters in the Navy, with the rank of ensign, for temporary service, from the 15th day of April, 1919:

Herman Schwartz,
Herman McInturff, and
Charles W. Albrecht.

Acting Pay Clerk David W. Robinson to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of May, 1919.

Naval Constructor Lewis B. McBride to be a naval constructor in the Navy, with the rank of captain, for temporary service, from the 24th day of March, 1919.

The following-named assistant naval constructors to be naval constructors in the Navy, with the rank of commander, for temporary service, from the 24th day of March, 1919:

Jerome C. Hunsaker,
Edmund R. Norton, and
Ralph D. Weyerbacher.

Carpenter Ralph M. Munson to be an assistant naval constructor in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 15th day of October, 1918.

Carpenter Robert J. Leahy to be an assistant naval constructor in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 14th day of December, 1918.

Lieut. (Junior Grade) Harold Larner, United States Naval Reserve Force, to be an assistant naval constructor in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 15th day of May, 1919.

Carpenter John Reid, jr., to be an assistant naval constructor in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 15th day of May, 1919.

Civil Engineer Reuben E. Bakenhus to be a civil engineer in the Navy, with the rank of captain, for temporary service, from the 24th day of March, 1919.

The following-named civil engineers to be civil engineers in the Navy, with the rank of commander, for temporary service, from the 24th day of March, 1919:

Kirby Smith and
Glenn S. Burrell.

The following-named officers of the United States Naval Reserve Force to be assistant civil engineers in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 3d day of March, 1919:

Clyde W. Coryell,
Harold K. Hughes,
Charles B. Watkins,
Edward M. Frost, and
Herbert L. Voight.

The following-named citizens to be assistant civil engineers in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 3d day of March, 1919:

Harold F. L. Pfohl,
Edward D. Graffin, and
Ferdinand E. Hayes, jr.

Boatswain John C. Baldwin to be a chief boatswain in the Navy, for temporary service, from the 15th day of May, 1919.

Machinist Shine S. Halliburton to be a chief machinist in the Navy, for temporary service, from the 1st day of March, 1919.

Machinist Stephen B. Thornton to be a chief machinist in the Navy, for temporary service, from the 15th day of March, 1919.

Carpenter Alfred Erickson to be a chief carpenter in the Navy, for temporary service, from the 15th day of March, 1919.

Carpenter Merick A. Beach to be a chief carpenter in the Navy, for temporary service, from the 15th day of May, 1919.

The following-named pharmacists to be chief pharmacists in the Navy, for temporary service, from the 15th day of April, 1919:

William F. Bly,
Datus M. Hervey,
Thomas L. Hildreth,
Glenn F. Lyon,
Robert D. Anderson,
Harold S. Austin,
Harold B. Chatfield,
John P. Cooney,
Charles H. Dean,
James F. Durkin,
Henry L. Greenough,
Harvey H. Hogue,
Chauncey R. Holmes,
John K. Holmes,
William H. Huston,
Robert Martin,
Frank D. Mears,
William J. Riney,
Kenneth M. Smith,
William L. Stewart, and
Joseph A. Libbon.

The following-named pharmacists to be chief pharmacists in the Navy, for temporary service, from the 15th day of May, 1919:

Henry P. Knowles,
John J. Lergenmiller,
Hubert E. Randolph,
Harold L. Ryan,
Charlie R. Steen.
Joseph O. E. Hummell,
Willard A. Jackson,
Chester O. Kimball,
Roscoe W. King,
Walter C. Magoon,
Foster B. Redman,
Leland Rowe,
Ertel E. Weaver, and
Guy O. Wildasin.

The following-named pharmacists to be chief pharmacists in the Navy, for temporary service, from the 15th day of May, 1919:

Edward F. Aron,
Richard M. Dunphy,
William F. Sheridan,
William E. G. Bartle,
William F. Crell,
Jack K. Diamond,
Clement Duchesney,
Alfred L. Eldridge,
Allen J. Hueschling,
Benjamin E. Irwin,
Briggs C. Jones,
James A. Kirkpatrick,
Thomas F. Meagher,
Julius H. Mexer,
Albert B. Montgomery,
Frank E. O'Reilly,
Lindsey W. Rider,
Hjalmar Rydeen,
Norman L. Saunders,
Hawthorne Tolderlund,
Theodore B. Wiggins,
Franklyn G. Wetherell,

Joseph Levansaler,
John H. Reed,
Harry L. Rogers, and
Walter Zur-Linden.

Lieut. Shirley A. Wilson, retired, to be a lieutenant commander on the retired list of the Navy, for temporary service, from the 1st day of January, 1919.

Lieut. John L. Fox, retired, to be a lieutenant commander on the retired list of the Navy, for temporary service, from the 23d day of April, 1919.

Capt. Joseph Strauss to be a rear admiral in the Navy from the 30th day of June, 1919.

Commander Powers Symington to be a captain in the Navy from the 30th day of June, 1919.

The following-named lieutenant commanders to be commanders in the Navy from the 15th day of August, 1918:

Benyaurd B. Wygant and
Burrell C. Allen.

Lieut. Commander Walter N. Vernou to be a commander in the Navy from the 16th day of December, 1918.

Lieut. James J. Manning to be a lieutenant commander in the Navy from the 15th day of August, 1918.

Lieut. Charles G. Davy to be a lieutenant commander in the Navy from the 27th day of September, 1918.

Lieut. Richard R. Mann to be a lieutenant commander in the Navy from the 11th day of October, 1918.

Lieut. Horace T. Dyer to be a lieutenant commander in the Navy from the 7th day of November, 1918.

Lieut. Charles C. Gill to be a lieutenant commander in the Navy from the 12th day of November, 1918.

Lieut. Augustin T. Beauregard to be a lieutenant commander in the Navy from the 16th day of December, 1918.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 8th day of June, 1918:

Harold W. Scofield and
Beriah M. Thompson.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 7th day of June, 1919:

William H. P. Blandy,
Elmer L. Woodside,
Glenn B. Davis,
Palmer H. Dunbar, jr.,
George W. Wolf,
Roy Dudley,
James E. Brenner, and
Karl E. Hintze.

Ensign Arthur Landis to be a lieutenant (junior grade) in the Navy from the 5th day of June, 1918.

Surg. John T. Kennedy to be a medical inspector in the Navy, with the rank of commander, from the 15th day of October, 1917.

The following-named passed assistant paymasters to be paymasters in the Navy, with the rank of lieutenant commander, from the 1st day of July, 1918:

Elwood A. Cobey and
Robert S. Chew, jr.

Boatswain James Reilly to be a chief boatswain in the Navy from the 11th day of January, 1919.

Gunner George W. Waldo to be a chief gunner in the Navy from the 13th day of January, 1919.

Pay Clerk William C. Jahnke to be a chief pay clerk in the Navy from the 15th day of March, 1919.

WITHDRAWAL.

Nomination withdrawn from the Senate July 10, 1919.

Miss Effie A. Frisbee to be register of the land office at Juneau, Alaska.

HOUSE OF REPRESENTATIVES.

THURSDAY, *July 10, 1919.*

The House met at 2 o'clock p. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Let the light of Thy countenance, our God and our Father, shine upon us, and let Thy counsels prevail in the minds and hearts of the lawmakers of a great Nation, that in the pursuits of peace our people with all the peoples of the world may prosper in everything that makes for larger life and happiness, and thus distribute among us and all peoples a broader, fuller common sense, to the glory and honor of Thy holy name and to the good of Thy children everywhere. In His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

POINT OF NO QUORUM.

Mr. CALDWELL. Mr. Speaker, I make a point of order that there is no quorum present.

The SPEAKER. Will the gentleman withhold that for a moment?

Mr. CALDWELL. I will.

LEAVE OF ABSENCE.

By unanimous consent, Mr. DRANE was granted leave of absence, for three days, on account of important business.

PROPOSED TIME OF MEETING TO-MORROW.

Mr. DYER. Mr. Speaker, will the gentleman hold his request for a moment for me to ask unanimous consent? I want to ask unanimous consent, in view of the fact that we have lost so much time to-day upon the prohibition bill, that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow, so we may go on with debate on the prohibition bill and get to a final vote within at least the next two weeks.

Mr. CALDWELL. Mr. Speaker, I object.

POINT OF NO QUORUM.

The SPEAKER. The gentleman from New York makes the point of order that there is no quorum present, and obviously there is not.

Mr. CAMPBELL of Kansas. 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 absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Fuller, Mass.	Lazaro	Rayburn
Ashbrook	Garland	Longworth	Reed, W. Va.
Bacharach	Garrett	Lufkin	Riordan
Baer	Glynn	Luhring	Robsion, Ky.
Bell	Goodall	McAndrews	Rodenberg
Bland, Mo.	Gould	McClintic	Rose
Bowers	Green, Iowa	McKenzie	Rouse
Britten	Greene, Vt.	McKinley	Rowan
Browne	Griest	McKinley	Sabath
Brumbaugh	Griffin	McLaughlin, Mich.	Sanders, Ind.
Burdick	Hamill	McLaughlin, Nebr.	Scully
Burke	Harrison	Mann	Sears
Cannon	Hastings	Martin	Slemp
Cantrill	Hays	Mason	Small
Caraway	Heflin	Minahan, N. J.	Smith, N. Y.
Christopherson	Hicks	Mondell	Snyder
Classon	Howard	Mooney	Stevenson
Crago	Hutchinson	Morin	Stiness
Dempsey	Johnson, S. Dak.	Mott	Sullivan
Dooling	Johnson, Wash.	Mudd	Taylor, Colo.
Drane	Jones, Tex.	Neely	Tinkham
Dupré	Kahn	Nolan	Vare
Eagan	Kelley, Mich.	Olney	Ward
Ellsworth	Kennedy, Iowa	Parker	Wason
Emerson	Kennedy, R. I.	Peters	Whaley
Evans, Mont.	King	Phelan	Winslow
Fairfield	Kinkaid	Porter	Woodyard
Focht	Langley	Purnell	Zihlman
Freeman	Larsen	Rainey, H. T.	

The SPEAKER. Three hundred and eighteen Members have answered to their names; a quorum is present.

Mr. DYER. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors.

Under the special order for to-day, the gentleman from Iowa [Mr. GOOD] has leave to address the House for 15 minutes. [Applause.]

Mr. GOOD. Mr. Speaker, it has long been a custom at the end of each session of Congress to review the appropriations made at that session. When, however, the Sixty-fifth Congress came to an end on the 4th day of last March it was found that eight of the great supply bills had failed. Consequently no statement could be made as to the aggregate of the appropriations granted at that session. The failure of the third session of the Sixty-fifth Congress to pass the Agricultural appropriation bill, the Army appropriation bill, the District of Columbia appropriation bill, the Indian appropriation bill, the Navy appropriation bill, the Sundry Civil appropriation bill, the appropriation for the Railroad Administration, and the third deficiency appropriation, made it absolutely necessary for the President to convene Congress in extraordinary session; otherwise, the Sixty-sixth Congress would not have convened until the 1st day of next December. To have failed to call Congress in extraordinary session in order to pass these great supply bills would have left these executive departments without funds after the 30th day of June, 1919. Now that these supply bills have been enacted into law it is my purpose to make only a brief statement, in order to furnish information so widely sought by Members of Congress and by the public.

The President did not see fit to call Congress in extraordinary session until the 19th day of May. When the Sixty-sixth Congress was thus convened only 37 legislative days remained of the fiscal year ending June 30, 1919, an altogether insufficient time within which Congress was required to organize and to pass these great supply bills by the 1st of July. A huge task thus confronted the Sixty-sixth Congress when it convened. That it performed this task and passed all of the great supply bills which had failed in the previous Congress by the beginning of the fiscal year is to the credit of the industry and fidelity to duty of its membership. [Applause.]

How well this Congress performed this great work, the appropriations themselves are the best witnesses. A comparison of the appropriations made by this Congress with the sums by which the same appropriations were last acted upon by the House or the Senate in the last Congress is very illuminating. Notwithstanding the fact that eight of the great appropriation bills failed of final enactment at the third session of the last Congress, yet the Sixty-fifth Congress appropriated for all purposes, including permanent and indefinite appropriations after deducting the amounts repealed by the second deficiency appropriation act, a net sum of $42,109,113,956.52.

The total of the regular annual appropriations for the fiscal year ending June 30, 1920, as passed at the third session of the Sixty-fifth Congress and as passed during the first session of the Sixty-sixth Congress, is $3,033,151,733. To this should be added the appropriations to supply deficiencies, amounting to $1,112,450,234.11, and miscellaneous appropriations amounting to $1,117,708,436.47, and permanent appropriations estimated at $2,074,286,880, making a grand total of appropriations for the fiscal year ending June 30, 1920, and to supply deficiencies, of $7,337,597,283.58. Included in this aggregate are the appropriations made in the third session of the last Congress for the Diplomatic and Consular Service, amounting to $9,843,661.07; for fortifications and other works of defense, $11,214,209; for legislative, executive, and judicial expenses, $97,963,831.77; for the Military Academy, $2,277,932.20; for pensions, $215,030,000; for the Postal Service, $609,466,149; for rivers and harbors, $33,378,364; and appropriations to supply deficiencies in the various executive departments, $292,714,084.71.

I shall insert in the RECORD a statement of appropriations made during the third session of the Sixty-fifth Congress and the first session of the Sixty-sixth Congress, which will show (A) all the appropriations for the support of the Government for the fiscal year 1920 and the deficiencies in appropriations for the fiscal year 1919, and prior years; (B) a comparison of appropriations for the fiscal year 1919, made during the second session of the Sixty-fifth Congress, with the appropriations for the fiscal year 1920, made during the third session of the Sixty-fifth Congress and the first session of the Sixty-sixth Congress, to date; (C) a comparison of the appropriations agreed upon at this session of Congress, with the amounts asked for and considered during this session of the Sixty-sixth Congress; and (D) a comparison of the amounts of the eight appropriation bills which failed of final enactment at the third session of the Sixty-fifth Congress, with the amounts in the same bills as they have been finally agreed upon at this session.

The work of this Congress, so far as it relates to appropriations, is especially reflected in tables C and D. By an examination of these tables it will be found that the agricultural appropriation act carries $33,899,761. A similar bill passed the House at the last session, was sent to the Senate, and there referred to the Senate Committee on Agriculture, which reported it back to the Senate, carrying $37,344,852. The amount asked for by the Agricultural Department was $34,993,686. The bill, therefore, that has just been enacted into law carries $1,093,925 less than the amount asked for by the department, and $3,445,091 less than the amount carried by the bill as reported to the Senate in the closing days of the Sixty-fifth Congress.

The appropriations contained in the Army bill aggregate $772,324,877.50. The War Department estimated for this service $1,268,322,269.04. In the last Congress this bill passed the House, was messaged to the Senate, where it was referred to the Committee on Military Affairs, and that committee reported it back to the Senate carrying $1,240,500,066.98. The Army appropriation act, therefore, is $495,997,391.54 less than the amount asked for by the War Department, and is $468,175,189.48 less than the amount by which the bill was reported to the Senate in the last session of Congress.

The District of Columbia appropriation act carries $15,364,421. A similar bill passed the House and the Senate in the last session, and was pending in conference when Congress adjourned. It carried $14,446,364 as it passed the Senate. The amounts asked for by the District Commissioners and considered by this Congress totaled $15,635,701. The amount, therefore, by which this bill became a law is $918,057 more than was carried in the similar bill in the last session of Congress, but is $271,280 less than the amount estimated by the District Commissioners. In this connection it must be remembered that during the war the work of improving our streets and of building new school buildings had been stopped. The result was that the streets of the city of Washington were in a deplorable condition and the school facilities, so far as buildings were concerned, were grossly inadequate, and large appropriations are contained in the present act for improvement of streets and enlargement of school building facilities.

The Indian appropriation act carries $11,131,397.03. The amount estimated for the service was $11,939,813.89. This bill passed the Senate in the last session of Congress carrying $11,457,797.03. The law enacted at this session of Congress is therefore $326,400 less than the amount by which the bill passed the Senate in the third session of the Sixty-fifth Congress, and is $808,416.86 less than the amount estimated by the Secretary of the Interior.

In the third session of the Sixty-fifth Congress the Navy bill passed the House and was last acted upon by the Committee on Naval Affairs of the Senate. This act appropriates $616,096,838.88. The amount carried by the bill when reported to the Senate in the last Congress was $824,708,121.88. The aggregate of the revised estimates for the naval service was $975,903,621.28. The naval appropriation act, therefore, carries $208,611,283 less than the amount carried by the bill as reported to the Senate in the last Congress, but it also carried $359,806,782.40 less than the amount asked for by the Navy Department and considered by this Congress.

The sundry civil appropriation act carries $605,160,207.95. The bill passed the House at the third session of the Sixty-fifth Congress, carrying $851,171,859.25. The total amount asked for and considered by the Sixty-sixth Congress was $964,591,556.25. The appropriation made by this Congress for this service is therefore $246,011,651.30 less than the amount by which the sundry civil appropriation bill passed the House at the third session of the Sixty-fifth Congress, and is $359,431,348.30 less than the amount asked for and considered at this session of Congress.

The SPEAKER. The time of the gentleman has expired.

Mr. MONDELL. Mr. Speaker, how much time does the gentleman require to conclude his remarks?

Mr. GOOD. I will require, I suppose, about 20 minutes. I did not think I would require so much time.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the gentleman may have 20 minutes in which to conclude his remarks.

Mr. CALDWELL. Mr. Speaker, reserving the right to object, is that 20 minutes more?

Mr. MONDELL. In addition to the time he has already occupied.

Mr. CALDWELL. Twenty minutes more? Mr. Speaker, still further reserving the right to object, the gentleman is talking about bills passed without any reference to the deficiencies which must necessarily follow. The cock that crows in the morning does not always live to crow at night. Mr. Speaker, I withdraw the objection.

The SPEAKER. The gentleman from Wyoming asks that the time of the gentleman from Iowa may be extended for 20 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GOOD. The appropriation to supply deficiencies in the administration of the railroads by the President is $750,000,000. A similar bill passed the House and was subsequently reported by the Senate as a part of the third deficiency bill in the last Congress for a like amount. In the Sixty-fifth Congress the estimate for this service was $750,000,000, and the amount agreed upon by the House and reported to the Senate for this deficiency was the exact amount asked by the Railroad Administration. At this session of Congress the Railroad Administration asked for $1,200,000,000 for this service. The amount carried in the act is $450,000,000 less than the amount of the estimate.

The third deficiency act passed the House and was reported to the Senate in the Sixty-fifth Congress, carrying $38,346,913.59, exclusive of the appropriation for the Railroad Administration above referred to, and also exclusive of $53,750,000 carried in the total of the sundry civil bill and proposed by the Senate to be transferred from that bill to the deficiency bill. The amount now carried in this act is $24,305,929.40, which is $14,040,984.19 less than the amount by which the bill was reported to the Senate in the last Congress, and is $18,458,749.54 less than the amount estimated by the various departments and considered by this Congress. In this connection, however, it should be stated

that the amount carried in this act does not include $45,044,500 carried in the urgent deficiency appropriation act for the Bureau of War Risk Insurance and for the payment of pensions. Of this sum $42,615,000 was not estimated at the third session of the Sixty-fifth Congress, and therefore not included in the total of $42,764,978.94 of the estimates for the third deficiency bill, nor was any part of it included in the $38,346,913.59 as the third deficiency bill passed the House and was reported to the Senate in the last Congress.

The third deficiency bill that failed in the last Congress did carry $4,220,000 for administration expenses in the Bureau of War Risk Insurance. A part of this deficiency was supplied before the convening of this Congress out of the President's fund for the national security and defense. Of this $4,220,000, the sum of $2,429,500 is the only item carried in the urgent deficiency appropriation act that was considered at all by the Sixty-fifth Congress in connection with the third deficiency bill.

The appropriations made in the sundry civil bill that failed in the last Congress are a sad commentary on the administration of the Bureau of War Risk Insurance. That bill carried for family allowances $33,000,000 and that sum was made immediately available. It carried for compensation to wounded and disabled soldiers, sailors, and marines $20,000,000, and it was anticipated that $53,000,000 would pay all family allowances of soldiers, sailors, and marines and their compensation claims to June 30, 1920. When this Congress convened it was advised by the Treasury Department that the checks for family allowances for the month of April had been drawn, but had not been sent to the families and dependents of soldiers, sailors, and marines because no funds have been appropriated for that service, and that it would require $39,615,000 to pay claims for family allowances up to June 30 of this year. That amount was immediately appropriated, as was the $2,429,500 for administrative expenses, and the sundry civil bill that has just passed carries $48,000,000 additional for family allowances, and $50,000,000 for compensation, making a grand total of $137,615,000 appropriated by this Congress for the payment of family allowances and compensation claims to our soldiers, sailors, and marines, as compared with $53,000,000 carried for the same purpose in the sundry civil bill that failed.

So, too, when this Congress convened it was confronted with the fact that there was a deficiency in the appropriation for the payment of pensions to the soldiers, amounting to $3,000,000. Immediately upon the convening of Congress this deficiency was supplied by an appropriation of the full amount of the estimate.

The net result of the work of this Congress, so far as it has acted on appropriations, notwithstanding the necessarily large increases for war-risk insurance, shows a net decrease of $939,692,541.97 in the appropriations made by this Congress, as compared with the last action of the Sixty-fifth Congress on the same bills.

But if the saving made by this Congress in the matter of appropriations is measured by the amounts asked for by the executive departments and considered by this Congress, the aggregate is $1,685,867,893.64, a magnificent record of achievement in 37 legislative days. [Applause.] And no doubt if Congress had been called in extraordinary session by the President immediately upon the adjournment of the Sixty-fifth Congress it would have had an opportunity to have made a more searching investigation and to have eliminated a great deal of waste and extravagance in the various executive departments.

During the past few days my attention has been directed to a propaganda that has been started by those intrusted with the administration of the law for the vocational rehabilitation of our wounded soldiers, sailors, and marines. One of the honored Members of this House has placed in my hands a telegram which is similar to many telegrams received by Members. This telegram reads as follows:

> Joker in sundry civil appropriation bill. Ten thousand disabled soldiers in Wisconsin affected greatly to their detriment by crippling Federal Board for Vocational Education. Strongly urge you to have it reconsidered.
>
> A. M. BRAYTON, *Editor State Journal.*

Telegrams have been received from Detroit to the effect that the vocational rehabilitation office in that city has been closed because of the lack of appropriations to carry on the work.

These telegrams were actuated, no doubt, by erroneous advices sent out by some member of the Board for Vocational Education here in Washington. The propaganda has its beginning in the executive department having to do with the administration of the vocational rehabilitation law. In order that there may be no misunderstanding with regard to this matter and that Members may advise their constituents, who are so deeply interested in the care and support of our wounded soldiers, sailors, and marines, I desire to read the entire provision carried in the sundry civil appropriation bill for vocational rehabilitation. It is as follows:

FEDERAL BOARD FOR VOCATIONAL EDUCATION.

Vocational rehabilitation: For an additional amount for carrying out the provisions of the act entitled "An act to provide for the vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended, including personal services in the District of Columbia and elsewhere, printing and binding to be done at the Government Printing Office, law books, books of reference, and periodicals, $6,000,000, which shall be in lieu of the appropriation contained in the act approved July —, 1919, amending section 2 of the act approved June 27, 1918: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $2,500 per annum, except the following: One at $7,500, 1 at $5,000, 10 at $3,600 each, and 40 from $2,500 to $3,000 each, inclusive.

It is apparent from this provision of the law that $6,000,000 is available, or will be available when the President signs the sundry civil act, for vocational rehabilitation, and every dollar of that is available for rehabilitation work any place in the United States so long as it remains unexpended. [Applause.] When that appropriation is expended, if additional appropriations are necessary unquestionably they will be promptly forthcoming. The country will not and ought not to tolerate a cheeseparing policy with regard to the rehabilitation of our wounded and disabled soldiers, sailors, and marines, and the country and Congress will not and should not tolerate this policy of misrepresentation and deceit carried on by those charged with the administration of the law. [Applause.] The only joker connected with this service will be found in the little men intrusted with the execution of the law. [Applause.] It is true we put a stop to the practice of one of the officials in this service drawing two salaries of $5,000 each from the Federal Government, and we placed a limit upon the salaries which any official connected with the administration of this law may draw at $7,500 per year. [Applause.]

I have no doubt that upon investigation it will be found that the salaries provided for in this bill are in excess of the amounts actually received in private life by the persons holding these positions. [Applause.] It is, indeed, to be regretted that men intrusted with the administration of this law, commissioned to bring aid and comfort to our wounded and disabled soldiers and sailors, should add to the discomfort and anxiety of hundreds of thousands of these boys who are wounded and entitled to the benefits of this service by giving them to understand that Congress had made no provision for their vocational rehabilitation. The man responsible for this contemptible falsehood should be summarily dismissed from the Government service. [Applause.]

A few days ago the gentleman from North Carolina [Mr. KITCHIN], in a very interesting speech, defended the action of the House in the last Congress because of the excessive appropriations carried in the bills as they passed the House. He made the astounding claim that the amounts by which the bills passed the last Congress in excess of the aggregate carried in the bills that passed this Congress would not have been expended, but that such excess of appropriations would have been covered into the Treasury of the United States. I hope the position of the gentleman from North Carolina [Mr. KITCHIN] will be the position of the President and the head of every executive department of the Government, for if his position is the correct one there will be no necessity for any deficiency appropriations. [Applause on the Republican side.] If, therefore, deficiencies are created or shall hereafter arise in these appropriations, they must be attributed to waste and extravagance in the departments where deficiency appropriations shall hereafter be sought. [Applause on the Republican side.] Time alone will tell. But one of two things is certain—either the gentleman from North Carolina [Mr. KITCHIN] was misleading the House in that wonderful speech, or, if deficiency appropriations shall hereafter be asked for the same service, then the department asking for a deficiency stands convicted of the charge of waste and extravagance. [Applause on the Republican side.]

The enactment of 10 large supply bills in 37 legislative days, in order that they might become laws by the beginning of this fiscal year, is an achievement without a parallel in the history of congressional appropriations. I shall put in the RECORD a summary showing the annual appropriation laws, with the dates of approval, which were not enacted in time to be effective from the first day of the fiscal year for which the appropriations were made. That summary will show that during the Fifty-fourth,

Fifty-fifth, Fifty-sixth, Fifty-seventh, Fifty-eighth, Fifty-ninth, Sixtieth, and Sixty-first Congresses, all Republican Congresses, every general appropriation bill was passed and became a law before the beginning of the fiscal year to which they each related. In the Sixty-second Congress the House was Democratic and the Senate was Republican. In the Sixty-third, Sixty-fourth, and Sixty-fifth Congresses both House and Senate were Democratic.

During those Congresses there was a failure in the enactment of many of the appropriation laws before the beginning of the fiscal year for which the appropriations were made. For example, in the Sixty-second Congress, when the Democrats first came into control of the House, nine of the great appropriation bills failed of passage before the beginning of the next fiscal year, and it was necessary to pass continuing resolutions in order that the Government might function. So, too, in the Sixty-third Congress four of the great appropriation bills failed of enactment before the beginning of the next fiscal year. In the Sixty-fourth Congress seven of the great supply bills failed, and in the second session of the Sixty-fifth Congress seven of the great supply bills failed of enactment before the beginning of the following fiscal year, and in the third session of the Sixty-fifth Congress eight of the great supply bills had failed of enactment when Congress adjourned.

In comparison with this record of inefficiency I desire to place the record of 16 years of Republican administration, from the Fifty-fourth to the Sixty-first Congresses, inclusive, when every regular annual appropriation bill was enacted into law by the beginning of the fiscal year to which the appropriations related. [Applause on Republican side.] So, too, in this Congress, in 37 legislative days, a Republican Congress accomplished what a Democratic Congress had failed to perform in three long months. In 37 legislative days this Congress enacted into law the eight large supply bills that failed of enactment in the last Congress.

When these appropriation acts are compared with the bills acted upon by the previous Congress for the same service, it is found that this Congress has saved to the taxpayers of the United States $939,692,541.97. [Applause on Republican side.] If, however, the saving to the taxpayers is the difference between the estimates of the executive departments and the appropriations made by Congress, then that saving reaches the stupendous sum of $1,685,867,893.64. [Loud applause.]

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing these tables to which I have referred in my speech.

The SPEAKER. Is there objection to the request of the gentleman for the insertion of the tables indicated? [After a pause.] The Chair hears none.

The tables referred to are as follows:

APPROPRIATIONS FOR THE FISCAL YEAR 1919–20.

Statement of appropriations made during the third session of the Sixty-fifth Congress and the first session of the Sixty-sixth Congress, comprising appropriations for the support of the Government for the fiscal year 1920 and deficiencies in appropriations for the fiscal year 1919 and prior years.

REGULAR ANNUAL APPROPRIATION ACTS.

Agriculture	$33, 899, 761. 00	
Army	772, 324, 877. 50	
Diplomatic and Consular	9, 843, 661. 67	
District of Columbia	15, 364, 421. 00	
Fortification	11, 214, 291. 00	
Indian	11, 131, 397. 03	
Legislative, etc	97, 963, 831. 77	
Military Academy	2, 277, 932. 20	
Naval	616, 096, 838. 88	
Pension	215, 030, 000. 00	
Post Office (includes $78,000,000 for the construction of roads for the fiscal year 1921)	609, 466, 149. 00	
River and harbor	33, 378, 364. 00	
Sundry civil	605, 160, 207. 95	
Total, regular annual acts		$3, 033, 151, 733. 00

DEFICIENCY APPROPRIATION ACTS.

Second deficiency, fiscal year 1919	$292, 714, 084. 71	
Third deficiency, fiscal year 1919	24, 305, 929. 40	
Wir risk insurance and pension deficiency	45, 044, 500. 00	
Railroad deficiency	750, 000, 000. 00	
Expenses incident to the first session of the Sixty-sixth Congress	385, 720. 00	
Total, deficiency acts		$1, 112, 450, 234. 11

APPROPRIATIONS IN MISCELLANEOUS ACTS.

Wheat-price guaranty	$1, 000, 000, 000. 00	
Relief in Europe	100, 000, 000. 00	
Public Health Service hospitals	9, 835, 333. 00	
Revenue act	7, 525, 000. 00	
Sundry miscellaneous acts	348, 103. 47	
Total, miscellaneous acts		$1, 117, 708, 436. 47

PERMANENT AND INDEFINITE APPROPRIATIONS (ESTIMATED).

Interest on public debt	$1, 000, 000, 000. 00	
Miscellaneous public debt redemption	964, 020, 000. 00	
Miscellaneous permanent and indefinite appropriations	85, 266, 880. 00	
Increased compensation to certain Government employees	25, 000, 000. 00	
Total, permanents, etc		2, 074, 286, 880. 00
Grand total		7, 337, 597, 288. 58

Comparison of appropriations for the fiscal year 1919, made during the second session of the Sixty-fifth Congress, with appropriations for the fiscal year 1920, made during the third session of the Sixty-fifth Congress and the first session of the Sixty-sixth Congress to date.

	1919	1920	Increase of 1920 over 1919.	Decrease of 1920 under 1919.
Agriculture	$27, 875, 353. 00	$33, 899, 761. 90	$6, 024, 408. 00	
Army	10, 225, 478, 312. 91	772, 324, 877. 50		$9, 453, 153, 435. 41
Diplomatic and Consular	7, 937, 376. 66	9, 843, 661. 67	1, 906, 285. 01	
District of Columbia	15, 046, 768. 66	15, 364, 421. 00	317, 652. 34	
Fortification	2, 814, 348, 267. 85	11, 214, 291. 00		2, 803, 133, 976. 85
Indian	11, 021, 910. 00	11, 131, 397. 03	109, 487. 03	
Legislative, etc	69, 937, 853. 25	97, 963, 831. 77	28, 025, 978. 52	
Military Academy	2, 515, 005. 01	2, 277, 932. 20		237, 072. 81
Navy	1, 573, 468, 415. 84	616, 096, 838. 88		957, 371, 576. 96
Pension	220, 050, 000. 00	215, 030, 000. 00		5, 020, 000. 00
Post Office	377, 573, 342. 00	609, 466, 149. 00	231, 892, 807. 00	
River and harbor	23, 771, 900. 00	33, 378, 364. 00	9, 606, 464. 00	
Sundry civil	2, 019, 654, 470. 07	605, 160, 207. 95		1, 414, 494, 262. 12
Total regular annual appropriations	17, 388, 678, 985. 25	3, 033, 151, 733. 00	277, 883, 071. 90	14, 633, 410, 324. 15
Deficiencies	4, 325, 012, 456. 83	1, 112, 450, 234. 11		3, 212, 562, 222. 72
Miscellaneous	[1] 4, 270, 987, 863. 00	1, 117, 708, 436. 47		3, 153, 279, 426. 53
Permanent appropriations	1, 107, 415, 415. 67	[2] 2, 074, 286, 880. 00	966, 871, 464. 33	
Grand total	27, 092, 094, 720. 75	7, 337, 597, 283. 58	1, 244, 754, 536. 23	20, 999, 251. 973. 40

[1] This sum includes $3,000,000,000 for loans to our Allies, reimbursable by foreign Governments to whom advances are made.

[2] This sum includes estimated amounts as follows: For the payment of interest on the public debt, $1,000,000,000; miscellaneous redemptions of the public debt, $964,020,000; miscellaneous, permanent, and indefinite appropriations, $85,266,880; and increased compensation to certain Government employees, $25,000,000.

Comparison of the amounts of the appropriation bills as agreed upon with amounts asked for and considered during the Sixty-sixth Congress, first session.

Title of act.	Amounts as agreed upon, Sixty-sixth Congress, first session.	Amounts asked for and considered, Sixty-sixth Congress, first session.	Decrease of amounts agreed upon, Sixty-sixth Congress, first session, under amounts asked for and considered, Sixty-sixth Congress, first session.
Agriculture	$33, 899, 761. 00	$34, 993, 686. 00	$1, 093, 925. 00
Army	772, 324, 877. 50	1, 268, 322, 269. 04	495, 997, 391. 54
District of Columbia	15, 364, 421. 00	15, 635, 701. 00	271, 280. 00
Indian	11, 131, 397. 03	11, 939, 813. 89	808, 416. 86
Navy	616, 096, 838. 88	975, 903, 621. 28	359, 806, 782. 40
Sundry civil	605, 160, 207. 95	964, 591, 556. 25	359, 431, 348. 30
Railroad deficiency	750, 000, 000. 00	1, 200, 000, 000. 00	450, 000, 000. 00
Third deficiency	24, 305, 929. 40	[1] 42, 764, 678. 94	18, 458, 749. 54
War risk insurance and pension deficiency	45, 044, 500. 00	45, 044, 500. 00	
Expenses incident to first session of the Sixty-sixth Congress	385, 720. 00	385, 720. 00	
Total	2, 873, 713, 652. 76	4, 559, 581, 546. 40	1, 685, 867, 893. 64

[1] This amount does not include $45,044,500, estimated in connection with the bill making urgent deficiency appropriations for the Bureau of War Risk Insurance and for the payment of pensions. Of this sum, $42,615,000 was not estimated at the third session of the Sixty-fifth Congress, and therefore not included in the total of $42,764,678.94, which sum does include $2,429,500 for above-named purposes.

Comparison of the amounts of the eight appropriation bills which failed of final enactment at the third session of the Sixty-fifth Congress with the amounts of the same bills as they have been finally agreed upon at the first session of the Sixty-sixth Congress.

Title of act.	Last action figures Sixty-fifth Congress, third session.	Amount as agreed upon Sixth-sixth Congress, first session.	Decrease, Sixty-sixth Congress, first session, under Sixty-fifth Congress, third session.	Increase, Sixty-sixth Congress, first session, over Sixty-fifth Congress, third session.
Agriculture	[1] $37,344,852.00	$33,899,761.00	$3,445,091.00	.....
Army	[1] 1,240,500,066.98	772,324,877.50	468,175,189.48	.....
District of Columbia	[2] 14,446,364.00	15,364,421.00	.....	$918,057.00
Indian	[2] 11,457,797.03	11,131,397.03	326,400.00	.....
Navy	[1] 824,708,121.88	616,096,838.88	208,611,283.00	.....
Sundry civil	[3] 851,171,859.25	605,160,207.95	246,011,651.30	.....
Railroad deficiency	[4] 750,000,000.00	750,000,000.00	.....	.....
Third deficiency	[5] 38,346,913.59	[5] 24,305,929.40	14,040,984.19	.....
Total	3,767,975,974.73	2,828,283,432.76	940,610,598.97	918,057.00

[1] Amount as reported to the Senate.
[2] Amount as passed the Senate.
[3] Amount as passed the House.
[4] Amount as reported to the Senate exclusive of $750,000,000 for railroad deficiency, passed as a separate measure but included in third deficiency act for the third session of the Sixty-fifth Congress as reported to the Senate. Also exclusive of $53,750,000 for emergency shipping fund carried in the amount of the sundry civil bill for the Sixty-fifth Congress, third session, as it passed the House.
[5] This amount does not include $45,044,500 carried in the bill making urgent deficiency appropriations for the Bureau of War Risk Insurance and for the payment of pensions. Of this sum $42,615,000 was not estimated or considered at the third session of the Sixty-fifth Congress, and $2,429,500 was included in the third deficiency bill at that session.

Net decrease, Sixth-sixth Congress, first session, under Sixty-fifth Congress, third session..... $939,692,541.97

Summary of annual appropriation laws, with dates of approval, which were not enacted in time to be effective from the first day of the fiscal year.

Congress.	Fiscal year.	Number of bills not enacted by July 1.	House.	Senate.
Forty-fourth Congress	1877	7	Democratic.	Republican.
Forty-seventh Congress	1883	6	Republican.	Do.
Forty-eighth Congress	1885	10	Democratic.	Do.
Forty-ninth Congress	1887	6	.....do.....	Do.
Fiftieth Congress	1889	9	.....do.....	Do.
Fifty-first Congress	1891	7	Republican.	Do.
Fifty-second Congress	1893	11	Democratic.	Do.
Fifty-third Congress	1895	12	.....do.....	Democratic.
Sixty-second Congress	1913	9	.....do.....	Republican.
Sixty-third Congress	1915	4	.....do.....	Democratic.
Sixty-fourth Congress	1917	7	.....do.....	Do.
Sixty-fifth Congress	1919	7	.....do.....	Do.

ANNUAL APPROPRIATION LAWS (WITH DATES OF APPROVAL) WHICH WERE NOT ENACTED IN TIME TO BE EFFECTIVE FROM THE FIRST DAY OF THE FISCAL YEAR.

[Note.—The river and harbor bill is not included among the annual bills, as it was not considered an annual appropriation bill prior to the Sixtieth Congress.]

FORTY-FOURTH CONGRESS (FISCAL YEAR 1877).
(House, Democratic; Senate, Republican.)

Army, July 24, 1876.
Consular and diplomatic, August 15, 1876.
Indian, August 15, 1876.
Legislative, etc., August 15, 1876.
Military Academy, August 7, 1876.
Post Office, July 12, 1876.
Sundry civil, July 31, 1876.
(Seven in all.)

FORTY-SEVENTH CONGRESS (FISCAL YEAR 1883).
(House, Republican; Senate, Republican.)

Consular and diplomatic, July 1, 1882.
District of Columbia, July 1, 1882.
Legislative, etc., August 5, 1882.
Navy, August 5, 1882.
Pension, July 25, 1882.
Sundry civil, August 7, 1882.
(Six in all.)

FORTY-EIGHTH CONGRESS (FISCAL YEAR 1885).
(House, Democratic; Senate, Republican.)

Army, July 5, 1884.
Consular and diplomatic, July 7, 1884.
District of Columbia, July 5, 1884.
Fortification, July 5, 1884
Indian, July 4, 1884.
Legislative, etc., July 7, 1884.
Pension, July 4, 1884.
Post Office, July 5, 1884.
Navy, July 7, 1884.
Sundry civil, July 7, 1884.
(Ten in all.)

FORTY-NINTH CONGRESS (FISCAL YEAR 1887).
(House, Democratic; Senate, Republican.)

District of Columbia, July 9, 1886.
Fortification (failed of enactment).
Legislative, etc., July 31, 1886.
Navy, July 26, 1886.
Pension, July 2, 1886.
Sundry civil, August 4, 1886.
(Six in all.)

FIFTIETH CONGRESS (FISCAL YEAR 1889).
(House, Democratic; Senate, Republican.)

Agriculture, July 18, 1888.
Army, September 22, 1888.
Diplomatic and Consular, July 11, 1888.
District of Columbia, July 18, 1888.
Fortification, September 22, 1888.
Legislative, etc., July 11, 1888.
Navy, September 7, 1888.
Post Office, July 24, 1888.
Sundry civil, October 2, 1888.
(Nine in all.)

FIFTY-FIRST CONGRESS (FISCAL YEAR 1891).
(Both Houses Republican.)

Agriculture, July 14, 1890.
Diplomatic and Consular, July 14, 1890.
District of Columbia, August 6, 1890,
Fortification, August 18, 1890.
Indian, August 19, 1890.
Legislative, etc., July 11, 1890.
Sundry civil, August 30, 1890.
(Seven in all.)

FIFTY-SECOND CONGRESS (FISCAL YEAR 1893).
(House, Democratic; Senate, Republican.)

Agriculture, July 5, 1892.
Army, July 16, 1892.
Diplomatic and Consular, July 16, 1892.
District of Columbia, July 14, 1892.
Fortification, July 25, 1892.
Indian, July 13, 1892.
Legislative, etc., July 16, 1892.
Military Academy, July 14, 1892.
Navy, July 19, 1892.
Pension, July 13, 1892.
Sundry civil, August 5, 1892.
(Eleven in all.)

FIFTY-THIRD CONGRESS (FISCAL YEAR 1895).
(Both Houses Democratic.)

Agriculture, August 8, 1894.
Army, August 6, 1894.
Diplomatic and Consular, July 26, 1894.
District of Columbia, August 7, 1894.
Fortification, August 1, 1894.
Indian, August 15, 1894.
Legislative, etc., July 31, 1894.
Military Academy, July 26, 1894.
Navy, July 26, 1894.
Pension, July 18, 1894.
Post Office, July 16, 1894.
Sundry civil, August 18, 1894.
(Twelve in all.)

SIXTY-SECOND CONGRESS (FISCAL YEAR 1913).
(House, Democratic; Senate, Republican.)

Agriculture, August 10, 1912.
Army, August 24, 1912.
Indian, August 24, 1912.
Legislative, etc., August 23, 1912.
Military Academy, August 9, 1912.
Navy, August 22, 1912.
Pension, August 17, 1912.
Post Office, August 24, 1912.
Sundry civil, August 24, 1912.
(Nine in all.)

SIXTY-THIRD CONGRESS (FISCAL YEAR 1915).
(Both Houses Democratic.)

District of Columbia, July 21, 1914.
Indian, August 1, 1914.
Legislative, etc., July 16, 1914.
Sundry civil, August 1, 1914.
(Four in all.)

SIXTY-FOURTH CONGRESS (FISCAL YEAR 1917).
(Both Houses Democratic.)

Agriculture, August 11, 1916.
Army, August 29, 1916.
District of Columbia, September 1, 1916.
Fortification, July 6, 1916.
Military Academy, August 11, 1916.
Navy, August 29, 1916.
Post Office, July 28, 1916.
(Seven in all.)

SIXTY-FIFTH CONGRESS (FISCAL YEAR 1919).
(Both Houses Democratic.)

Agriculture, October 1, 1918.
Army, July 9, 1918.
District of Columbia, August 31, 1918.
Fortification, July 8, 1918.
Legislative, etc., July 3, 1918.
Pension, July 2, 1918.
Post Office, July 2, 1918.
(Seven in all.)

The SPEAKER. The gentleman from New York [Mr. LAGUARDIA], under the special order, is recognized for 30 minutes. [Applause.]

Mr. LAGUARDIA. Mr. Speaker, conditions in Mexico have reached the stage that it becomes our duty to inquire what is going on, what is being done, and what the administration intends doing. For this purpose I introduced on June 19, 1919, the following resolution:

Resolved, That the Secretary of State be, and he hereby is, requested to send forthwith to the House of Representatives complete copies of correspondence, including letters, communications, notes, and telegrams between the United States Government and the Government of Mexico from the 1st day of January, 1915, to date; also copies of communications, orders, letters, telegrams, etc., between the Department of State and officers of the United States Army or Navy, either direct or through the War and Navy Departments, respectively, pertaining to Mexican affairs from the 1st day of January, 1915, to date.

This method of procedure is not new. A similar resolution was introduced on the 1st of November, 1877, requiring the Secretary of State to furnish the House of Representatives with data of the same nature asked for in my resolution, and that resolution, strange to say, referred to Mexico. The Secretary of State was then Mr. William M. Evarts and who 12 days after the resolution was passed transmitted all of the papers pertaining to the Mexican border troubles, and these papers, consisting of 45 different documents, contained 244 printed pages, and is known as Executive Document No. 13, first session of the Forty-fifth Congress. It is really worth the while of every Member of this House to glance through the pages of that report, change the dates and names, and you have the conditions of the disorder, the turmoil, murder, and robbery of Mexico of to-day.

The country was then startled, as I am sure it would be now if the facts were known, in learning of the actual conditions in Mexico, and the fact that the country knew and was determined to take aggressive action so impressed the Mexicans that we did not have trouble with that country for a period of about 40 years.

Mr. HUDSPETH. Will the gentleman yield?

Mr. LAGUARDIA. I will ask not to be interrupted, because I am using notes, and I am not in the habit of using them.

With the facts disclosed, public opinion became so strong that on August 13, 1878, Secretary Evarts transmitted to Mr. Foster, our then minister of Mexico, the famous message which brought home to the Mexicans that this country would protect its citizens, would stand for its rights, and that no excuse would be accepted for any violation of these rights or any damage to American citizens or American property.

This real, red-blooded American message would so fit conditions now that I want to read it to you:

MR. EVARTS, SECRETARY OF STATE, TO MR. FOSTER, MINISTER TO MEXICO, AUGUST 13, 1878.

The first duty of a government is to protect life and property. This is a paramount obligation. For this governments are instituted, and governments neglecting or failing to perform it become worse than useless. This duty the Government of the United States has determined to perform to the extent of its power toward its citizens on the border. It is not solicitous—it never has been—about the methods or ways in which that protection shall be accomplished, whether by formal treaty stipulation or by informal convention, whether by the action of judicial tribunals or that of military forces. Protection in fact to American lives and property is the sole point upon which the United States are tenacious. In securing it they have a right to ask the cooperation of their sister Republic. So far the authorities of Mexico, military and civil, in the vicinity of the border appear not only to take no steps to effectively check the raids or punish the raiders, but demur and object to steps taken by the United States. * * *

I am not unmindful of the fact that, as you have repeatedly reported, there is reason to believe that the Mexican Government really desires to check these disorders. According to the views you have presented its statesmen are believed to be sagacious and patriotic and well disposed to comply with all international obligations. But, as you represent, they encounter, or apprehend that they may encounter, a hostile public feeling adverse to the United States, especially in these border localities, thwarting their best intentions and efforts. It is greatly to be regretted that such a state of perverted public feeling should exist. But its existence does not exonerate the Mexican Government from any obligation under international law. Still less does it relieve this Government from its duties to guard the welfare of the American people. The United States Government can not allow marauding bands to establish themselves upon its borders, with liberty to invade and plunder United States territory with impunity and then, when pursued, to take refuge across the Rio Grande under protection of the plea of the integrity of the soil of the Mexican Republic.

Mr. FLOOD. Will the gentleman yield for a question?

Mr. LAGUARDIA. For a question.

Mr. FLOOD. Is the gentleman advocating intervention in Mexico now?

Mr. LAGUARDIA. I am coming to that. I am sure there is no one in this House who should be as cognizant of the actual affairs in Mexico as the distinguished chairman of the Committee on Foreign Affairs of the last Congress.

The difference between the note of 1878 and the note of 1919 is that the Mexican people then knew that we would back every word we said, and this note is what caused what was known in Mexico for 40 years as "El Fantasma" (the specter). This specter was the fear of American wrath; that the United States would go down there and punish the murderers and thieves and establish order. It was this fear in the hearts of the Mexicans that kept them straight for a number of years. Even President Diaz feared it. Mr. Evarts's words are almost prophetic. The difference between 1878 and 1919 is that we then impressed the Mexican people that we meant business, while in 1919 we sent notes but failed to enforce what we said. So that the fear of 1878 has become the indifference of 1919, and the Mexican people feel that they can do as they like—shoot Americans, commit robbery, confiscate property, and get away with it. It is true to-day as it was in 1878; we do not care what means the Mexican Government takes to preserve order, to protect American lives and property; let them use the law or their police or the military; but we should insist that they do something and must henceforth refuse to overlook any omission on the part of the Mexican Government toward Americans and American rights.

Not so very long ago, on the 6th day of January, 1916, the Senate had a resolution, introduced by Mr. FALL, of New Mexico, calling upon the President to inform the Senate upon Mexican conditions. I call your attention to the resolution and the information submitted. It will be found in Senate Document No. 324, Sixty-fourth Congress, first session. Time does not permit me to read it now, but the contrast of actual performance and the promises therein made is so glaring that I will insert some of the documents therein contained as part of these remarks. But let me point out to you some of the assurances then given by Mr. Carranza to the President.

The message was transmitted by the President to the Senate on February 17, 1916. In that report a message of the President of the United States of June 2, 1915, containing a warning to the leaders of the factions, was telegraphed to the American consular officers in Mexico for circulation, in which the President pointed out that no government existed in Mexico; that she has been swept by civil war as if by fire; that there is no proper protection for her own citizens or any citizens at work within her territory; and instructed consular officers to make known the views of the United States in the following forceful language:

In these circumstances the people and Government of the United States can not stand indifferently by and do nothing to serve their neighbor. They want nothing for themselves in Mexico. Least of all do they desire to settle her affairs for her or claim any right to do so. But neither do they wish to see utter ruin come upon her; and they deem it their duty as friends and neighbors to lend any aid they properly can to any instrumentality which promises to be effective in bringing about a settlement which will embody the real objects of the revolution—constitutional government and the rights of the people. Patriotic Mexicans are sick at heart and cry out for peace and for every self-sacrifice that may be necessary to procure it. Their people cry out for food, and will presently hate as much as they fear every man, in their country or out of it, who stands between them and their daily bread.

It is time, therefore, that the Government of the United States should frankly state the policy which in these extraordinary circumstances it becomes its duty to adopt. It must presently do what it has not hitherto done or felt at liberty to do—lend its active moral support to some man or group of men, if such may be found, who can rally the suffering people of Mexico to their support in an effort to ignore, if they can not unite, the warring factions of the country, return to the constitution of the Republic, so long in abeyance, and set up a government at Mexico City which the great powers of the world can recognize and deal with, a government with whom the program of the revolution will be a business and not merely a platform. I therefore publicly and very solemnly call upon the leaders of factions in Mexico to act, to act together, and to act promptly for the relief and redemption of their prostrate country. I feel it to be my duty to tell them that if they can not accommodate their differences and unite for this great purpose within a very short time this Government will be constrained to decide what means should be employed by the United States in order to help Mexico save herself and serve her people.

This statement covered the situation fully. The trouble is we stopped there; we backed the wrong man; we aided Carranza, who brought chaos out of disorder, who organized plunder, sanctioned murder, disregarded American rights, and the solemn admonishment that the United States would take steps to help Mexico save herself has not been carried out, and therefore we have the situation that this warning fell flat, while that of Secretary Evarts produced the desired results. Mexico is to-day starving and without a government, as it was on June 2, 1915, the date of the President's statement. Mexico is apparently no nearer a solution of her troubles than she was, and, as stated in that same statement, she is still swept by civil war as if by fire.

Mr. FLOOD. May I ask the gentleman a question?

Mr. LAGUARDIA. Certainly.

Mr. FLOOD. Does not he think that the President thought that his message had had the effect when he afterwards recognized the Carranza government as the de facto government of Mexico?

Mr. LAGUARDIA. I thank the gentleman for the suggestion. I have not forgotten Carranza in these notes that I have before me. I will come to him in just a minute.

On October 5, 1915, in this same Senate document will be found a laconic statement from Carranza, in which he states that the situation is constantly improving and states that the railways are being repaired. The railways are to-day in worse condition than they ever were. He said that it is true that a minor officer killed a young lady, but succeeded in escaping, and adds, "He is being pursued, and when arrested he will receive severe punishment." This simply goes to show how lightly murder is considered by Carranza. In that same report will be found what is known as the plan of Guadalupe, in which it is declared that Carranza, who shall be the first commander in chief, shall immediately convene general and local elections to elect representatives and a government. This has been totally ignored. In the same report will be found the decree of Gen. Carranza in which again the promise is reiterated of convening a general election and the establishing of a constitutional government. This he has failed to do. A farce of an election was held, at which only Carranza soldiers were permitted to vote.

Mr. FLOOD. The gentleman did not answer my question, if he intended to answer it.

Mr. LAGUARDIA. I shall answer it. When I have finished with Carranza I think the distinguished ex-chairman of the Committee on Foreign Affairs will be better acquainted with him. [Applause.]

The same statement to the Senate gives a list of Americans killed from 1913 to 1915, and in reference to this Secretary Lansing says:

> While 76 Americans lost their lives in the entire territory of Mexico during the years 1913, 1914, and 1915, in the same period there were 20 civilian Americans and 16 American soldiers killed on American soil adjacent to the international boundary (inclosures Nos. 12B and 12C), and during those years there were approximately 92 Mexicans killed in the same area (inclosure No. 12D).
>
> These figures indicate that a condition of lawlessness prevailed along the border, due in large measure to factional conflicts in Mexican territory for ports of entry and to the unfriendly personal relations existing between the American and Mexican residents in that region. The department, however, has no reliable information as to the number of Mexicans killed on the Mexican side of the boundary and in its immediate vicinity as a consequence of this state of disorder.

I maintain that if we had all the records asked for in my resolution it would show that the same deplorable conditions exist to-day as existed in 1916, when the report was sent to the Senate.

I need not point out that it is difficult to get accurate information on Mexico—that is the reason of my resolution. I am certain that if we have the facts the results would be startling to the American people. I have not even scratched the surface; I have only lightly dusted it, and, in my opinion, there is sufficient reason to cause alarm and to compel the adoption of a fixed, definite policy toward Mexico.

From what meager information I have I am convinced that we have not followed a fixed definite policy in our attitude toward Mexico. I believe that if the facts are known it will be disclosed that the attitude of our State Department toward Mexico has been one series of inconsistencies. Everybody seems to know that something is wrong in Mexico; everybody knows that United States armed forces entered Mexican territory only a short time ago. Pershing's expedition into Mexico has not yet been forgotten; still there seems to be no exact knowledge as to what it is all about. We went after Villa; were chasing Villa. Just as we were about to get him our troops were ordered away. We went to Tampico to have the flag saluted. Before the flag was saluted the Navy was ordered away. We entered Mexico a short time ago and a few hours later our troops returned, and the incident remained to a certain extent unexplained.

A few days ago my colleague from New York [Mr. GOULD] made a statement on the floor of the House and told of the number of American lives lost in Mexico. Still no action; still no redress; still no fixed policy; still indecision. Is it not time that we get into the facts; that we find out for ourselves where we stand, lest later it may be too late? Let me point out just a few of our diplomatic inconsistencies. I call it that to be polite.

Mr. FLOOD. I would like to ask the gentleman what action the gentleman would propose we should take in Mexico in reference to troubles about these oil fields and other troubles that we have had there in the last nine years?

Mr. LAGUARDIA. I am coming to that in my time. [Laughter.] Our country recognized the Carranza Government. We refused to recognize Huerta or have anything to do with him, because it was stated by the President of the United States that the Huerta government came into existence by means of a revolution, causing the death of Madero, although we recognized the Madero Government, which came about in a similar method—a revolution against Diaz régime—and obtained power by force. We recognize the Carranza Government, although it was the outcome of a revolution against Huerta, so it is difficult to understand how the Carranza Government differs in its coming into being to that of Madero or Huerta. It is my belief that if all the facts were before us, it would be shown that the government of Carranza is no government at all. That disorder, chaos, revolution, and disease are prevalent throughout that country. That during the period that we were at war and all our energy given to that struggle the government of Carranza, whatever there was of it, was not only anti-American but decidedly and actively pro-German. I believe that if the facts were before us we could see that Carranza is far from having control of his own country, and has no more authority, power, or representation than the rest of the factions in Mexico. I have here a map which will give a general idea of the division of power in Mexico. It is rudely arranged—I did it myself, and, of course, the exact boundaries are not accurate, but will give a general idea as to the situation. The total area of Mexico is 765,537 square miles. Carranza misgoverns in the States left in white on this map, part of Vera Cruz, State of Mexico, Hidalgo, Queretaro, Guanajuato, Durango, Nuevo, Leon, Zacatecas, part of Coahuila, and part of Jalisco, a total of 314,478 square miles; less than half of the total area of Mexico.

Mr. FLOOD. Will the gentleman state there how many States in Mexico the Carranza government is actually in control of?

Mr. LAGUARDIA. I thank the gentleman for that suggestion. Here is my map.

Mr. FLOOD. I am glad I have made a suggestion that will help the gentleman.

Mr. LAGUARDIA. I want to say this, that I called upon our military intelligence to give me some facts about Mexico. The military intelligence of the American Expeditionary Forces certainly did splendid work during the war, and I came home with a great deal of confidence in it. After whispering and conversations they said, "We are going to send it to you." When they did not do it I asked them why not, and they said, "We have sent you the information." I said, "Where is it?" They replied that it was in the Committee on Foreign Affairs. I asked them why it was there. They said, "We can not send it any other place." Here is the information I got; it is marked "memorandum" and says:

> This compilation of notes on Mexico is furnished for the official use of the Committee on Foreign Relations, with the understanding that the information be not disclosed without the authority of the Secretary of War.

I slept with this for a day. I was afraid to look at it; afraid that some spy would take it from me. I told the military intelligence that it was of no use to me if I could not disclose it. A major came to me and said, "Go ahead and read it." I read it on one Sunday morning. There was nothing in it; and to my surprise on that same Sunday, in reading the New York Times, I found the same article and the same map verbatim. That is the confidential information.

Mr. HUDSPETH. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. No; I can not.

Mr. HUDSPETH. Does not the gentleman know that it is a fact that Zapata has control in the State of Oaxaca and has had for 15 years?

Mr. LAGUARDIA. I know he has the control of the Morelos. I thank the gentleman for his suggestion. But the Zapatistos have control over that State and Morales as well. So that is so much less under the control of Carranza.

Felix Diaz, who is commander in chief of a faction known as the Felicistas, not only holds three or four small parts between Vera Cruz and Tampico but has under his command a large force of volunteers—40,000 men—comparatively well equipped, stanch supporters, who will stand by him until the Carranza Government is overthrown. The Felicistas occupy and control the States of Chiapas, Tabasco, Oaxaca, Guerrero, Puebla, part of Michoacan, part of Vera Cruz, part of Tamaulipas, and part of Coahuila, territory indicated on this map in yellow, comprising about 281,732 miles. I want to point out that the Felicistas forces are in control of all the extreme southern portion of Mexico, surrounding the Carranza forces in the east and west, and have access to the sea—Vera Cruz coast—where only a few days ago they occupied the port of Tlacotalpan; also north, in the State of Tamaulipas; and a small force in Coahuila, while not very strong, is sufficient to cause embarrassment to communication of the railways there, which, I understand, are constantly blocked and destroyed when Carranza seeks to transport troops through that territory. Campeche and Yucatan are under the control of Gen. Alvarado. Gen. Alvarado is ostensibly under Carranza, and friendly to him only because he is permitted to levy his own taxes, collect money in any way he desires, has absolute control there, and is working on some sort of a fifty-fifty basis with Carranza. This is possibly only because of the intervening territory between the Alvarado States and Carranza States being occupied by Felicistas. The mileage of these two States

is included in the territory controlled by Carranza, but it can not be said that Carranza has absolute control over this portion of Mexico. Up north Chihuahua, as you all know, is under the control of the Villacestas, with Villa and Angeles, who is described by our military intelligence as the ablest general south of the Rio Grande. Chihuahua has a mileage of 89,974 square miles. Sonora is entirely under the control of the Yaqui Indians, occupying the whole State, a mileage of 76,619 square miles, and is not controlled by the Carranza Government. They are absolutely unfriendly, and will fight Carranza every time they have an opportunity, and are only kept from doing so by being cut off by the Villa forces, other rebels, and distance.

On the western coast the States of Sinaloa, Territorio Tepic, part of Jalisco, and Colima, not even the military intelligence has any accurate information, but it is known and disclosure of the facts will show, I am certain, that these States are not under the control of Carranza, but under the control of various rebel chiefs who are opposing the Carranza régime, not friendly to it, and will continue to fight as long as Carranza remains in power. The State of Morelos is entirely in the possession and under the control of the Zapata forces, known as Zapatistas. They are fighting Carranza, are not connected with the Felicistas, but are friendly to them. It is a small State of 2,734 square miles. I call your particular attention to this small strip in red, the State of Vera Cruz. That is under the control of the Pelaez faction. This faction is the best-equipped best-uniformed army of all factions. It has about, from latest reports, which no doubt the Department of State will obtain in due time, 5,000 armed men under the command of Gen. Pelaez. These forces protect the oil industries from being robbed by the Carranza faction. It is supported and paid by the oil companies. I understand that the pay roll is something like $180,000 a month, and that several million dollars have already been paid to Pelaez for necessary protection. Skirmishes between the Pelaez and Carranza forces take place continuously, the line varying according to the successes of these skirmishes, as the Carranza forces are eager to come down and take possession of the oil property. Pelaez is naturally antagonistic to Carranza. He is friendly to the Felicistas or to any movement which will bring about the overthrow of Carranza and the establishment of a decent government in Mexico. He is anxious to be liberated from the control of the oil companies, as he does not desire to be under their control when a real government is established. As a matter of necessity, he accepts their aid at this time as it serves his purpose in fighting the Carranza forces.

On the extreme edge of the southeastern extremity is Territorio Quintano Roo, where anarchy reigns and is entirely in the control of the Maya Indians. This will show at a glance how far Carranza represents the entire State of Mexico. The constant fighting that is going on goes to prove that the Carranza government is not a staple existing government, but a fighting faction helping to keep disorder in that unhappy country.

The Felix Diaz faction represents the intellectual faction of Mexico. Its forces are made up of the educated people of Mexico and the better element, who are sincerely striving to put Mexico on its feet to establish a government of law and order. Whatever we may think of the old Diaz régime has nothing to do with the present attempt of this faction to overthrow the Carranza government. So that, as I said, Carranza has control of less than half the territory of Mexico.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. FLOOD. I will ask the gentleman this question, if he will permit me.

Mr. LAGUARDIA. Yes.

Mr. FLOOD. Is it not a fact that there is a duly recognized governor in each of the States of Mexico recognizing Carranza, except four?

Mr. LAGUARDIA. Yes; but the recognition is only pro forma.

Mr. ROGERS. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. ROGERS. Can the gentleman tell us what proportion of the population of Mexico is under Carranza?

Mr. LAGUARDIA. I can get that information for the gentleman, but I have not got it in my data here.

I believe the State Department has followed a series of inconsistencies. Permit me to point out some of these which are so well known:

We did not approve of the Huerta government for, as I stated before, it was deemed by our State Department that its coming into existence was based on bloody revolution. However, we recognized Madero. Huerta was bound to go—we said as much. The President in his message insisted that Huerta leave at once. It is generally considered, I am sure, that Huerta had the possibility of stabilizing Mexico, putting it on a working basis, and of actually bringing about some, at least, of the much needed reforms, but was not given a chance. I am holding no brief for Huerta or for any other faction, but all the beautiful theory of equal division of land and true democracy expressed by Mr. Wilson could not at the time be put into actual practice in Mexico. Huerta knew the country as no other man knew it, had the following, and was bound to bring order out of chaos.

President Wilson was not alone in his sharp statement of indignation. Germany also was against Huerta, and a few days after this country, through its President, expressed indignation against the Huerta government the Frankfort Gazette, of Frankfort, Germany, on April 6, 1914, referred to Mr. Wilson's attitude, saying:

> This idealist's place is in the political world, and we might well consider ourselves fortunate if we had at the head of the German Government idealists of such strong, well, and progressive tendencies as Mr. Wilson.

You all know how deep Germany had already entered into Mexico, and its Wilhelm Strasse knew that it could not expect special privileges, assistance, and friendliness from Huerta to the extent that it could from Carranza. Germany then, as she does to-day, knew more about Mexico than we do right here at her very door.

The President was bound in 1914–15 to bring about an equitable distribution of the land in Mexico, to relieve poverty, to abolish exploitation, and to bring about a perfect and ideal economic change in that country. The President's views along these lines can be found in an article entitled "Mexico," in the Saturday Evening Post of May 23, 1914. While all of this sounds good, present conditions reveal that it did not work out according to the President's prophecies. The equal division of land as a practical matter has been found somewhat difficult, and it does not exist even in this country, and while I have nothing to say against such equitable and ideal conditions Mexico surely is the last place in the world that experiment of this kind could be attempted. What good could come of a distribution; how could we bring about such economical reforms in Mexico? I am certain, if the facts called for in my resolution are before you, Carranza is the last man in the world to bring out the ideal conditions expressed in the President's statement. Are you aware that famine exists in Mexico to-day and existed in 1914; that disease and pestilence are prevalent, with smallpox, malaria, and dysentery raging all over the country? Nothing has been done to better conditions along these lines. In Mexico thousands upon thousands eat reptiles, bugs, slimy deposits from stagnant pools, and things of like nature, driven to this by the pangs of hunger. They are driven to it by actual necessity, by the desire to live, rather than die of hunger. Assuming that the land of Mexico could have been equally divided, these unhappy people were in no condition to derive any benefit from it. The land must be irrigated so that it will be fruitful. I shall not go into the agricultural statistics of that country at this time, but I ask you to look it up, and you will find nothing has been done by Carranza since his recognition by this Government to better the land. Not only did he fail to reform land laws but did not even endeavor to distribute some food to the natives in various parts of the country, who are dying of hunger. The Mexican question is a problem of life and death of a nation; it can not be treated lightly or made an experimental station of ideals and fancy theories.

After Huerta was overthrown by Carranza and we recognized Carranza our troubles started. Huerta became a bandit, an outlaw, and everybody connected with him was likewise branded, and the President of the United States would have no official dealings with either Huerta or any of his followers. I just desire to point out that one of Huerta's chief ministers and followers is Leon Dela Barra. He was in Huerta's cabinet and was with him to the very end. While we would not have anything to do with him, although a man of high intellect, a scholar, he was declared an outlaw and his banishment decreed, and he was compelled to leave his native country. Yet we find the same President of the United States compelled to sit in conference with Mr. Dela Barra at the peace conference, where Mr. Dela Barra was the adviser on Latin America, selected as such by France and the Allies.

Speaking of Huerta naturally reminds us of the Tampico incident.

Mr. HUDSPETH. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. I can not yield.

Mr. HUDSPETH. I would like to ask you one question.

Mr. LAGUARDIA. I will give you time.

Mr. HUDSPETH. Does the gentleman contend that Americans were protected under Huerta's administration?

Mr. LAGUARDIA. He did not have a chance.

Mr. HUDSPETH. Does the gentleman make that contention, that Americans were protected under Huerta's administration?

Mr. LAGUARDIA. Better than under Carranza. They could not be worse protected than under Carranza. There were people then and there are people to-day who believe that we went to Tampico and Vera Cruz to have the American flag saluted. What happened there? The flag incident of Tampico is so well known that much need not be said at this time. You recall that a boat containing some American sailors on a lawful mission happened to land within the firing line while a fight was on between the Huerta and Carranza troops. The boat was in command of a junior officer who could speak no Spanish; the Mexican officer could speak no English, and, failing to understand each other, were taken into custody.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. FLOOD. I would like to ask the gentleman where he got the information about Tampico?

Mr. LAGUARDIA. I will tell the gentleman that I got my information by not swallowing everything that the babbling attachés of the State Department come here to tell us.

Mr. FLOOD. The gentleman is making misstatements about the whole Tampico incident. Not a thing happened as he says it happened.

Mr. LAGUARDIA. I will ask the gentleman from Virginia to read the admiral's report.

The matter was reported to the State Department. Huerta was still in power, although repudiated or rather not recognized by our Government. This was an insult which could not go unchallenged, punishment was necessary, and the fleet was ordered to Tampico. Our flag must be saluted. Just how Huerta, not being recognized, could salute the flag is a matter which has not yet been fully explained by our Department of State. A few days after that Vera Cruz was occupied—for that several versions have been given. It is my belief that if all facts pertaining thereto was before us, as called for in my resolution, it will be learned that the purpose of the Vera Cruz expedition was to stop the German ship *Ypiranga*, loaded with a large quantity of ammunition, from getting into the hands of Huerta. Let me tell you a little about the history of the *Ypiranga*. The *Ypiranga* was loaded with ammunition, either in Russia or Germany, purchased by Huerta from the Russian Government. All of this was known to the Department of State. The *Ypiranga* sailed, and part of the fleet was ordered to Vera Cruz to seize the port, the customhouse, and the cable for the purpose of preventing the *Ypiranga* from getting her cargo to Huerta, all of which is doubtful whether we had a right to do—Carranza then being a rebel against the actual government with which we were at peace. We took Vera Cruz on or about April 24, 1914. I want to call your attention to the taking and the occupation of Vera Cruz contained in Document No. 324 to the Senate, where no reference is made to the *Ypiranga*. Our fleet arrived at Tampico for the purpose of having the flag saluted about April 10, 1914. Admiral Mayo, at Tampico, was ordered to join the fleet at Vera Cruz to reenforce with his men the landing expedition, and the flag incident was for the moment forgotten. Admiral Mayo was so surprised that he was ordered to abandon Tampico, leaving the American residents at the mercy of the Mexicans, that he cabled for confirmation three times. It is generally stated that the Americans would have been murdered had they not been protected by the commander of the German cruiser *Dresden*, who was then at Tampico, and served notice that any assault upon Americans in Tampico would be resented by him and proper action taken. The *Ypiranga* arrived in Vera Cruz, went to the dock, was prevented from discharging her cargo, inasmuch as our forces had possession of the port. I am informed that the facts asked for in my resolution would show that after staying there for some time the commander of the *Ypiranga* went to the American commander of the port, Capt. Stickney, of the United States Navy, I believe, and informed the captain that he could not remain any longer with his cargo; that he desired to unload, and if no instructions were given him, he informed Capt. Stickney that he would steam out of the port and go to the Puerto Mexico, which port was in the possession of the Huerta forces, and there deliver his ammunition to the Government, indicating that he would go to the Puerto Mexico, thereby giving opportunity for capture up to the very last moment. Capt. Stickney cabled this information to the State Department, and asked for instructions, and the State Department, in keeping with its undecided policy, its blow-hot-and-cold attitude, ordered Capt. Stickney to let the *Ypiranga* sail. So that we see the *Ypiranga* sailing out of Vera Cruz, saluting our ships as she left the harbor going to Puerto Mexico and deliver her cargo, all of which, through the blunder and indecision of the State Department, cost this country millions of dollars for that expedition and 19 lives and 70 wounded American boys, not to mention the innocent women and children of Vera Cruz who, unfortunately, met their death owing to the street fighting that took place. Do you wonder why the Mexicans are not afraid of our notes?

Another episode in our Mexican situation was the raid on Columbus by the Villa faction. This took place on March 10, 1916, under Carranza. Villa denies that he took part in any raid—there is no proof that he did. However, I want to point out that in November of 1915 when Villa was besieging the town of Aguas Prietas and about to take it, I have been informed and I believe the records will bear me out, the United States Government allowed the Government of Carranza to send Mexican troops through American territory in order to encircle Villa and thereby force him to withdraw his forces and fall into the hands of the Carranza forces in the south. Of course, Villa had not learned, perhaps, the niceties of diplomacy and could not understand how the armed Carranza forces had the right to enter American territory to obtain favorable position and attack him from United States territory. I am not trying to justify the raid on Columbus; I am simply trying to show what the feeling of the natives of northern Mexico must have been toward us as a result of permitting Carranza troops to violate our neutrality for the purposes stated.

Let me tell you something else about our inconsistency. You will remember we would not let Huerta get out of the United States, and when he started to go to Mexico we arrested him in El Paso, put him in jail, and kept him there until he died.

Mr. HUDSPETH. Will the gentleman yield?

Mr. LAGUARDIA. I yield to the gentleman from Texas.

Mr. HUDSPETH. I take it the gentleman wants to make a correct statement?

Mr. LAGUARDIA. Yes.

Mr. HUDSPETH. Does not the gentleman know it to be a fact that Huerta only stayed in jail 30 days, and that he died in his palatial home in El Paso?

Mr. LAGUARDIA. He died, did he not?

Mr. HUDSPETH. I presume he did.

Mr. LAGUARDIA. Another striking example of our inconsistency: Only a very few months ago Blanquet, an open, avowed Felicista, an arch enemy of the Carranza mob, left New York City with the declared purpose of taking command of an expedition against Carranza. Mark you, we are Carranza's friend and protector. He took the train in New York and went to Key West, openly declaring his purpose at Key West. He was held by immigration or Department of Justice, or whichever officials had control of outgoing traffic and examination of passports. He was kept there for a period of about a week. He arrived in Key West under the name of Torres, his mother's maiden name, had a passport of some kind under that name, and after a thorough interrogation voluntarily informed the officials that he was Aurelio Blanquet; that he was going to Habana, and from there would embark at the first opportunity to Mexico to take command of the forces of Felix Diaz against Carranza. In order that there may be no misunderstanding to the person I refer to, I show you here a photograph of Gen. Blanquet; he is the same general who was in charge of the expedition that executed Emperor Maximilian in Mexico; he was a great general and a good patriot. The State Department again, in keeping with its undecided policy, after holding him a week, cabled him permission to proceed, again blowing hot and cold. Blanquet proceeded to Habana, remained there a month, this Government having ample facilities right there to apprehend Blanquet and return him to the United States. So the Department of State has not even kept faith with Carranza. Blanquet arrived in Mexico, met Felix Diaz, was on his way to another point, when he was ambushed by the Carranza forces, he being at the time with a very few followers. Rather than be captured by the Carranza forces, Blanquet jumped over a cliff and met a soldierly death. Now, just to point out the caliber and character of Carranza and his government, let me tell you that when Blanquet's body was found it was decapitated and Blanquet's head, with all barbaric characteristics, exhibited to the public in a public building at Vera Cruz for a period of three days and at night it was illuminated by electric lights. I show you photograph of Gen. Blanquet's head as exhibited in Vera Cruz, reproduced in the Vera Cruz newspaper, and about this the Carranza papers and his following gloated and enjoyed this gory exhibition. That is the type of government, the character of man that this country is now seeking to aid and support. And why, if

Blanquet was a rebel going to oppose Carranza, was he permitted to go, when Huerta, on a like mission, was arrested at El Paso and thrown into jail and kept there until he died?

If Carranza has no respect for his own blood, how can we expect him to protect American lives? Carranza has no government; the Carranza régime is nothing but a despotic, forceful dominion. It is so described by everyone he has had dealings with, by everyone who lived in Mexico, by everyone who knows conditions, except our own State Department perhaps.

Another example of Carranza's respect and regard for law and order was shown when Gen. Alvarez was captured a few months ago, he having gone to Mexico with Gen. Blanquet, he was put in jail awaiting trial. His lawyers obtained a writ from the civil tribunal, but before the writ could be executed he was taken out and shot; and yet we recognize the Carranza government because it typified law and order, justice and mercy.

The whole world knows that Carranza was not only anti-American but decidedly pro-German during the war. One of the glaring proofs of the pro-German tendencies is that of Isidor Fabela, who was Carranza's minister to the Argentine Republic. During the war Isidor Fabela left Argentina and went to Spain, taking with him Baroness von Shenk, a notorious German spy. At Cadiz, Spain, and throughout Spain he registered with this spy at hotels and met German secret-service agents and negotiated business with them. From Spain Fabela went to Germany and returned to Mexico via Habana. The military and naval intelligence officials of Spain and Habana, I am informed, have information that will confirm this statement. In fact, it was general gossip when I was in Spain for a few days in 1918.

Louis Cabrera, the newly appointed Secretary of the Treasury of the Carranza cabinet, and appointed only a few days ago, is one of the other numerous affronts which Carranza presents to this country. Cabrera was during the war notoriously pro-German and has been and is now decidedly anti-American. Military and naval intelligence, if they were on the job, should have proof of this fact. In an interview with Louis Cabrera given to the newspaper Union at Buenos Aires on May 31, 1918, he made the following statement—mark you, we were then at war:

> I am of the opinion that countries will attain the highest development are those that had the force of character to remain neutral in this war, especially Argentina, Chile, and Mexico, which said countries, convinced of what they are and what their position is to be in the universal concert, have known what stand to take.

While in Buenos Aires Cabrera was constantly with Manuel Ugarte. Up to the very last moment Manuel Ugarte was a German agent on the German pay roll. Records of the department will also disclose that Carranza had decided to overthrow Madero, and the evidence of his activities in that direction were in the possession of Von Eckert, the German ambassador at Mexico—hence Germany's anxiety when Huerta got in ahead of him and Germany's great admiration for the stand this country took against Huerta, as indicated in the article from the Frankfort paper which I read before. They wanted Carranza in power; they wanted Huerta out; and it seems they were very successful, and we played right into their hands.

Candido Aguilar, who is the personal representative of Carranza in this country, has always been anti-American. He is not a diplomat; he is not a statesman; he is not a scholar. He is Carranza's son-in-law, who if he were not on a diplomatic mission would be barred from entering into this country under two provisions of our immigration laws. Aguilar's record is such as to make him a worthy representative of the Carranza Government. Aguilar comes from the State of Chihuahua. Carranza was governor of that State at one time, and while governor of the State he practiced the art which is universally established in his government—that of systematic graft. The American Seating Co., while selling school furniture to the State of Chihuahua was compelled, through their Mexican agent, to double their prices, which was the rate fixed by Carranza himself as his graft on every purchase made on behalf of the State.

A few days ago Mr. Aguilar was dined and wined in New York City and stated that it was not true that the Mexican Government intends to exercise dominion over all oil and minerals under the surface of the soil. This was reproduced in all papers of the United States, and two days later a dispatch from Mexico City stated that Aguilar denied that he made any such statement. I believe both statements. I believe he did make the statement in New York and also the denial in Mexico City. That is in keeping with Carranza's attitude toward Americans.

Americans in Mexico are not permitted to carry arms; citizens of other nationalities are. During the period of war, for instance, Americans were not permitted to carry arms, while Germans were. The men who were engaged in oil work were often attacked, and in some instances murdered. At one time the Carranza Government issued an order that Americans who would register their names, addresses, and the number of their revolver or rifle would be issued a license. This was immediately taken up by a large number of Americans working around the oil wells. Licenses were issued. Two days later they were revoked and all arms confiscated, and in that way the Carranza Government obtained a large amount of new arms, which it seems they needed.

During the war the radio station at Vera Cruz was in constant operation, and was in direct touch with the German wireless station at Nauen. Messages were intercepted in this country, and unimportant messages, of course, were sent in German or Spanish. These were received by the Intelligence and Secret Service Department. The important messages were in code. These codes were never deciphered, so that Germany was in constant communication of what was going on in this country, and our Intelligence and Secret Service were unable to decipher these messages.

How many of us in this body know the number of American citizens murdered in the territory of Carranza in the year 1917–18 and this year of 1919? We do not know because the State Department refuses to give the facts to the press. It does not hesitate to give to the press any fact which will be of assistance and encouragement to the Carranza faction, our declared enemy.

Carranza's bandits made every effort to interfere with the production of Mexican crude oil, which produces the best aviation gasoline. I recall the time when my whole command at the flying school was kept from flying owing to the lack of oil; and to think that we were protecting the very faction that was retarding production, I believe, is sufficient to justify my calling for all of the facts and that we decide what should be done.

I do not desire to justify any one faction in Mexico. I am simply endeavoring to show that if we have the facts before us we could see that the continuance of present conditions is impossible. I hold no brief for Felix Diaz and his faction; still, they do represent an element which can be utilized to bring about law and order in that country. Permit me to read to you parts of the proclamation of Felix Diaz, which proclamation I shall put in the RECORD in its entirety. Felix Diaz, who is represented by Carranza as representing only the picked landlords, accepts the revision of land laws as one of the deepest causes of Mexican interior disturbances.

It is therefore urgent—

He says—

> that these troubles be settled, but not by means of force and going over the legitimate rights of the owners of the lands, but through wise laws and under just indemnification.

I wish to call your attention to what Diaz says as to Carranza's attitude toward this country during the war:

> One of the greatest crimes of the Carranzista Government is its so-called neutrality, as it is only a disguise for the best intelligence between Carranza and Imperial Germany. This union has gone deep into the hearts of the Mexican people, to stir up the old hatred in our history, to the exclusive advantage of the Carranzista faction and the German Empire in the present war, gravely imperiling our national tranquillity. If when nations are led by the impulse of their own passions they err, when they are controlled by the colossal passions of another nation they are on the road to an humiliating catastrophe. Germany has nothing to do with our history, our situation, or our domestic problems. She should leave us alone to our interests, our resentments, and passions; that the use of them belongs only to the Mexican people, to do with them as it pleases. German money has obtained the final point in the corruption of the already rotten Carranzista organization, to the extent that we have practically lost our domestic sovereignty, as it is the Imperial German Government who points out to Carranza the path along which he must lead the all-suffering Mexican people. We must shake off that Teutonic yoke as we must shake off all foreign yoke, being one of the independent and free nations in the world.

I shall put in this entire proclamation, calling your attention that it was dated the 1st of October, 1918. Felix Diaz is not a candidate for President of Mexico; he has no such ambition, but he does want to see his country redeemed, its unfortunate inhabitants relieved, and the future of the country assured. Pelaez does not want to be the President, but he wants to see his country restored. Villa knows that he has no chance of establishing a government for the whole of Mexico, and he is willing to go if Carranza goes and if Diaz goes. While they may differ in certain matters, they all agree that the Carranza Government must go, and they all agree to accept some man in whom they all have confidence to intrust with the rehabilitation of their country.

Let us be frank at this time. A great deal is being said as to the intention of this country taking over Mexico. We do not want to do that. I do not believe that military intervention at this time is necessary. We must protect our border, of course.

If intervention becomes necessary, we will intervene. Just what that would involve I am sure I can not tell. Gen. Leonard Wood says he can go through Mexico, clean it up and establish order, wih 40,000 men, if he is not compelled to use educator bullets. The General Staff's scheme, I am informed, would require 300,000 men. At any rate, it is an unpleasant task, will involve considerable bloodshed, will cost many lives, and take from two to three years. I believe, if we take a firm stand now, that we can convince Mexico that the fantasma has not vanished, that we mean business, that we will protect American lives. To this end I would recommend that the patrol along the border be maintained, that notice be given that no bullets must cross the American line, and that all fighting must be beyond the gun range of American guns placed along the border; that Carranza be informed that he can not expect the friendship, the assistance of this Government a minute longer; that the embargo on arms and ammunition be lifted, with the warning, of course, that the first American life lost or the first taking of property from an American citizen will be dealt with severely, and that we will go down ourselves to see that proper punishment is meted out and proper reparations made; that we serve notice upon all factions that the United States does not intend to interfere and has no intention of interfering in the internal policies of Mexico; that we use our good offices to bring about a conference of Diaz, Pelaez, Angeles, and the leaders of the various factions in Mexico; that they select a man who has not been connected with any of the factions as provisional President; that Villa and Diaz, with Carranza, keep out of the new Government; that a genuine election be called and representatives and a President elected.

In the meantime that we help Mexico in a sincere manner by assisting her in cleaning up the country from disease, pestilence, and famine. Give her the benefit or assistance of our Public Health Service, let our doctors go in and establish better conditions, let our efficient and benevolent Red Cross go in and bring succor where it is needed. Let American engineers go down and assist in the irrigation plan necessary to the utilization of the Mexican soil. Yes; I would go down with beans in one hand and offer help to the Mexican people, but I would be sure to have hand grenades in the other hand, and God help them in case they do not accept our well-intended and sincere friendship. Gentlemen, I sincerely believe that my resolution should be reported favorably from the Committee on Foreign Affairs, that we should insist upon getting the facts before us and then you will see that public opinion in this country will be so that it will compel a proper course of the sort suggested being adopted and followed. [Applause.]

By unanimous consent, Mr. LAGUARDIA was given leave to revise and extend his remarks in the RECORD.

Mr. LAGUARDIA. Under the leave to extend my remarks, I print the following documents:

EXHIBIT A.

Felix Diaz, commander in chief of the national army of reorganization, and the undersigned, generals, chiefs, and officers in said army, address this proclamation to the Mexican people as a whole, and in a special sense to the following elements:

The members of the extinct national army and navy, without any exception;

The groups in arms against the Carrancismo, whatever their political origins or affiliations may be;

The great masses that form the proletariat of the countryside;

The working classes and those in need;

The landowners;

Those interested in the oil wealth of the country;

The miners, bankers, manufacturers, and merchants;

The Mexican citizens and foreigners exiled from our country;

The clergy;

The foreigners who have interests in our country;

And finally, for special reasons, the Governments of the Allied Nations in the war they wage in the interests of liberty and humanity against the Central Powers.

"The domestic and foreign situation of our country has suffered deep and disturbing changes since the issue of the Acta de Tierra Colorado on February 23, 1916. This fundamental reason makes it imperative the reform of said acta, the sole aim being the salvation of our country. The legitimate constitution of February 5, 1857, has been supplanted through the use of brute force with the spurious of February 5, 1917, by those who, violating all precedents, usurped the rights which the Mexican people can not confer in a different manner than that established by the constitution which was violated.

"Venustiano Carranza, basing his rights on the Carrancista constitution, had himself elected president by his followers in arms—who have shared with him the rich spoils in the plunder of the nation—and, by the force of might, refused to allow the vote to those citizens who were independent or did not belong to his faction.

"Against the ideals of the revolution and the will of the people, he has absorbed and monopolized in his person and by all possible means the executive power of the nation. He first had himself made commander in chief of the revolutionary movement, and when the latter took charge of the public offices Carranza continued as leader during the criminal period which preceded the making of the new constitution. Later on, when the pseudo constitution of Queretaro was framed, he continued as the supreme executive of the nation in order to influence the approaching elections in his favor. Once these were over, disregarding all the electoral rights of the Mexican citizens, he proclaims himself President of the United States of Mexico.

"The just aspirations of the Mexican people to conquer their right to free electoral vote and no reelection of a man in office, which have cost them so much blood and ruin, have been trampled on by Carranza in a manner without precedent in our history. There had never been an instance in which a person consecutively claimed the supreme command of the nation under guise of chief of the revolution, chief of the preconstitutional period, provisional president and president, elected by the might of his followers. Such an enormous outrage is only possible in these abnormal times, when the whole world is upset.

"It is well known in international circles that the so-called ideals of the Carrancismo have always been and still are robbery and plunder, and as the means to accomplish this, exile and assassination. The national treasure has been dissipated, the banks have been robbed and closed, the factories despoiled and set afire, the fields lay barren, commerce has been plundered and later on monopolized in its most productive lines by Carranza followers disguised with the rights of the Federal Army.

"The wealthy class has been driven from their homes, and their goods have been confiscated, to be consumed in the orgies of the Carrancista government.

"The Carrancista plunder was not confined to any one class of people, and to insure that no one would escape, the colossal fraud of the paper money was implanted by force—a calamity that our country in the lowest periods of her national life had never suffered.

"Public education, which is the basis of the greatness of all countries, has been relegated to a municipal function of secondary importance, when the hopes and wishes of the nation and the modern necessities of progress and culture impose its elevation and federalization.

"Our country and all those nations that have a direct bearing in our international life expected that the Carrancismo would have satisfied its passions and hunger of plunder during the terrible preconstitutional period, and that once that period was over and the pseudo constitution of Queretaro was issued, the electoral fraud perpetrated and Carranza in charge of the presidency, an era of relative tranquillity and concord would commence and make life bearable to the people of Mexico. It was also hoped that, with time, things would return to their legal régime. Unfortunately, Carranza and his followers have proven to be more criminal after being endowed with governmental powers than they were as revolutionists. The crimes committed grow in number each day as Carranza has now the organization of a government at his command, adding to his armed followers the civilian forces in his administration. This places him in a better position than before he was elected, to carry out his malevolent designs.

"The Carrancista faction has taken over the Mexican Republic, as if the country were a patrimony coming to it, to the complete exclusion of all the Mexican citizens and the foreigners who are not Carrancistas. Said faction disposes of the national property and the property of private individuals with a freedom that not even their rightful owners would employ; it has closed the doors of the country to all those who had emigrated, not only in fear that their return may increase the number of discontents, but also that it may continue enjoying the possession of their property which has been confiscated during their absence. The despotism of the Carrancista régime has reached such a degree that its consuls refuse to provide passports to Mexican citizens in foreign lands either to return to their own country or to go from one country to another. The object is to keep those Mexican exiles interned in those places, where they may be suffering from their unjust expatriation. The majority of the people belonging to the leading classes, on account of their culture, education, or social position, has been driven out of the country, depriving the country of their cooperation, creating immeasurable harm to the youth of the nation in present and future times.

"The promises of distribution of land have been nothing but a deception with which the popular masses were attracted, so that they might help to the victory of force. Once victory was attained, the Carrancista faction took steps tending toward the delay in the solution of this most urgent and patriotic problem, which in the interests of Mexico demands immediate attention.

"The federal army, heroic and glorious, notwithstanding the grave mistakes of so many of its members, upholding and guaranteeing the individual rights, the honor, the liberty, and lives of all the inhabitants of our interior sovereignty and our exterior independence, was dissolved because the country, misled by the ideas of the revolution, emphatically demanded its extinction, thinking that peace could not be consolidated until this indispensable institution was disarmed and abolished. This has been the gravest error of the Mexican people, as once that the respect and guarantee that this federal army gave them were destroyed the country was left in the hands of outlaws who found no one to oppose them. This valiant and patriotic army, which in union with all the healthy elements of the country is the one called to cooperate in the immense labor of the national reconstruction, has been substituted by convicts, assassins, and robbers, who at the present practice their profession not in the shade of the Carrancista government, but in its name and with its unconditional support for the exclusive advantage of each particular malefactor.

"The Carrancista revolutionary leaders come from the lowest social extraction. However, at the present time they are the richest in the land. They live in an incessant orgie of abject immorality, in palaces that have been confiscated, adorning themselves with jewels that have been obtained by brute force, traveling in stolen automobiles, and throwing away the money which they have robbed from the wealthy classes. Carranza promised the poor people that he would take the riches away from the wealthy to distribute them amongst the needy. Instead he has taken those riches to a greater extent than promised, but he has distributed them amongst his chiefs, while the poor people and even the lower classes of the Carrancista faction are crying out in hunger and indignation.

"Carranza in his desire to rob and plunder has imposed unbearable taxes, violating all economic laws of tributation, suppressing all activities, cruelly oppressing the taxpayers, choking all the national fountains of production, and sinking the whole Republic in the abyss of the most terrible bankruptcy.

"If the persecutions, imprisonments, insults, robberies, exiles, and assassinations had fallen only on the enemies of the revolution, even if they were unjustified, they would at least have an explanation. Unfortunately the immense majority of the victims have been completely innocent. Defenseless women and children have been violated and grossly insulted.

"Foreigners on par with nationals have suffered equal horrors and assaults. The noble and industrious Spanish colony, so identified with our nation, a lover of our country to the extent of thinking of her as a second country, has been atrociously insulted and has suffered criminal attempts because her invincible nobility, her honor, and interests have not humiliated themselves and paid homage to the Carranza bandits. Toward the respectable Spanish colony and toward Spain, our heroic

mother, we must only hold filial affection, as in our veins runs her glorious blood and our problems with her of the past are already solved by history. We must also hold toward her glories a love and veneration, and at the same time feel thankful toward those of her children that live amongst us as brothers.

"The Carrancista government has not been satisfied with the terrible catastrophe it has brought to the country in its domestic affairs, but has placed the country in international complications that threaten our respectability and the tranquillity of the nation. It has always acted in extreme ways, most of the time with ignominious tendencies toward subserviency, dragging shamelessly over the ground the sovereignty of the Republic and adopting servile manners in international affairs. When these practices have not produced the desired result, or the stability of the party in power has been threatened because the people will not bear any longer the crimes that it attempts, its policy is changed to an extremely arrogant attitude to mislead the people into giving their support by calling upon their patriotism. It is then that the restless characters on the American border are stirred, developing a number of foolish threats whereby the Carrancismo expects to attain its end. Its conduct in our international difficulties has only served to make worse our domestic calamity.

"One of the greatest crimes of the Carrancista government is its so-called neutrality, as it is only a disguise for the best intelligence between Carranza and Imperial Germany. This union has gone deep into the hearts of the Mexican people to stir up the old hatred in our history, to the exclusive advantage of the Carrancista faction and the German Empire in the present war, gravely imperiling our national tranquillity. If when nations are led by the impulse of their own passions they err, when they are controlled by the colossal passions of another nation, they are on the road to a humiliating catastrophe. Germany has nothing to do with our history, our situation, or our domestic problems. She should leave us alone to our interests, our resentments and passions, that the use of them belongs only to the Mexican people to do with them as it pleases. German money has obtained the final point in the corruption of the already rotten Carrancista organization, to the extent that we have practically lost our domestic sovereignty, as it is the Imperial German Government who points out to Carranza the path along which he must lead the all-suffering Mexican people. We must shake off that Teutonic yoke, as we must shake off all foreign yoke, being one of the independent and free nations in the world.

"The German-Carrancista plot is taking more concrete forms of expression and is appearing on the surface. The intranquillity which the Carranza government in an underhand manner foments along the American border is for the purpose of making the United States maintain a considerable number of forces on the frontier and keeping these forces from giving aid on the European continent. It is meant that, if necessary, the Carranza government induce raids to be made on the American border cities, and to embroil Mexico in a terrible war against the United States in order to hinder the movements and developments of the allied forces.

"Another phase of the plot is that which relates to the problem of the Mexican oil. It is well known that 75 per cent of the oil used by the allied fleets is produced in Mexico. The Germans have plotted to arrange matters with Carranza so that gradually the extraction of oil in Mexico become impossible, and if necessary the wells will be set on fire. In this manner the movements of 75 per cent of those navies will be paralyzed as if that percentage of the allied fleets had been sunk. All these machinations favor only the Carranza government and the German Empire with irreparable sacrifice to the Mexican people. For this reason we wish to open their eyes, that, conscious of their sovereignty, the Mexicans may prevent their being 'rented' or 'sold' by Carranza to the German Empire.

"The above reasons explain why we have judged it just and patriotic to make a general call to the nation and especially to those parties whose interests have suffered the most, in an endeavor to excite them to the immense task of the national reorganization within the scope of their respective activities. It is time that we put an end to the terrible war that is annihilating the living strength of our country; we must stop this fratricidal struggle and set aside the personal sentiments that divide us, the hatred and rancor that destroy and the spirit of vengeance that kills. Let us seek sincerely and without personal interests peace and justice based on true law.

"We have been called 'candid' because in former times we left victory in the hands of an ambitious party that had solemnly promised the pacification of the Republic. However, our conduct is an irrefutable proof of our sincerity and personal disinterestedness. If we had confronted that party to dispute their power, a new revolution would have been kindled, animated by a spirit of mean individual antagonism, and our high ideals and patriotic aims would have been changed into selfish egoism. Those deep perturbations (which we wished to prevent and which, as the whole Nation knows, we positively prevented) the Carrancismo did not wish to prevent nor prevented them, for when within that faction a movement was begun to turn the power over to a group of persons who would unite all the revolutionists in the country the Carrancismo refused to recognize that movement and decided to hold the sway of power for personal benefits and the enrichment of its leaders. In this manner the triumph of the revolution was nothing more than the beginning of another struggle against dictatorship and anarchism.

"As long as the armed groups seek nothing but the chance to plunder and to elevate their chieftains to a position which will allow this plunder, they will only destroy and bleed the country. It is time to leave behind all rancor and spirit of vengeance created by previous political conditions of the country. Let us forget the difference in parties before our fatherland that lies agonizing; let us forget the past and look only toward the future, putting into practice our endeavors to save the nation. The time has come when the country must be divided into two parties—the honest people and the bandits; those who disinterestedly wish to save her and the Carrancismo that robs her, villifies her, insults her, and is killing her. One of these two parties we must choose; no citizen can remain indifferent, for indifference at the present moment is a crime of treason to the nation. Each one of us must either associate himself with the Carrancista hordes or join the ranks of honor and patriotism; there is no other way—either treason or the country.

"As we recognize that the army is the supreme guaranty of the social institutions, the upholder of governments, defender of their interior sovereignty and their exterior independence, we address, first, the members of the extinct national army and navy in the following terms:

NATIONAL ARMY AND NAVY.

"1. Upon the triumph of the movement to which this declaration refers, the rank which the members of the extinct national army and navy had on October 10, 1913—date of the dissolution of the last legitimate Congress—will be officially recognized, provided that they fulfill the following requisites:

"2. The members of the said army and navy, who upon the publication of this manifest are in the service of the Carrancismo, must leave the same within 60 days from the publication of this manifest and join the forces that uphold the movement of reorganization, signing the pledge of loyalty and placing themselves at the service of the general staff. Those who do not fulfill these requisites, at no time and for no reason can they join with any rating the national army and navy.

"3. Those who are not serving the Carrancismo, but who are within the boundaries of the national territory, must join the army of reorganization within four months from the publication of this manifest. If it should be impossible for them to join, they must apply to the nearest representative of our movement and sign the pledge of loyalty, stating the obstacles which make it impossible for them to join, but placing themselves at the orders of the general staff or their superiors in rank in the extinct federal army, which may be commissioned for this purpose.

"4. Those who may find themselves outside of the Republic must join within six months. In case this should be impossible they will proceed to file their pledges of loyalty with any authorized representative of the movement, and remain under orders of the general staff and their superior officers in the federal army, commissioned for this purpose.

"As the call to the men who belong to the national army and navy is not made by an individual, nor has it other aims than that of carrying out the patriotic duty of saving the country from the anarchy to which the Carrancismo has dragged it, it is natural that those who refuse to carry out what the military honor demands will not be admitted—after the struggle, the necessity and opportunity for their services has passed—to form a part of the future national army and navy.

NATIONAL REORGANIZING ARMY.

"(1) The generals, chiefs, and revolutionary officers that constitute the actual national army of reorganization will form the future federal army with the ranks conferred upon them by the general staff. They will have the duties and enjoy the benefits which are given to them by the general ordinance of the army.

"(2) The generals, chiefs, and officers who in the future adhere to the Acta de Tierra Colorada and cooperate with arms in hand to the victory of the movement of reorganization, will be incorporated to the new federal army with the rank acknowledged and conferred upon them by the general staff on the terms previously mentioned.

VARIOUS ARMED GROUPS.

"We cordially invite the various leaders and revolutionary groups that struggle against Carrancismo—without any exclusion and distinction of political beliefs—to confer with us and arrive at a decision mutually favorable that will facilitate the redemption of our unfortunate country.

"Our aims are not selfish, nor do we uphold any of the hated personalisms that are bleeding and dividing the country. On the other hand, we make this call to the national concord, to the political forgiveness, the patriotic forgetfulness of all the rancor brought about in our appalling fratricidal struggle. We therefore feel sure to be able to arrive at an honorable arrangement with all those elements of good will and whose ambition is no other than the good of our country. The groups we are addressing and ours are identified in a fundamental work, which is the annihilation of the Carrancismo—the cause of all the calamities of our nation—in consequence, it will be easy work to arrive at a mutual agreement in our secondary aims and the means of carrying out the work.

TO THE GREAT MASSES THAT FORM THE PROLETARIAT OF THE COUNTRYSIDE.

"One of the broadest, deepest, and most urgent national necessities is the solution of the economic, intellectual, and moral problem of the country people, within which is comprised the heroic and abnegated Indian race.

"The distribution of the lands has been preached as the panacea for all the ills of the country people. But this measure alone and in itself would produce nothing but the ruin of the agricultural regions by the systematic weakening of the Republic. This subject is more complexed than it has been made to appear before the eyes of the misled multitudes. It is indispensable to provide for the enormous masses of disinherited, but, as the measure by itself would not be only insufficient but would work against those masses, it is necessary that it should be accompanied by all the needed measures for the economic, intellectual, and moral improvement of all those masses. Of what use would those lands be without the implements to cultivate them, without the water to irrigate them, without the means of transportation for the outlet of their products? And even all those advantages would be of little value if that class of people were not subjected to a régime of morality and of instruction that might awaken its activities and dissolve its laziness and indifference toward its social improvement.

"Therefore, together with the adequate and opportune distribution of the lands, will be established the instruction and moralizing of the masses of the countryside, and they will be provided with the means for the development of all their activities.

TO THE LANDOWNERS.

"The owners of all large tracts of lands are in the bottom of their hearts avowed enemies of all revolutionary movements that will reform old-established systems not only on account of the large and inevitable damages which they suffer during the struggle but also for the arbitrary manner in which they are threatened to be deprived of their property at the triumph of each revolution. These threats are due to the obstinacy of the foolish masses who are desirous of free distribution, by forcible means, of the riches of the rest of the citizens. If those so-called ideals were ever realized, we would never have peace, because those who to-day were deprived of their goods would be the revolutionists of to-morrow.

"The distribution of the lands is one of the deepest causes of our interior disturbances. It is, therefore, urgent that these troubles be settled, but not by means of force, and going over the legitimate rights of the owners of the lands, but through wise laws and under just indemnifications. The honest government that may hold the confidence of

the country and of the foreign nations will count with abundant resources to dedicate them to the solution of this problem, which will be to the pleasure of the unfortunate classes of the countryside, to the benefit of the landowners, and with the approbation of the whole nation. In consequence the landowners must not see in our program a movement of violence to deprive them of their interests, but a movement of just coordination and equality based on an honest respect for the property of everybody.

TO THE VARIOUS GROUPS WHO HAVE INTERESTS IN OUR COUNTRY.

"The banks have been robbed by the Carrancistas, their concessions made void, and they themselves have been illegally closed. As the banks are the most important factors in the credit and the circulation of the riches, and constitute the indispensable institution in the modern life of a nation, it is necessary to repair in all that it may be possible the unjust treatment which they have suffered and to return them their property in accordance with the law.

"Mines, which are some of the most important sources of our riches, have been consumed by the ambition of the Carrancistas, and many times flooded and abandoned. They do not produce at the present time even 20 per cent of their normal production, and the capitalists wisely refuse to work them—although this is against their own interests and the interests of the people who live from working them—because the Carrancismo appropriate all the production of the mines.

"Industries have been stamped out; railroads are in the hands of the Carrancista hordes that work them for the exclusive benefit of their chiefs and against the interests of commerce; trade they have absolutely disregarded. All the branches of the riches of the country and all the social activities are so heavily taxed that the people practically work for the exclusive benefit of the Carrancismo, who is choking the whole nation under the terrible weight of its atrocious exaction.

"We are, therefore, obliged to give to the inhabitants without any distinction full guaranties against the Carrancismo, who is the sworn enemy of the property holders, of all interests of the nation, of her honor, and of her life, so that the nation may begin anew its economical activities and public confidence and tranquillity may be reborn.

CONFISCATION.

"The Carranza revolution has had no other object than to enrich its leaders by taking away the property from its rightful owners. It has, therefore, been an organized movement for robbery, destruction, dishonor, and vengeance. If the enemies of the Carrancismo had been the only ones to be deprived of their property this would have at least a political explanation, although fundamentally wrong, being forbidden by the law. Unfortunately, the confiscations have had no other criterion than that of personal interests, and therefore people who had never mixed in politics and in many cases had spent the larger part of their lives away from Mexico have suffered from these confiscations. This great damage must be repaired as soon as possible, returning immediately to the original owners the property which they had confiscated, no matter what the motive of this confiscation may have been. This property must be taken away from the present holders, who must be judged and sentenced in accordance with the law.

THE OIL PROBLEM.

"The sovereign right which every free country has to decree the taxes on the riches and operations carried on by its inhabitants is irrefutable, but it is also true that that right can not be absolutely arbitrary, nor can it be used to jeopardize, with destruction or confiscation, the right of personal property. Under a guise of national sovereignty it is not possible to deprive citizens and foreigners of a country of that which they lawfully own. Taxes must have a just limit of public usefulness and of the right of property, otherwise they lose their character of taxes and become actual confiscation.

"The Carrancismo has decreed taxes more or less heavy that deeply affect the oil industry in Mexico. This is an enormous damage caused to that branch of our riches, but the situation is made worse by the fact that the Carrancista tribunals do not give justice to the sufferers, who find that they need to appeal for aid through diplomatic influences, to the detriment of our national dignity, because unfortunately in Mexico, at the present time, justice and law do not exist.

"We will endeavor to conciliate the interests of individuals with those of the nation by means of a careful study and application of the wisest and most patriotic laws based on the inalienable right of property and within the greatest respect to interests of persons, so that we can resolve in our own country and without intervention of foreign influences this important problem, avoiding all kinds of confiscation.

TO THE WORKING CLASSES AND THOSE IN NEED.

"Although our country is not essentially industrial, there are regions in which the working class creates already a political and social question that is urgent to solve. It is necessary to shorten the distance between the capitalists and the workingmen so as to leave capital the necessary profits for its work and development and in such a manner as may not be deprived of that which legitimately belongs to it, but careful of the conciliation, welfare, and improvement of the working masses, we will seek the betterment of its living conditions, its instruction and moralizing, the raising of salaries and a reasonable diminishing of working hours, regulating the manner of work within the economical and practical laws prescribed and adopted as convenient to harmonize equally the capitalists and the workingmen.

"But not only the working classes need the benefits of our patriotic endeavors. There is a large mass of needy that must be aided by the Governments by encouraging their union and cooperation to make more effective their social advance and so that their work may bear more satisfactory results. If these masses were abandoned to their own resources, their improvement would be practically impossible or at least exceedingly slow.

TO THE CLERGY.

"The members of the Catholic Church in Mexico have been insulted, dishonored, robbed, tormented, and sent into exile against all principles of humanity and of our own laws, for they have full right to enjoy the liberty and guaranties that those laws offer them, and they must be respected in the way in which those laws demand it.

"We uphold the constitution of 1857; also the laws of reform and all those which legitimately emanate from them; we proclaim the efficient independence between the church and the state, and we are defenders of free creed, within the limit of those same laws and without any sectarian fanaticisms, which are conducent to intolerance and crime.

"The freedom of conscience is sanctioned by our political institutions; in consequence, all the inhabitants have full right to adopt and practice the Catholic religion, or any religion, within the prescribed laws. The use of violence against the ministers of any church for the sole reason of representing that church is a crime punishable according to the codes of our legislature. Therefore, all religions, including the Catholic religion, which has been the only one to have been persecuted, will enjoy the full measure of protection granted by our fundamental law.

TO THE CITIZENS IN EXILE.

"The Carrancismo has made of our country an individual patrimony to such an extent that it enjoys it and destroys it as it pleases and expels or closes the doors of the country to all those nationals or foreigners who are not its accomplices in crime. It was first believed that the exile would end as soon as the American Government would recognize Carranza; later, it was thought at the end of the ignominious period of preconstitution; still later, once the presidential elections were over (so that exiles could not influence the results with their votes), and, finally, on an issuance of amnesty; but this Carranza will never give. It is therefore self-evident that exiles can not return and will never return to their country until the victory of our humanitarian and essentially patriotic movement. It is therefore necessary that each one of you in exile do his duty, cooperating in any and all activities that may allow him to return to the country. It is a sacred duty that you owe to her. Do not remain inactive expecting some mercy that will never arrive from the Carrancismo, or waiting that those who risk their lives to free the country may be able to offer you a safe return, for which you yourselves have not wished to work. We address all those that are capable of acting; those who are not, thereby are already very unfortunate in their exile. Whether the exiles actively cooperate with us (to the best of their ability), helping us to liberate the nation, or refuse us, in an unconditional way, their aid, they will always enjoy full guaranties in those places which our army may occupy and the doors of the country will be open cordially and wide to them as true brothers of ours.

INTERNATIONAL ALLY POLICY.

"We are addressing the Governments of the nations allied in the World War against the imperial Central Powers with two fundamental aims in view. It is necessary that they should know the fraudulent manner in which Carranza had himself elected President. (He was voted into power by the armed forces that support him, using them also to deprive the citizens of their right to vote.) The Allied Governments must be convinced that Carranza is an usurper of the presidency and therefore is not the legitimate representative of our nation. The Carrancismo is the only party responsible for the German-Carrancista plot, and not the Mexican Republic.

"Mexico, on account of its race, education, instruction, ideals, sentiments, and even interests, is deeply pro-Ally. In the gigantic struggle waged to save the most sublime principles of the modern nations, Mexico can not side with the spirit of despotism, of oppression, and the passionate fever of conquest. Mexico must side with those nations that have come forward to the defense of the ideals of equality, liberty, and fraternity among the nations of the world.

"Carranza is treasoning the convictions and sentiments of the Mexican people, giving the whole world the malevolent impression that Mexico is neutral in the present world conflagration. Such neutrality is a sham; it is false, and with it Carranza covers the partiality which he feels toward the German cause, and in this hidden and deceptive manner he is able to cooperate in the devastating work of the Huns without being hindered by the Allies.

"It is unjust that the allied nations should interpret the sentiments of the Mexican people through the work of Carranza, who is the worst enemy that has had our nation in her domestic and foreign tranquillity.

"All the Allied Governments have in their chancelleries irrefutable proofs of the Germano-Carrancista intrigue. Therefore when we address them it is not to inform them of something which they already know but to protest before the whole world and to communicate directly to the Governments of the allied nations that Carranza is treasoning the humanitarian ideals of the Mexican people and unjustly compromising the aims of Mexico. For this reason we appear before the tribunal of international public opinion to remove all doubt and to demand that Mexico be judged and respected according to its own way of thinking and of feeling and on no account in accordance with the unpatriotic conveniences of the Carrancistas.

THE PSEUDO CONSTITUTION OF QUERETARO OF 1917.

"The pseudo constitution of February 5, 1917, is lawfully declared out of existence, as those who issued it were not the legitimate representatives of the Mexican people, were supported in their actions by armed forces, against all legal proceedings, and were elected through electoral fraud, having refused the citizens the right to vote.

"Venustiano Carranza and all other authors and their accomplices in the crime of changing the political constitution of Mexico will be judged and sentenced by competent tribunals and in accordance with the law.

"All decrees, laws, rulings, circulars, appointments, resolutions, and judicial acts made by the Carrancismo from its advent to power to the time of its overthrow are declared void and radically null.

MOTTO OF THE NATIONAL ARMY OF REORGANIZATION.

"The primitive motto of our movement was 'peace and justice,' as embodying the supreme aspirations of the Mexican people, but as subsequently the legitimate Constitution of the Republic has been supplanted and as its reestablishment is the fundamental base of our institutions and the most urgent of our national necessities, henceforth our motto will be 'Constitution of '57, peace and justice.'

ACTA DE TIERRA COLORADA.

"The points treated before do not alter in any way the bases embraced by the Acta de Tierra Colorada; on the contrary, they strengthen and regulate her, and therefore those bases exist in all their vigor, enlarged in the manner described above.

"We honestly and disinterestedly believe that these ideas—which can not be perfect, due to the natural imperfection of human acts—contain an expression of the highest aspirations and deepest necessities of our country.

"We invite all Mexicans of good will to save our country—a country which we love the more on account of her sufferings—and we solemnly protest before the whole nation our sincerity and personal disinterestedness.

"GENERAL HEADQUARTERS AT THE CANTON VERACRUZ,
"STATE OF VERACRUZ,
"*October 1, 1918.*

"FELIX DIAZ,
"*The General in Chief*"

EXHIBIT B.

[Inclosure No. 4D.]

DECREE OF GEN. CARRANZA.

Department of the interior.

I, Venustiano Carranza, first chief of the constitutionalist army and depository of the executive power of the Republic of Mexico, taking into consideration—

That on the arrest of the President and Vice President, on the 19th of February, 1913, by ex-Gen. Victoriano Huerta, and the usurpation of public power by the latter, on the 20th of the same month, and immediately thereafter depriving the above-mentioned public officers of their lives, the constitutional order of the Republic was interrupted, and thus the country was deprived of a lawful government;

That the undersigned, in his capacity as constitutional governor of the State of Coahuila, had solemnly taken the oath to observe and cause the general constitution to be observed, and that, complying with this duty and of the above oath, he was inevitably obliged to rise in arms to oppose the usurpation of Huerta and to restore constitutional order in the Republic of Mexico;

That this duty, furthermore, was imposed upon him in a precise and express manner by a decree of the legislature of the State of Coahuila, by which he was categorically directed to repudiate the government of the usurper Huerta and to oppose it by the force of arms until it would be completely overthrown;

That, in view of the occurrence, the undersigned called all patriotic Mexicans to arms, and with the first ones who followed him he framed the plan of Guadalupe, on March 26, 1913, which has served to this day as the banner and by-law of the constitutionalist revolution;

That from the military groups which were formed to oppose Huerta's usurpation the divisions of the northwest, northeast, east, center, and south operated under the leadership of the first chieftainship, perfect harmony existing between this and the former, and complete coordination in the means of action to accomplish the desired purpose; though the same did not occur with the northern division, which, under the command of Gen. Francisco Villa, showed from the beginning private tendencies, and finally severed its connections with the headquarters of the constitutionalist revolution, acting according to its own initiative, to such extent that the first chief does not know to this day, in a great measure, the means by which the above-mentioned general has secured funds and sustained the campaign, the amount of such funds, and the use he may have made of them;

That upon the arrival at the City of Mexico of the victorious revolutionary army it endeavored to properly organize the provisional government, and was getting ready besides to meet the demands of public opinion by a satisfactory solution of the imperative exigencies of social reform needed by the people, when it was confronted with the difficulties which the reaction had been preparing in the bosom of the northern division, in order to frustrate the triumphs reached by the efforts of the constitutionalist army;

That the first chieftainship, anxious to organize the provisional government in accordance with the ideas and tendencies of the men who, with arms in hand, made the constitutionalist revolution, and who, therefore, were intimately cognizant of the ideals which were pursued, called a general convention, to be held in the City of Mexico, composed of generals, governors, and officers in command of troops, to the end that all of them together should decide on a program of government, indicate in a general way such reforms as seemed indispensable for the accomplishment of the social and political redemption of the nation, and would establish the form and time when constitutional order should be restored;

That this purpose had soon to be deferred, because the generals, governors, and officers who attended the military convention in the City of Mexico considered it advisable that there should be representatives at all the meetings of the elements which had taken part in the fight against the usurpation of Huerta, as some of them had abstained from attending, giving as a pretext a lack of guaranties and because of the rebellion which Francisco Villa had already started against the chief's office, and on this account they expressed their desire to be transferred to Aguascalientes, the place they considered more appropriate and having the conditions of neutrality sought by the military convention for the prosecution of their work;

That the members of the convention adopted this determination after they had reiterated to the undersigned their confirmation of his functions as first chief of the constitutionalist revolution and depository of the executive power of the Republic, which investiture he had then relinquished formally, in order to show that he was not animated by undue sentiments of personal ambition, but that, in view of existing difficulties, his cherished aim was that revolutionary action should not be divided, and thus frustrate the fruits of the victorious revolution;

That this first chieftainship made no opposition to the transfer of the military convention to the city of Aguascalientes, although it was intimately persuaded that, far from obtaining the conciliation sought, the separation between the commander of the northern division and the constitutionalist army would become still deeper, because the first chief did not wish to make the impression that he had the deliberate intention of excluding the northern division from the discussion upon matters of the greatest importance; also because he did [not?] wish to appear as refusing that a last effort toward conciliation should be made, and because he believed that it was imperative for the good of the revolution that the true motives of Gen. Villa should be disclosed in an evident manner before national conscience, relieving from error those who in good faith believed in the sincerity and patriotism of Gen. Villa and the group of men who surrounded him;

That so soon as the works of the Aguascalientes convention were initiated the machinations of the Villista agents were laid bare, they having performed the principal rôle at the convention, and the system of threats was felt and unbridled pressure was put to practice against those who, on account of their sense of honor and spirit of independence, opposed the impositions of the commander of the northern division to direct the works of the convention to suit his pleasure;

That, on the other hand, many of the chiefs who attended the Aguascalientes convention did not grasp the importance and true mission of the convention, and as they were men of little or no experience in political matters, their good faith was profited by the malicious agents of Villa, and dragged them to second inadvertently the maneuvering of the northern division, without regard to the cause of the people or even outlining the general thought of the revolution and the program of the preconstitutional government, which was generally desired;

That for the purpose of avoiding a controversy of a purely personal character and the further shedding of blood, the first chieftainship made every possible effort to reach a conciliation, offering to withdraw from power provided a government capable of carrying into effect the social and political reforms demanded by the country should be established. But having failed to satisfy the thirst for power of the northern division, notwithstanding the successive concessions made by the first chieftainship, and in view of the well-defined attitude of a great number of constitutionalist leaders who, repudiating the resolutions adopted by the Aguascalientes convention, ratified their allegiance to the plan of Guadalupe, this first chieftainship was constrained to accept the challenge to fight the reaction led at present by Gen. Francisco Villa;

That the class of the elements on which Gen. Villa is banking, which are the same that prevented President Madero from directing his policy, are therefore politically responsible, in a radical sense, for his downfall. On the other hand, the express declarations made on several occasions by the commander of the northern division advocating the establishment of constitutional order before the social and political reforms demanded by the country take place clearly demonstrate that the insubordination of Gen. Villa is of a strictly reactionary character and contrary to constitutionalist activities, and has for a purpose to frustrate the complete success of the revolution, preventing the establishment of a preconstitutional government intrusted with the enactment and enforcement of the reforms which have been the subject of the struggle which has been raging for the last four years;

That, therefore, it is a duty in behalf of the revolution and the fatherland to continue the revolution started in 1913, pursuing the fight against the new enemies of the liberty of the Mexican people;

That it being imperative, therefore, that the interruption of constitutional order should subsist during this new period of the struggle, the plan of Guadalupe should therefore continue to be in force, as it has been the guidance and banner of it, until the enemy may have been overpowered completely, in order that the constitution may be restored;

That it having been impossible to carry into effect the purposes for which the military convention of October, 1914, was convened, and the purpose of the new fight being, on the part of the reactionary troops commanded by Gen. Villa, to prevent the realization of revolutionary reforms demanded by the Mexican people, the first chief of the revolution is obliged to procure, that at the earliest possible moment there should be put into effect all the laws covering the political and economic reforms which the country requires, enacting the same during the struggle that is to be commenced;

That, therefore, and it being necessary for the plan of Guadalupe to remain in force in its essential part, it is imperative that the Mexican people and the constitutionalist army should clearly know the military ends which are being pursued in the present fight, which are the annihilation of the reaction creeping up, with Gen. Villa at the head, and the establishment of the political and social principles which inspire this first chieftainship, which are the ideals for which the Mexcan people have been fighting during the last four years;

That, therefore, and in accordance with the most general sentiments among the leaders of the constitutionalist army, the governors of the States, and of other collaborators of the revolution, and interpreting the needs of the Mexican people, I, Venustiano Carranza, have seen fit to decree the following:

ARTICLE 1. The plan of Guadalupe of March 26, 1913, shall subsist until the complete triumph of the revolution, and therefore Citizen Venustiano Carranza shall continue in his post as first chief of the constitutionalist revolution and as depository of the executive power of the nation until the enemy is overpowered and peace is restored.

ART. 2. The first chief of the revolution and depository of the executive power of the Republic shall enact and enforce during the struggle all the laws, provisions, and measures tending to meet the economic, social, and political needs of the country, carrying into effect the reforms which public opinion demands as indispensable for the establishment of a régime which will guarantee the equality of Mexicans among themselves, agrarian laws favoring the creation of small landowners, the suppression of latifundia or large landholders, and the restoration to townships of the lands illegally taken from them; fiscal laws tending to establish an equitable system of taxation on real estate; laws tending to improve the condition of the rural laborer, the workingman, the miner, and, in general, of the working classes; the establishment of municipal freedom as a constitutional institution; bases for a new system of organization of the army; amendment of the election laws in order to insure the effectiveness of suffrage; organization of an independent judicial power in the federation as well as in the States: revision of the laws relative to marriage and the civil status of persons; provisions guaranteeing the strict observance of the laws of reform; revision of the civil, penal, and commercial codes; amendment of judicial procedure for the purpose of expediting and causing the effectiveness of the administration of justice; revision of laws relative to the exploitation of mines, petroleum, water rights, forests, and other natural resources of the country, in order to destroy the monopolies created by the old régime and to prevent the formation of new ones; political reforms which will insure the absolute observance of the constitution of Mexico; and, in general, all the other laws which may be deemed necessary to insure for all the inhabitants of the country the effectiveness and full enjoyment of their rights and their equality before the laws.

ART. 3. In order to continue the struggle and to carry into effect the reforms referred to in the preceding article, the chief of the revolution is hereby expressly authorized to convene and organize the constitutionalist army and direct the operations of the campaign; to appoint the governors and military commanders of the States and to remove them freely; to effect the expropriations on account of public utility which may be necessary for the distributions of lands, founding of townships, and other public services; to negotiate loans and issue obligation against the national treasury, indicating the property which shall guarantee them; to appoint and remove freely federal employees of the civil administration and of the States and to fix the powers of each of them; to make, either directly or through the chiefs he may appoint, requisitions for lands, buildings, arms, horses, vehicles, provisions, and other elements of war; and to create decorations and decree recompenses for services rendered to the revolution.

ART. 4. Upon the success of the revolution, when the supreme chieftainship may be established in the City of Mexico and after the elections for municipal councils in the majority of the States of the Republic, the first chief of the revolution, as depository of the executive power, shall issue the call for election of congressmen, fixing in the calls the dates and terms in which the elections shall be held.

ART. 5. Once the federal congress has been installed, the chief of the revolution shall render an account before it of the use he may have made of the powers with which he is vested hereby, and he shall especially submit the reforms made and put into effect during the struggle, in order that congress may ratify them, amend them, or supplement them, and to the end that those which it may see fit may be raised to

the rank of constitutional precepts before the reestablishment of constitutional order.

ART. 6. The federal congress shall convene the people to the election of president of the Republic, and as soon as this takes place the first chief of the revolution shall deliver to the president elect the executive power of the nation.

ART. 7. In case of absolute default of the present chief of the revolution—and in the meantime the generals and governors proceed to the election of the person who is to take his place—the chief office shall be temporarily filled by the commander of the army corps at the place where the revolutionary government may be the time the default of the first chief occurs.

V. CARRANZA.
ADOLFO DE LA HUERTA,
Chief Clerk of the Department of the Interior.

CONSTITUTION AND REFORMS,
Vera Cruz, December 12, 1914.

EXHIBIT C.

[Inclosure No. 4E.]

DECLARATION TO THE NATION.

Declaration to the nation by the first chief of the constitutionalist government of Mexico and depository of the executive power of the Republic:

At last, after five years of struggle brought about by the long régime of oppression, which kept alive and aggravated the economic and social unbalanced conditions of the colonial era, the revolution is about to end, overpowering the enemy and establishing definitely the economic reforms and political reforms, which constitute its purpose and which are the only ones which can insure the peace emanating from the welfare of the majority, from equality before the law, and from justice.

The revolution has had the instinctive and generous sympathy of free countries, precisely because its aim has not been the mere change of personnel of the administration, but the complete substitution of a régime of oppression by a régime of freedom. The struggle has been a long one because the impatience of the revolutionaries to attain victory in 1911 gave room to the compromise with the elements of the old régime at Ciudad Juarez. From that moment those elements, accepted so easily and kindly, began their work of undermining within the revolutionary midst itself the prestige and authority of the men who a short time later were elevated to power by the free vote of the people. President Madero found himself in the impossibility of realizing the reforms demanded by the people; first, because within his own government almost the whole personnel of the old régime had remained, and, second, because he had to devote his whole time to fight that same old régime which had successfully risen in arms with Reyes, Orozco, and Felix Diaz, and which fomented at the same time that it vitiated the rebellion of Zapata. The reaction having been unable, in spite of the above, to suppress the reform tendencies of the new régime, it decided that the federal army should betray the legitimate government of the Republic. Treason was carried into effect by Gen. Huerta under the pretext of saving the City of Mexico from the horrors of war; and, with the cooperation of a group of foreigners favored by the old régime and who surrounded Henry Lane Wilson, the President and Vice President were assassinated and, due to the complicity or weakness of the other powers, the nation was left without a constitutional representative. Then I, as governor of the State of Coahuila, and in obedience to the constitutional provisions articles 121 and 128 of our fundamental charter, assumed the representation of the Republic in the terms in which the constitution itself vests me with this right, and supported by the people which rose in arms to regain its liberty. In fact, the above-mentioned articles provide the following:

"Every public officer, without exception, prior to his taking possession of his charge, shall render an oath that he will sustain the constitution and the laws emanating therefrom. This constitution shall not fail in force or vigor, even though on account of rebellion its observance may be interrupted. In the case that pursuant to a public disturbance a government contrary to the principles sanctioned by the constitution may be established, as soon as the people regains its freedom, its observance shall be reestablished, and, according to it and to the laws which by virtue of it may have been enacted, those who may have figured in the government emanated from the rebellion shall be tried as well as those who may have cooperated in the movement."

After overpowering the rebellion and usurpation of Huerta, and before the constitutionalist army reached the City of Mexico, the reactionaries, faithful to their old procedure, began to mingle in our ranks and to corrupt those who ought to have given their support to this government, determining as a result the repudiation of it by Gen. Villa and the formation of factions whose chiefs felt encouraged by the presence of foreign representatives who were with them.

When our forces left the City of Mexico, pursuant to a military and political plan, it was thought that the constitutionalist government had lost the support of the people and with it its prestige and force, and that it would follow the course of previous trespassers of public power, but the apparent victory of the reaction headed by Francisco Villa was still more ephemeral than the one obtained by the usurpation of Gen. Huerta, and to-day, after the greatest and most definite victories militarily obtained by the army of the people in various parts of the country, I can say to my countrymen that the constitutionalist government has control of over seven-eighths of the national territory; that it is organizing public administration in 20 out of 27 States of the Republic and in more than half of the other 7 States; that it controls all the maritime ports on the Gulf and on the Pacific Ocean, with the exception of Guaymas, and all the ports of entry on the northern and southern frontiers, with the exception of Piedras Negras, Ciudad Juarez, and Nogales; that more than thirteen million of the fifteen which represent the population of the country—that is to say, nine-tenths of the total population of the Republic—are governed by the administration I preside; that day after day the factions are being routed and dispersed, their offensive action being limited at present to acts of brigandage, and that within a short time the occupation of the City of Mexico will contribute to make the action of the constitutionalist government more harmonious and efficient in all the territory of the Republic. Therefore, our country is nearing the end of its revolution and the consolidation of a definite peace, based on conditions of welfare and justice.

In the midst of the greatest difficulties and within that which may be humanely possible, the constitutionalist government has complied with its duties and has extenuated in behalf of the people the hardships of war, either forbidding the exportation of articles of prime necessity or adopting measures of practical effect to facilitate the acquisition of the same for the benefit of the poor; it has afforded guaranties and given protection to the inhabitants within the territory controlled by the constitutionalist forces, all of whom live a life of normal activity; it has prevented and punished the faults and abuses growing out of the state of social disturbance, which, lamentable as they may be, neither because of their number nor their importance, can be considered as characteristic feature of a governmental régime. I am the first one to deplore the privations which the Mexican people have had to suffer as a result of the war, which constitute one of the many sacrifices the people have to pass through in order to conquer their liberties; but I am decided to employ all the means which may be at the reach of the government to comply with the work of humanity demanded by the circumstances. Fortunately, the recent victories over the factions enlarge the sphere of action of the constitutionalist government and facilitate the compliance of the duties which all Governments have with regard to their constituents to afford guaranties to the inhabitants and to procure the welfare of the masses.

With regard to our foreign relations, notwithstanding that one of my first acts was to address a note by telegraph to the State Department of the United States of America apprising it of my capacity in front of the rebellion and the usurpation, one of the difficulties which has retarded our labors has been the lack of understanding between the government I have the honor to represent and the Governments of other nations, especially that of the United States.

The great interests of the old régime have created a real system of falsehoods and slander against this government, spreading them day after day through the channel of the powerful journals of the American "cientifico" press, which reach the ear of the press of the world, with the object of deforming before the opinion of other nations the procedure and the tendencies of the Mexican revolution; the same interests have used their influence to have false reports rendered to the Governments of other countries, and especially so with regard to the United States, whenever they have endeavored to form judgment concerning the Mexican situation. The constitutionalist government has been deprived of the facilities to make any rectifications against such reports, because it has been denied the opportunity and the means incidental to diplomatic relations between one country and another.

We feel that we are at the present time in condition to overcome this last difficulty, because the constitutionalist government is now in fact in definite possession of the sovereignty of the country; and the legitimate army of sovereignty is the essential condition to be borne in mind when deciding upon the recognition of a government, if as we expect it and desire it in behalf of the Mexican people and of the foreign residents of this country, the Governments of other nations recognize the constitutionalist government, this act of justice will afford it an efficient moral assistance, not only to strengthen the friendly relations which Mexico has always maintained with those nations and be able to discuss their common affairs conciliating their mutual interests, but also to secure a more speedy consolidation of peace to establish a constructive constitutional government, supported by the reforms and the program of the revolution, whose aims are the greater good of the greater number.

I am therefore of the opinion that the time has come to call the attention of the warring factions which are still engaged in armed opposition against the constitutionalist government, to the futility of their attitude, because of the recent and definite victories gained by our army, as well as because of the conviction they must have of our sincerity and capability to carry into realization the ideals of the revolution. Therefore, I appeal to those factions to submit to the constitutionalist government in order to expedite the reestablishment of peace and to consummate the work of the revolution. With a view to realizing the above-mentioned purposes, I have deemed proper to inform the nation upon the political conduct to be observed by the constitutionalist government, in the performance of the program of social reform contained in the decree of December 12, 1914.

First. The constitutionalist government shall afford to foreigners residing in Mexico all the guaranties to which they are entitled according to our laws, and shall amply protect their lives, their freedom, and the enjoyment of their rights of property, allowing them indemnities for the damages which the revolution may have caused to them, in so far as such indemnities may be just and which are to be determined by a procedure to be established later. The government shall also assume the responsibility of legitimate financial obligations.

Second. The first concern of the constitutionalist government shall be to reestablish peace within the province of law and order, to the end that all the inhabitants of Mexico, both native and foreign, shall equally enjoy the benefits of true justice and be interested in cooperating to the support of the government emanating from the revolution. The commission of crimes of the common order shall be punished. In due time an amnesty shall be enacted in keeping with the necessities of the country and the situation, which in no way shall exempt those under it of the civil responsibilities they may have incurred.

Third. The constitutionalist laws of Mexico, known under the name of laws of reform, which establish the separation of the church and the state and which guarantee the individual right of worship in accordance with his own conscience and without offending public order, shall be strictly observed; therefore, no one shall suffer in his life, freedom, and property because of his religious beliefs. Temples shall continue to be the property of the nation according to laws in force, and the constitutionalist government shall again cede for the purposes of worship those which may be necessary.

Fourth. There shall be no confiscation in connection with the settlement of the agrarian question. This problem shall be solved by an equitable distribution of the lands still owned by the Government; by the recovery of those lots which may have been illegally taken from individuals or communities; by the purchase and expropriation of large tracts of land, if necessary; by all other means of acquisition permitted by the laws of the country. The constitution of Mexico forbids privileges, and therefore all kinds of properties, regardless of who the owners may be, whether operated or not, shall in the future be subject to the proportional payment of a tax in accordance with a just and equitable valuation.

Fifth. All property legitimately acquired from individuals or legal Governments, and which may not constitute a privilege or a monopoly, shall be respected.

Sixth. The peace and safety of a nation depends from the clear understanding of citizenship. Therefore, the Government shall take pains in developing public education, causing it to spread throughout the whole country, and to this end it shall utilize all cooperation rendered in good faith, permitting the establishment of private schools subject to our laws.

Seventh. In order to establish the constitutional government, the Government by me presided shall observe and comply with the provisions of articles 4, 5, and 6 of the decree of December 12, 1914, which reads as follows:

"Article 4. Immediately upon the success of the revolution and the reestablishment of the first chieftainship in the City of Mexico, and after the elections for municipal councils in the majority of the States of the Republic, the first chief of the revolution, as the depository of the executive power of the nation, shall convene the people to elections for members of the Federal Congress, fixing in the call the dates and terms in which such elections shall take place.

"Article 5. Immediately after the installation of the Federal Congress the first chief of the revolution shall render an account before it of the use he may have made of the powers with which he is hereby invested, and he shall especially submit to it the reforms which may have been enacted and made effective during the struggle, to the end that Congress may ratify them or amend them or complete them, and in order that it may give the vigor of constitutional provisions to those which ought to have such character prior to the establishment of constitutional order.

"Article 6. The Federal Congress shall convene the people to the election of President of the Republic, and as soon as this takes place the first chief of the revolution shall deliver to the President elect the executive power of the nation."

V. CARRANZA,
First Chief of the Constitutionist Army
and Depository of the Executive Power of the Republic of Mexico.

CONSTITUTION AND REFORMS,
Vera Cruz, June 11, 1915.

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EXHIBIT D.

[Inclosure No. 9B.]

SECRETARY OF WAR TO SECRETARY OF STATE.

WAR DEPARTMENT,
Washington, January 26, 1916.

The honorable the SECRETARY OF STATE.

MY DEAR MR. SECRETARY: Referring further to your letter of January 17, 1916, stating that the Department of State has been directed by the President to prepare an answer to Senate resolution dated January 6, 1916, in regard to the Mexican situation, and requesting that a statement be prepared by this department respecting the orders given to Gen. Funston for the protection of American lives and property on the Mexican border, together with any pertinent facts concerning the occupation and evacuation of Vera Cruz, Mexico, by the forces of the United States, I beg leave to advise you that the records of the department show as follows:

1. MEXICAN BORDER.

* * * * * * *

2. OCCUPATION AND EVACUATION OF VERA CRUZ, MEXICO.

Vera Cruz, Mexico, having been, by direction of the President, occupied by the naval forces of the United States, instructions were issued on April 23, 1914, to the commanding general Second Division, Texas City, Tex., to cause the reinforced Fifth Brigade to embark as soon as practicable on the Army transports *Sumner, McClellan, Kilpatrick,* and *Meade,* and to proceed at once to Vera Cruz.

On April 24, 1914, the four regiments of Infantry of the Fifth Brigade, together with Company E, Second Battalion of Engineers, and Field Hospital No. 3, a total of 182 officers and 3,047 enlisted men, sailed from Galveston, Tex., under the command of Brig. Gen. Funston, United States Army, and arrived in Vera Cruz Harbor on April 28, 1914, and disembarked. On April 26, 1914, the First Battalion of the Fourth Field Artillery sailed from Texas City for Vera Cruz on the chartered transport *Satilla* to join Gen. Funston's command.

On April 26, 1914, orders were issued to Gen. Funston, in compliance with instructions received from the President, upon arrival at Vera Cruz, to relieve the Navy of its duties ashore incident to the occupation and control of the city of Vera Cruz and its environs. Gen. Funston was advised on the same date that pursuant to the orders of the President the First Brigade, United States Marine Corps, would be placed under his command for service with the Army.

On April 29, 1914, the headquarters, band, and detachment of the First Battalion, Fourth Field Artillery, and Troops I and K, Sixth Cavalry, sailed from Galveston for Vera Cruz on the chartered transport *San Marcos*; and on April 30, 1914, Company D, Signal Corps, sailed for Vera Cruz on the naval transport *Esperanza.*

Gen. Funston reported taking over from the Navy the command at Vera Cruz on the afternoon of April 30, 1914.

A military government was established by General Orders, No. 3, Headquarters United States Expeditionary Forces, May 2, 1914. This order set forth the principle that the government established thereby would continue the system to which the people of Vera Cruz were accustomed, in so far as consistent with military control, and from that date until the evacuation the Army continued to administer the civil affairs of the city.

The executive branches of the military government established by the general order cited above consisted of the following:

The office of the provost marshal general.

The office of the treasurer.

The customs service, including the Lighthouse Service, to which was later added the pilot service.

The United States mail agency and the general post office.

Each of these branches was placed in charge of an officer of the Army, except the customs service, which was administered by Commander H. O. Stickney, United States Navy, as administrator of customs and captain of the port, and the United States mail agency and the general post office, which were administered by Mr. H. M. Robinson, an official of the Post Office Department, sent to Vera Cruz for the purpose.

Prior to the evacuation, instructions were issued to Gen. Funston to bring with him to the United States all funds in his possession from whatever source derived, both United States funds and Mexican customs receipts and taxes. He was also instructed to bring with him all the records, accounts, and money papers necessary to establish the integrity and accuracy of his financial and other administration, and to make an inventory of all goods in the customhouse, keeping the original of such inventory and leaving a copy with the American consul at Vera Cruz. Gen. Funston was also authorized to leave with the latter such copies of accounts or other data as might be required by whomsoever might continue the government of the city.

On November 14, 1914, as the result of an announcement issued by the State Department on November 13, 1914, Gen. Funston was directed to make all preparations to leave Vera Cruz Monday, November 23, 1914.

On November 20, 1914, Gen. Funston was instructed to evacuate Vera Cruz on the date specified above, viz, Monday, November 23, 1914.

On November 23, 1914, Gen. Funston advised the department that he would embark his command at 2 o'clock on the afternoon of that day on the transports *Sumner, Kilpatrick, Cristobal, McClellan, Kansan, Antilla, City of Memphis, Denver,* and *San Marcos.*

On November 26, 1914, Gen. Funston reported the arrival of his command at Galveston, Tex.

Subsequently to his arrival at Galveston, Gen. Funston reported that the Mexican funds brought with him to the United States, together with the money papers pertaining therto, had been placed for safe-keeping in the strong room of the First National Bank at Galveston, storage room for all other records of the military government of Vera Cruz having been provided by the depot quartermaster at Galveston. In this connection Gen. Funston suggested the advisability of sending the Mexican funds and the records of the treasurer's office to the Subtreasury at New Orleans, La., for safe-keeping. Upon receipt of that suggestion, the department communicated at once with the Treasury Department with a view to ascertaining as to whether it would be practicable to place these funds and records in the Subtreasury at New Orleans as suggested, and the Treasury Department having signified its willingness to have the funds and records so transferred, Maj. Blanton Winship, judge advocate, United States Army, who had immediate charge of these funds and records, was advised accordingly.

On January 1, 1915, Maj. Winship reported that he had on that date shipped to the Subtreasury at New Orleans, La., one field safe, sealed, containing 1,539,051.20 Mexican pesos, and the books and records pertaining to the military treasurer's office, together with one sealed wooden box containing 1,065,000 Mexican pesos, or a net total of 2,604,051.20 pesos.

On January 12, 1915, the department advised the Secretary of State of the transfer of the Mexican funds and records, as set forth above.

Sincerely, yours,

LINDLEY M. GARRISON,
Secretary of War.

PROHIBITION OF INTOXICATING BEVERAGES.

The SPEAKER. Under the order of the House the House automatically resolves itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6810.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. GOOD in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 6810) to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries.

The CHAIRMAN. There are remaining 10 hours and 16 minutes of general debate—298 minutes to be controlled by the gentleman from Minnesota [Mr. VOLSTEAD] and 318 minutes to be controlled by the gentleman from Missouri [Mr. IGOE].

Mr. IGOE. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Chairman and gentlemen of the committee, the gentleman from Minnesota [Mr. VOLSTEAD], chairman of the Committee on the Judiciary, in his address to the House upon the bill now before the committee, stated on July 8, among other things, the following:

And let me add for 20 years the Government of the United States has treated and taxed everything that contained more than one-half of 1 per cent of alcohol as intoxicating liquor, and has treated everything below that as nonintoxicating.

I want to call the attention of the House to some evidence showing that the Government has not done anything of the kind by reading to you the testimony given by Mr. Gaylord, Deputy Commissioner of Internal Revenue, before the Senate Committee on the Judiciary on July 8, the same day that the gentleman from Minnesota made his speech in the House.

Mr. Gaylord said that the Government had not decided what was not intoxicating as between beverages or between near beers, or such, but that the sole thing they had decided was whether or not the one or the other was a beverage.

In other words, he says that when the near beers came on the market and they were a matter of consideration by the Internal Revenue Bureau "we," said Mr. Gaylord, "recognized the fact that these near beers were not contemplated to be taxed on the same basis as beer; but at the same time our interest was to save the revenue, and after a great deal of argumentation and discussion covering many months—I should say more than a year—the then commissioner decided that if the resultant products contained less than one-half of 1 per cent of alcohol they would be considered not fermented liquors within the meaning of the law requiring them to pay a tax, and manufacturers would not be liable to the beer tax or a special tax as a dealer in malt liquors."

Mr. Gaylord further said:

The standard was not reached at all by considering really whether that was or was not intoxicating.

In other words, gentlemen, the Treasury Department has only considered these matters of 1½ per cent of alcohol or 2 per cent or 2¾ per cent upon the question of taxation, whether

the one was fermented or not fermented, and the Treasury Department—the Internal Revenue Bureau—has not rendered any decision to the effect that beer containing 2¾ per cent is intoxicating.

That is a question of fact, and one that this Congress can not decide, but it is a matter to be determined by the courts and by decisions of the Supreme Court of the United States as to what amount of alcohol renders a beverage intoxicating.

Mr. Chairman, in that connection I have here some decisions from the Internal Revenue Bureau covering this very important question. I do not want to take the time to read them, but I want the privilege of having them inserted in the RECORD. I did not rise for the purpose of making any speech, but simply to call to the attention of the committee this statement of the chairman of the Judiciary Committee as being not well founded and not in accordance with the facts and the decisions of the Treasury Department. I ask unanimous consent to have printed as a part of my remarks these extracts from various Treasury decisions in re malt liquors, brewers, taxes, and so forth.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to print as a part of his remarks the extracts from the Treasury decisions referred to. Is there objection?

There was no objection.

Mr. VOLSTEAD. Will the gentleman yield?

Mr. DYER. Yes.

Mr. VOLSTEAD. Here is the language I used:

And let me add for 20 years the Government of the United States has treated and taxed everything that contained more than one-half of 1 per cent of alcohol as intoxicating liquor, and has treated everything below that as nonintoxicating.

Is not that what they do?

Mr. DYER. No; it is not. They do not tax them as intoxicating liquors.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. IGOE. I yield the gentleman one minute more.

Mr. DYER. Replying to the distinguished chairman of the Judiciary Committee, I want to say that the Treasury Department's decisions are not on the question of intoxicating liquors at all, but upon the question of fermented liquors. If it is a beer, it pays a beer tax, and if it is a near beer it pays a different tax. The Treasury Department has not decided that beer containing more than one-half of 1 per cent is intoxicating. The decisions I am incorporating as a part of my remarks are only to bear that out, and the testimony of Mr. Gaylord, the Deputy Commissioner of Internal Revenue, in testifying before the Senate committee July 8, 1919, a stenographic copy of which I hold in my hand, also makes the same statement, and I say that is the best authority upon what the Internal-Revenue Department has decided and the opinion that it holds.

The following are the decisions referred to:

EXTRACTS FROM VARIOUS TREASURY DECISIONS IN RE MALT LIQUORS, BREWERS' TAXES, ETC.

The following decision, while not bearing directly on so-called temperance beer, is important as a ruling by the Commissioner of Internal Revenue interpreting the phrase "root beer and other small beer":

Special, No. 102.

RELATIVE TO THE LIABILITY TO TAX OF BREWERS AND RECTIFIERS.

TREASURY DEPARTMENT,
OFFICE OF INTERNAL REVENUE,
Washington, May 17, 1871.

Paragraph 17, section 79, act of June 30, 1864, as amended by section 9, act of July 13, 1866, provides that "brewers shall pay $100. Every person, firm, or corporation who manufactures fermented liquors of any name or description for sale from malt, wholly or in part, or from any substitute therefor, shall be deemed a brewer: *Provided*, That any person, firm, or corporation who manufactures less than 500 barrels per year shall pay the sum of $50."

It is believed that all fermented liquors manufactured in this country for sale are made from malt or from some substitute therefor, and it is therefore held that every person making fermented liquors of any nature or description is liable to pay special tax as a brewer, and must be so assessed whether the liquor produced by him is subject to tax or not. Any person claiming exemption from this tax by reason of not using malt or any substitute therefor in making his fermented liquor may appeal from the assessment by application to this office to abate the same, when the question of his liability will be carefully examined.

Section 48, act of July 13, 1866, as amended March 2, 1867, provides "that there shall be paid on all beer, lager beer, ale, porter, and other similar fermented liquors, by whatever name such liquors may be called, a tax of $1 for every barrel containing not more than 31 gallons, and at a like rate for any other quantity, or for any fractional part of a barrel, which shall be brewed or manufactured and sold or removed for consumption or sale within the United States."

All fermented liquors manufactured in this country, so far as known to this office, are similar fermented liquors to beer, lager beer, ale, and porter, and therefore all fermented liquors brewed or manufactured and sold, or removed for consumption and sale, are held to be subject to this tax, except such as are included in the exemption contained in this act of March 2, 1867, exemption "root beer and other small beer."

This exemption is held to apply only to such fermented liquors as contain not to exceed 2½ per cent alcohol, as root beer and those beers originally known as small beer do not contain exceeding this percentage of alcohol. Fermented liquors containing not to exceed 2½ per cent alcohol are not susceptible of being marketed in large packages, but are necessarily put up in bottles, so that on opening the quantity exposed to the action of the air will be consumed before becoming spoiled. Stronger liquors, susceptible to being marketed in casks, are ordinarily marketed in that way because of the greater expense of bottling. It is generally true, therefore that fermented liquors marketed in bottles are of a less alcoholic strength than 2½ per cent, and uniformly true that that which is marketed in casks contains a greater percentage of alcohol than 2½ per cent should be subject to tax. It is possible, of course, to put up the stronger liquors in bottles for the market, but an examination of the quality compared with beer known to come within the class of small beers will enable the officer to determine whether it is subject to tax or not.

All fermented liquor containing more than 2½ per cent alcohol brewed or manufactured and sold or removed for consumption or sale within the United States must be put up and stamped as required by the act of July 13, 1866, and any person feeling himself aggrieved by such taxation may make application to this office to have the same refunded.

(There follows consideration of the liability of rectifiers, etc.)

A. PLEASANTON,
Commissioner.

(20233)

(Decisions under war-revenue act of June 13, 1898.)

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., October 22, 1918.

SIR: In reply to a letter addressed to this office by one of your constituents, Mr. James H. Bingham, of Lawrence, Mass., to which you call attention in your letter of the 17th instant, asking for a ruling with reference to the beverage called "hop beer," which is to "contain 1 per cent or less of alcohol," you will please inform him that as the first paragraph of section 3244, Revised Statutes, requires that every person shall be regarded as a brewer who "manufactures fermented liquors of any name or description for sale from malt, wholly or in part, or from any substitute therefor," if he should manufacture a fermented liquor from hops and sugar which resembles in general character, taste, appearance, etc., weiss beer (weiss beer being a fermented liquor made from malt, and therefore being subject to the tax imposed upon beer by the provisions of the war-revenue act, notwithstanding the fact that its alcoholic strength is usually very small, sometimes being but 1 per cent), this hop beer must be regarded as having been made from a substitute for malt within the meaning of the statute. And if he makes it for sale he must give bond and pay special tax as a brewer and special tax as a malt-liquor dealer for selling it in bottles, and also pay tax on this beer under the first section of the war-revenue act of June 13, 1898.

A genuine "root beer" or "spruce beer"—that is, a beer made from roots, herbs, or bark, or extracts thereof, with sugar—is not a similar fermented liquor to weiss beer or to any other of the fermented malt liquors enumerated in section 3339, Revised Statutes, and therefore is not regarded as made from a substitute for malt; and the manufacturer of it is not required to pay tax thereon or special tax as a brewer and malt-liquor dealer for making and selling it.

Respectfully, yours,

C. W. WILSON,
Acting Commissioner.

Hon. W. S. KNOX, *Lawrence, Mass.*

(Department 429. Volume 4 of Compilation of Decisions of Internal Revenue Commissioner.)

"SPECIAL TAX—BEERINE."

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., November 1, 1901.

SIR: Your letter of the 26th ultimo has been received, inclosing a formula for the manufacture of a beverage called "beerine." From this formula it appears that the beverage in question is made in part of fermented malt liquor (lager beer), and that "it is like a light table beer and should be handled as such and not like common soda water." This being the case, the beverage must be regarded as similar to weiss beer, and the manufacturer of it must be required to pay special tax as a brewer and tax on this "beerine," and other persons engaged in selling it must be required to pay special tax as malt-liquor dealers.

Respectfully,

ROBERT WILLIAMS,
Acting Commissioner.

Mr. H. L. REMMEL,
Collector Internal Revenue,
Little Rock, Ark.

(Department 690. Volume 6 of Compilation of Decisions of Internal Revenue Commissioner.)

SPECIAL TAX—BARLEY BREW OR BOK ALE.

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., August 12, 1903.

GENTLEMEN: A sample of a beverage submitted to this office by your representative, imported by you into this country and sold under the name of "barley brew or bok ale," has been analyzed by the chemist here, who reports to this office under date of the 10th instant that it contains 0.53 per cent of alcohol by volume, 0.42 by weight, and 0.48 per cent of total solid matter, and that "while it has, in general, the appearance and flavor of a malt liquor," it is rather an imitation of a malt liquor than the thing itself.

In view of the results thus shown by the chemist's analysis, this office holds that the beverage in question, put upon the market in the precise condition of the sample herein described, is not among those fermented liquors enumerated in section 3339, Revised Statutes of the United States, and that therefore tax is not required thereon, nor the special tax of a dealer in malt liquor for its sale, under the internal-revenue laws of the United States.

Respectfully,

ROBERT WILLIAMS, Jr.,
Acting Commissioner.

To ——— ———.

(T. D. 892, volume 8.)

TREASURY DEPARTMENT,
OFFICE OF INTERNAL REVENUE COMMISSIONER,
Washington, D. C., April 26, 1905.

AMERICAN BREWERS' REVIEW CO.,
Chicago, Ill.

GENTLEMEN: Your letter of the 19th instant has been received, relating to a beverage made from malt or from some substitute for malt, and fermented, and stating that "the question arises frequently among brewers what is the limit of alcohol content that makes the beverage intoxicating; that is to say, from the legal point of view."

The intoxicating character of such a beverage is important and material under the prohibitory liquor laws of a State or Territory, but is not material under the internal-revenue laws of the United States.

A fermented liquor made from malt—for example, weiss beer—may contain so small an amount of alcohol (say 1½ to 1 per cent or less) as to entitle it to be regarded as "nonintoxicating" under the local prohibitory laws, but this fact does not relieve the brewer of this beverage from the necessity of giving bond and paying special tax as a brewer under the internal-revenue laws of the United States, as well as paying tax on this beer.

As to the alcoholic limit below which in any such beverage you say "there is a widespread impression that 2 per cent by volume constitutes this limit," there is no basis for this impression, unless it be in the fact that the act of March 2, 1867, exempted small beer from the tax on fermented liquors under the internal-revenue laws of the United States, as they then stood, but did not define small beer, thus leaving it to this department to lay down a rule by which small beer should be distinguished from other beer on which the tax was imposed. This was done by special No. 102, issued by the Commissioner of Internal Revenue, May 18, 1871, wherein the exemption as to small beer was "held to apply only to such fermented liquors as contain not to exceed 2½ per cent alcohol."

The later provisions of the internal-revenue laws of the United States superseding this act of 1867, and subsequently incorporated in the Revised Statutes of the United States in 1873, omitted this exempting provision, and since then there has been no such exemption as to any fermented liquor made from malt or from any substitute for malt; and now, under these laws, every fermented liquor, the main ingredient of which is malt or a substitute for malt, such as rice or grain of any kind, or sugar, or molasses, or any other material that may be found to take the place of malt, is held to be subject to the tax imposed by these laws on ale, beer, porter, and other similar fermented liquors, and the manufacturers thereof are required to give bond and pay special tax as brewers and dealers therein special tax as malt liquor dealers.

There are, however, beverages manufactured and sold which consist mainly of water carbonated, but by the addition of a small quantity of an "extract" made of tax-paid beer, are given the flavor, taste, and appearance of malt liquor, but contain not more than one-half of 1 per cent of alcohol. The settled ruling is that where this quantity of alcohol (one-half of 1 per cent) is not exceeded in any such imitation beer, it does not come within the notice of the internal-revenue laws of the United States, and therefore special tax is not required to be paid for its manufacture and sale.

Respectfully,

ROBERT WILLIAMS, Jr.,
Acting Commissioner.

(T. D. 1193, volume 10.)

In this decision a sample of "hop-ale" was analyzed in the office of the commissioner on May 11, 1907, and was found to contain 0.85 per cent of alcohol by volume. The decision continues:

"In this and other cases where the alcoholic content has not greatly exceeded fifty one-hundredths per cent, this office holds that special-tax liability begins with the first day of the month in which the earliest sample found to contain more than 0.50 per cent was taken for analysis, and the stamp-tax liability begins on the date such sample was taken."

Respectfully,

JOHN G. CAPERS,
Commissioner.

Mr. E. E. BUTLER,
Collector Second District, Bristol, Tenn.

(T. D. 1194, volume 10.)

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., July 2, 1907.

GENTLEMEN: In reply to your letter of the 27th ultimo, requesting a copy or statement of the ruling of this office as to beerine and similar beverages, you are informed that the ruling is that a beverage which has an appreciable alcoholic content, caused by the addition thereto or use in the manufacture of distilled spirits or wine, can not be manufactured without the payment of special tax as rectifier, or sold without payment of special tax as liquor dealer. If the beverage has an alcoholic content of more than one-half of 1 per cent, derived from fermented malt liquors added thereto or used in process of manufacture, the producer must pay special tax as brewer, tax on his product as a fermented liquor in which substitute for malt is used, and sellers of the beverage or product must pay special tax as malt-liquor dealers.

Respectfully,

JOHN G. CAPERS,
Commissioner.

(T. D. 1307, volume 11.)

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., February 5, 1908.

GENTLEMEN: This office is in receipt of your letter of the 31st ultimo, relative to the manufacture of soft drinks from malt and hops and calling attention to previous rulings of this office as to the requirements of tax on a fermented liquor made from malt, regardless of the percentage of alcohol contained, and as to the nonrequirement of special tax for the sale of beverages containing less than one-half of 1 per cent of alcohol.

In reply you are advised that after careful consideration I have reached the conclusion that, while section 3339, Revised Statutes, requires the payment of the tax of $1 per barrel on all beer, lager beer, ale, porter, and other similar fermented liquors, the practical administration of the law necessitates the fixing of a point below which the alcoholic content is too inconsiderable to class the beverage as either of the liquors enumerated above, or similar thereto, or to bring same within the consideration of the internal-revenue laws. The practice and rulings of this office have already fixed this point as one-half of 1 per cent in the case of sales of beverages of this character, and I see no sufficient reason for making a distinction between the manufacturer and dealer in this class of beverages. It is therefore held that beverages containing not more than one-half of 1 per cent of alcohol by volume do not come within the consideration of the internal-revenue laws either as to manufacture or sale.

Respectfully,

JOHN G. CAPERS, *Commissioner.*

(NOTE.—This decision makes the limit one-half of 1 per cent alcohol. Later decisions and present practice require less than one-half of 1 per cent alcohol.)

(T. D. 1345, volume 11.)

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., April 18, 1908.

SIR: In reply to your letter of the 13th instant your are informed that this office has not approved the manufacture of soft drinks or so-called beer containing less than one-half of 1 per cent of alcohol upon the premises of a regular brewery, for the reason that such manufacture must necessarily be subject to rigid internal-revenue supervision, and would doubtless prove a fruitful source of annoyance both to the manufacturer and to the revenue officers.

Respectfully,

ROBERT WILLIAMS, Jr.,
Acting Commissioner.

Mr. ———, *Omaha, Nebr.*

(T. D. 1360, volume 11.)

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., May 19, 1908.

SIR: Referring to your conference with this office relative to the manufacture of so-called "temperance beer" on the premises of a regular brewery, I have the honor to advise you that, as stated in T. D. 1345, this office has not approved the manufacture of soft drinks and untaxable beverages on the premises of a brewery producing taxable fermented liquors, for the reason that such practice would necessarily be subjected to close supervision, and would probably result in much annoyance both to the manufacturer and to revenue officers.

There is, however, no provision of law or regulations which specifically prohibits such practice, and if brewers undertake to manufacture such a beverage it is desirable that the position of this office be clearly understood.

T. D. 1307, holding that a beverage containing less than one-half of 1 per cent of alcohol is not taxable as a fermented liquor, is based upon the belief, reached after careful examination of numerous samples submitted to this office, that such a beverage, made from a wort in which such a small quantity of malt or other material is used that the product when fully fermented does not contain one-half of 1 per cent of alcohol, or made from a wort containing ordinary amounts of malt or other material and only slightly fermented, does not resemble any of the fermented liquors enumerated in the statute imposing a tax on such liquors sufficiently closely to be classified as such.

The manufacture of any fermented mash, wort, or wash, and the separation by any process of the alcoholic content therefrom, except upon the premises of a registered distillery, is prohibited by section 3282, Revised Statutes, but a proviso to the section expressly exempts fermented liquors from its provisions.

It is therefore held that the manufacture of an ordinary beer and the reduction of the alcoholic content to less than one-half of 1 per cent by boiling in the open air, or by any other process, is prohibited, unless the product is brought within the exemption of the proviso by being taxed as a fermented liquor, regardless of its alcoholic content, but such product, containing less than one-half of 1 per cent alcohol, may be sold by retailers without the payment of special tax.

Brewers who manufacture a beverage by this process should treat it in all respects as a fermented liquor, taking up on their records the material from which it is made.

Brewers who also manufacture a beverage which does not at any process of manufacture contain more than one-half of 1 per cent of alcohol should credit themselves, by separate red-ink entries on their material book with the quantity of materials used for this specific purpose, and should use the utmost care to keep the processes as well as the materials used in the production of the two classes of beverages separate, and to keep the taxable and untaxable articles separate and distinct one from the other. The temperance beverage, when removed from the brewery premises, must be contained in packages unlike those ordinarily used for containing fermented liquor.

Respectfully,

JOHN G. CAPERS,
Commissioner.

(T. D. 2354, volume 18.)

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, D. C., August 2, 1913.

To collectors of internal revenue and others concerned:

The following excerpt from an official letter emanating from this office on this date is published for the information of all concerned:

"Referring to your letter of May 15 last and to office reply thereto under date of May 24 in regard to a nonalcoholic beverage * * * you are informed that upon reconsideration of this matter I have decided to extend the scope of T. D. 1360 so as to make the question of the taxability of the so-called temperance beer produced on brewery premises concurrently with fermented liquors depend upon the alcoholic content at the time when the same is finished and ready for sale, without regard to the quantity of alcohol which it may have contained at previous stages of its manufacture. In other words, if the so-called temperance beer, when finished and ready for sale, does not contain more than one-half of 1 per cent of alcohol by volume, it will be regarded as a nontaxable article, even though it may have contained a greater percentage of alcohol during the process of its manufacture.

This ruling will take effect August 15, 1913, and in no case will it be retroactive. It will apply exclusively to beverages sold or removed on and after the 15th instant.

W. H. OSBORN,
Commissioner of Internal Revenue.

Mr. CURRIE of Michigan. Mr. Chairman, will the gentleman yield?

Mr. JONES of Pennsylvania. Mr. Chairman, will the gentleman yield.

Mr. DYER. If I have any time I will be glad to yield to my colleague on the committee. Is my time up, Mr. Chairman?

The CHAIRMAN. The gentleman has 12 seconds remaining.

Mr. DYER. I yield to the gentleman from Michigan.

Mr. CURRIE of Michigan. I suggest to the gentleman that in the Treasury decisions——

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. CURRIE of Michigan. May the gentleman's time be extended for 30 seconds.

Mr. DYER. I asked for time from the chairman of the committee, but he refused to give it to me, and I had to obtain it from the gentleman on the other side.

The CHAIRMAN. The gentleman's time has expired.

Mr. IGOE. Mr. Chairman, I yield 30 minutes to the gentleman from Pennsylvania [Mr. STEELE].

Mr. STEELE. Mr. Chairman, the purpose of the pending bill is to enforce war-time and constitutional prohibition. I shall confine my remarks to the constitutional aspects of that question, with particular reference to the bearing of the second section of the eighteenth amendment upon the present bill. The first section of the eighteenth amendment provides that—

> the manufacture, sale, or transportation of intoxicating liquors • • • for beverage purposes is hereby prohibited.

So far as the general effect of this language is concerned, of course it immediately is self-executing and wipes out all legislation in conflict with its provisions. The second section of the eighteenth amendment, however, provides as follows:

> The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

I call the attention of the House to the fact that this language is vastly different from any enforcement provision heretofore contained in any constitutional amendment. In the thirteenth, fourteenth, and fifteenth amendments to the Constitution the provisions were that—

> Congress shall have power to enforce this article by appropriate legislation.

The words "concurrent power" of the several States were not included in any previous constitutional enforcement provision.

It is very significant that it was thought necessary to insert this change in this article of the Constitution. When the resolution suggesting the amendment passed the Senate and came over to the House for its action, it contained the usual provision that Congress alone should have the power to enforce the article by appropriate legislation. As it came from the Committee on the Judiciary, of which I happened to be a member at the time, this change was inserted in it, and the change was inserted in it for a purpose. That purpose, it seems to me, is apparent upon the face of the article itself by the ordinary construction of the language which has been used. It is not a new feature in our Constitution that there should be joint action by the Federal and the State Governments. In the very first article of the Constitution, in the tenth section, there is provision made for prohibition upon the powers of the States with reference to certain legislation, and also provision made which is of the nature of conditional prohibition which requires concurrent action on the part of both Federal and State Governments. In Article I, section 10, for instance, the second paragraph provides:

> No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports—

And so forth.

The prohibition is conditional—that is, if Congress gives its consent. If there is joint action by the State and by Congress, then the State will have the power under this section to legislate on the question. Then again, the third paragraph of section 10 of Article I provides:

> No State shall, without the consent of Congress, lay any duty on tonnage—

And so forth.

There again joint action is contemplated by the Federal Constitution, that the States can act provided the Federal Government gives its consent for such action. Again the word "concurrent" is used in the Constitution itself in the very first article with reference to legislation, where it provides that all acts or resolutions of Congress requiring the concurrence of the two Houses shall be presented to the President for his signature and approval, the concurrence of the two Houses meaning, of course, in the sense of joint action. These provisions are contained in the Constitution itself, and therefore it was no new thing to insert in this proposed article which was to be submitted to the States a provision that there should be joint action on the part of both the Federal and the State Governments. There was, however, a supreme reason which induced the insertion in this particular article of the language to which I have referred. It was regarded as an elementary principle that all jurisdiction upon the question of the control or the prohibition of the manufacture and sale of intoxicating liquors previous to the adoption of the eighteenth amendment, outside of any war powers which might be exercised by the Congress, was vested in the several States, and that Congress, outside of any powers which it might have under the interstate-commerce clause, had no jurisdiction whatever of the question. Upon that question you will recall the specific provisions of one of the amendments to the Constitution that all powers not delegated to the Federal Government are reserved to the States.

Therefore it becomes, it seems to me, a very vital question to inquire what the real intention was in this change in the enforcement provision of this amendment to the Constitution. The enforcement of prohibitory legislation is something which reaches out into every State and into every school district and hamlet of the country. It meant that there would be legislation which would revolutionize in many sections of the country the social habits of the people and it meant that if this power were to be exercised to its fullest extent by the appointment of an unlimited number of Federal inspectors or agents it would be of such potential consequence in the exercise of it that it could be made a tremendous political engine throughout the length and breadth of the country which would reach into every school district of the country and obtain practical control of every doubtful congressional district in the country. It was in order that that situation might not arise, in order that the States should have some power left in control of the situation that this clause was inserted in this amendment, that the enforcement of it should be by the concurrent action of both the Federal and the State governments.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. STEELE. Yes.

Mr. MADDEN. Does that mean that if the State does not enact legislation by means of which it could undertake the enforcement of this provision the Federal jurisdiction for the enforcement would be complete, or does it mean that each must act before the jurisdiction is complete?

Mr. STEELE. My interpretation of this clause of the Constitution is that the word "concurrent" must be given its ordinary, usual, and accepted definition, that it means running together, joint, concurrent action, and that this action, in order to be complete under this provision of the Constitution, must be action not only of the Federal Government but of the State governments as well.

Mr. MADDEN. Mr. Chairman, will the gentleman yield further?

Mr. STEELE. Yes.

Mr. MADDEN. Suppose a State refuses to take action?

Mr. STEELE. If the State refuses to take action there is no action; but you can not presume that the State is going to fail in the fulfillment of its duties; but there must be agreement.

Mr. MADDEN. The question I wanted to ask and perhaps did not ask is whether if the people of a given State through their State authority did not choose to adopt the law for the enforcement of the provisions of the act we are about to pass, would it then be within the power of the Federal Government to exercise control within that State?

Mr. STEELE. My answer to that is this: There can not be two supreme legislative powers exercising at the same time upon the same object.

Mr. VOLSTEAD. Will the gentleman yield?

Mr. STEELE. In this case in ratifying this amendment, in placing it as part of the Constitution, we have seen fit to create two joint supreme powers, one the Federal Government and the other the State government. Both of those supreme powers must act before full effect can be given to the concurrent provision of the Constitution.

Mr. BLANTON. Will the gentleman yield right there for a question?

Mr. VENABLE. Will the gentleman yield?

Mr. STEELE. I yield to the gentleman from Mississippi.

Mr. VENABLE. Under the Federal statute is provided a penalty for the robbing of box cars and goods in interstate transportation and power is conferred upon the State courts to enforce that statute and inflict a penalty and confine the offender after conviction in a State penal institution. How would the gentleman square that statute with the contention that you can

not have two sovereignties acting upon an individual at the same time?

Mr. STEELE. The answer to that is simply this: You have in your State State laws operating upon certain objects. There can be both Federal and State legislation relating, for instance, to post offices or to the coinage, which may also be a penal offense under State laws.

Mr. VENABLE. That is not the case here, if the gentleman will pardon me. This is a case where the State courts and the State authorities are enforcing an act of Congress and a Federal statute. This is not a case where one act constitutes a breach of two laws. One law of the State and the other the law of the Federal Government. But this is a case where the State authority seizes the individual, takes him into the State court, tries him in a State tribunal, and sends him to a penal institution in the enforcement of a purely Federal statute.

Mr. STEELE. In that case the State court is simply the agent, you may say, of the Federal Government in the enforcement of a Federal law.

Mr. VENABLE. But I understood the gentleman's argument was that two sovereignties could not act upon an individual?

Mr. STEELE. The State did not enact the law in that case, it was simply enforcing the law. Only one sovereignty, the Federal Government, actually legislated.

Mr. BLANTON. Will the gentleman yield?

Mr. STEELE. My time is limited, but I yield.

Mr. BLANTON. The gentleman is aware of the concurrent jurisdiction existing in the United States court and in our State circuit courts with respect to granting citizenship papers to individuals. If the State court has acquired jurisdiction of naturalization cases it grants the citizenship papers. If the United States court has acquired jurisdiction they naturalize them. Does not that answer the gentleman's contention?

Mr. STEELE. No.

Mr. BLANTON. It is concurrent?

Mr. STEELE. It does not answer my contention at all. The gentleman has failed to perceive that both Federal and State courts in naturalization cases are simply enforcing a Federal law. The law of one sovereignty that has the right to legislate upon the question and the only sovereignty that can legislate upon naturalization is the Federal Government.

Mr. HOCH. Will the gentleman yield?

Mr. STEELE. I will.

Mr. HOCH. The gentleman has referred to the concurrent action. Now, this amendment provides that Congress and the States shall have concurrent power to enforce. Do I understand the gentleman to contend the phrase "concurrent power" to enforce amounts to the same thing as "concurrent action"? Does not this concurrent power simply mean power is concurrent or running together? It does not necessitate at all that the action must be concurrent. Is it not then a very plain distinction between concurrent action and concurrent power to enforce?

Mr. STEELE. I will answer the gentleman, and then I must ask to be allowed to proceed without interruption, because my time is limited. I say to the gentleman that the language of this clause of the constitutional amendment calls for concurrent power to enforce this article by appropriate legislation. The concurrent power to do what? To legislate. What is legislation? A rule of action by the supreme power, and that is what is contemplated here when the supreme power is the two sovereignties mentioned in this article. Now, I must be allowed to proceed, because my time is limited. Now, in this particular construction, and it is not a technical construction, because I am giving the ordinary and usual meaning to the word "concurrent." "Concurrent" is defined in the Century Dictionary as meaning "concurring or acting in conjunction; agreeing in the same act; contributing to the same event or effect; operating with; coincident; conjoined; joint; concomitant; coordinate; combined." In the Standard Dictionary it is defined as "meeting or joining at the same point; united in action or application; coordinate." Webster says it means the "act of concurring; meeting or coming together; union; conjunction."

Mr. VOLSTEAD. Will the gentleman yield?

Mr. STEELE. I want to be perfectly candid and state just what I believe those who are particularly espousing prohibition——

Mr. VOLSTEAD. Will the gentleman yield for a question?

Mr. STEELE. I will, if the gentleman will grant me additional time out of his time.

Mr. VOLSTEAD. I have not got the time; but I would like to call attention to what the lawyers say the word "concurrent" means, not the dictionaries——

Mr. STEELE. I can not yield. The gentleman can put that in his own time, of course. But I simply wish to state what the contention is on the other side in reference to this, and then, in the time which I have at hand, try to point out what I regard as the fallacy of that course of reasoning. In the hearings before the Judiciary Committee, Mr. Wheeler, who represented the Anti-Saloon League, presented an argument as to the proper interpretation of this second clause of the constitutional amendment. The gentleman from New York [Mr. HUSTED] asked him these questions:

Mr. HUSTED. Before you read that, in order to clarify the matter in my mind, at least, will you kindly state just what you understand the word "concurrent" to mean as used in the amendment? Do you understand it to be synonymous with "coexistent"?

Mr. WHEELER. I understand concurrent power to be "equal power" to carry out the purpose of the eighteenth amendment by the enactment of appropriate legislation, and if either unit of the Government fails to use its full power it will not prevent the other unit of Government from doing that which the first unit of Government had the power to do but failed to do.

Mr. HUSTED. Is there any authority for such a definition?

Mr. WHEELER. Concurrent power means equal power. The difficulty that had arisen from this provision comes from the use of the term in connection with concurrent jurisdiction and legislation.

And amplifying what he meant by equal power, Mr. Wheeler further said:

Each of these units of Government, the Federal and the State, will enact the laws for its own jurisdiction. They will be enforced by the officers of their own jurisdiction. To make the case concrete, suppose that Ohio should pass a law different from the Federal Code and Congress should pass a more stringent law than Ohio. So far as the Federal officers were concerned, they would enforce the Federal act all through Ohio; the State officers in Ohio would also enforce the State legislation that is enacted there. There would be a slight embarrassment for lawbreakers in this, that there would be two standards or laws; but that is true with legislation that we now have.

Now, that is the contention of those who are arguing for extreme action on the part of Congress. The contention is that it shall be equal and that in its final analysis the word "concurrent" must mean paramount, supreme, instead of what it ordinarily means, namely, concurrent—joint or cooperative. There can not be two equal supreme legislative powers acting upon the same object.

Now, it simply would mean this, that so far as the State power is concerned the Federal governmental agencies would come into each one of the several States, and no matter what the action of the State might be with reference to enforcement provisions, they would enforce the Federal law. For instance, Rhode Island has already passed an act providing for the manufacture and sale of liquors containing not more than 4 per cent of alcohol. Suppose that Congress here should pass this law which makes it a penal offense for anybody to manufacture or sell liquor containing more than one-half of 1 per cent of alcohol. Manifestly there would be, then, if that interpretation were to prevail, a contradiction between the Federal legislation and the State legislation. And if the equal-power theory were to prevail, then it would simply result in Federal agents, as stated by Mr. Wheeler, going into the State of Rhode Island and arresting everybody who might act upon the provisions of the Rhode Island State law. It would mean that they would be penalized under the Federal law for doing the very things which the State law had authorized them to do.

Now, is that a situation that is to be tolerated? Is it reasonable that Congress, in suggesting this constitutional amendment, is it reasonable to suppose that the people in ratifying it, meant by "concurrent power" that that condition of affairs should exist in every State of this Union? I do not believe it; neither do I think it is a reasonable or fair or proper interpretation, or an interpretation which the language used fairly bears and imports.

If that were to be done, it would simply mean that the Federal power would be supreme. What would be the necessity for any State action at all if in the difference between the State government and the Federal Government, the Federal Government should be supreme? What has become of the concurrent power that is mentioned in this article of the Constitution? It would be the same as if that provision had not been inserted.

Mr. DEWALT. May I interrupt the gentleman just a moment?

Mr. STEELE. Yes, sir.

Mr. DEWALT. Does not another article of the Constitution provide for concurrent action in regard to treaties?

Mr. STEELE. It does.

Mr. DEWALT. What is the meaning of the word "concurrent" there? And, reasoning from that standpoint, what is the reasoning in regard to this? I think that is the seventh article of the Constitution.

Mr. STEELE. Simply, as I recall the provision of the article, it authorizes the President to negotiate treaties, and, when ratified by two-thirds of the Senate, to become the supreme law of the land. There, again, joint action is required—the action of the Executive and action on the part of the Senate. It simply bears out what I said previously, that joint action is contemplated by a number of the provisions of the Constitution.

And while on that subject I may call the attention of the committee to another provision of the Constitution which contemplates joint action. In the provision with reference to——

Mr. DEWALT. "Joint resolutions" is another one.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. IGOE. I yield five minutes additional to the gentleman.

Mr. STEELE. In the provision with reference to the election of Senators and Representatives it provides that they shall be elected in accordance with the election laws of the States, but it also says that Congress may make and alter other laws with reference to the same subject, also contemplating joint action by the States and by Congress.

Now, I have just referred to the sixth article of the Constitution, which provides that all laws made in pursuance of this Constitution and all treaties made shall be the supreme law of the land, which has been referred to by numerous people with reference to the proper interpretation of this article. That says, "In pursuance of this Constitution"; and if it is not concurrent, it is not in pursuance of the Constitution. Again, a clause in a constitutional amendment, being the latest expressed will of the people, will prevail over a provision of the original instrument inconsistent with the amendment; and in this connection I wish to call your attention to several judicial interpretations of the word "concurrent" as used in legislation heretofore.

In my own State of Pennsylvania, where the Delaware River is the boundary line between Pennsylvania and New Jersey, immediately after the American Revolution a compact was entered into between the State of Pennsylvania and the State of New Jersey providing that both States should have concurrent jurisdiction over the waters of the Delaware River. The question came before the courts of New Jersey in two cases—one the Trenton City Bridge Co., in Thirteenth New Jersey, Equity Reports 46, and the other in the case of Attorney General against Railroad Co., Twenty-seventh New Jersey, Equity 627.

In both cases this court, one of the recognized courts of the country—recognized for ability—in passing upon the word "concurrent" with reference to the jurisdiction over the river held that required joint action, and that unless joint action was taken by the legislatures of both States it was invalid. In one case in particular an act was passed by the State of New Jersey and the State of Pennsylvania refused to concur in it, and the court of New Jersey finally held that the statute passed by New Jersey was a nullity.

Mr. SAUNDERS of Virginia. Mr. Chairman, may I ask the gentleman a question?

Mr. STEELE. If I have time. My time is very limited, and I want to finish if I can.

Mr. SAUNDERS of Virginia. I just wanted to ask what would be the gentleman's idea as to the practical working of this legislation under section 2 of the eighteenth amendment. Is it the gentleman's contention that in order to get effective action under that section Congress would have to pass an act and that act would have to be validated by all the States of the Union?

Mr. STEELE. It would not have to be validated by all the States of the Union, but in order to be effective in any State it would have to be concurred in by that particular State. It may be concurred in by 20 States or 25 States, and it may be refused to be concurred in by one other State, and in that particular State it would not apply.

Mr. SAUNDERS of Virginia. Then, under your theory, the action of Congress would not be operative?

Mr. STEELE. I say it means here joint action. It is a question of language, and I am giving you the meaning of the words and the interpretation of the courts.

Mr. SAUNDERS of Virginia. Take, for instance, the State of Virginia, and suppose Congress passed an act to enforce section 2, and Virginia does not pass such an act putting it into effect. Then it would not be valid in Virginia?

Mr. STEELE. That is correct.

Mr. SAUNDERS of Virginia. Then Virginia, in order to make it effective in Virginia, would have to validate the act of Congress?

Mr. STEELE. It would have to concur. The same principle was enunciated in the United States Circuit Court for the District of Oregon with reference to a compact entered into between the States of Oregon and Washington in reference to the Columbia River. There concurrent jurisdiction was also given, and in an early case, in Sixty-ninth Federal, page 535, which was cited with approval in Nelson *v.* Oregon (212 U. S., 315), the court held that inasmuch as the act of Congress admitting Oregon into the Union provided for concurrent jurisdiction on the Columbia River the word "concurrent" when applied to the jurisdiction of Oregon to enact penal laws for the Columbia River "can only mean the power to enact such criminal statutes as are agreed to or acquiesced in by the State of Washington or as are already in force within its jurisdiction."

Mr. SINNOTT. Mr. Chairman, will the gentleman yield?

Mr. STEELE. I regret I have not the time. If the gentleman from Minnesota [Mr. VOLSTEAD] will give me additional time, I will try to answer.

The court concluded its opinion in that case as follows:

It is clear, therefore, that this right in each State is not subject to control or regulation by the other unless there is mutual agreement to that end.

In Wedding *v.* Meyler (192 U. S., 573), under what is known as the Virginia compact and the act of Congress making Kentucky a State, the State of Indiana had concurrent jurisdiction with Kentucky on the Ohio River. The court said:

But so far as applicable we adopt the statement of Chief Justice Robertson in Arnold *v.* Shields (5 Dana, 18): "Jurisdiction unqualified, being as it is the sovereign authority to make, decide on, and execute laws, a concurrence of jurisdiction, therefore, must entitle Indiana to as much power, legislative, judicial, and executive, as that possessed by Kentucky over as much of the Ohio River as flows between them."

In Nelson *v.* Oregon (212 U. S., 315) a question again arose as to concurrent jurisdiction of the States of Oregon and Washington over the Columbia River, and it was held that one holding a purse-net license from the State of Washington could not be prosecuted for using such net on the Washington side of the Columbia River in the courts of Oregon for violating the statute of that State prohibiting the use of such nets.

The court said:

The plaintiff in error was within the limits of the State of Washington doing an act which that State in terms authorized and gave him a license to do. Can the State of Oregon, by virtue of its concurrent jurisdiction, disregard that authority, practically override the legislation of Washington, and punish a man for doing within the territorial limits of Washington an act which that State had especially authorized him to do? We are of opinion that it can not. It is not at all impossible that in some instances the interests of the two States may be different. Certainly, as appears in the present case, the opinion of the legislatures of the two States is different, and the one can not enforce its opinion against that of the other.

The fundamental purpose in construing a constitutional provision is to ascertain and give effect to the intent of the framers and the people who adopted it. It should not be technical, literal, or strict, but should aim to give effect to the purpose indicated by a fair interpretation of the language used. This purpose, however, must be gathered from the language of the instrument itself. The first resort in all cases is to the ordinary meaning of the words actually used. Application of this rule inevitably leads to the conclusion that joint action by Congress and the several States is necessary for enforcement legislation under the eighteenth amendment. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. STEELE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. VOLSTEAD. Mr. Chairman, I yield 30 minutes to the gentleman from Michigan [Mr. CURRIE].

The CHAIRMAN. The gentleman from Michigan is recognized for 30 minutes.

Mr. CURRIE of Michigan. Mr. Chairman and gentlemen of the committee, I shall be barely able to cover this subject during the time allotted to me, and I must therefore request that I be not interrupted until I shall have concluded my statement. Then if I have the time I will very gladly yield for any questions that anyone may desire to ask.

This is one of the most important measures before Congress. It purports to answer the demand of a great Nation that has outlawed the traffic in intoxicating liquors. On December 18, 1917, the Sixty-fifth Congress submitted to the legislatures of the various States what has since become the eighteenth amendment to the Federal Constitution. Within 13 months three-fourths of the States had ratified. Forty-five out of the 48 have now ratified.

The eighteenth amendment reads:

SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States, and all territory subject to the jurisdiction thereof, for beverage purposes is hereby prohibited.

SEC. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Congress is charged with the task of enacting a code to enforce that amendment. The happiness and welfare of countless thousands throughout the land depend upon how ably Congress meets that duty and responsibility. We may differ as to the extent of our authority to legislate under the eighteenth amend-

ment, we may differ as to the wisdom of some features in this bill, but its purpose should command the support of every Member. It was a wise judge, speaking for the court in Goddard *v.* Jacksonville (15 Ill., 589), who said:

When we defend the sale of liquors * * * we draw our arguments from our appetites and not our reason, observation, and experience.

Whether or not we favored prohibition is no longer the question. It matters not what our personal views or prejudices may be. Our plain and paramount duty is to uphold the Constitution. We should enact a sane and sensible code. It will be neither sane nor sensible if it fails to take into consideration the nature of the business that has been outlawed and the characteristics and tendencies of those who will endeavor to thwart the Nation's will.

Justice McReynolds, in rendering the opinion in Crane *v.* Campbell (245 U. S., 304), referred to "the notorious difficulties always attendant upon efforts to suppress traffic in liquors."

The Supreme Court (137 U. S., 86) has characterized the liquor traffic as "a source of crime and misery to society." Courts take judicial notice of the general lawlessness of this business. Congress should also take notice that the liquor interests use every subterfuge to break down prohibition law and then boast of its failure. We must legislate with these matters fully in mind. [Applause.]

Constitutional prohibition will not become effective until January 16, 1920. The so-called war-time prohibition has, since September 8, 1917, prohibited the manufacture of distilled liquors, and since May 1, 1919, the manufacture of beer and wine. Under its provisions the sale of any intoxicating liquors for beverage purposes has been unlawful since June 30. The President has requested Congress to repeal this law. If it is not repealed or its terms suspended by the President, then Congress should provide for its enforcement by additional legislation.

Title 1 of the bill under consideration is submitted for that purpose.

In my judgment, Congress will never repeal war-time prohibition. It was a wise enactment. It is just as sensible and right to-day as it was on the 21st day of last November, when the President signed the bill. [Applause.] If Congress is to be criticized, it should be for waiting so long before acting in the first place. This delay was not occasioned by the House. In less than 60 days after we entered the war it passed a bill prohibiting the manufacture and sale of all intoxicating liquors. Upon the suggestion of the President, this bill was amended in the Senate so as to prohibit only the manufacture of distilled spirits. The President was authorized, in his discretion, to prohibit the manufacture of beer and other intoxicants. This act was approved on August 10, 1917, and contained the following language:

That from and after 30 days from date of the approval of this act no foods, fruits, food materials, or feeds shall be used in the production of distilled spirits for beverage purposes * * * whenever the President shall find that limitation, regulation, or prohibition of the use of foods, fruits, food materials, or feeds in the production of malt or vinous liquors for beverage purposes, or the reduction of the alcoholic content of any such malt or vinous liquor is essential in order to assure an adequate and continuous supply of food, or that the national security and defense will be subserved thereby, he is authorized from time to time to prescribe and give public notice of the extent of the limitation, regulation, prohibition, or reduction so necessitated.

Congress by that act outlawed the manufacture of whisky and distilled liquors, but President Wilson failed to use his authority and prohibit the manufacture of beer. His reluctance and failure to act then, when the Nation was at war, should not inspire any particular confidence in his recommendations now. In answer to righteous public sentiment, Congress took this matter in hand, and the Agricultural bill which became a law on November 21, 1918, contained this provision:

That after June 30, 1919, until the conclusion of the present war and thereafter until the termination of demobilization * * * it shall be unlawful to sell for beverage purposes any distilled spirits, and * * * no beer, wine, or other intoxicating malt or vinous liquor shall be sold for beverage purposes except for export.

In his message to Congress on May 20, 1919, the President said:

The demobilization of the military forces of the country has progressed to such a point that it seems to me entirely safe now to remove the ban upon the manufacture and sale of wines and beer, but I am advised that without further legislation I have not the legal authority to remove the restriction.

This advice was given at a time when we had in our Army 1,500,000 men. Our regular standing Army in peace times is 175,000. The President says it seems to him entirely safe to remove the ban because demobilization has progressed to such a point. Is there any reason for prohibition during demobilization? Congress so declared, and even the President does not deny. If we owed it to any of our soldier boys and their loved ones back home from whom we called them to remove the liquor curse during their demobilization, then we owe it to the million yet to be demobilized to extend them the same protection.

This so-called war-time prohibition was never intended to cover only the period of the war. The exact language of the act is:

Until the conclusion of the present war and thereafter until the termination of demobilization.

Our language was plain. We did not deceive the brewers, saloon keepers, or anyone else. Demobilization has not terminated, and until then the President has no moral or legal right to throw down the bars to the liquor interests of the country. [Applause.]

For many days the Committee on the Judiciary has held hearings upon measures relating to the liquor traffic. No brewers or distillers appeared before the committee. Are they no longer interested? Where are the powerful brewers who lobbied with us a few months ago? I will tell you. It has become common knowledge that brewers were the sustaining force behind the ill-famed German-American Alliance. Brewers met with agents of the Kaiser and for mutual protection planned to purchase great American newspapers. They were ready to assist the Kaiser in spreading his lying propaganda if in the same columns their own unholy cause might be pleaded. They stand discredited before the country, and that is the reason why they are not here protesting against this legislation. [Applause.]

Organized labor furnished nearly all the witnesses who urged the repeal of war-time prohibition. They also demanded that we make constitutional prohibition a farce by declaring 2¾ per cent beer nonintoxicating. Much of this testimony before the committee seemed manufactured for the purpose. Colorado, for instance, has had prohibition for over three years, yet its labor representatives appeared to tell us that they object to our taking away the booze that their own State deprived them of several years before. Indiana is dry, yet its labor leaders entered a similar protest. I am proud to say that no Michigan labor representative appeared to protest, and in view of Michigan's overwhelming vote in April, 1919, against even beer and wine, I assumed that no one would have the audacity to say that Michigan's workingmen are opposed to prohibition.

Now, Mr. Gompers has spoken. He filed with the Senate Judiciary Committee and published throughout the country a base and slanderous charge against the citizens of Michigan. Gompers states that while the reds made a desperate but unsuccessful effort to gain foothold in Detroit prior to May 1, 1918, when prohibition became effective, that now, because of prohibition, Detroit has become a hotbed of anarchy and Bolshevism. His ridiculous statement insults our intelligence. Reds and radicals stand for crime. Their favorite rendezvous is the saloon. On April 15, 1918, I took occasion to call to the attention of this House that reds and disloyalists were actively interfering with Detroit's great war industries. The saloons were then running full blast. The record of arrests at Detroit during this wet era compared with Detroit's record as the largest prohibition city in the world conclusively answers Mr. Gompers's statement. [Applause.]

Statistics indicate that arrests for crimes and misdemeanors for the dry year ending May 1, 1919, over the preceding wet year decreased as follows:

Murder, 71 per cent; felonious assault, 58 per cent; carrying concealed weapons, 66 per cent; robbery, 67 per cent; disturbing peace, 52 per cent; disorderly charges, 93 per cent; vagrancy, 86 per cent; begging, 92 per cent; and a total of 26,140 less misdemeanors.

[Applause.]

Mayor James Cousens, replying to Gompers's charges, telegraphed me:

No evidence on either May 1 or July 4 celebrations that Detroit is overrun with Bolshevists. We have had no disturbances and no evidence that what Mr. Gompers says is correct and can find no evidence of discontent as a result of prohibition.

[Applause.]

When I hear these wet leaders tell how labor is opposed to prohibition, I often wonder why they refer to labor in such a restricted sense. Why do they exclude millions of laborers who refrain from joining the union because they fear some walking boss or labor agitator may force them into a sympathetic strike and idleness, even though their employer and employment be satisfactory in every way? Why do they ignore thousands of patriotic, intelligent union men who vigorously oppose liquor traffic? Why do they exclude the farmer in the fields, who works from early morn until late each day? He works longer hours and toils more than any other people. Upon his efforts we depend for the food necessary to life itself. To his credit and everlasting glory it can truthfully be said that the farmer stands for highest ideals and has made possible the success of the prohibition cause.

I am unwilling to believe that Mr. Gompers and the witnesses before our committee expressed labor's views upon prohibition. Nor was the wet parade, staged upon the Capitol steps to frighten and intimidate Congress, typical of American workingmen. The foreign element who have not yet assimilated American habits were much in evidence. [Applause.] The labor leaders told us that these people coming here from eastern Europe considered that we were taking away their rights and that prohibition would cause great unrest. Some hinted that it might drive certain elements of labor to the Bolshevists. Will prohibition cause unrest and violence among otherwise law-abiding people? The contention is absurd. When we have labor unrest and violent strikes, we close the saloons. We took liquor away from the Indians because of their natural unrest and the tendency of liquor to incite irrational and violent conduct. If these alarmists could scare and stampede Congress into meeting their demands now, what would they do next January when the Constitution of their country forbids the traffic in intoxicating liquors? Will it cause any less unrest in January than it causes in July? Congress must decide now whether its policy shall be to heed those who threaten, or shall it write upon the statute books in clear and certain language that no interference with the Constitution of the United States and the manifested will of its people is going to be tolerated? [Applause.]

The Committee on the Judiciary concluded after much deliberation that the enforcement code for war-time prohibition should be placed under a different title, and thereby separated from the code for constitutional prohibition. Many believed that the constitutional amendment would permit of more drastic provisions for its enforcement than would the language used in the war-time prohibition act. Congress has no inherent power to legislate upon the subject of liquor traffic. Its action must be predicated either upon the Constitution or its war powers. The eighteenth amendment does not prohibit until January, 1920. War-time prohibition enacted under the war powers of Congress prohibits the manufacture and sale of intoxicating liquors, but expressly provides for their exportation. The Constitution prohibits the manufacture, sale, transportation, importation, and exportation of intoxicating liquors.

The submission and ratification of constitutional prohibition in the United States represents the culmination of the greatest moral movement recorded in centuries. How we can best enforce this amendment is worthy of our highest consideration and our best effort. The committee submits title 2 of the present bill for that purpose.

Certain legal propositions are naturally, if not necessarily, encountered. Section 2 of the eighteenth amendment provides that "Congress and the several States shall have concurrent power to enforce this article by appropriate legislation." What is meant by concurrent power? Must the legislatures of the States and the Congress of the United States act in conjunction and only to an equal extent? Or does the word "concurrent" as it appears in this section denote coextensive and equal power? The distinguished gentleman from Pennsylvania [Mr. STEELE], who has just preceded me, insists that the legislatures of the States and the Congress of the United States must act together in enacting enforcement legislation, but I submit that the words "concurrent power" require nothing of the kind. One of the primary rules for the construction of statutes and constitutional amendments is that the court shall give to them the most reasonable construction. No one will contend that it would be reasonable to expect that the States and the Federal Government would or could act in conjunction and to an equal degree. To place such a construction upon this section would be to absolutely defeat its purpose. However, to construe the grant of concurrent power as conferring equal right and jurisdiction upon the State and Federal Governments to enforce by appropriate legislation the eighteenth amendment is not only reasonable and just but practicable in application. Notwithstanding the views expressed in the minority report—and I have the very highest regard for the gentlemen who have signed that report, for I know them well, and they are men of great capability—I have not the slightest doubt as to the opinion of the Supreme Court when this question has been presented.

Referring to the grant of "concurrent power," the gentlemen joining in the minority report inquire, "What was intended by the Congress and the people who ratified the amendment in using the qualifying phrase mentioned?" They would have us believe that neither the legislatures of the States nor the Congress of the United States can act by itself in the enactment of enforcement legislation. They tell us that State and Nation must act in conjunction, and the gentleman from Pennsylvania [Mr. STEELE] has just told us that even an act of Congress will not be effective in any State until the legislature of that State has consented thereto. They inquire as to what was intended by Congress and the people who ratified the amendment by using the words "concurrent power." I will tell these perplexed and distinguished gentlemen just what Congress meant and what the people had a right to understand it as meaning. Every gentleman who signed that minority report was in this very House on December 17, 1917, when this identical resolution was passed. They heard the gentleman from North Carolina [Mr. WEBB], then chairman of the Judiciary Committee, tell Congress and the country why this section 2 had been added. At page 423, volume 56, part 1, CONGRESSIONAL RECORD, Mr. WEBB said:

> The first amendment adopted in the Judiciary Committee was the new section 2. As it passed the Senate it provided that "Congress" should have the power to enforce this article by appropriate legislation. Most of the members, including myself, of the Judiciary Committee, both wet and dry, felt that there ought to be a reservation to the State also of power to enforce their prohibition laws. And therefore we amended the resolution by providing that the Congress "and the several States" shall have "concurrent" power to enforce this article by appropriate legislation. So the amendment reads:
>
> "The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation."
>
> I believe, regardless of our division on the dry and wet question, every Member will agree with us that this is a wise and proper amendment. Nobody desires that the Federal Congress shall take away from the various States the right to enforce the prohibition laws of those States.

The Chairman of the Judiciary Committee thus plainly stated that the purpose of this amendment was to reserve to the States the power and privilege of prohibiting within their boundaries the traffic in intoxicating liquors. Did any gentleman who today questions this construction arise in his place and suggest that this amendment would not bear the construction given it by the gentleman from North Carolina? No; they wait until it has become the fundamental law of the land and then ingeniously argue that Congress and the people must have had in mind some strange notions that were probably not even conceived by those who now suggest them until within the past few days.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. CURRIE of Michigan. I wish the gentleman would refrain until I have concluded my statement.

Mr. GARD. Mr. Chairman, would the gentleman permit me to interrupt to ask him a question?

Mr. CURRIE of Michigan. I hope the gentleman will not interrupt me until I have finished my statement. If I am given time, I shall be glad to answer the gentleman from Ohio and the gentleman from Illinois, for I think I can.

Can it be conceived that over 30 prohibition States have enthusiastically joined in a movement to divest themselves of the right to prohibit liquor traffic within their own borders and have willingly substituted a farcical proposition requiring the consent of Congress before they can enact any prohibitory law? That is just what these gentlemen would have you believe, for they say in their report:

> Just as in the tenth section of article 1 the States are prohibited from legislating without the consent of Congress, so here joint or concurrent legislation is necessary for the enactment of proper enforcement legislation.

It is the identical argument of the gentleman who has preceded me. And what about the enforcement of prohibition in the wet State? If their construction is sound, Congress will have no right to make its enactment operative until the legislature of that wet State concurs in the action of Congress.

But we are confronted with a further query as to the effect of this reservation to the States of concurrent power to enforce the eighteenth amendment. If Congress adopts the definition of intoxicating liquors as provided in this measure and prohibits intoxicants containing one-half of 1 per cent or more of alcohol by volume, and New York, for instance, in legislating upon this same subject should define intoxicating liquors as those containing more than 2¾ per cent of alcohol by volume, which law will govern? Will the ordinary rule that the Federal Constitution and laws take precedence over State enactments control in this case or is this rule defeated by the very terms of section 2, which reserves to the State equal and concurrent power with that to be exercised by the Congress? It will be ably contended here that, notwithstanding the concurrent power reserved by the States, an act of Congress will take precedence and supersede any State law which may be in conflict therewith. This contention is based upon subdivision 2, article 6, of the Constitution of the United States, which reads:

> This Constitution and laws of the United States * * * shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CURRIE of Michigan. Mr. Chairman, I desire to ask the chairman if he can yield me 15 additional minutes?

Mr. VOLSTEAD. I yield the gentleman 10 minutes.

Mr. GARD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GARD. How much time was the gentleman recognized for in the first instance?

The CHAIRMAN. The gentleman from Michigan was recognized for 30 minutes and is now recognized for 10 additional minutes.

Mr. CURRIE of Michigan. In my judgment it is unnecessary for us to decide this question for the reason that no conflict can arise between the Federal and State acts. This constitutional amendment is the fundamental law of the land. Congress and the State legislatures have full power to enforce its provisions. Either body may exercise that authority to its full limit or fall short thereof to any degree that its legislative wisdom directs.

Mr. LONGWORTH. Will the gentleman yield at that point?

Mr. CURRIE of Michigan. I should prefer if the gentleman will just permit me to finish this——

Mr. LONGWORTH. But it is connected with that point. I merely wanted the gentleman's judgment as to whether the power of Congress is supreme to define what is and what is not intoxicating.

Mr. CURRIE of Michigan. I will answer the gentleman later.

It is preposterous to assert that the States have divested themselves of their inherent police power over the subject of liquor traffic. Even the minority dare not assert this proposition. In order to warrant their conclusion that Congress can not broaden the construction of the eighteenth amendment, they find it necessary to claim that the Federal Government has been granted no general police power. They admit then that general police power was retained by the State. It is not necessary, therefore, that a State, legislating to suppress the traffic in intoxicating liquors, predicate its action upon this constitutional amendment. It need not say that it has legislated to enforce the eighteenth amendment. Its general police power gives it plenary authority to deal with this subject.

Congress in 1884 prohibited the transportation between States of live stock which had or might have infectious or contagious diseases.

Reid *v.* Colorado (189 U. S., 137) sustains the constitutionality of this act of Congress and also the constitutionality of a Colorado statute supplementing the Federal act and providing far more stringent provisions. In this particular case the shipper had complied with provisions of the Federal act. Justice Harlan said:

> Now it is said that defendant has a right under the Constitution of the United States to ship live stock from one State into another. This will be conceded on all hands, but the defendant is not given by that instrument the right to introduce into a State, against its will, live stock affected by a contagious, infectious, or communicable disease, and whose presence in the State will or may be injurious to its domestic animals.

Congress had acted upon this subject matter by virtue of its power to regulate commerce. Colorado likewise had legislated upon this subject matter under its police powers; yet notwithstanding the more stringent provisions of the State law the constitutionality of both acts was sustained. They were not in conflict even though one legislative body had gone much further than had the other.

Mr. SEIGEL. Will the gentleman yield?

Mr. CURRIE of Michigan. I have not the time; I am very sorry.

Assuming that a legislative body has the right to define intoxicating liquors as those containing in excess of one-half of 1 per cent of alcohol, then Congress may exercise its power and so define "intoxicating liquors." New York may not choose to exercise its full authority and be content to prohibit only those liquors which contain in excess of 2¾ per cent of alcohol. These statutes are not necessarily in conflict. One who traffics in liquor in New York may not violate his State law, yet he may violate the Federal law. He may violate both laws by the same act.

> Every citizen of the United States is also a citizen of some other State or Territory, and he may be liable to punishment for infraction of the laws of either. The same act may be an offense or transgression of the laws of both; that either or both may, if they see fit, punish such offender can not be doubted. Yet it can not be truly averred that the offender has been twice punished for the same offense. (14 How., 13; see also 100 U. S. Rep., 371.)

In McKinley *v.* Loudon (209 Fed., 307) the court said:

> It is no defense to a prosecution for a violation of the antitrust laws of a State that the accused by the same general course of conduct has also violated the similar laws of the United States or, indeed, has been punished therefor.

Now I come to the proposition propounded by the gentleman from Ohio [Mr. LONGWORTH]. The gentleman asks whether or not Congress has any right, under that constitutional provision, to define the meaning of the words "intoxicating liquors."

Mr. LONGWORTH. If the gentleman will pardon me, I did not say "any right"; I said "complete power."

Mr. CURRIE of Michigan. Congress has the right just as fully as the State, and I would say it has complete power.

Mr. LONGWORTH. Does the gentleman contend that the court would not have the right to determine the question of fact?

Mr. CURRIE of Michigan. I contend, and I will try to convince the gentleman as I proceed with my argument, that Congress has complete power to define the meaning of the words "intoxicating liquors," and when Congress exercises that power of definition it is no longer a question of fact for the courts.

It is contended by the minority report that Congress has no authority to define intoxicating liquors; that in the enforcement code our power is limited to a repetition of the language used in the Constitution. If Congress has not the power to define "intoxicating liquors," then it must be left as a question of fact for every court and jury in the land. There can be no uniformity nor certainty. The temptation to traffic in liquors on the border line of doubt would be tantamount to an invitation. That the uncertainty as to what is intoxicating will be used by the liquor interests as an excuse for lawlessness requires no argument since July 1. There can be no proper enforcement of prohibition unless Congress defines the term "intoxicating liquors." The necessity of definition brings the act of defining clearly within the meaning of "appropriate legislation."

The right to define the power conferred upon it by the Constitution has been exercised by Congress time after time, and its exercise sustained by the Supreme Court. The courts will recognize that Congress is legislating with reference to the most lawless and scheming traffic with which the Government deals.

In the Legal Tender cases (110 U. S., 241) the Supreme Court said that the Constitution was "intended to endure for ages, and to be adapted to the various crises of human affairs, and not to be interpreted with the strictness of a private contract."

Chief Justice White, in rendering the opinion sustaining the Webb-Kenyon law, said (242 U. S., 332):

> The fact that regulations of liquor have been upheld in numberless instances which would have been repugnant to the great guaranties of the Constitution but for the enlarged right possessed by Government to regulate liquor has never, that we are aware of, been taken as affording the basis for the thought that Government might exert an enlarged power as to the subjects to which, under the constitutional guaranties, such enlarged power could not be applied. In other words, the exceptional nature of the subject here regulated is the basis upon which the exceptional power exerted must rest, and affords no ground for any fear that such power may be constitutionally extended to things which it may not, consistently with the guaranties of the Constitution, embrace.

Justice McReynolds, in rendering the opinion in Crane against Campbell (245 U. S., 304), said:

> And considering the notorious difficulties always attendant upon efforts to suppress traffic in liquors, we are unable to say that the challenged inhibition of their possession was arbitrary and unreasonable or without proper relation to the legitimate legislative purpose.

These opinions from the Supreme Court of the United States are submitted to answer the argument of the minority that Congress must confine itself to the exact language of the Constitution, and that its authority to legislate can not be broadened by any implied power.

I now call upon my distinguished friend from Pennsylvania [Mr. STEELE], for whose ability I have the greatest respect, to bear witness to the correctness of my views upon this proposition. On this very floor, December 17, 1917, the gentleman from Pennsylvania ably contended for this doctrine.

At page 445, volume 56, part 1, CONGRESSIONAL RECORD, Mr. STEELE said:

> The Constitution used general terms, and whatever is prudent and proper and necessary to carry out those general and expressed powers are within the powers of Congress. The general power that has been conferred includes in it all that is necessary or proper to make it effective. Here is what Justice Story says upon this subject:
>
> "The Constitution unavoidably deals in general language. It did not suit the purposes of the people in framing this great charter of our liberties to provide for minute specifications of its powers or to declare the means by which those powers should be carried into execution. It was foreseen that it would be a perilous and difficult if not an impracticable task. The instrument was not intended to provide merely for the exigencies of a few years, but was to endure for a long lapse of ages, the events of which were locked up in the inscrutable purposes of Providence. It could not be foreseen what new changes and modifications of power might be indispensable to effectuate the general objects of the charter, and restrictions and specification which at the present might seem salutary might in the end prove the overthrow of the system itself. Hence its powers are expressed in general terms, leaving the legislature from time to time to adopt its own means to effectuate legitimate objects and to mold and model the exercise of its powers as its own wisdom and the public interests should require."

Now, says Mr. STEELE:

> When the Constitution further declared that Congress should have the power to pass all necessary and proper legislation for carrying into execution this power, of course it conferred upon Congress the discretion in the first instance of deciding what was necessary and proper. Hence this term "necessary and proper," as conferred in this general power, has been repeatedly passed upon by the Supreme Court, and I will only refer to what is regarded as the classic definition of this

power as used by Chief Justice Marshall in McCullough against Maryland, where he said: "The determination of what are appropriate means"—

He declared—

"belongs to the government which is to employ them. The Government, which has a right to do an act and has imposed on it the duty of performing that act, must, according to the dictates of reason, be allowed to select the means."

Aside from this proposition, it has been urged that Congress has no right in any event to define intoxicating liquors to include beverages that may not, in fact, be intoxicating. This measure asserts the authority of Congress to define intoxicating liquors. It asserts the authority of Congress to prohibit the traffic in liquors that may, in fact, be nonintoxicating to the average person. Both propositions are based upon sound reason and sustained in theory by decisions of the Supreme Court of the United States.

It has been urged that the Federal Government has no police powers under which its jurisdiction over the subject matter may be broadened. This proposition is based upon the earlier decisions, and even these admitted of some exceptions. For instance, in Reeves *v.* Corning (U. S., 51 Fed., 774) the court said:

The police power originally and inherently belongs to the States, and it will remain with them unless impliedly taken away by a fair construction of the Constitution and the laws enacted in pursuance thereof.

Police power belongs to the several States and not to the Federal Government, save in exceptional cases. (State *v.* Schlenker, 84 N. W., 598; 51 L. R. A., 347.)

What is meant by "police power" is quite generally understood, but with difficulty defined. Justice Greer in the License cases (46 U. S., 504) said:

Without attempting to define what are the peculiar subjects or limits of this power it may safely be affirmed that every law for the restriction or punishment of crime for the preservation of the public peace, health, and morals must come within this category.

The court in State *v.* Fitzpatrick (11 Atl., 757) said:

The police power is exercised in legislation designed to protect public health and morals, to punish and prevent crime, to alleviate and prevent pauperism and especially to diminish and prevent the demoralization and impoverishment and the number of vices and miseries which are usually concomitant of a free traffic in intoxicating liquors.

While the courts have been reluctant to expressly say that the Federal Government has police powers, the tendency of the courts has been to concede to the Federal Government the exercise of police power with relation to those subject matters over which the Federal Government has the power to legislate. Congress has time and again asserted its right to exercise police powers. Its enactment of legislation upon the white-slave traffic, food regulations, quarantine and immigration restrictions, the Webb-Kenyon Act, and various other measures have all asserted the right of Congress to exercise police power. These acts have been sustained by the Supreme Court of the United States, not upon the express ground that the Federal Government possesses any police power, but because the eighth section, Article I, of the Constitution provides that the powers granted may be enforced by any legislation "necessary and proper," and because Congress has implied authority to enact any legislation having a reasonable relation to the object sought. This contention was sustained in the case of the United States *v.* Hoke (227 U. S., 309), and the court used these words:

Congress may adopt not only the necessary but the convenient means necessary to exercise its power over a subject completely within its power, and such means may have the quality of police regulations.

In the Rahrer case (140 U. S., 345) it was said in sustaining the Wilson Act that the act was—

Enacted in the exercise of its police powers and is constitutional and valid.

In a very recent case, United States *v.* Doremus, decided on March 3, 1919, the Supreme Court sustained an act of Congress, which was in effect a police regulation relative to the sale of certain drugs. Its validity was sustained because Congress had the power to enact any legislation having a reasonable relation to the object authorized under express powers delegated to the Federal Government.

The State of Mississippi, in its effort to suppress traffic in intoxicating liquors, made it unlawful to manufacture "poinsetta," which contained no alcohol whatsoever. It was contended that the legislature was not within the exercise of its police power in enacting this law. The Supreme Court of the United States, in the case of Purity Extract Co. *v.* Lynch (226 U. S., 192), sustained the constitutionality of that statute not because it came within the police power of the State, but because the legislature deemed that law necessary to make effective its own lawful act—prohibition of the traffic in intoxicating liquors. The court said:

When a State exercising its recognized authority undertakes to suppress what it is free to regard as a public evil it may adopt such measures having reasonable relation to that end as it may deem necessary in order to make its action effective. It does not follow that because a transaction separately considered is innocuous it may not be included in a prohibition, the scope of which is regarded as essential in the legislative judgment to accomplish a purpose within the admitted power of the Government.

It is reasonable to suppose, in view of these adjudications, that Congress has the power in prohibiting the liquor traffic to go beyond the exact language of the Constitution and to do those things that have a reasonable relation to the legitimate object sought or, exactly what the Supreme Court upheld in United States against Hoke, supra, adopting means necessary or convenient having the quality of police regulations in order to accomplish a lawful result.

In United States *v.* 43 Gallons of Whisky (93 U. S., 188) the Supreme Court said:

Congress, under its constitutional power to regulate commerce with the Indian tribes, may not only prohibit the unlicensed introduction and sale of spirituous liquors in the "Indian country," but may extend such prohibition to territory in proximity to that occupied by the Indians.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CURRIE of Michigan. I ask for three minutes more.

Mr. VOLSTEAD. I yield three minutes more to the gentleman.

Mr. CURRIE of Michigan. I thank you.

Mr. VENABLE. Will the gentleman yield?

Mr. CURRIE of Michigan. I will not have the time. I trust the gentleman will pardon me.

It is comforting, in the consideration of this measure, for us to be able to remove this question beyond the possibility of a doubt. The Supreme Court has upon many occasions upheld the exercise of a similar power as inferred or implied from the express grant. In this case the express power is conferred upon Congress to enact appropriate legislation to enforce national prohibition. It is unnecessary for Congress to enter upon any field of doubt as to its implied authority. The States have delegated to Congress equal power and jurisdiction to deal with this subject matter. Congress has every right possessed by the States to enact appropriate legislation to make effective the eighteenth amendment to the Constitution. For its guidance it is proper and in the interest of public policy for Congress to observe the legislation that the several prohibition States have found necessary or convenient to curb the traffic in intoxicating liquors.

The statutes of over 30 States define intoxicating liquors in substantially the language used in this bill. The Supreme Court of the United States has sustained the States in defining intoxicating liquors to include even those that are nonintoxicating, not by reason of any police power exercised by the States, but because the Supreme Court has recognized that the nature of the business with which we are dealing makes it necessary sometimes to prohibit even innocent acts in order to make effective the legitimate object sought.

The Supreme Court (83 Ohio, 58), in deciding whether or not beer containing four-tenths of 1 per cent alcohol was intoxicating, said:

The legislature may have heard of Bishop's beer, Friedon beer, and later of near beer, and concluded that the enforcement of the will of the majority should not be defeated by subterfuge or the juggling in percentages of alcohol, and has said that for the purpose of carrying out the intention of the people to prohibit the sale of intoxicating liquors, certain beverages shall be legally considered intoxicating, although not so in fact; and malt liquor is one of those so designated. "Near beer" being a malt liquor the statute pronounces it an intoxicating liquor and made proof of its real intoxicating qualities unnecessary.

In Feibelman *v.* State (130 Ala., 112) the court, passing upon a statute prohibiting a nonintoxicating malt liquor called "hopjack," said in sustaining its constitutionality:

But if prohibition should go only to the sale of intoxicating malt liquors, there would be left open such opportunities for evasions and there would arise such difficulties of proof as the law could not be effectively executed.

As to the definition of "intoxicating liquors," it is proper to consider that the Federal Government has for years imposed a tax upon all alcoholic liquors containing one-half of 1 per cent or more of alcohol. The Federal Government has thus recognized this distinction between intoxicating and nonintoxicating liquors.

Subdivision B, section 14 of Treasury Decisions, 2788 (Commissioner of Internal Revenue), reads:

Within the intent of the act of November 21, 1918, a beverage containing one-half of 1 per cent or more of alcohol by volume will be regarded as intoxicating.

In conclusion, let me express the opinion that Congress has ample authority in every way to make effective national prohibition. There is not a single obstacle in our way. The Nation has outlawed the traffic in intoxicating liquors. The weak as well as the strong are entitled to the benefits of this constitutional guaranty. The responsibility now rests with Congress. I am confident that Congress will go forward with this task to

its full accomplishment. The lawless must not be permitted to nullify the Constitution because of any failure on our part to provide a suitable code for its enforcement. We must insist that the Constitution be sustained and the law enforced and, in the language of the immortal Lincoln—

> Let reverence for the laws be * * * proclaimed in legislative halls and enforced in courts of justice, and in short, let it become the political religion of the Nation.

[Applause.]

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. IGOE. Mr. Chairman, I yield 15 minutes to the gentleman from Missouri [Mr. NEWTON].

The CHAIRMAN. The gentleman from Missouri is recognized for 15 minutes.

Mr. NEWTON of Missouri. Mr. Chairman, I have never in my life attempted to discuss the question of prohibition, and being a new Member of this House, if I believed that the provisions of this law were calculated in good faith to carry out the provisions of the eighteenth amendment to our Constitution, I would not attempt to discuss it now. But the provisions of this bill extend far beyond the most drastic construction which can be given to that amendment.

The gentleman from Minnesota [Mr. VOLSTEAD], in his opening argument in support of this bill, declared that this Congress ought in good faith to carry out the provisions of the eighteenth amendment. The eighteenth amendment provides:

> The manufacture, sale, and transportation of intoxicating liquors for beverage purposes is hereby prohibited.

And I find that the distinguished gentlemen who are advocating this bill are devoting the great burden of their arguments to an effort to convince Congress that a beverage containing one-half of 1 per cent of alcohol was intended to be included in that language. If Congress intended to include the mild and nonintoxicating wines and beverages when it passed the resolution containing the eighteenth amendment, then why did it not say so? If it intended to prohibit nonintoxicating wines and beverages instead of "intoxicating liquors," then why did it write into the resolution the words, "The manufacture, sale, and transportation of 'intoxicating liquors' in the United States is hereby prohibited"?

If Congress intended to include mild wines and beers that are not intoxicating and intended to be fair with the great mass of the American people, then why did it not write into that constitutional amendment the provision, "All liquors, wines and beverages containing one-half of 1 per cent of alcohol or more are hereby prohibited," and give the American people the chance to know what Congress was about to do and what it intended to do?

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Missouri. Yes.

Mr. COOPER. Does the gentleman contend that 2¾ per cent of alcohol is not intoxicating?

Mr. NEWTON of Missouri. I contend that I am not prepared to tell, and you are not prepared to tell, and it is a matter which only the courts of this country are prepared to decide. [Applause.]

Mr. COOPER. Why is it, then, that the prohibition States do not permit it if it is not intoxicating?

Mr. NEWTON of Missouri. Are you afraid to trust the courts of this country on that question?

Mr. COOPER. It is a fact that prohibition States do not permit beer with 2¾ per cent alcohol.

Mr. NEWTON of Missouri. The gentleman from Ohio has not answered my question. He knows, and every man on this floor knows, that this Congress has no right to do anything except as it has authority from the Constitution of the United States. Its powers are limited to the provisions of that Constitution. If we want to deal fairly with the American people, why do we not follow the provisions of the eighteenth amendment and strike out the first section of this bill, which attempts to define as intoxicating liquor something which is not intoxicating, and let the courts of this country determine what is intoxicating liquor? They are equipped to do that.

We undertake to say in this bill that for the purposes of this law any beverage containing one-half of 1 per cent of alcohol is intoxicating. There is no evidence to show that such is a fact, and every reasonable man knows that is not the fact. If this Congress has the right to reach out beyond the provisions of the eighteenth amendment and take the mild wines and beverages which are not intoxicating away from the family in the home; if this Congress has the right to define for the courts the term "intoxicating liquors," then the next Congress has just as much right to pass a law saying that any beverage containing 50 per cent of alcohol or less is not intoxicating and thus throw down the bars in the face of the Constitution. It takes a law to enforce an amendment, and when there is no law to punish for selling a liquor containing 50 per cent of alcohol or less that portion of the amendment becomes ineffective.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Missouri. Yes.

Mr. BLANTON. Where a legislative body attempts to provide a punishment for a crime such as murder or burglary or arson, is it not proper that the legislative body should at the same time state what are the ingredients that constitute the offense?

Mr. NEWTON of Missouri. And we are providing the offense for the sale of "intoxicating liquor."

Mr. BLANTON. And you must tell what intoxicating liquor is.

Mr. NEWTON of Missouri. Do you undertake in the law to define all the varieties of evidence which may constitute burglary?

Mr. BLANTON. We insert the ingredients of the crime.

Mr. NEWTON of Missouri. But are you afraid of the courts? You know that one-half of 1 per cent alcohol is not intoxicating. Are you afraid to trust the courts to pass upon that question?

Mr. BLANTON. No; I am not afraid.

Mr. NEWTON of Missouri. If you are not afraid to trust the courts of this country, why do you attempt to dictate to them what their decision shall be?

Mr. BLANTON. Because otherwise you would have a court in New York holding one thing and another court in Illinois holding another thing, and another court in Florida holding a still different thing. Therefore it is necessary to give a proper guard to the court in order to produce uniformity.

Mr. NEWTON of Missouri. And the Supreme Court of the United States would then decide it for all the courts in the land.

The fallacy of this method of determining the question of what constitutes "intoxicating liquors" was demonstrated yesterday. The gentleman from Minnesota came in with a delightful story about a seance he had down here with a pharmacopœia in some drug store. He gave us the details of the beautiful theories which he worked out about how much alcohol he could find in 100 glasses of beer. I do not think that a prohibitionist like the distinguished gentleman from Minnesota knows anything about what is intoxicating. We ought to have a court or tribunal, qualified and equipped with the necessary machinery to investigate and determine questions of fact, and to decide what kind of liquor or beverage is in fact intoxicating. Our system of government never intended that the legislatures should go into and thrash out and decide such questions of fact.

I will tell you what you are doing by this bill: When you undertake by an act of Congress to define the term "intoxicating liquors" you make it a political question for all time to come. [Applause.]

I have heard it charged that the distinguished gentleman from Minnesota [Mr. VOLSTEAD] did not draw the bill; that it was drawn by the attorney for the Antisaloon League.

Mr. BLANTON. And it could not have been drawn by a better authority in the land. [Applause.]

Mr. NEWTON of Missouri. I agree with the gentleman from Texas to this extent, that he could never have made a better plan to make a perpetual job for himself as attorney for that league. The very minute you pass to the courts the question of determining what constitutes "intoxicating liquors" you end for all time the political side of this question. But when you leave with Congress the power to decide this question you make it a political question which will be an issue in every campaign, and the Antisaloon League and its attorneys will go on and flourish forever.

Mr. BLANTON. When we pass this bill the Antisaloon League will go out of business.

Mr. DYER. I make the point of order against the gentleman from Texas. He ought to know the rules of the House.

Mr. BLANTON. The gentleman who has the floor is not objecting. It is somebody else who is objecting.

Mr. DYER. The gentleman knows the proper procedure.

Mr. BLANTON. The gentleman who has the floor has not made any protest.

The CHAIRMAN (Mr. DENISON). The point of order is sustained. The gentleman must observe the rules of the House.

Mr. NEWTON of Missouri. There are those who attempt to argue that a beverage containing one-half of 1 per cent of alcohol

by volume is intoxicating, but it is not so, and the best authorities in the country say that it is not so, and it can not be made so even by an act of Congress. In this connection permit me to call your attention to the opinions of some of the ablest and most trustworthy medical men in the land.

Dr. John Marshall, of Pennsylvania, who for more than 20 years has been a professor of chemistry and toxicology in the Medical School of the University of Pennsylvania, who has studied in the greatest medical schools in this country and in Europe, while testifying upon this subject, declared that wine and beer containing two and three-quarters (2.75) per cent of alcohol by weight are not intoxicating. After detailing long and extensive experiments, which he had made for the purpose of determining the effect of alcohol upon the human body, he said:

In view of the foregoing I consider that beer with an alcoholic content of two and three-quarters (2.75) per cent of alcohol by weight, is not an intoxicating beverage.

Dr. William J. Geis, formerly an instructor in the scientific department of Yale University, and now a professor of biological chemistry in the School of Medicine of Columbia University, who for years has studied the effects of alcohol upon the human body, while testifying upon this subject and after detailing at great length the results of his experiments and study, said:

I am, therefore, of the opinion that beer of alcoholic content of two and three-quarters (2.75) per cent by weight, is not an intoxicating beverage.

Dr. Hobart A. Hare, a professor of therapeutics, materia medica, and diagnosis, of the Jefferson Medical College, in Philadelphia, and who for 28 years has been a visiting physician at the Jefferson Hospital and other hospitals in Pennsylvania, after more than 30 years of study and experiment with respect to the effect of alcohol upon the human body, while under oath stated:

From my personal experience and observation and consideration of the literature on the subject, I am of the opinion that beer containing not to exceed 2.75 per cent of alcohol by weight is not intoxicating.

Not only do the great scientists and students of medicine, instructors in the great universities in this country, tell us that a beverage containing 2.75 per cent of alcohol by weight is not intoxicating, but to the same effect we have the opinions of great practicing physicians, whose judgments are based upon wide experience.

Dr. Stephen P. Jewett, a graduate of Clark University, of Massachusetts, and of Buffalo University Medical School, who has served as an interne in the Metropolitan Hospital on Blackwells Island, who was assistant attending physician at the Buffalo Hospital, and attending physician at the Welcome Hall Hospital at Buffalo, who was resident physician at the River Crest Sanitarium at Astoria, Long Island, and who for the past three years has been the physician in charge of the alcoholic wards of Bellevue Hospital in New York City, and who is a noted writer upon alcoholism and drug addiction, while testifying under oath said:

During all my experience at the various institutions and hospitals with which I have been connected, both as interne and as physician, I have never known of any case of a person being admitted to such institutions suffering from alcoholism where such condition had been produced because of the drinking of beer. From my personal experience and from observations and researches made by me, I am of the opinion that beer or any beverage containing 2.75 per cent of alcohol by weight is not intoxicating.

Dr. Frank A. McGuire, who graduated from the medical department of New York University, who for eight years was assistant attending physician in the Demilt Dispensary in New York City and for five years was visiting physician in the Northeastern District Dispensary of New York City, who for five years was visiting physician in the workhouse and penitentiary on Blackwells Island, and who was attending physician at Harlem district prison and at the fourth district prison of New York and at the fifth district prison of New York, and who for the past 15 years has been visiting physician at the New York City prison, commonly called the Toombs, and who is evidently as well qualified by experience and observation to know the effect of alcohol upon the human system as any other man in this country, while testifying upon this subject said:

I have come in contact during my practice with over 25,000 cases in which the effect of alcohol was an element. In my opinion as a physician, which is based especially upon my long experience in dealing with cases of inebriation, I am of the opinion that the beer now made, and which contains not to exceed 2.75 per cent of alcohol by weight, is not intoxicating.

Dr. Moses Keschner, a practicing physician, residing in the Borough of Manhattan, a graduate of the College of Physicians and Surgeons of New York and an interne at the health department of New York City, who has been a visiting physician at the department of correction of New York City, who was a physician at the penitentiary in Kings County, N. Y., and Manhattan City Prison, and who has been and is now attending physician at the city prison in Brooklyn, and who has been an attending neurologist on Blackwells Island, and who has had extensive opportunity to study the effect of alcohol upon the human system, while testifying upon this subject said:

In the city prison of Brooklyn I see about 2,000 patients a year suffering from some phase of alcoholism. It has been a part of my duty to treat these cases, and as part of my diagnosis I have to ascertain what the patient has been drinking. Since the advent of beer, which is now made and which contains, as I am informed and verily believe, not to exceed 2¾ (2.75) per cent of alcohol by weight, I have not found a single case of intoxication from such beer. From my study, investigation, and personal experience I am of the opinion that such beer is not intoxicating.

Mr. CANNON. Will the gentleman yield?

Mr. NEWTON of Missouri. I yield to the gentleman from Illinois.

Mr. CANNON. Does the gentleman claim that Congress has not the power to say that one one-hundredth of 1 per cent of alcohol is intoxicating?

Mr. NEWTON of Missouri. If Congress can do what it is proposed to do here, it can abolish any per cent whatever, and if it has a right to do that then the next Congress can come along and permit the manufacture and sale of a liquor containing 50 per cent or more.

Mr. IGOE. Will the gentleman yield,

Mr. NEWTON of Missouri. I yield to my colleague from Missouri.

Mr. IGOE. In the first part of the definition they have specified certain things as intoxicating without any reference to whether they contain any alcohol or not.

Mr. NEWTON of Missouri. Yes; they have done that.

Not only do the great scientists and physicians, out of the abundance of their experience and vast knowledge, obtained by a close study of this question, tell us that a wine or beverage containing 2¾ (2.75) per cent of alcohol by weight is not intoxicating, but the Allied Medical Association of America, representing all the schools of medicine in the United States, in convention assembled on the 17th day of June, this year, passed a resolution declaring that beer and mild wines is absolutely essential in the treatment of certain medical cases, and they declared further that beer containing 2¾ (2.75) per cent of alcohol is not only beneficial to humanity at large, but that it is admirably adaptable as a substitute for strong and alcoholic drinks and many so-called soft drinks which the members of that association declared they could not recommend without reservation. The resolution above referred to reads, as follows:

The Allied Medical Association of America in convention assembled is convinced of the necessity of properly brewed beer in the treatment of certain patients to whom the mildly stimulating and nourishing properties of such beer are absolutely essential. Furthermore, the so-called war beers as brewed at present containing not to exceed 2¾ per cent of alcohol are not only beneficial to humanity at large but are also admirably adapted as a substitute for stronger alcoholic drinks and as a variant for the many kinds of so-called soft drinks on the market, all of which can not be recommended without reservations. This association also recommends and indorses grape products, light wines, if pure, as beneficial to our patients in many conditions as both a stimulant and medicine and as a measure to prevent the increased use of narcotics.

Thus we have the judgment of the medical profession of this country not only that mild wine and beer containing 2¾ per cent of alcohol is not intoxicating, but we have their advice that it is wholesome and healthful to humanity at large. Are we going to utterly ignore their advice? When pestilence or disease spreads over the land we look to them to save us, and when we are afflicted we call upon them and trust our lives in their hands. Shall we now totally disregard their judgment in a matter which they tell us means health and happiness to humanity?

Who will be benefited by prohibition of the manufacture and sale of nonintoxicating beverages? Nobody but the manufacturers of Coca-Cola, sarsaparilla, and root beer, and to them it means millions. The manufacturers of these concoctions are little concerned about the prohibition of liquors containing a high per cent of alcohol, but it is competition from wholesome and healthful beverages, such as mild wines and beer, which they fear, and they will be thrilled with delight if they can induce Congress to serve them by giving them a monopoly in the sale of their concoctions in the restaurants, cafés, and refreshment parlors of the country.

Furthermore, as shown by the resolution, it is the consensus of opinion of the Allied Medical Association of America that prohibition will increase the number of opium addicts in the United States and that mild wines and beer will minimize that danger. In this connection, permit me to call your attention to a report recently made by a committee of able and distinguished men appointed by the Secretary of the Treasury on March 25, 1918, to investigate the traffic in narcotic drugs in

the United States. The following-named persons comprised the membership of that committee:

Hon. Henry T. Rainey, Member of this House; Dr. Reid Hunt, professor of pharmacology of Harvard University; Mr. B. S. Keith, Deputy Commissioner of Internal Revenue of the United States; and Dr. A. G. Du Mez, of the United States Public Health Service.

A committee of more capable and impartial men could not have been found. And after a thorough and painstaking investigation lasting more than a year this committee made a report, which is now on file in the Treasury Department, in which they estimate that there are to-day in this country more than 1,000,000 opium addicts, and that these unfortunates are expending annually more than $61,000,000 for this drug. And they find that prohibition is one of the principal causes of opium addiction, and upon this subject the committee in its report said:

The consensus of opinion of those interested in the subject appears to be to the effect that the number of addicts will increase as soon as the prohibition laws are enforced. These opinions are based for the most part on the theory that drinkers will seek a substitute for alcohol, and that the opiates and cocaine will be found to be the most satisfactory for that purpose. This opinion apparently receives some support from investigations made in some of the Southern States where prohibition has been in effect for some years.

One of the most radical laws ever placed upon the statute books in this country was the Harrison Act, intended to prohibit the importation and illegitimate use of opium, and yet in spite of the stringent provisions made for its enforcement, and with the powerful machinery of this Government for investigation and prosecution in full swing, the use of opium and cocaine has steadily increased. As bearing upon this point, permit me to quote the following from the report of the narcotic committee:

From the data obtained the committee is convinced that there is a nation-wide use of narcotic drugs for other than legitimate medical needs, and that such use for the satisfaction of addiction has materially increased in certain sections of the country despite the vigorous efforts exerted in the past four years in the enforcement of the anti-narcotic law, and in the enforcement of laws of the States and municipalities which have enacted such laws for the control of habit-forming drugs.

Opium is not native to this country but has to be imported, and the greatest retarding force to the importation of opium has been the restriction of commerce due to the war, and yet in spite of the enforcement of the Harrison Act and the restraining force of the war the illegitimate consumption of opium in the United States has increased until to-day we are consuming more than 10 times as much opium as any other country in the world with the possible exception of China, and China is a sober country.

As bearing upon this point I shall again quote from the report of the narcotic committee:

A comparison of the per capita consumption of opium in this country with that of other countries indicates that this country consumes from 13 to 72 times as much opium per capita as is consumed by any other country.

With a condition like this staring us in the face what do you think will happen in this country if prohibition is put in force and trade with the Orient is opened up? I am told that the wardens of our penitentiaries are expecting that their prisons will be filled with dope fiends if prohibition becomes effective.

In the face of these conditions, when our scientists and physicians tell us that mild wines and beer are not only nonintoxicating, but that they are wholesome and healthful, and when they warn us that the prohibition of these mild drinks will increase the use of narcotic drugs, don't you think that we should hesitate before ignoring that warning?

The advocates of this bill tell us that alcohol in any quantity is injurious to the human body, and yet they permit its use in patent medicines and authorize physicians to prescribe whisky containing 90 per cent of alcohol for the sick, thereby recognizing its value as a medicine. If a liquor containing 90 per cent of alcohol is helpful to a human being whose vitality is low and whose constitution is weakened by affliction, then how can it be said that a wine or beverage containing not more than two and three-quarters (2.75) per cent of alcohol can be injurious to the strong and vigorous and the healthy?

If one would believe all that he hears while listening to the arguments of the champions of this bill, he would conclude that the greatest enemy known to the human race is alcohol, and yet we know that alcohol is ever present in the body of every healthy and normal man. Even the zealous champions of this bill carry it constantly in their systems. It is one of the results of the digestion and assimilation of food we eat. While testifying upon this subject Dr. Hobart Hare, professor in the Jefferson Medical College in Philadelphia, one of the most distinguished authorities on alcohol in the country, said:

There is produced in the human body every day certain quantities of alcohol, not infinitesimal, but in very definite amount, and for this reason alcohol can be considered as being at all times present in the human body. The alcohol is produced principally, if not entirely, by fermentation processes in the intestinal tube. It is absorbed and is contained in the fluids and tissues of the body in general. It appears therefore that the body is accustomed daily to the utilization or oxidation of a certain per cent of alcohol which is utilized or oxidized in exactly the same manner as alcohol produced outside of the body and then swallowed in ordinary quantities. For these reasons alcohol can not be considered as a foreign substance to which the tissues are entirely unaccustomed, and the effects which it produces are governed entirely by the quantity ingested and the ability of the body to deal with a substance with which it is qualified to deal.

Not only is alcohol native to the human body, it is native to this country; in fact, it is native to every country where man lives. It is created by nature's processes during the fermentation of almost every food of which we partake; and if this bill becomes a law every farmer who takes cider from his apples or juice from his grapes will have to be constantly upon his guard lest Mother Nature, while he is unaware, drags him into the toils of the law. And if Christ should come again and should conduct Himself as He did at the marriage feast in Cana of Galilee, the advocates of this bill would throw Him into jail.

Why go to extremes? We have grown to be the greatest Nation on earth with whisky and brandy and rum available to everyone, and now "with one fell swoop" we propose to abolish not only intoxicating liquors but to include therewith nonintoxicating wines and beverages. We propose to deprive the farmer of a profitable market for his barley and hops, to destroy vast vineyards, to throw thousands of men out of employment, to deprive the people of liberties which they have enjoyed through all ages, thereby creating widespread industrial unrest, with which this country will have to deal. And we accomplish nothing except to insure to the manufacturers of coca-cola, sarsaparilla, and root beer millions in profits by giving them a monopoly upon a market which they could not otherwise hope to control. Yes; we accomplish one thing more. We step out of the line of other great civilized nations and take our place alongside the "Terrible Turk," the only other prohibition nation on earth.

To the other nations of the world we boast of our strength of character and of our manhood, and yet by the provisions of this bill we confess to the whole world that our people are a lot of weaklings, with such appetites for overindulgence that they can not be trusted even to enjoy a drink which is not only nonintoxicating but which the best physicians in the land tell us is both wholesome and healthful.

I have been amazed at the extravagant claims made by the advocates of this bill as to the amount of sentiment supporting its radical provisions. As a matter of fact, the eighteenth amendment was adopted under the stress and excitement of war, at a time when a patriotic people were willing to conserve food and to make any sacrifice to help win the war, at a time when 4,000,000 of our boys were defending our flag in a battle for democracy, and at a time when they were engaged in military operations, where their voices could not be heard upon this question. And little did our people then know that while our breweries and distilleries were closed and while we were eating brown bread in limited quantities in order to conserve food for our Allies, the breweries and distilleries in Europe were running at full blast, consuming the food which we were conserving. And while the advocates of this bill, the self-appointed keepers of the health and morals of our soldiers, were taking advantage of the country's misfortune to press their favorite issue, our boys over in France, with brandy and cognac freely available to them, were fighting the Nation's battles and marching on to victory.

Do you think that the American soldier, who possessed sufficient character and self-control to grow up to a strong and powerful manhood with whisky and brandy and rum at all times available to him, who went to France and endured the hardships of war, ready, if need be, to sacrifice his life for democracy, who sprang from the trenches and went over the top amidst the thunder of cannon and the bursting of shells, who had cognac and other strong drinks within his reach every day he was in France, will regard it as a compliment to his record as a soldier or to his strength of character as a man if we tell him by an act of Congress that we fear that a wine or beverage containing one-half of 1 per cent of alcohol is dangerous to him, and that he now has not enough strength of character or manhood to endure such a temptation?

We have heard innumerable speeches upon this floor about the wonderful growth and development of this country and about the marvelous character and achievements of its people. We have heard of the courage and chivalry of our soldiers in France, and we have declared them the most fearless soldiers who entered the war. We have declared their alertness and physical fitness superior to all others, and yet all these things were accomplished while whisky and gin and rum containing a high per cent of alcohol were available to every inhabitant in

the land. Still we hear it proclaimed by the advocates of this bill that our civilization will be endangered and our development retarded if we indulge our people in the liberty of enjoying a wine or a beverage containing two and three-quarters per cent of alcohol.

Do you think that the 4,000,000 soldiers who rallied to our country's call in its hour of dire distress are entitled to be heard upon this question? I challenge you to leave it to them. I have talked with hundreds of boys returning from Europe and with many more from the camps in this country, and I find that the unanimous sentiment among them is against the prohibition of mild wines and beer. I have read letters from many soldiers still in France and in the army of occupation in Germany, and I have found therein a prevailing protest against the action of the advocates of prohibition taking advantage of their absence to force a change in our Constitution which alters so radically the habits of living among our people. I recall the expression of one soldier referring to this subject, which is fairly representative of that protest. He said:

> We left our homes and our loved ones and came across the seas and endured the dangers and hardships of war to fight for democracy in Europe, and while our backs were turned they took our liberty from us at home.

What patriotic American, conscious of the courage and chivalry of these brave boys, can turn deaf ears to such protests? What fair-minded man will refuse to hear them before the final decision is made?

The American Legion, comprised of soldiers who participated in the European war, representing every section of the Union, assembled not long ago, and while their convention was preliminary to a national organization, and while their call prohibited the adopting of resolutions or the taking of any official action until their organization should be perfected, yet resolutions were offered upon questions in which they felt a vital interest, and which were evidently intended to convey their views to the country. A resolution was offered upon this question, which reads as follows:

> Whereas while the country's sons were fighting for democracy abroad, advantage was taken of our absence by a certain doctrinaire element, who appear to be more interested in prohibition than in winning the war: Therefore, be it
>
> *Resolved*, That this proposed organization of veterans protest most emphatically against this legislation concerning which our wishes were not consulted and which is opposed in letter and spirit to our experience abroad; be it further
>
> *Resolved*, That we demand that all pending prohibitory legislation be set aside until a referendum of the people shall have been held, and that pending the determination of same, the manufacture and sale of beer and mild wines be continued, and that copies of this resolution be forwarded to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives.

And yet, the gentleman from Minnesota [Mr. VOLSTEAD] warned us yesterday to look out for the people, and said that the people were demanding this bill with all its drastic provisions. I say to you that I know as a matter of fact that the representatives of the prohibition organization in this country went to certain legislatures and to members of various legislatures, and when they were interrogated by the committee as to whether or not the eighteenth amendment would prevent the manufacture of cider and mild wines in the homes of this country they replied, "Of course it will not. Congress can not go any further than the Constitution permits, and the Constitution plainly says intoxicating liquors." But now that they have won the victory, gentlemen, they come here and try to fasten upon the people of this country something that they never anticipated, and something that they had a right not to expect.

The gentleman from Minnesota [Mr. VOLSTEAD] talks about the overwhelming sentiment, and I have heard gentlemen on the floor of this House hammer organized labor over the head. The other day I heard an attack made upon labor upon this floor because its representatives had the courage to come to the steps of this Capitol and protest against the passage of a law depriving the plain people of the liberty of enjoying nonintoxicating wines and beverages. Has the time come in this country when the plain people can not protest to the Congress of the United States against the enactment of laws interfering with something which they believe is right and just, and which, in their judgment, is a matter of personal liberty to them?

Then I have heard it said that the laboring men of this country are in favor of prohibiting the manufacture of mild wines and beer, and that in the face of the fact that the representatives of organized labor only two weeks ago assembled 30,500 strong, and 26,500 of that number went on record protesting against the prohibition of mild wines and beer. All we ask, all that organized labor asks, all that the plain people of this country ask, is that Congress carry out in good faith the provisions of the eighteenth amendment, no less and no more.

Mr. COOPER. Will the gentleman yield right there?

Mr. NEWTON of Missouri. Yes.

Mr. COOPER. Will the gentleman allow me to make a short statement?

Mr. NEWTON of Missouri. Yes; if it is not to be taken out of my time.

Mr. COOPER. Here is a short statement from Mr. Warren S. Stone, grand chief of the Brotherhood of Locomotive Engineers——

Mr. DYER. This is coming out of the time of the gentleman from Missouri.

Mr. NEWTON of Missouri. Then I can not yield for that. Now, take the question about the people being so strongly back of this bill. I will tell you. The American people have never had an opportunity to pass on the question of mild wines and beer. Gentlemen talk about the demands of the people as shown by the adoption of this constitutional amendment. The American people never ratified the amendment. The gentleman from Minnesota [Mr. VOLSTEAD] says that the fact that it was so overwhelmingly adopted justifies us in going to any length. I will give you an illustration: On the 5th of last November the people of Missouri voted on the question of constitutional prohibition. They voted against its adoption by 75,000 majority. And yet the legislature, elected by the same people on that same day, assembled a few days later and, under the whip of the Anti-Saloon League, ratified this amendment, and I am told that California had a similar experience. If that is democracy, the people of this country do not know what the term means.

I have heard it charged by some who favor prohibition that there are those who will defy the eighteenth amendment, and the advocates of this bill, by the drastic provisions which they have inserted for its enforcement and the unlimited authority which they have given to the Commissioner of Internal Revenue for the employment of assistants, special agents, and inspectors, and the unlimited millions which they have authorized him to expend, show clearly that they expect the people of this country to violate the provisions of this bill if it is enacted into law. If you want the people to respect the eighteenth amendment, then let Congress, by its legislation, carry out in good faith the provisions of that amendment. Let us pass laws prohibiting the use of intoxicating liquors without interfering with the liberty of the people in enjoying nonintoxicating wines and beverages.

While a great mass of the American people do not believe in prohibition, yet if they are permitted to use a mild wine or a beverage they will adjust themselves to the new condition of things, and they will obey the law. But the American people believe in liberty and cherish freedom, and when Congress enacts laws which so seriously interfere with their conception of liberty they are tempted to disregard such laws, and when you tempt people to disregard one law you weaken their respect for all laws.

We who oppose the drastic provisions of this bill respect the law, and we want to see all laws respected and enforced. We deplore "blue laws" upon our statute books. And when we read testimonials from officials in Kansas, Oklahoma, and Colorado as to the blessings of prohibition we are distressed to find from the records of the United States internal-revenue collector that during the past 10 years of prohibition in Kansas $210,590 have been collected for liquor dealers' licenses issued in that State, and every dollar which went into a license probably represents the sale of twenty times that amount in strong drink, not including the "bootlegging," which persistent rumor convinces one has prevailed there. And the records of the United States revenue collector show that 8,781 liquor dealers' licenses have been issued in Oklahoma during the past 10 years of prohibition, while the records of the same office show that the inhabitants of Colorado have paid $12,700 for liquor dealers' licenses during the past two years of prohibition. It may be argued that such licenses were procured in order to dispense whisky for medicinal purposes; but if so, then the people of these States must regard whisky as a marvelous medicine. If the people of this country are permitted to use a wholesome and healthful mild wine or beverage, they will not disobey the law to procure intoxicating liquors. But mild wines and beverages are not manufactured in violation of law, and the test of prohibition in this country shows that it is strong and inferior liquors in which "bootleggers" deal.

Local self-government has been a cardinal principle in this country since the days of the Revolution, and every State in this Union was admitted with a guaranty of that right. There is no excuse for the existence of separate States unless the right of self-government is conferred upon them, and yet the provisions of this bill are intended to deprive every local community in the land of its right of self-government in deciding for itself

what kind of a nonintoxicating drink its people may enjoy. If the people of Oklahoma or Colorado or Kansas want to deprive themselves of the enjoyment of a harmless and nonintoxicating beverage, that is their privilege, but I protest against the right of the people of those States to say to the people of the State in which I live that we shall not be given liberty of enjoying that privilege if we so decide.

When in the legislative history of this country has a law ever been proposed with provisions so severe or terms so drastic as the one now under consideration? It jeopardizes the property of every landlord to confiscation, if his tenants manufacture thereon a beverage containing one-half of 1 per cent of alcohol. It violates that sacred rule of the presumption of innocence which has always surrounded American citizens when accused of crime, and shifts the burden of proof from the accuser to the accused. It compels American citizens to give testimony incriminating themselves. It gives special powers to revenue agents and inspectors and clothes them with authority to institute and conduct prosecutions. It makes no provision for a change of venue from a biased and prejudiced commissioner and gives no assurance of a jury trial. And, worst of all, it provides for a special form of indictment, which does not sufficiently inform the accused of the charges made against him to enable him to make an intelligent defense. Yes; and more, it authorizes a court to compel a citizen to give bond in the sum of $5,000 as a guaranty that he will not commit crime and empowers the court to commit him to jail if he is unable to give such bond. What legislator who does not believe that the measure which he proposes runs counter to the will of the people would propose such provisions and penalties?

The framers of this bill have shown wonderful diligence in providing for bonds, and affidavits, and records, and special agents and inspectors, and unlimited funds for its enforcement. And they have thrown the most stringent regulations around physicians whom they have authorized to prescribe whisky, but they have made one dreadful oversight. They have failed to require the patient for whom whisky is prescribed to give bond to insure that he will take it according to directions. Of course, we would never be so unkind as to suspect that any of the advocates of this bill ever expect to be patients.

When one comprehends the revolutionary, drastic, and oppressive provisions of this bill, and the enormous sums of the people's money to be expended for its enforcement, he begins to wonder whether, in the light of the freedom for which this Government was founded, in the memory of the liberties which our people have enjoyed, in the name of democracy for which our soldiers fought, it can be possible that such intolerance is about to be written into the laws of our land.

Mr. VOLSTEAD. Mr. Chairman, I yield five minutes to the gentleman from Kansas [Mr. TINCHER].

Mr. TINCHER. Mr. Chairman, I am just a little bit surprised that any Congressman should take the position that this body has no authority to define a crime in undertaking to enforce a constitutional provision. I do not think there is any question in the world but that it is entirely proper that this body should define a crime. I am not in a position to argue with the gentleman from Missouri [Mr. NEWTON] that this body knows as much about what liquors are intoxicating as judges do, but I think this body's duty, even though they may be more or less ignorant on the subject of intoxicating liquors, is to define crime. [Laughter and applause.]

I have lived in a dry State for a good many years, and I have the distinction of coming from the original bone-dry State. These arguments are old to me. The proposition of whether we can enforce prohibition without the State legislature and the American Congress acting concurrently reminds me of the old days when the well-paid brewers' attorneys used to come out to Kansas and tell us how they loved the Constitution, and that for that reason we could not have prohibition. [Laughter and applause.] They were well paid, and they often succeeded. For many years they made us believe that in order to have prohibition we must have fair enforcement laws, reasonable enforcement laws. How familiar those terms are to the old Kansan!

What they meant by fair enforcement laws and reasonable enforcement laws were laws that they could evade and that we could not enforce. That was the condition in Kansas for many years. We had a governor named St. John, who decided that the saloon must go, but do not think that liquor went with the saloon. For many years it did not go and was sold all over Kansas. But there came a time when we adopted laws which we call real enforcement laws, something like the bill suggested by the chairman of this committee. They were pronounced unreasonable, and great advertisements were carried in the daily papers telling how unreasonable they were, but no man living in Kansas to-day is complaining of those laws that for more than five years have enabled us to enforce the liquor law. [Applause.] Still this bill is not half drastic enough. [Laughter.] Oh, I mean that, because as long as you permit a doctor to write a prescription permitting a man to buy liquor you will have men using liquor for beverage purposes. We cut that out, and no man is complaining of it in our State to-day. This bill is not half as drastic as the Kansas prohibitory liquor law, and I do not know but that we get along out there just about as well and are just about as healthy as most of you. I will tell you what we have done. We have got more empty poorhouses in Kansas than in any State in the Union. [Applause.] One hundred and five—and more than 90 per cent of them unoccupied to-day.

We have more laboring men who give their boys and girls a four years' course in the high schools, so far as percentage goes, than any State in the Union to-day, and we have more home owners in proportion to our population than there are in any State in the Union to-day. I heard a man from New York the other day, a Member of Congress, say that we fellows from out there ought not to be presumptuous and talk much; that one or more of the congressional districts of New York had less than 100,000 population; that we represented small districts. I got hold of the Congressional Directory to-day to look him up. He represents a part of a county in New York.

Mr. GOLDFOGLE. What district is that in New York in which there is less than 100,000? I come from New York.

Mr. TINCHER. It is less than one county, while I represent a district of 32 counties and have over 300,000 constituents, with over 90,000 voters, and that district has more home owners in it than any district in the State of New York. [Applause.]

I do not intend to deal in any glittering generalities, but wish to mention some cold facts.

Coming from Kansas, the original home of bone-dry prohibition, I am constrained to make a few peaceful remarks in favor of this legislation. I feel sure the bill is going to pass, but if I can allay the fears of a few Members on their version of the ultimate results, I shall be satisfied.

Once upon a time there was a governor of Kansas named St. John. He was determined that the saloon must go, and it went; then for years Kansas listened to the brewers' and distillers' propaganda that we must have reasonable enforcement laws. For years in Kansas the liquor question was a political one. The Democratic State platform always carried what was known as the "resubmission plank." I can well remember, when the tendency started to pass real instead of "reasonable" enforcement laws, how, when the liquor dealers and interests were driven out of the larger cities, those who had advocated reasonable enforcement laws said the cities would be ruined, the buildings would be vacant, and the city treasuries empty. What are the facts? Every city has gone right ahead, every building is filled, every man has work.

There are some changes. The laboring man uses his beer money to buy a home; he educates his children. The bank deposits of the laboring man has increased; his family spend their vacation with him, riding in his car, and, in short, they are enjoying the comforts procurable with the money that used to go to Anheuser-Busch, Pabst, Edelweiss, and other noted persons.

For several years now all parties in Kansas have been for prohibition, and the only rivalry is as to which party can pass the strongest law when in power.

Talk about the effect of liquor on crime, the gentleman from Massachusetts must have been joking; more than an average of one-half of the county jails of Kansas have been empty for five years, and when the State of Missouri goes dry three-fourths of the balance of them will be empty, as most of the occupants now are poor fellows from Massachusetts and New York and Missouri who have been caught trying to bring liquor into the State for sale. Talk about the effect of prohibition on crime, our population in Kansas has doubled in a generation, still our penitentiary has only one-half the occupants it had when we started to have real prohibition. Oh, yes; let me give you something more. Kansas, with 105 counties, with 105 county farms or poorhouses, how many of these do you suppose have occupants? I do not want to overstate this, so I will use round numbers. More than 90 per cent of the farms have not a single charge. Compare that with any saloon State. I will say this: If every county in any State in the Union had open saloons, there would not be an empty poorhouse in that State.

To the committee in charge of the bill I have only this to say: Your bill is not drastic enough, and, mark my words, every Congress will pass a little more drastic measure, and after this session those bills will be prepared by the enforcement officers, handed to the committee, and passed by acclamation.

The gentleman from Boston, I think, suggested that the campaigns for Congress would in the future be on whether you favored one-half of 1 per cent or a larger per cent. If that thing is ever mentioned after the people—the American people—try prohibition, after all the mothers get to voting, you mark my guess, there will be no one for increasing the per cent. Wait until the brewers and distillers of this generation are not assured of the workingman's nickels and dimes to create propaganda with and there will be no more parades. "No beer, no work," will be a thing of the past.

Mr. Chairman of the committee, do not let anyone weaken you on the extract proposition; there are ways to keep the extracts without the use of alcohol. Every Kansas grocer to-day sells all the extracts without alcohol.

Now, in regard to war-time prohibition, the President asked this Congress to repeal it in so far as it applied to beer and light wines. I am not sure that I know what he means by light wine, but I do know that our answer ought to be to pass a law to compel this prohibition until the general law takes effect. Some Kansas mothers have been accused of electing the President. Those same Kansas mothers have sons that went into the war "that we wasn't kept out of." Those boys, many of them, enlisted for the duration of the war; many of those boys are still being held, and their requests for discharge are being refused. Still some would say that the Army is sufficiently demobilized to take off the ban. I know how these mothers feel. Let us say to the liquor interests to-day this Nation is dry now and for all time to come.

I wish it were possible and proper for us to say to the world in this measure that no one shall ever have the right to use American boys to police foreign nations, and especially shall this be true so long as such foreign nations use intoxicating liquors instead of water. I wish this House had the power to say that if we are forced into some international agreement where your boy and my boy may some day be compelled to go to foreign countries to take part in their wars, that we could know that he would not be subjected to the temptation while there, especially a temptation that we by law in a few hours are going to remove for all time to come in this our own beloved Nation.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. IGOE. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. SIEGEL].

Mr. SIEGEL. Mr. Chairman, I am not going to enter into any discussion with my friend [Mr. TINCHER], who comes from the State where they always say, "What is the matter with Kansas," as to the number of good people residing in his congressional district, but I do not know of a single, solitary congressional district in the State of New York that has less than a population of 225,000 men, women, and children. I know whereof I speak, being proud to have been born and bred in dear old New York. After listening to the debate here Tuesday and to-day, I have been wondering whether my friends from the Southern States, particularly, have been realizing that the same language which is contained in the eighteenth amendment is not contained in the nineteenth amendment to the Constitution, better known as the suffrage amendment. When it is ratified—and it is going to be ratified inside of one year—those gentlemen who are arguing here to-day so strongly, and I might say effectively, because this measure is going to pass, on account of the excitement, turmoil, and confusion which has been created in the minds of many Members of Congress, will have to sit up and take notice. Its passage being accelerated by the gentleman from Georgia [Mr. UPSHAW], who does not happen to be here, but who announced that instead of being a servile follower he has become a leader, when that day comes, and it is coming very soon, the same construction you are pleading for here to-day will be placed by a Republican Congress, aye, by this Congress, on the nineteenth amendment. This Congress will go into your State and say to you who shall vote and under what conditions, and the same big, vast machine which is going to be created for enforcing the law will have its counterpart created again for the purpose of enforcing the woman-suffrage law in your own State, and I say——

Mr. HERSEY. Will the gentleman yield?

Mr. SIEGEL. I do.

Mr. HERSEY. Does the gentleman see any analogy between the constitutional-prohibition amendment and the woman-suffrage amendment?

Mr. SIEGEL. I do. There is this analogy in this one particular: Both amendments provide that it shall be enforced by concurrent power vested in the States and vested in the Government——

Mr. HERSEY. The woman-suffrage amendment takes effect without any supplementary law, does it not?

Mr. SIEGEL. No; it does not. The same language is contained in both providing for its enforcement. As a matter of fact, I believe the language was adopted from this prohibition amendment——

Mr. HERSEY. Will the gentleman yield further?

Mr. SIEGEL. I will.

Mr. HERSEY. What supplementary laws do you have to have to enforce the woman-suffrage amendment?

Mr. SIEGEL. As to the length of time in the county, the length of time in the State, and that citizens shall have the right to vote without regard to creed, color, race, or sex in those particular States where that privilege is now denied them.

Mr. VOLSTEAD. Will the gentleman yield to me?

Mr. SIEGEL. I do.

Mr. VOLSTEAD. Does not the woman-suffrage amendment simply say that there shall not be any discrimination as to sex?

Mr. SIEGEL. Oh, no; the suffrage amendment has the same language.

Mr. VOLSTEAD. If the gentleman will read it, I think he will find that is what it is.

Mr. SIEGEL. It gives the power of enforcement to the Government that is given under this provision in this bill.

Mr. VOLSTEAD. Read the amendment itself.

Mr. SIEGEL. The amendment itself. The amendment is as follows:

> The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

That same section is the amendment, which simply provides for the enforcement——

Mr. BLANTON. Will the gentleman yield?

Mr. SIEGEL. No.

Mr. BLANTON. Just for a question.

Mr. SIEGEL. The gentleman has asked more questions than any man in the House and has given less knowledge in return. [Laughter.]

Mr. BLANTON. The gentleman has spoken of the South. Will not the gentleman be fair enough to yield?

Mr. SIEGEL. Will the gentleman from Missouri extend my time?

Mr. IGOE. I have not the time.

Mr. SIEGEL. Then I had better confine myself to my own remarks.

Mr. BLANTON. Will the gentleman yield for one question?

Mr. SIEGEL. I will ask our friend over here, the gentleman from Minnesota, if he will extend my time for five minutes in order to answer the questions of the gentleman from Texas?

Mr. VOLSTEAD. I can not.

Mr. SIEGEL. I am very sorry, but I can not yield to the gentleman.

Now, gentlemen, it was all very well and easy for Members of the House to rise here and commence to discuss questions involving the exercise of concurrent power by Congress and the several States, without citing a single case to sustain their affirmative allegations. There was a case in Oregon of Ex parte Desjeiro, One hundred and fifty-second Federal, 1004 (1907), where the court says:

> Under their respective constitutions and the acts of Congress that admitted Oregon and Washington to the Union, they have "concurrent jurisdiction" over the Columbia River. Both States passed laws by which they regulated the taking of salmon in the river. One Desjeiro was convicted of violating a statute of Oregon, which differed in the regulations and in the punishment imposed for violation thereof from the statute of Washington. In discharging the prisoner, the court said: "It is the act of concurrence between the two States in the exercise of legislative authority that validates the act and gives it the force of law, and unless there is a concurrence or assent by both States to the enactment it can not have that force."

Let us see what the United States Supreme Court said away back in 1820. Justice Washington, in reading the opinion in behalf of the court in the case of Houston against Moore, pages 1 and 23 in Fifth Wheaton, said:

> That to subject citizens to the operation of two laws upon the same subject, dictated by distinct wills, particularly in a case inflicting pains and penalties, is, to my apprehension, something very much like oppression, if not worse. In short, I am altogether incapable of comprehending how two distinct wills can, at the same time, be exercised in relation to the same subject, to be effectual, and at the same time compatible with each other. If they correspond in every respect, then the latter is idle and inoperative; if they differ, they must, in the nature of things, oppose each other so far as they do differ. If the one imposes a certain punishment for a certain offense, the presumption is that this was deemed sufficient, and, under all the circumstances, the only proper one. If the other legislatures impose a different punishment, in kind or degree, I am at a loss to conceive how they can both exist harmoniously together.

The gentleman from Michigan [Mr. CURRIE] cited a number of authorities here, but each and every one of them was a question of interstate commerce or intrastate commerce. In other

words, those cases, where the United States Supreme Court sustained the prohibition statutes, such as the Webb-Kenyon Act, as to shipment of liquor from one State to another, do not determine this question. The Mississippi case is a question of what the State could do in its own jurisdiction. By this constitutional amendment you have tried to create a concurrent jurisdiction. For instance, if the State of New York was to pass certain legislation providing penalties, and Congress was to pass a law providing penalties—and this is the most drastic legislation that has ever been suggested in the history of Congress—which law is to be enforced in the State of New York? Gentlemen, you can never enforce a law unless public sentiment is behind it. It can not and never will be behind a law of this kind, which permits the Government of the United States to force you to state whether you have obtained liquor or wine or beer by due process of law. You cast the burden upon the defendant in the case under this act. And you go a step further and say it is all right for doctors to issue prescriptions. But if, perchance, you get sick while in an automobile or boat or some public conveyance, and you happen to use that wine or liquor, you are guilty under section 20 of an offense by which you can be shipped away to the penitentiary. It does not limit the number of prescriptions the various doctors can give you, nor is there any way for keeping tab on them. If a veterinary is called to treat an animal, and he requires any liquor for the animal, he has got to go to work and bring a doctor. You pretend—and I use the word advisedly—to permit the use of the wine for sacramental purposes, and yet you do not make any provision in this law for that purpose. The only provision you have made in regard to that is in section 3, where you use the language:

> Liquor for nonbeverage purposes and wine for sacramental purposes may be purchased, sold, transported, and used as herein provided.

But you do not make any provision anywhere else in the bill. At one place you say you give that right, and in the other place you simply have forgotten about it.

I could go on and point out to you the fact that the American people were fooled when this amendment went through. You went to work and did not use in this amendment the word "use," but you are now engaged in the effort to take away from our people the right to use light wines and light beers. And when the time comes, after Congress shall have passed this kind of legislation and the people of this country shall have realized what has been put over on them, they will turn to their Representatives here who have not listened to what their request was and demand an accounting. They will ask them to answer. They will ask them to explain how it is that for the first time in the history of the Republic Congress has attempted to take a question of fact which should be determined by jurors and make it a question of law to be determined by the courts. In other words, the majority of the Judiciary Committee seem to fear the American jury, seem to fear the jurors who appear in our United States courts, but seem to think that they can put it up to the courts to carry out the legal formula of what constitutes intoxication. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SIEGEL. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. VOLSTEAD. Mr. Chairman, I yield 10 minutes to the gentleman from Colorado [Mr. VAILE].

The CHAIRMAN. The gentleman from Colorado is recognized for 10 minutes.

Mr. VAILE. Mr. Chairman, we heard this afternoon what seemed to me to be a very remarkable confession. The distinguished gentleman from Pennsylvania [Mr. STEELE] got up here and told us that when he was on the Committee on the Judiciary they were very solicitous to insert this language, "The Congress and the several States shall have concurrent power to enforce this amendment by appropriate legislation," and then under the questioning of the gentleman from Virginia [Mr. SAUNDERS] he disclosed to you what in his opinion the effect of that language would be, namely, that the State legislature and Congress must both act or prohibition legislation will not be effective; that any State that failed to pass prohibition legislation will not be affected by the amendment to the Constitution.

It seems to me a remarkable, and I have no doubt inadvertent, confession for the gentleman to make here, to the effect that Congress and his committee perpetrated such a ghastly and hideous joke upon the American people. The people of the United States voted for this eighteenth amendment because they thought that it would prohibit the sale and manufacture of intoxicating liquor throughout the entire country. They did not believe that it would be necessary for the State government to act in conjunction with the Federal Government in order to prohibit it. If they had any such understanding, would they not have preferred to vote for some such language as this, "That the several States shall have the power to enforce national prohibition by legislation supplementary to acts of Congress"? There was not the slightest necessity for any such an amendment, and the people would never have voted for it. The States did not need any congressional legislation, and they did not need any constitutional amendment in order to vote themselves dry. What they did need, what they did demand, and what they thought they were voting for and getting was to prevent liquor from being sold across the line in another State. But if the amendment does mean what the gentleman now contends that it means, would it not have been the fair and reasonable and honorable course for the Committee on the Judiciary, which brought this amendment out, to have used some such language as that, instead of this language, which gave everybody in the country the idea that it did and would prohibit intoxicating liquor? Of course, the real answer is simply that nobody, in Congress or out of it, ever supposed that the language actually adopted would be capable of the construction which it is now attempted to put upon it.

But I am not going to discuss the effect of the word "concurrent" further, because I have something else to say in reply to another argument.

Mr. GOLDFOGLE. Mr. Chairman, will the gentleman yield for a question?

Mr. VAILE. I yield to the gentleman for a question.

Mr. GOLDFOGLE. Assuming that this Congress passes the bill which is now before us, and that one of the States passes a measure quite different with regard to the penalties, which statute would you enforce, assuming that there was a violation of the law?

Mr. VAILE. That question, I think, was fully discussed by the gentleman from Michigan [Mr. CURRIE] a few minutes ago, a majority of the authorities holding that the more severe penalty must be enforced.

Mr. GOLDFOGLE. Where do you find the authorities for that proposition?

Mr. VAILE. Some were cited by the gentleman from Michigan.

Mr. VENABLE. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Colorado yield to the gentleman from Mississippi?

Mr. VAILE. No; I regret I can not yield. I want to reply to another argument made by a Member from the gentleman's side of the case. We heard on Tuesday an interesting argument on the subject of the jurisdiction of Congress to pass such legislation, and the gentleman from North Carolina [Mr. SMALL] argued very ingeniously that Congress has not any right to pass such legislation as this, because the provision of the amendment forbidding the manufacture and sale of intoxicants does not come into effect until January 16, 1920.

Both the gentleman's distinguished ability and the predicament in which he finds himself remind us of the late Judge Cooley, for many years the presiding justice of the Supreme Court of Michigan, who finally retired from the bench and resumed the private practice of law. On the first several occasions of his appearance as an advocate in the court over which he had formerly presided, the decisions of that court were adverse to him, and he expressed his annoyance on one occasion to the then presiding chief justice, who remarked:

> Counsel must remember that his very eminence attracts desperate cases and desperate cases require desperate arguments.

Undoubtedly the forces opposed to the passage of this act have chosen their most able advocate to make the argument which was presented to us on Tuesday touching the constitutionality of the proposed legislation. But I for one can not sit still when the challenge is thrown out that no lawyer can assert that Congress has such jurisdiction.

It will be observed that this law relates to two separate subjects matter: First, regulations and definitions applicable to the war-time prohibition act and certain modifications and amendments of that act; second, enforcement of the eighteenth amendment to the Constitution of the United States. Now, the gentleman argued, in regard to the war-time prohibition act, that that act was passed as a war measure, that the emergency is over, and that the justification for the act has therefore ceased. I submit that if the argument is as technical as that, it must be sub-

jected to a technical test, the technical test being suggested by his very argument, namely, that the war, as a matter of technicality, is not yet over, and it will not be over until the Senate of the United States has ratified the treaty. It may or may not ratify the treaty in its present form, but in any event——

Mr. SIEGEL. Mr. Chairman, will the gentleman yield?

Mr. VAILE. I can not yield further. Congress in this part of the pending bill is only passing confirmatory legislation concerning a law which is now in effect, the constitutionality of which has not been questioned, and which must continue in effect for some months, that is, until peace has been declared and demobilization is completed.

Now, as to the other proposition, as to the power of Congress to legislate for the enforcement of the eighteenth amendment, which has been questioned because that amendment does not operate to prohibit the manufacture and sale of liquor until January 16, 1920.

Very early in the history of this country, less than a score of years after the adoption of the Federal Constitution, Congress passed legislation in anticipation of a constitutional amendment. The twelfth amendment to the Constitution was proposed in 1803. While it was pending, indeed before it was known that it would be ratified, which makes the case much less strong in principle, because we know that this amendment has been ratified and that it will be in effect, Congress passed legislation providing for the means of conducting elections of President and Vice President, that being the subject of the twelfth amendment. That legislation was enacted in 1804, before the amendment was ratified. Its constitutionality was never brought in question.

Our reports are full of cases where laws have been passed the effective date of which would necessarily depend upon a contingency. One such case, decided by the Supreme Court of the United States in 1813, when that court was presided over by Chief Justice Marshall, was the case of Cargo of Brig Aurora *v.* United States (7 Cranch, 382). In that case it appears that Congress on March 1, 1809, passed an embargo act against Great Britain and France, which act was by its terms to continue until the end of that session of Congress—May 1, 1810. Congress on the latter date passed a new embargo act providing that the former act should be revived on March 3, 1811, unless before that date Great Britain and France should revoke certain edicts, which revocations were to be announced by proclamation by the President of the United States. The question in this case was whether the embargo act was in force after the date fixed for its original termination, and the Supreme Court held that—

Congress may make the revival of an act depend upon a future event.

It is submitted that it is no more an assumption of power by Congress to enact a law than it is to revive an existing law, especially when the event which is to call it into operation is an event certain and not an event contingent. Indeed, I may pause to observe that the event is not only not contingent, it is not only an event certain, it as an event present, for the eighteenth amendment is in effect right now. The section forbidding the manufacture, sale, and transportation of intoxicants is not yet operative, but the rest of the amendment is, especially that part of it which imposes the overwhelming moral obligation upon Congress to provide for its enforcement by appropriate legislation. That is at this moment a part of the fundamental law of the land.

To quote another early case: The Supreme Court of Connecticut, in Pratt *v.* Allen (13 Conn., 119, p. 124), held:

The objection is that * * * as the act of May, 1838, was prior to the final adoption of the amendment by the people, it was prior to the existence of power in the assembly, and so the act was void; in other words, that the amendment was a grant of power to the legislature to legislate upon this subject, and that until the amendment received the consummating act, by vote of the people, no power was conferred upon the legislature. * * *

In other words, the question was exactly the same as it is here, with the difference, in favor of the legislation now pending before us, that in the Connecticut case it was not known that the amendment would be ratified at all, while here it is known that the amendment has been ratified and will make the sale of liquor unlawful on a certain definite date. The Connecticut court adds:

No duty could be more imperative for legislators, sworn to support the Constitution, than to make laws to carry that Constitution into effect; and as constitutional provisions are usually conversant only with general principles, it must be the duty of the legislature to see to the details necessary to carry into effect such provisions, and this whether the amendment adopted expressly enjoins it or not.

Again, the court says (p. 126):

The act is not intended to nor does it oppose any existing article in the Constitution, but it is intended to meet and accord with its proposed substitute. We can not doubt that it is constitutional unless, indeed, this amendment restrains the power otherwise existing in the legislature.

In Galveston, etc., Railway Co. *v.* Gross, Commissioner General Land Office (47 Tex., 428), the Texas Supreme Court says:

We know of no rule forbidding legislation looking to the contingency of a constitutional change.

Citing Bull *v.* Reed (13 Grattan, 78); State *v.* Parker (26 Vermont, 357); State *v.* Kirkley (29 Maryland, 85), how much less can there be a rule forbidding legislation looking to a certainty of a constitutional change—to a certainty already translated into fact?

In the Vermont case (State *v.* Parker, 1854) the facts were that the prohibition act provided that it should go into effect on the second Tuesday of March, 1853, with the proviso that it be submitted to the vote of the people, and that if the majority of the vote should be "no" then the act should not go into effect until December, 1853. The vote was "yes." In the opinion that distinguished jurist and legal writer, Chief Justice Redfield (p. 363), said:

It is admitted on all hands that the legislature may enact laws the operation of which shall be made to depend upon a contingency. This could not be questioned with any show of reason or sound logic. It has been practiced in all free States for hundreds of years, and no one has been lynx-eyed enough to discover—or certainly bold enough to declare—that such legislation was on that account void or irregular. And it is * * * a singular fact that this remarkable discovery should first be made in the free representative democracies of America. And in regard to taking the sense of these same people upon the expediency of legislation, where the legislators are confessedly the mere agents and instruments of the people to express their sovereign and superior will, to save necessity of assembling the people in mass, and when from the very nature of the case the representative is in honor and good faith bound to conform his action to the will and desire of his constituents, does anyone seriously doubt the perfect propriety of the legislature, upon questions of general policy affecting equally the whole State, acting upon the known will of the State, where that is known? * * *

The rule of law laid down in the British and American Cyclopedia of Law (8 Cyc., 770) is that—

statutes enacted in anticipation of the adoption of constitutional amendments prescribing the manner of giving effect to such amendments in accordance with directory provisions thereof * * * are valid, in the absence of constitutional provisions prohibiting such legislation.

Here, far from having constitutional provisions prohibiting such legislation, we have one in effect at this moment which imposes at least a moral obligation to enact it.

The supposed constitutional argument against this bill, in my judgment, is in substance and effect merely the expression of a hope to bring about the nullification of the Constitution by failure to enforce it. [Applause.]

Mr. VOLSTEAD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. DENISON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 6810 and had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. FESS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. CLARK of Missouri. On this bill?

Mr. FESS. No; but to print an address which I delivered on the United States as a world power.

The SPEAKER. Is there objection?

There was no objection.

Mr. RIDDICK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

Mr. CLARK of Missouri. On what subject?

Mr. RIDDICK. On a bill that I have introduced in regard to drought conditions in the Northwest.

Mr. CLARK of Missouri. There is no objection to that; we are going to have a severe drought here pretty soon. [Laughter.]

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. VOLSTEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 51 minutes p. m.) the House adjourned until to-morrow, Friday, July 11, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of Commerce submitting a deficiency estimate of appropriation required by the Bureau of Fisheries for the fiscal year 1919 (H. Doc. No. 142), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. REBER: A bill (H. R. 7152) authorizing the Secretary of War to donate to Theodore Roosevelt Camp, No. 25, Department of Pennsylvania, of Shenandoah, Pa., one German cannon or fieldpiece, to be placed on a plot of ground in the Annunciation Cemetery for the burial of deceased members; to the Committee on Military Affairs.

By Mr. SMITH of Illinois: A bill (H. R. 7153) authorizing the Secretary of War to donate to the town of Colfax, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HERSEY: A bill (H. R. 7154) to increase the number of collection districts for the collection of internal revenue and to increase the number of collectors thereof; to the Committee on Ways and Means.

By Mr. REED of New York: A bill (H. R. 7155) authorizing the Secretary of War to donate to the village of Little Valley, N. Y., one German cannon or fieldpiece, with accompaniments; to the Committee on Military Affairs.

By Mr. JACOWAY: A bill (H. R. 7156) authorizing the Secretary of War to donate to the Confederate Park at Charleston, Ark., two captured German cannons, with carriages, for decorative purposes; to the Committee on Military Affairs.

By Mr. MERRITT: A bill (H. R. 7157) to amend section 5 of the trade-mark act of February 20, 1905; to the Committee on Patents.

By Mr. MAPES: A bill (H. R. 7158) to provide for the expenses of the government of the District of Columbia; to the Committee on the District of Columbia.

By Mr. ASWELL: A bill (H. R. 7159) to authorize agricultural colleges and experiment stations to investigate and to teach the science and art of manufacturing and using oleomargarine, and to exempt such colleges and stations from the imposition of special taxes and the payment of taxes; to the Committee on Ways and Means.

Also, a bill (H. R. 7160) to repeal the internal-revenue taxes upon wholesome foods and the special license taxes imposed upon producers and dealers in such wholesome foods; to the Committee on Ways and Means.

By Mr. BRIGGS: A bill (H. R. 7161) to establish a marine fish-cultural station in the State of Texas in the vicinity of Galveston; to the Committee on the Merchant Marine and Fisheries.

By Mr. CURRY of California: A bill (H. R. 7162) to amend an act of Congress approved March 12, 1914, authorizing the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes; to the Committee on the Territories.

By Mr. NOLAN: A bill (H. R. 7163) to provide that the United States shall encourage and aid the States in making provisions for the rehabilitation of physically handicapped persons, and for their placement in remunerative employment; to the Committee on Appropriations.

By Mr. REBER: A bill (H. R. 7164) authorizing the Secretary of War to donate to the town of Silver Creek, Schuylkill County, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BROOKS of Illinois: Resolution (H. Res. 162) authorizing payment of $500 to August Buehne for extra services rendered the Members of the House of Representatives during the third session of the Sixty-fifth Congress and the first session of the Sixty-sixth Congress; to the Committee on Accounts.

By Mr. FULLER of Illinois: Resolution (H. Res. 163) amending paragraphs 25 and 26 of Rule XI; to the Committee on Rules.

By Mr. WOOD of Indiana: Resolution (H. Res. 164) directing the Secretary of War to furnish to the House of Representatives the reasons for bringing Czecho-Slovak soldiers to the United States and the amount of money to be expended in bringing, maintaining, and deporting them; to the Committee on Expenditures in the War Department.

By Mr. SMITH of Idaho: Resolution (H. Res. 165) providing for an additional messenger on the soldiers' roll of the House of Representatives; to the Committee on Accounts.

By Mr. DYER: Joint resolution (H. J. Res. 144) providing for an advisory referendum by the people of Porto Rico as to the form of government they desire; to the Committee on Insular Affairs.

By Mr. KAHN: Joint resolution (H. J. Res. 145) authorizing the erection of a monument marking the starting point of the motor convoy from Washington to San Francisco; to the Committee on the Library.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWNING: A bill (H. R. 7165) granting an increase of pension to Ella D. Madden; to the Committee on Invalid Pensions.

By Mr. DYER: A bill (H. R. 7166) granting a pension to Kathrina Balthasar; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: A bill (H. R. 7167) granting an increase of pension to Estella Palmer; to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 7168) for the relief of Eli Sears; to the Committee on Indian Affairs.

By Mr. HAYS: A bill (H. R. 7169) granting an increase of pension to Christ Stein; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7170) granting an increase of pension to Malcom G. Parsons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7171) granting a pension to Jesse A. Smith; to the Committee on Invalid Pensions.

By Mr. HERNANDEZ: A bill (H. R. 7172) for the relief of the estate of Reymundo Trujillo, deceased; to the Committee on Claims.

By Mr. HULL of Iowa: A bill (H. R. 7173) granting an increase of pension to David J. Chinn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7174) granting an increase of pension to Daniel H. Woodruff; to the Committee on Invalid Pensions.

By Mr. LESHER: A bill (H. R. 7175) granting an increase of pension to Henry C. Conner; to the Committee on Invalid Pensions.

By Mr. LEVER: A bill (H. R. 7176) granting a pension to Zachariah Wooten; to the Committee on Pensions.

By Mr. MAPES: A bill (H. R. 7177) for the relief of John J. Waters; to the Committee on Military Affairs.

Also, a bill (H. R. 7178) granting a pension to Robert E. McCormick; to the Committee on Pensions.

By Mr. McARTHUR: A bill (H. R. 7179) granting an increase of pension to Isabel Bertrand; to the Committee on Invalid Pensions.

By Mr. McDUFFIE: A bill (H. R. 7180) to authorize the President of the United States to appoint Edward C. Lohr, formerly a first lieutenant of Coast Artillery, a first lieutenant of Coast Artillery; to the Committee on Military Affairs.

By Mr. PLATT: A bill (H. R. 7181) granting an increase of pension to David Hawley; to the Committee on Invalid Pensions.

By Mr. POU: A bill (H. R. 7182) for the relief of T. J. Martin, jr.; to the Committee on Claims.

By Mr. REBER: A bill (H. R. 7183) to carry out the findings of the Court of Claims in the case of the Nashville Trust Co., administrator de bonis non cum testamento annexo of the estate of John M. Lea, deceased, against the United States; to the Committee on Claims.

By Mr. ROGERS: A bill (H. R. 7184) granting an increase of pension to Elias W. Adams; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 7185) granting an increase of pension to Hail Carroll; to the Committee on Pensions.

By Mr. SINNOTT: A bill (H. R. 7186) to authorize the issuance of patent to John Albert Thompson, and for other purposes; to the Committee on the Public Lands.

By Mr. SUMNERS of Texas: A bill (H. R. 7187) for the relief of Mrs. D. Montgomery; to the Committee on War Claims.

By Mr. THOMPSON of Ohio: A bill (H. R. 7188) granting a pension to Mrs. Albert B. Hoffman; to the Committee on Invalid Pensions.

By Mr. WEAVER: A bill (H. R. 7189) making an appropriation to compensate Julius H. McClure for damages sustained while performing services for the Government of the United States; to the Committee on Claims.

By Mr. WELTY: A bill (H. R. 7190) for the relief of George R. Gary; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of Arthur T. Clark and others, all residents of Springfield, Mass., requesting the repeal of the taxes on candy, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

Also (by request), petition of thirty-ninth annual convention of the American Federation of Labor, opposing mob rule and lynchings; to the Committee on Labor.

Also (by request), petition of Chicago Federation of Labor, urging immediate investigation by Congress of the recent shooting of men, women, and children by the armed guards of the Corn Products Refining Co. at Argo, Ill.; to the Committee on the Judiciary.

By Mr. CANNON: Petition of sundry citizens of Manteno, Ill., praying for repeal of tax on candy, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

By Mr. COLE: Petition of sundry citizens of Dalton, Wis., requesting that Victor L. Berger be given his seat in Congress; to the Committee on Elections No. 1.

Also, petition of Socialist Party of Sheboygan County, Wis., recommending the seating in Congress of Victor L. Berger; to the Committee on Elections No. 1.

Also, petition of Central Labor Union of Two Rivers, Wis., requesting that Victor L. Berger be given his seat in Congress; to the Committee on Elections No. 1.

By Mr. CULLEN: Petition of Grand Lodge of the Brotherhood of Railroad Trainmen, favoring adoption of the league of nations and pledging support of the President; to the Committee on Foreign Affairs.

By Mr. ESCH: Petition of thirty-ninth annual convention of the American Federation of Labor, opposing mob rule and lynchings; to the Committee on Labor.

Also, petition of Grand Lodge of the Brotherhood of Railroad Trainmen, favoring adoption of league of nations and pledging support to the President; to the Committee on Foreign Affairs.

By Mr. FITZGERALD: Petition of Verner A. Johnson and others, all of Massachusetts, protesting the repeal of the so-called daylight-saving law; to the Committee on Agriculture.

By Mr. FULLER of Illinois: Petition of Prof. H. B. Fisher, superintendent of city schools, Streator, Ill., favoring the Smith-Towner educational bill; to the Committee on Education.

By Mr. McARTHUR: Petition of the Willard Avenue Presbyterian Church, the Rose City Park Methodist Church, the Second German Baptist Church, the First Baptist Church, the First United Evangelical Church, all of Portland, Oreg., favoring the enforcement of the eighteenth amendment and war-time prohibition; to the Committee on the Judiciary.

By Mr. O'CONNELL: Petition of the Grand Lodge of the Brotherhood of Railroad Trainmen, favoring adoption of the league of nations and pledging support to the President; to the Committee on Foreign Affairs.

Also, petition of the Thirty-ninth Annual Convention of the American Federation of Labor, opposing mob rule and lynchings; to the Committee on Labor.

By Mr. OSBORNE: Petition of Allen Brown, Lassman Herman, and 48 others, citizens of Los Angeles, Calif., against the taxes on candy, ice cream, and soda-fountain foods and drinks; to the Committee on Ways and Means.

By Mr. PELL: Petition of sundry citizens of New York City, protesting against the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

Also, petition of sundry citizens of New York City, protesting against the tax on sodas, soft drinks, and ice cream; to the Committee on Ways and Means.

By Mr. ROWAN: Petition of Sidney L. Gulick, favoring enforcement of prohibition; to the Committee on the Judiciary.

Also, petition of Thirty-ninth Annual Convention of the American Federation of Labor, opposing mob rule and lynchings; to the Committee on Labor.

Also, petition of Grand Lodge of the Brotherhood of Railroad Trainmen, favoring league of nations and pledging support to the President; to the Committee on Foreign Affairs.

By Mr. SMITH of Illinois: Petition of citizens of the seventeenth district of Illinois in behalf of the repeal of tax on candy, ice cream, etc.; to the Committee on Ways and Means.

By Mr. SIEGEL: Resolutions adopted by citizens of Sacramento, Calif., protesting against Polish pogroms; to the Committee on Foreign Affairs.

By Mr. STRONG of Pennsylvania: Petition of residents of Jefferson County, Pa., urging repeal of taxes on necessities; to the Committee on Ways and Means.

By Mr. TILSON: Petition of Framat Lodge, No. 51, International Order of Good Templars, of Ansonia, Conn., favoring enforcement of eighteenth amendment and defining definitely "intoxicating liquors"; to the Committee on the Judiciary.

Also, petition of Christian Endeavor Society of the First Congregational Church of Bradford, Conn., against repeal of war-time prohibition; to the Committee on the Judiciary.

By Mr. TINKHAM: Petition of employees of Joseph Breck & Sons, protesting against the repeal of the so-called daylight-saving law; to the Committee on Agriculture.

HOUSE OF REPRESENTATIVES.

FRIDAY, *July 11, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, eternal source of every blessing, we wait upon Thee at this the beginning of a new congressional day for that uplift of the spirit which shall enable us to possess our souls in patience amid its trials and conflicts and fulfill our highest duty in the interest of a great Nation, and so fulfill the law and the prophets. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE TO ADDRESS THE HOUSE.

Mr. DALLINGER. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to address the House for 10 minutes. Is there objection?

Mr. VOLSTEAD. Mr. Speaker, I object.

ABSENCE OF A QUORUM.

Mr. IGOE. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Missouri makes the point of order that there is no quorum present. Obviously there is not.

Mr. VOLSTEAD. 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.

Anthony	Freeman	Kiess	Rodenberg
Ashbrook	Fuller, Mass.	King	Rose
Bacharach	Gallivan	Lazaro	Rouse
Baer	Garland	Lever	Rowan
Benson	Garrett	Lufkin	Rucker
Bland, Ind.	Glynn	Luhring	Sabath
Bland, Mo.	Godwin, N. C.	McAndrews	Sanders, Ind.
Bowers	Goodall	McClintic	Sanders, N. Y.
Briggs	Gould	McFadden	Sanford
Britten	Greene, Mass.	McLane	Scully
Brooks, Pa.	Greene, Vt.	McLaughlin, Nebr.	Sears
Browne	Griest	Mann	Siegel
Burdick	Griffin	Martin	Sisson
Caraway	Hamill	Mason	Slemp
Christopherson	Hastings	Minahan, N. J.	Small
Coady	Hays	Mooney	Snyder
Costello	Heflin	Moore, Ohio	Stiness
Curry, Calif.	Hickey	Mott	Sullivan
Davis, Minn.	Hicks	Mudd	Taylor, Colo.
Dempsey	Howard	Neely	Taylor, Tenn.
Denison	Hudspeth	Newton, Minn.	Temple
Dooling	Hull, Tenn.	Olney	Tinkham
Drane	Humphreys	Peters	Towner
Dupré	Hutchinson	Phelan	Walsh
Eagan	Ireland	Pou	Ward
Eagle	Johnson, S. Dak.	Purnell	Webb
Emerson	Johnson, Wash.	Rainey, H. T.	Wilson, Pa.
Fairfield	Kahn	Reavis	Winslow
Ferris	Kelley, Mich.	Reed, W. Va.	Wise
Flood	Kendall	Riordan	Woodyard
Frear	Kennedy, R. I.	Robsion, Ky.	Zihlman

The SPEAKER. On this call 305 Members have answered to their names, a quorum.

Mr. GOOD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

PROHIBITION OF INTOXICATING BEVERAGES.

The SPEAKER. Under the order of the House, the House automatically resolves itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6810, a bill to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-