

SENATE.

TUESDAY, July 29, 1919.

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

Almighty God, we come to Thee day by day because we can not hope to achieve the great purpose of our Government, the highest reaches of our civilization, without Thy guidance and Thy blessing. Thou art the author of the ideals for which we stand. We come seeking Thy guidance and Thy blessing. We pray that Thou wilt unfold to us the manner in which we should live. Reveal to us the path upon which we should travel. Open to us the vision of the great future to which Thou dost call us. May we be kept by Thy grace and see this Nation progressing along the line following the track of divine revelation to the highest possible achievements of Thy people. We ask these things for Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

RADIO COMMUNICATION (H. DOC. NO. 165).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting the views of the Navy Department in connection with certain aspects of radio communication which have become so acute as to demand action by the Congress at the very earliest opportunity, which was referred to the Committee on Naval Affairs and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 2837. An act to repeal section 630 of the revenue act of 1918, approved February 24, 1919; and

H. R. 7840. An act providing for a tax on pure fruit-juice beverages.

SHANTUNG PROVINCE, CHINA.

Mr. KNOX. Mr. President, with the indulgence of the Senate I should like to take four or five minutes to call attention to a very radical error that appears in a very important document which was introduced yesterday by the Senator from Mississippi [Mr. WILLIAMS], it being a letter or an editorial written by ex-President Taft and published in the Philadelphia Public Ledger. In this article ex-President Taft said:

The exact facts in respect to the Shantung matter have not been set forth as clearly and fully as could be desired. What Germany had in China was granted her by China at the time of the Boxer troubles by way of an indemnity for the killing of her minister, Baron Kettler, and was one of the concessions to foreign powers which grew out of the rising against the foreigners in the time of the Dowager Empress.

Mr. President, the ex-President proceeded then to argue that China had conceded to Germany as an indemnity for the death of Baron von Kettler, which death occurred during the Boxer insurrection, the lease or cession at Shantung, and argued from that proposition that there was a vested interest in Germany which passed to Japan by conquest, and justifying the recognition of the German title and the action of the peace conference in passing over the equities of Germany to Japan.

Mr. President, those are not the exact facts. The exact facts are exactly the reverse, and as the statement I have quoted is the foundation of the whole article, I think it is just to the Senate that the correct story should be told, as it may be in two or three minutes.

The Boxer insurrection occurred in 1900. It was the result of the coup d'état of the Empress Dowager. Shantung was leased to Germany in 1897 or 1898, three or four years before the Boxer insurrection occurred.

It was known as early as 1896 that Germany had developed the policy, and it was so publicly stated in the Reichstag, that she must have a port and a sphere of influence in China, and that was to be the bay of Kiaochow and the environment of the Shantung Peninsula.

Germany's opportunity came in 1897, when two missionaries, not two diplomatic ministers, were murdered in the neighborhood of Kiaochow by highwaymen. These highwaymen were not representatives of the Government; they were mere outlaws, and Germany's right to demand indemnity for the missionaries' death or a vast cession of valuable territory in China would be just as good as Great Britain's right would be to demand a cession of the State of Maryland if two of her subjects had been killed, as they might have been, by outlaws in this city last week.

When the Boxer insurrection broke out we all remember how the representatives of foreign countries were impounded in the city of Peking. They were given by the Dowager Empress in June, 1900, 24 hours to leave the city. At a conference held on the night of the 19th of June, 1900, in the compound it appeared that a majority of the ministers and a majority of the foreigners of our nationality, the French nationality, the British nationality, and other European nationalities had practically decided that they would move off to Tientsin on the following morning, or within the 24 hours.

The British opposed this move, because Tientsin was a long distance away and it would take a mile of carts to transport these foreigners to that city of refuge through a thickly populated country, where the Boxers were having it all their own way. They urged and pleaded and argued with their confreres not to risk the danger, as it meant certain death to them all.

Baron von Kettler, who represented the German Government, took it upon himself, brave man that he was, to visit alone, with his private secretary and two Chinese servants, the Chinese foreign office to see if there could be some modification of this order for them to leave within the 24 hours. On his way to the foreign office he was murdered by imperial soldiers.

The legations at once determined that if the imperial army of China could not protect the foreign ministers in walking from the compound to their own yamen, it would be worse than madness to undertake this journey to Tientsin. So it was given up, and the life of Baron von Kettler was what saved all the lives within that compound.

The indemnity demanded for his death was determined in the protocol of 1901, four years after this cession of Shantung had been made to Germany, and that indemnity consisted of Germany's share in about \$350,000,000 in gold. The only mention of Baron von Kettler in the protocol was that the Germans demanded that a monument should be erected to his memory upon the spot where he was slain, and to-day a beautiful arch spans the street at that spot, upon which are inscribed in Chinese and in German inscriptions of the deepest regret and mortification for the act.

Ex-President Taft would have been right in defending that indemnity if it had been the indemnity granted for that brave man's death. The fact is, however, that the indemnity that was agreed to be paid, and which has been up to date in part paid, and which was the indemnity agreed upon in common under the protocol by all the nations to which I have referred, including ourselves—the remainder of that indemnity so justly exacted is taken away from Germany under the peace treaty we are now considering.

PETITIONS AND MEMORIALS.

Mr. MOSES presented petitions of sundry citizens of Andover, Wentworth, Henniker, Salisbury, Hanover, Deerfield, Jackson, Hudson, Bradford, and East Kingston, all in the State of New Hampshire, praying for the ratification of the league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. SMITH of South Carolina. I present a communication from the commander and the adjutant general of the South Carolina Division, United Confederate Veterans, of Greenwood, S. C., transmitting resolutions unanimously adopted by that division indorsing the proposed league of nations. I ask that the communication and accompanying resolutions be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the communication and accompanying resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

GREENWOOD, S. C., July 23, 1919.

To the UNITED STATES SENATORS FOR SOUTH CAROLINA,

Washington, D. C.

DEAR SIRS: We respectfully forward to you resolutions unanimously adopted by the South Carolina Division of United Confederate Veterans. We trust that they may be of service in the settlement of the great question now before our country and the world.

Sincerely, yours,

W. A. CLARK,
Commander of the South Carolina Division U. C. V.
DAVID CARDWELL,
Adjutant General South Carolina Division U. C. V.

Whereas the war which has been waging in Europe for the past four years, in which, for the sake of the liberties of mankind and the preservation of our Christian civilization, the United States was called to take part, was brought to an end on the 11th day of November last, and the great victory was won by the allied nations of Europe, aided by the Army and Navy of our country; and Whereas the terms of peace have at last been agreed upon and are now before the Senate of the United States for ratification; and Whereas our President and his associates have labored hard in an effort to bring about a just and lasting peace: Be it

Resolved, That we, the South Carolina Division of the United Confederate Veterans, in annual meeting assembled at Greenwood, S. C., do hereby heartily indorse the work of our great President, Woodrow

Wilson, and his associates in the Paris peace conference; and we specially indorse the proposed league of nations created for the avowed purpose of affording another tribunal for the settlement of international quarrels aside from bloody war. The league was born of necessity, nurtured by the Nation that was willing to go to war for things nearer and dearer than the possessions of another nation, but even now in its infancy there are those in the household of its birth who would strangle the infant that came into the world to bring peace. America has sought to give to the world something to take the place of the battle field, and, however short of perfection it may seem to be in its beginning, we deplore the organized efforts of certain public men who seek to destroy the first great step of the nations toward universal peace.

We believe that the conscience of the world is awakened to the need of such a league. Warring nations are no longer the only ones interested in war, for it affects the whole world, and it is high time that we were providing some substitute for wholesale shedding of blood. Such we believe the league of nations to be, and as a step in the right direction we welcome it in the name of humanity and bid it Godspeed on its way: And

Resolved, That we reaffirm our confidence in our President and those associated with him in the administration of our Government, we reaffirm our confidence in our Congress, and would offer our aid in promoting the world peace toward which we all look with anxious hope, and to that end we pledge our lives, our fortunes, and our sacred honor.

Resolved further, That a copy of these resolutions be sent to the President of the United States and to each of our United States Senators.

Certified this 23d day of July, 1919.

W. A. CLARK,
Commander of the South Carolina Division U. C. V.
DAVID CARDWELL,
Adjutant General South Carolina Division U. C. V.

Mr. SPENCER presented a memorial of sundry citizens of St. Joseph, Mo., remonstrating against the passage of the so-called Kenyon-Kendrick bill providing for Federal control of the meatpacking industry, which was referred to the Committee on Agriculture and Forestry.

Mr. PHIPPS presented a petition of the Clearing House of Denver, Colo., praying for the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the Live Stock Exchange, of Denver, Colo., remonstrating against the passage of the so-called Kenyon-Kendrick bill providing for Federal control of the meatpacking industry, which was referred to the Committee on Agriculture and Forestry.

Mr. PAGE presented a memorial of sundry citizens of Burlington, Vt., remonstrating against the ratification of the league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. WARREN presented a memorial of the Slovenic National Benefit Society, No. 10, of Rock Springs, Wyo., remonstrating against the enactment of legislation prohibiting the admission to the mails of any matter printed in a foreign language, which was referred to the Committee on the Judiciary.

Mr. WALSH of Massachusetts presented memorials of the employees of the T. C. Entwistle Co., of Lowell; of the E. D. Jones & Sons Co., of Pittsfield; of the Ruud Manufacturing Co., of Boston; of the E. F. Hodgson Co.; of the Crandall Engineering Co., of East Boston; of the Plymouth Mills; of the Webster Co., of North Attleboro; of the Franklin Machine & Tool Co.; of the Holyoke Braiding Co.; of the J. P. Eustis Manufacturing Co., of Cambridge; of the Ivers & Pond Piano Co., of Boston; of O. S. Hawes & Bro., of Fall River; of the Arcade Malleable Iron Co., of Worcester; of the Southbridge Printing Co.; of Merriam, Hall & Co., of North Leominster; of the Wright & Potter Printing Co., of Boston; of the R. A. Wood Co. (Inc.), of Lowell; of the Kinney Worsted Yarn Co., of Pittsfield; of the O. S. Walker Co., of Worcester; of the Wright & Ditson Victor Co., of Springfield; of James & E. H. Wilson, of Pittsfield; of the S. N. & C. Russell Manufacturing Co., of Pittsfield; of the Ross Manufacturing Co., of Leominster; of Moore & Co., of Everett; of the Sanford Mills "L," of Reading; of the Crofoot Gear Works, of Cambridge; of the Prince Macaroni Manufacturing Co.; of the Parsons Paper Co., of Holyoke; of the D. Eddy & Sons Co.; of the Arkwright Mills, of Fall River; of the Borden & Remington Co., of Fall River; of the Foxboro Co., of Foxboro; of the Witherbee Igniter Co., of West Springfield; and of the Waltham Machine Works, all in the State of Massachusetts, remonstrating against the repeal of the so-called daylight-saving law, which were referred to the Committee on Interstate Commerce.

Mr. SMITH of Maryland presented petitions of sundry citizens of Highland, Clarksville, Simpsonville, Ellicott City, Marriottsville, Elk Ridge, Woodbine, Brookville, Glenwood, Cooksville, Knollwood, Mount Airy, Fulton, Dayton, and Elioak, all in Howard County, in the State of Maryland, praying for the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

Mr. CULBERSON. I present resolutions adopted by the Chamber of Commerce of El Paso, Tex., favoring the passage of

the Kenyon-Kendrick bills providing for Federal control of the meatpacking industry. I ask that the resolutions be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Resolutions indorsing Kendrick and Kenyon bills.

Whereas there has been introduced in the Senate of the United States, under date of June 23, 1919, by Senators KENDRICK and KENYON, bills providing for the regulation of the meatpacking industry; and

Whereas these measures provide for the stimulation of the production of live stock and regulation of stockyards, refrigerator-car service, and the general sale and distribution of packing-house products; and

Whereas there is nothing in either of these bills that can correctly be construed to be an injury or a detriment to the independent packers of the country; and

Whereas the Federal Trade Commission has, after due investigation, reported the activities of the packing interest, commonly known as the "Big Five," such reports setting forth the menace of the huge control of the Nation's food products by these interests, which extends not only to live-stock products, but to other articles of food, dairy products, grain, and fruits, and even to building materials; and

Whereas this monopoly of the food products of the country is inconsistent with the spirit and principle of American government and does restrict individual enterprise: Be it therefore

Resolved, That the El Paso Chamber of Commerce, through its board of directors, does indorse the Kendrick and Kenyon bills as now before the Senate Committee on Agriculture and Forestry; and be it further

Resolved, That a copy of this resolution be sent to our Congressmen and Senators, Senators KENDRICK and KENYON, to our special Representative at Washington, D. C., and to various commercial organizations, requesting the latter to pass resolutions of a similar character.

GEO. B. RYAN, *Second Vice President.*

E. W. KAYSER, *Treasurer.*

C. H. FINLEY, *Director.*

J. W. KIRKPATRICK, *Director.*

B. M. LAWRENCE, Jr., *Director.*

G. A. MARTIN, *Director.*

T. H. ROGERS, *Director.*

A. SCHWARTZ, *Director.*

M. A. WARNER, *Director.*

I hereby certify that the above is a true and correct copy of resolutions as passed by the board of directors July 22, 1919.

K. M. ROBERTS, *General Manager.*

Mr. LODGE. I present petitions signed by Walter Channing and 9 other citizens, Helen L. Winslow and 9 other citizens, Mary P. Hayden and 10 other citizens, Susan H. Kelley and 9 other citizens, Thomas Jarboe and 40 other citizens, all of Wellesley; of Arthur H. Nichols and 3 other citizens, Susan C. Lyman and 14 other citizens, Emma H. Saunders and 11 other citizens, Annie T. Seabrook and 22 other citizens, W. N. Kant and 11 other citizens, of Sarah H. Dabney and 7 other citizens, of Ellsworth Huntington and 12 other citizens, of J. W. Murdough and 8 other citizens, of Sylvester R. Robertson and 29 other citizens, of Mary L. Cushman and 26 other citizens, of Virginia F. Moors and 32 other citizens, of L. Gertrude Bertwell and 13 other citizens, of William H. Kohl and 17 other citizens, of Mrs. E. Isabel Noyes and 7 other citizens, of Etheldred F. Folsom and 20 other citizens, of Mrs. M. R. Porter and 10 other citizens, of Delveran King and 42 other citizens, of Henry C. Levick and 6 other citizens, of George B. Galley, Jr., and 43 other citizens, of A. J. Wiehardt and 11 other citizens, of Elizabeth Towne and 17 other citizens, of Dr. Albert E. Leach and 17 other citizens, of Robert G. Shaw and 16 other citizens, of Harriet L. Hemenway and 6 other citizens, of F. C. March and 16 other citizens, of F. H. Thompson and 16 other citizens, of David Cheever and 3 other citizens, and of Pauline M. Dawson and 10 other citizens, all in the State of Massachusetts, praying for the ratification of the proposed league of nations treaty. I ask that the petitions be referred to the Committee on Foreign Relations and that the body of one of the petitions be printed in the RECORD.

There being no objection, the petitions were referred to the Committee on Foreign Relations and the body of one of the petitions ordered to be printed in the RECORD, as follows:

Believing that the United States should enter the league of nations, which aims to promote international cooperation and to achieve international peace and security;

Recognizing that the covenant of the league of nations can not be separated from the peace treaty, since the latter was founded on the assumption that the league of nations would be formed;

Believing that delay on the part of the United States Senate to ratify the peace treaty will seriously jeopardize the peace of the world;

We, the undersigned citizens of Massachusetts, urge the United States Senate to ratify the treaty of peace, including the covenant, without reservation or amendment as soon as it is submitted for ratification.

Mr. LODGE presented resolutions adopted by the Metropolitan Water and Sewerage Department Local No. 945, of Boston; the Woman's Christian Temperance Union of Millville; the Czecho-Slovak American Athletic and Literary Society of Boston; the members of the Czecho-Slovak of Boston; of Local Union No. 4, National Wool Sorters' and Graders' Association of America, of South Bane; of Local Grange No. 122, Patrons of Husbandry, of Templeton; of Local Division No. 14, Ancient Order of Hibernians, of Mittineague; of the Good Citizenship

League of Mansfield; of Carpenters' Union Local No. 445, of Palmer; of the Amalgamated Association of Street and Electric Railway Employees of America, of Pittsfield; of Puritan Lodge No. 621, Brotherhood of Railroad Trainmen, of Boston; of the Barbers' Union of Lynn; of the League of Nations of Cambridge; of Local Union No. 77, Journeymen Plumbers' Union, of Lynn; of Local Union No. 238, Boot and Shoe Workers' Union, of New Bedford; of Local Union No. 10, International Brotherhood of Paper Makers, of Turners Falls; of Local Union No. 299, International Brotherhood of Stationary Firemen and Oilers of Lynn; of Local Union No. 885, Carpenters' and Joiners' Union of Woburn; of Local Union No. 122, Bottlers' and Drivers' Union, of Boston; of Local Union No. 375, Barbers' Union, of Gloucester; of Local Lodge No. 302, Musicians' Union, of Haverhill; of the Cigarmakers' Union, No. 92, of Worcester; of Local Union No. 2008, United Textile Workers, of North Adams; of Local Union No. 147, Professional Bartenders' League, of Greenfield; of the National Wool Sorters' and Graders' Association of Lowell; of Local Union No. 415, Amalgamated Sheet Metal Workers' International Alliance, of Malden; of Local Union No. 784, Painters, Paper Hangers, and Decorators of America, of Melrose; of the Central Labor Union of Gardner; of Eagle Lodge Local No. 1, International Brotherhood of Paper Makers, of Holyoke; of Local Union No. 381, International Molders' Union, of Springfield; of Local Union No. 441, United Brotherhood of Carpenters and Joiners, of Cambridge; of Local Union No. 72, International Brotherhood of Teamsters, Chauffeurs, Stablemen, and Helpers of America, of Lowell; of Local Union No. 14937, Gold Beaters' Union, of Boston; of the Carpenters' District Council of Lowell; of D. W. Wright Lodge No. 549, Brotherhood of Locomotive Firemen and Enginemen, of Greenfield; of the congregation of the Old South Union Church of Weymouth; of the congregation of the Methodist Episcopal Church of Taunton; and of the executive board of Worcester Musicians' Association Local No. 143, of Worcester, all in the State of Massachusetts, favoring the ratification of the proposed league of nations treaty, which were referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEE ON CLAIMS.

Mr. SPENCER, from the Committee on Claims, to which was referred the bill (S. 2440) for the relief of the estate of John M. Lea, deceased, reported it with an amendment and submitted a report (No. 118) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 358) carrying into effect the findings of the Court of Claims in the matter of the claim of T. L. Love, surviving partner of Robert Love & Son (Rept. No. 115);

A bill (S. 2343) for the relief of Capt. Frederick B. Shaw (Rept. No. 116); and

A bill (S. 2453) to carry into effect the finding of the Court of Claims in the claim of Elizabeth B. Eddy (Rept. No. 117).

Mr. CAPPER, from the Committee on Claims, to which was referred the bill (S. 1330) for the relief of V. E. Schermerhorn, E. C. Caley, G. W. Campbell, and Philip Hudspeth, reported it with amendments and submitted a report (No. 114) thereon.

DAYLIGHT-SAVING LAW.

Mr. CUMMINS. I report from the Committee on Interstate Commerce the bill (H. R. 3854) for the repeal of the daylight-saving law. The report is a favorable one; and I give notice that to-morrow at some time, there being no speeches scheduled for that day, I shall endeavor to bring it to the attention of the Senate for consideration.

The VICE PRESIDENT. The bill will be placed on the calendar.

PAYMENT OF WAR DEPARTMENT OBLIGATIONS.

Mr. WADSWORTH. From the Committee on Military Affairs I report back favorably without amendment the joint resolution (S. J. Res. 78) to permit the payment of obligations entered into by the War Department prior to July 11, 1919.

Mr. President, at the risk of taxing the patience of the Senate I ask unanimous consent for immediate consideration of the joint resolution, and I suggest that the Secretary read it.

Mr. SMOOT. I should like to have the joint resolution read.

The VICE PRESIDENT. The Secretary will read the joint resolution.

The Secretary read the joint resolution, as follows:

Whereas it is provided by the act of Congress approved July 11, 1919 (Public No. 7, H. R. 5227)—

"That no part of any of the appropriations made herein nor any of the unexpended balances of appropriations heretofore made for the support and maintenance of the Army or the Military Establishment shall be expended for the purchase of real estate or for the construction of Army camps or cantonments, except in such cases at

National Army or National Guard camps or cantonments which were in use prior to November 11, 1918, where it has been or may be found more economical to the Government for the purpose of salvaging such camps or cantonments to buy real estate than to continue to pay rentals or claims for damages thereon, and except where industrial plants have been constructed or taken over by the Government for war purposes and the purchase of land is necessary in order to protect the interest of the Government."

And

Whereas doubt exists as to the proper interpretation of said provision and the intention of Congress as expressed in said provision:

Resolved, etc., That the foregoing provisions of said act shall not be construed to prevent the payment from the unexpended balances of bills lawfully incurred for construction work actually performed or construction materials actually purchased prior to the approval of said act.

Mr. SMOOT. Mr. President, the only amendment the joint resolution makes to existing law is contained in the last provision, and that only applies where money has been actually expended upon the order of the War Department for any purpose for which they had authority to expend money.

Mr. WADSWORTH. The Senator from Utah is correct. The situation, to state it briefly, is this: The Comptroller of the Treasury has ruled that under the language used in the annual appropriation bill, which is recited in the preamble of the joint resolution, the War Department can not pay any money to a contractor, even though that contractor has finished a building in accordance with the terms of the contract which he has made with the Government, nor can the War Department pay a contractor or compensate him for material which he has purchased and delivered on the ground to be used in construction work. The result is that a large number of contractors are in danger of bankruptcy. It is an exceedingly difficult situation. Congress certainly did not mean that any such hardship should be inflicted.

Mr. NELSON. May I ask the Senator from New York a question?

Mr. WADSWORTH. Certainly.

Mr. NELSON. Does the joint resolution authorize the confirmation of any contract made for the purchase of real estate?

Mr. WADSWORTH. It does not.

Mr. NELSON. It only covers labor and material?

Mr. WADSWORTH. It covers labor and material on work already completed.

Mr. NELSON. But it does not involve any contracts for the purchase of real estate?

Mr. WADSWORTH. There is not any mention of real estate in the joint resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

Mr. WADSWORTH. I ask that a letter I have received from the Secretary of War be printed in the RECORD as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

WAR DEPARTMENT,
Washington, July 26, 1919.

To the CHAIRMAN COMMITTEE ON MILITARY AFFAIRS,
United States Senate.

SIR: I have the honor to forward to you a measure which the War Department earnestly desires enacted by Congress, and it is requested that effort be made to secure its passage at the earliest date practicable.

It has been decided by the Comptroller of the Treasury that under the restrictive legislation contained in the Army appropriation bill recently enacted payment of obligations for construction at Army camps or cantonments incurred prior to the enactment of the legislation referred to can not be made.

In order that the War Department may settle these obligations authorization by Congress is necessary.

Failure to settle these obligations, it is feared, will cause hardship to persons interested in these settlements, which include payment to laborers, settlement of bills for material, and payment to contractors. The urgent necessity for authority to settle these obligations is apparent.

It is the intention of the War Department in securing the enactment of this measure only to effect the settlement of obligations already incurred and not to obtain authority to complete unfinished construction or undertake new construction work at any Army camps or cantonments.

Respectfully,

NEWTON D. BAKER,
Secretary of War.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of South Dakota.

A bill (S. 2668) for the relief of Arthur Nelson; and

A bill (S. 2669) for the relief of the heirs of Harry Davenport, deceased; to the Committee on Claims.

By Mr. MYERS:

A bill (S. 2670) to appropriate money for further and additional work on reclamation projects and units thereof in drought-stricken regions; to the Committee on Appropriations.

By Mr. HENDERSON:

A bill (S. 2671) authorizing the Secretary of the Interior to make investigations through the Bureau of Mines of oil shale to determine the practicability of its utilization as a commercial product; to the Committee on Mines and Mining.

By Mr. RANSDELL:

A bill (S. 2672) to carry into effect the findings of the Court of Claims in favor of Elizabeth White, administratrix of the estate of Samuel N. White, deceased; to the Committee on Claims.

By Mr. McCUMBER:

A bill (S. 2673) for the relief of James L. Vai; to the Committee on Claims.

A bill (S. 2674) granting an increase of pension to Michael Emmitt Urell, alias Charles Welsh (with accompanying papers); to the Committee on Pensions.

By Mr. SPENCER:

A bill (S. 2675) to compensate George B. Gates for the infringement of his letters patent by the United States; to the Committee on Patents.

By Mr. WADSWORTH:

A bill (S. 2676) to amend section 56 of an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916; and

A bill (S. 2677) to provide for further educational facilities by authorizing the Secretary of War to sell at reduced rates certain machine tools not in use for Government purposes to trade and technical schools and universities, other recognized educational institutions, and for other purposes; to the Committee on Military Affairs.

By Mr. HALE:

A bill (S. 2678) authorizing the Secretary of War to donate to the town of Oldtown, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

A bill (S. 2679) granting a pension to Enoch E. Willard; to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 2680) granting an increase of pension to Thomas J. Buttrum; to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 2681) to repeal section 3 of an act approved April 29, 1908 (chap. 152, U. S. Stats. L., vol. 35, Pt. I, p. 70), entitled "An act to repeal an act entitled 'An act to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes,' and for other purposes," and for other purposes; to the Committee on Commerce.

By Mr. CURTIS:

A bill (S. 2682) for the relief of Blanche Winters; to the Committee on Claims.

By Mr. WOLCOTT:

A bill (S. 2683) granting an increase of pension to Thomas Clark; to the Committee on Pensions.

LICENSING OF PACKING INDUSTRY.

Mr. MOSES. I submit an amendment in the nature of a substitute for the bill (S. 2202) to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes. I ask that the amendment be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

The amendment was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. MOSES to the bill (S. 2202) to amend a bill to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes, numbered S. 2202, by striking out all after the enacting clause and substituting therefor the following:

"That when used in this act the term 'commerce' means commerce among the several States or with foreign nations, or in any territory, or possession of the United States, or in the District of Columbia, or between any such territory or possession and another.

"The term 'person' includes a partnership, a corporation, or an association of two or more individuals, and the members of a partner-

ship or the directors, officers, receivers, or other person charged with the duty of the management and operation of the business of a corporation or association.

"SEC. 2. That no person shall engage in or carry on any business in commerce unless he shall secure and hold a license which shall be issued by the Secretary of Agriculture upon application in accordance with regulations prescribed under this act.

"SEC. 3. That after the expiration of 60 days from the date this act becomes effective any person who, without a license issued and in force under this act or while such license is under suspension, engages in or carries on any business for which a license is required by this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not exceeding \$5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

"SEC. 4. That each license issued under this act shall be effective from the date of its issuance and shall continue in force until suspended or revoked in accordance with the provisions of this act. It shall be the duty of the licensee to comply with the provisions of this act and the rules, regulations, and orders whether or not incorporated in such license which the Secretary of Agriculture shall from time to time prescribe in conformity with this act. The Secretary of Agriculture may regulate and control the licensee's relations, whether direct or indirect, to the purchase, manufacture, or sale in commerce of commodities other than those handled in the business for which the license was applied for and issued and may require the licensee to refrain from direct or indirect participation or interest in such other business, either by ownership, control, community, or stockholding, or otherwise, and it shall be the duty of such licensee to comply with such regulations, terms, and conditions, and the Secretary of Agriculture may by regulation limit and prescribe the classes, numbers, and kinds of commodities and merchandise which any licensee may sell, manufacture, and deal in and may forbid licensee from selling, manufacturing, or dealing in more than one kind of article or commodity. The Secretary of Agriculture may, as to any business from which a license is required under this act, promulgate regulations from time to time regulating the price of all commodities sold by the licensee, prescribing the method of doing business by the licensee, prescribe the method in which the accounts of the licensee shall be kept, and prescribe the character of plants to be used by the licensee and may limit the profits which such licensee may make on the business transacted by such licensee during any year to such an amount as the Secretary of Agriculture may deem reasonable.

"SEC. 5. That it shall be unlawful for any licensee under this act to—

"(a) Engage in any unfair, unjustly discriminatory, or deceptive practice or device in commerce; or

"(b) Charge an unreasonable price or rate for any commodity sold by it in commerce; or

"(c) Exact an unreasonable profit for any calendar year in carrying on his business in commerce; or

"(d) Refrain from buying any commodity for the purpose of unreasonably depressing the price thereof in commerce; or

"(e) Withdraw from the market any commodity for the purpose of unreasonably enhancing the price thereof in commerce; or

"(f) Conspire, combine, agree, or arrange with any other person to apportion territory for carrying on business or to apportion purchases or sales of any commodity, or to control prices in commerce; or

"(g) Conspire, combine, agree, or arrange with any other such licensee to engage in any course of business or to do any act for the purpose of preventing any person from carrying on a competitive or similar business in commerce; or

"(h) Otherwise act or refuse, neglect, or fail to act, or conspire, combine, agree, or arrange with any other person to do, or aid or abet the doing of any act contrary to the provisions of this act and the regulations made herein.

"SEC. 6. That every licensee shall keep such record and statements of account and make such reports or returns, verified under oath or otherwise, as will fully and correctly disclose all transactions involved in his business, and the true ownership of such business, by stockholding or otherwise, in such form and at such times as may be required under general or special orders of the Secretary of Agriculture. For the purpose of enforcing the provisions of this act or of verifying any report or returns made thereunder, any officer or agent of the Government designated in accordance with such orders may, during the ordinary business hours in any day, enter and examine any place used by any licensee in his business, and may inspect any books, letters, papers, or documents relating to such business.

"SEC. 7. That the Secretary of Agriculture may investigate and ascertain the demand for, the supply, the consumption, costs and prices of, and the facts relating to the ownership, production, transportation, manufacturing, storage, handling, or distribution of any commodity entering into or used in 'commerce.' For the proper execution of the provisions of this act, and in order to provide information for the use of Congress, it shall be the duty of any licensee, or any officer, agent, or employee of such licensee, when requested by an officer or agent of the Government designated in accordance with regulations under this act, to answer correctly, to the best of his knowledge, under oath or otherwise, as may be required, all questions touching his knowledge of any matter authorized to be investigated under this section, or to produce any book, letters, papers, or documents in his possession or under his control relating to such matters. Any licensee, agent, or employee of such licensee who shall within a reasonable time prescribed by the officer or agents making the request, not exceeding 20 days from the date of the receipts of the request, willfully fail or refuse to answer such questions or to produce such books, letters, papers, or documents, or shall willfully give any answer that is false or misleading, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$2,000, or by imprisonment for not more than one year, or both. Any information secured under this act, except secret processes or formulas, shall be available for either House of Congress at its request; and the Secretary of Agriculture may cause such information to be published from time to time when deemed necessary or advisable.

"SEC. 8. That the Secretary of Agriculture may make such rules and regulations as may be required to carry out the purposes of this act, may cooperate with any department or agency of the Government or of any State or political subdivision thereof or with any person, and may make any investigation and take any action or commence and prosecute any proceedings not inconsistent with the provisions of this act which the Federal Trade Commission is authorized to make, take, or commence under any other act regulating the conduct or operation in commerce of any of the businesses for which a license is required by this act. The several departments and agencies of the Government, when directed by the President, shall furnish to the Secretary of Agriculture,

upon his request, all records, papers, and information in their possession relating to any person subject to any of the provisions of this act, and shall from time to time detail to the Department of Agriculture such officials and employees as the President may direct.

"SEC. 9. That any person who violates or fails to comply with any provision of this act or any regulation or order made and prescribed pursuant to this act, or who willfully—

"(a) Fails or refuses to make full and true entries, or makes any false entries in the accounts or records required to be kept by a licensee; or

"(b) Makes any false or fraudulent statement in a return or report required in this act; or

"(c) Alters, mutilates, conceals, or destroys any such account or record, shall be guilty of a misdemeanor, and upon conviction thereof shall, unless the punishment is otherwise fixed in this act, be punished by fine not exceeding \$2,000 or by imprisonment for not more than one year, or by both such fine and imprisonment. Each day during any part of which a condition, practice, omission, or course of action, punishable under this section is maintained or continued shall constitute a separate violation thereof and shall be punished as a separate offense.

"SEC. 10. That whenever the Secretary of Agriculture believes that any licensee is violating any provision of this act, or any rule or regulation duly made and promulgated to carry out the provisions of this act, he shall cause notice in writing to be served upon the licensee, specifying the alleged violation, and requiring him to testify at a hearing before the Secretary of Agriculture at a place and time designated therein, and at such time and place the Secretary of Agriculture shall afford the licensee a reasonable opportunity to be heard in person or by counsel and through witnesses, in accordance with regulations prescribed under this act; and the Secretary of Agriculture shall at the same time be afforded a reasonable opportunity to be heard in person or by counsel and through witnesses, in accordance with regulations to be prescribed hereunder. If after such hearing the Secretary of Agriculture finds that the licensee has violated the provisions of this act, or of the rules and regulations issued thereunder, he may suspend the license for such period as he may prescribe, or may revoke it as in his discretion the protection of the public interests may require. The testimony taken at the hearing before the Secretary of Agriculture shall be reduced to writing and filed for record with the Department of Agriculture. An order suspending or revoking a license shall include the Secretary's findings of fact, and his decision shall specify the date, which shall not be less than 20 days from the date of service thereof upon the licensee, when it shall become effective. In the conduct of any proceeding under this section for the suspension or revocation of a license the Secretary may compel the attendance of witnesses, the giving of testimony, and the production of documentary evidence.

"An order suspending or revoking a license issued by the Secretary of Agriculture, under the provisions of this section, shall be final and conclusive unless within 30 days after its service upon him the licensee appeals to the Circuit Court of Appeals for the circuit in which he has his principal place of business by filing with the clerk of said court a written petition praying that the Secretary's order be set aside or modified in the manner stated in the petition, together with a bond in such sum as the court may determine, conditioned that the licensee will pay the costs of the proceeding if the court shall so direct. The clerk of the court in which such a petition is filed shall immediately cause a copy thereof to be delivered to the Secretary of Agriculture, and the Secretary shall forthwith prepare, certify, and file in the court a full and accurate transcript of the record in the proceedings held before him under this section, including the notice to the licensee, the charges against him, the evidence, and the order suspending or revoking the license. The testimony and evidence taken or submitted before the Secretary, duly certified and filed as aforesaid as a part of the record, shall be considered by the court as the evidence in the case. The Circuit Court of Appeals may affirm or set aside the order of the Secretary of Agriculture, or may direct the Secretary of Agriculture to modify his order. No order of the Secretary suspending or revoking a license under this section shall be modified or set aside by the Circuit Court of Appeals unless it is shown by the licensee that the order is unsupported by evidence or was issued without due notice and a reasonable opportunity having been afforded to the licensee for a hearing, or infringes the Constitution of the United States, or is beyond the jurisdiction of the Secretary of Agriculture under the provisions of this act.

"If the court determines that the just and proper disposition of such an appeal requires the taking of additional evidence, the court may order such additional evidence to be taken before the Secretary of Agriculture in such manner and upon such terms and conditions as the court may deem proper. The Secretary may modify his finding as to the facts, or make new findings by reason of the additional evidence so taken, and he shall file such modified or new findings and his recommendation, if any, for the modification or setting aside of his original order with the return of such additional evidence. If the Circuit Court of Appeals affirms or modifies the action of the Secretary of Agriculture revoking a license under this section, its decree shall enjoin the licensee, its officers, agents, and employees from further carrying on, without a new license under this act, the business covered by the revoked license until the further order of the court. If the Circuit Court of Appeals affirms or modifies the action of the Secretary of Agriculture suspending a license under this section, its decree shall enjoin the licensee from further carrying on the business covered by the license during the period of suspension. The injunction shall be effective within five days, unless further notice is given by the Secretary of Agriculture of his intentions to apply for a receiver as hereinafter provided, in which case the injunction shall be effective upon the appointment and qualification of the receiver. Within five days after the entry of such a decree by the Circuit Court of Appeals, or in case no such appeal is taken by the licensee, then within five days after the expiration of the time allowed for appeals to that court from the Secretary's order suspending or revoking a license any United States District Court shall, upon the application of the Secretary of Agriculture setting forth the decree of the Circuit Court of Appeals, or the expiration of the period allowed for an appeal to that court, and that no such appeal has been taken, appoint a receiver to take possession of the licensee's property and assets and to conduct the licensed business, and shall make such other orders as may be necessary for the proper conduct of the receivership and the protection of the interests of the public.

"The Secretary of Agriculture's application for the appointment of a receiver shall take precedence over any other application in any other courts of the United States for the appointment of a receiver

for the licensee's property and business. Upon the expiration of the period for which the license is suspended the district court may, in its discretion, issue an order extending the period of suspension, restraining the licensee from the transaction of his business or the disposition of his property or assets and continuing the receivership until the further order of the court. The order of the district court appointing a receiver shall direct him to take possession of the property and assets of the licensee and to conduct his business and to retain such possession and conduct such business until further order of the court. Whenever, on the application either of the Secretary of Agriculture or the receiver or the licensee, it shall, after a hearing, appear to the court that the ground for the order directing the appointment of a receiver has been removed and that the licensee may properly be permitted to resume possession of his property and the conduct of his business the court shall enter an order discharging the receiver as hereinafter provided. Unless otherwise provided by the order appointing him, the receiver so appointed shall, subject to the court's orders, have all the powers and duties relative to the property, assets, and business of the licensee exercised by or imposed upon receivers of corporations under appointment of the Federal court. A receiver appointed under the provisions of this section shall conduct and operate the business in accordance with this act and shall conserve the property and assets affected by the receivership and protect the rights of creditors of the licensee. In his reports to the court the receiver shall specify the practices, methods, acts, or omissions constituting a violation of this act or the regulations thereunder which were the basis of the order suspending the license, and the court, in its decree restoring to the licensee his property and license, shall recite such practices, methods, acts, or omissions and shall enjoin the licensee from resuming or continuing them. The receiver shall likewise include in his report all other violations of this act or the regulations thereunder which came to his notice in the course of his control of the business of the licensee, and the court may, in its discretion, after affording the licensee an opportunity to be heard, likewise enjoin the resumption or continuance of the practices, methods, acts, or omissions constituting such other violations. The United States Circuit Court of Appeals shall have exclusive jurisdiction to review the action of the Secretary of Agriculture under this section and may affirm, modify, or set aside any order of the Secretary revoking or suspending a license, but the decree of such court shall be subject to review by the Supreme Court of the United States upon certiorari, as provided in section 240 of the Judicial Code.

"SEC. 11. That the sum of \$200,000 is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, available immediately and until expended, for carrying out the foregoing provisions of this act, including the employment of such persons and means, the expense of such printing and publication, the payment of such rents, and the purchase of such supplies and equipment in the District of Columbia and elsewhere, as the Secretary of Agriculture may find necessary.

"SEC. 12. That nothing contained in this act shall be construed to prevent or interfere with the procedure under or the enforcement of the provisions of the antitrust acts, the acts to regulate commerce, the act entitled 'An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes,' approved September 26, 1914, the act entitled 'An act to promote export trade, and for other purposes,' approved April 10, 1918, or sections 73 to 77, inclusive, of an act entitled 'An act to reduce taxation, to provide revenue for the Government, and for other purposes,' approved August 27, 1894, as amended by the act entitled 'An act to amend sections 73 and 76 of the act of August 27, 1894, entitled "An act to reduce taxation to provide revenue for the Government, and for other purposes,'" approved February 12, 1913, nor shall anything contained in this act be construed to alter, modify, or repeal such acts or any part or parts thereof."

Mr. SHERMAN subsequently said:

Mr. President, I wished to make a parliamentary inquiry of the Senator from New Hampshire [Mr. MOSES], but he does not seem to be here.

There was a most remarkable amendment offered this morning to Senate bill 2202, known as the Kenyon bill. It seems to license everybody engaged in interstate commerce; at least, a cursory reading of it gives that impression. I wished to make that inquiry of the Senator, if present, but he appears to be absent. I will allow the inquiry to stand in the RECORD.

Mr. MOSES subsequently said:

Mr. President, it is a far cry from the masterly expression of a deep philosophic study of a great subject presented by the Senator from Colorado [Mr. THOMAS] to the topic upon which I wish to speak for a minute.

In my absence from the Chamber earlier in the day the senior Senator from Illinois [Mr. SHERMAN] made some inquiry regarding the subject matter and the purpose and bearing of an amendment which I offered to Senate bill 2202, and inasmuch as the Senate will adjourn from to-day until day after to-morrow I take this occasion, in response to the Senator's invitation, to state briefly that it is the purpose of the amendment to carry out to its full effect the proposal in the bill I have named.

I confess, Mr. President, to considerable skepticism as to the merits and value and practicability of the licensing system as applied to American industries, but if one industry is to be singled out to be administered under a licensing system, if one group of industrial chieftains are to conduct their enterprise under the guidance of a civil-service employee located in Washington, that principle certainly should be extended to all enterprises of nation-wide magnitude and all industrial chieftains should be placed under the same restriction. I am entirely unwilling to see the policy of a licensing system adopted by piecemeal. If that is to be the policy of legislation in this country I wish it to be applied immediately and completely.

Inasmuch as the Senator from Illinois, who propounded this inquiry to me, is now absent from the Chamber, as I was when he made his interrogatory, I hope that he may read in the Record to-morrow this brief explanation of the purpose and bearing of the amendment which I offered, and that when the issue shall be joined in the consideration of the bill we may discuss the wisdom of applying the licensing system to the industries of the United States.

WITHDRAWAL OF PAPERS—ELLEN L. GOODWIN.

On motion of Mr. HALE, it was

Ordered, That the papers accompanying bill S. 2913, Sixty-fifth Congress, second session, granting an increase of pension to Ellen L. Goodwin, be withdrawn from the files of the Senate, no adverse report having been made.

COMMERCIAL FEEDS FOR ANIMALS.

Mr. NORRIS. I offer a Senate resolution, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 140) was read, as follows:

Resolved, That the Federal Trade Commission be, and it is hereby, instructed to make an investigation of the manufacture and sale of commercial feeds for animals, such investigation to include the gathering of statistics as to the supply of the various commodities which are used for animal feeds, together with the fluctuation in the prices of these commodities; the extent to which these commodities are converted into concentrated food by manufacturers; what combinations or understandings, if any, exist between the feed manufacturers and wholesale feed dealers and retail feed dealers; and what fraud, if any, is practiced by dealers in the way of misbranding or using inferior substitutes in mixed feeds.

Further resolved, That the Secretary of Agriculture be, and he is hereby, directed to cooperate with the Federal Trade Commission in this investigation.

The VICE PRESIDENT. Is there any objection to the present consideration of the resolution?

Mr. KING. I think it had better go over until to-morrow.

Mr. NORRIS. Very well; I am willing that it shall go over under the rule.

The VICE PRESIDENT. The resolution will lie over and be printed.

CIRCULATION OF CURRENCY.

Mr. MYERS. I offer a Senate resolution, which I ask to have printed and go over until to-morrow.

The resolution (S. Res. 142) was ordered to lie over and to be printed, as follows:

Whereas on the 22d day of July, 1919, the Secretary of the Treasury, in response to an inquiry of the Senate, sent to the Senate the following communication:

TREASURY DEPARTMENT,
Washington, July 22, 1919.

SIR: In compliance with a resolution of the Senate of the United States of July 8, 1919, transmitted to me by the Secretary of the Senate under date of July 9, I submit the following:

Under the act approved May 30, 1908, commonly known as the Aldrich-Vreeland Act, as amended, additional or emergency currency was issued, beginning on August 4, 1914, in amount \$382,502,045. All of this additional circulation was retired before the close of the calendar year 1915. Authority for the issue of such additional or emergency currency expired by limitation on June 30, 1915.

No emergency currency has been issued by the Federal reserve banks. However, such banks have issued Federal reserve bank notes and Federal reserve notes in accordance with the provisions of law and under the general supervision of the Federal Reserve Board. None were outstanding August 1, 1914. The amounts of such notes in circulation on July 1, 1919, were:

Federal reserve bank notes \$163,682,696
Federal reserve notes 2,493,992,462

The Treasury Department has no intention, nor, indeed, the power, to retire or withdraw from circulation any thereof, nor, as I am advised, has the Federal Reserve Board. The Federal Reserve System was devised to create an elastic currency which would expand and contract automatically in accordance with the requirements of business. Any reductions in the amounts of Federal reserve notes outstanding will be in accordance therewith. Federal reserve bank notes, for the most part, have been issued to replace silver certificates canceled and retired in accordance with the provisions of the act of April 23, 1918.

I transmit herewith a copy of the Treasury Department circulation statement for August 1, 1914, and July 1, 1919, showing the amount of money of the United States in circulation on the respective dates. Data are not available in the department with respect to the amount of money in circulation in the Territories and possessions of the United States.

Respectfully,
CARTER GLASS,
Secretary of the Treasury.

THE PRESIDENT OF THE UNITED STATES SENATE,
Washington, D. C.

And whereas in connection with the said communication the Secretary of the Treasury did transmit to the Senate the following tables and statements, to wit:

Circulation statement, Aug. 1, 1914.

	General stock of money in the United States.		Held in Treasury as assets of the Government. ¹		Money in circulation.			
	July 1, 1914.	Aug. 1, 1914.	July 1, 1914.	Aug. 1, 1914.	July 1, 1914.	Aug. 1, 1914.	Aug. 1, 1913.	Jan. 1, 1879.
Gold coin (including bullion in Treasury)....	\$1,890,678,304	\$1,887,270,664	\$195,381,761	\$230,891,204	\$614,321,674	\$632,332,591	\$606,015,613	\$96,262,850
Gold certificates ²	45,520,740	49,660,150	1,035,454,129	974,386,719	1,000,560,414	21,189,280		
Standard silver dollars....	565,834,263	565,840,263	4,670,087	8,701,521	70,314,176	69,981,742	72,173,431	5,790,721
Silver certificates ²			11,387,624	12,555,662	479,462,376	474,601,338	470,578,117	413,360
Subsidiary silver....	182,315,863	182,447,433	22,052,188	22,318,627	160,263,675	160,128,806	155,408,145	67,982,601
Treasury notes of 1890....	2,439,000	2,433,000	11,942	12,981	2,427,058	2,420,019	2,640,639	
United States notes....	346,681,016	346,681,016	7,841,373	9,677,117	338,839,643	337,003,899	338,623,783	310,288,511
National-bank notes....	750,671,899	750,907,021	32,588,262	34,393,205	718,085,637	716,513,818	710,891,000	314,339,393
Total.....	3,738,620,345	3,735,579,397	319,451,977	368,210,467	3,419,168,368	8,367,368,930	3,356,891,123	816,266,721

¹ This statement of money held in the Treasury as assets of the Government does not include deposits of public money in national-bank depositories to the credit of the Treasurer of the United States, amounting to \$55,172,211.78. For a full statement of assets see public debt statement.

² For redemption of outstanding certificates an exact equivalent in amount of the appropriate kinds of money is held in the Treasury, and is not included in the account held as assets of the Government.

³ Includes \$33,190,000 currency certificates, act June 8, 1872.

NOTE.—Population of continental United States Aug. 1, 1914, estimated at 99,168,000; circulation per capita, \$33.96.

Circulation statement, July 1, 1919.

Circulating medium.	I. General stock of money in the United States. ¹		II. Held in the Treasury as assets of the Government. ²		III. Held by Federal reserve banks and Federal reserve agents against issues of Federal reserve notes. ³		IV. Money in circulation. ⁴			
	July 1, 1919.	July 1, 1918.	July 1, 1919.	July 1, 1918.	July 1, 1919.	July 1, 1918.	July 1, 1919.	July 1, 1918.	June 1, 1919.	Jan. 1, 1879.
Gold coin (including bullion in Treasury)....	\$3,095,077,467	\$3,076,482,515	\$360,604,070	\$245,602,753	\$813,882,860	\$686,838,455	\$1,172,953,529	\$1,107,531,243	\$1,100,256,283	\$96,262,850
Gold certificates....					205,417,280	208,278,320	542,219,728	528,231,744	580,784,981	21,189,280
Standard silver dollars....	308,978,930	499,684,959	55,718,347	38,685,508			81,576,350	77,341,545	81,784,757	5,790,721

¹ Includes gold held in the Treasury for the redemption of outstanding gold certificates (\$747,637,008, and Federal reserve gold settlement fund, \$1,415,019,699.10 on July 1, 1919) and standard silver dollars held in the Treasury for the redemption of outstanding silver certificates and Treasury notes of 1890 (\$152,979,025.03 on July 1, 1919). Amounts of Federal reserve bank notes and national bank notes are amounts issued by Treasury to banks.

² Includes the gold reserve fund held against issues of United States notes and Treasury notes of 1890 (\$152,979,025.03 on July 1, 1919), and the gold or lawful money redemption funds held against issues of national bank notes, Federal reserve notes, and Federal reserve bank notes (\$227,079,873.65 on July 1, 1919). Does not include deposits of public money in Federal reserve banks, national banks, and special depositories (\$1,090,069,711.15 on July 1, 1919), nor does it include funds held in trust in the Treasury for the redemption of outstanding gold and silver certificates and Treasury notes of 1890. (See Column I.) For a full statement of Treasury assets and liabilities see daily statement of the United States Treasury and monthly financial statement.

³ Includes the gold reserve held by banks against issues and gold or other funds deposited by banks with agents to retire Federal reserve notes in circulation and own Federal reserve notes held by Federal reserve banks.

⁴ Amounts of various kinds of money in circulation determined by deducting from the appropriate item in the general stock of money (Column I) the amount held in the Treasury as assets of the Government (Column II) and the amount held by Federal reserve banks or Federal reserve agents against issues of Federal reserve notes (Column III). Gold and silver certificates and Treasury notes of 1890 in circulation are represented in the general stock of money by equal amounts of gold coin or bullion and standard silver dollars held in Treasury for their redemption. (See Column I.) Amounts of Federal reserve bank notes and national bank notes are amounts of issues by Treasury to banks less amounts held in Treasury as assets of the Government.

⁵ Includes \$799,301,860 credited to Federal reserve agents in the gold settlement fund deposited with Treasury of the United States.

⁶ Includes \$615,717,839.10 credited to Federal reserve banks in the gold settlement fund deposited with Treasury of the United States.

Circulation statement, July 1, 1919—Continued.

Circulating medium.	I. General stock of money in the United States.		II. Held in the Treasury as assets of the Government.		III. Held by Federal reserve banks and Federal reserve agents against issues of Federal reserve notes.		IV. Money in circulation.			
	July 1, 1919.	July 1, 1918.	July 1, 1919.	July 1, 1918.	July 1, 1919.	July 1, 1918.	July 1, 1919.	July 1, 1918.	June 1, 1919.	Jan. 1, 1919.
Silver certificates	\$243,235,661	\$232,147,364	\$11,087,825	\$14,940,804	.....	.....	\$169,939,003	\$381,806,770	\$179,641,852	\$413,380
Subsidiary silver	.....	.....	.....	.....	.....	.....	232,147,336	217,206,560	231,365,105	67,982,601
Treasury notes of 1890	.....	.....	.....	.....	.....	.....	1,745,230	1,851,130	1,757,932	.....
United States notes	346,681,016	346,681,016	13,742,472	6,744,783	.....	.....	332,938,544	339,938,233	334,227,367	310,288,511
Federal reserve notes	1,687,556,985	1,847,580,445	44,265,463	29,982,400	\$149,299,060	\$106,186,350	2,493,902,462	1,711,411,695	2,506,177,517	.....
Federal reserve bank notes	187,666,980	15,444,000	23,984,284	100,025	.....	.....	163,682,696	15,343,975	155,966,904	.....
National bank notes	719,276,732	724,205,485	69,445,582	20,068,477	.....	.....	649,831,150	704,137,008	662,305,514	314,339,398
Total	7,588,473,771	6,742,225,784	578,848,043	356,124,750	1,168,599,200	1,001,303,125	5,841,020,528	5,384,797,909	5,834,268,212	816,266,721
Population of continental United States estimated at	.....	.....	.....	.....	.....	.....	107,600,000	105,869,000	107,455,000	48,231,000
Circulation per capita	.....	.....	.....	.....	.....	.....	\$54.23	\$50.86	\$54.29	\$16.92

† Includes own Federal reserve notes held by Federal reserve banks.

And whereas it appears therefrom that the amount of money in circulation in the United States is nearly twice what it was in volume and per capita five years ago: Now, therefore, be it

Resolved, That the aforesaid communication of the Secretary of the Treasury and the accompanying tables and statements be and are referred to the Committee on Banking and Currency, and that that committee is hereby directed to consider the same and all thereof, and to report to the Senate whether or not it is advisable for Congress to enact any legislation to provide for a gradual reduction of the amount of money in circulation, and, if so, to report what legislation it deems necessary, expedient, or advisable to bring about some gradual reduction of the amount of money in circulation and to what extent and how rapidly such reduction should be had and what may be the views of the committee in general in the premises.

CITY OF FIUME AND VILLAGE OF SUSSAK.

Mr. SHERMAN. I offer a resolution and ask that it be referred to the Committee on Foreign Relations without reading.

The resolution (S. Res. 141) was referred to the Committee on Foreign Relations, as follows:

Whereas the census of the city of Fiume shows an Italian population of 28,911, and a Slav population of 10,927, an Italian majority of 17,984; and

Whereas the population of the village of Sussak, which is separated from Fiume and to which no claim for annexation is made by Italy, is composed of 3,871 Slavs and 658 Italians; and

Whereas the two sections, even when taken together, show a total population of 29,569 Italians and 14,798 Slavs, or a clear Italian majority of 14,771 in both the city of Fiume and the village of Sussak; and

Whereas certain Jugo-Slav officers are changing these figures to confuse impartial and disinterested parties in furtherance of their avowed purpose of creating opposition against and attempting to prevent the annexation of Fiume to Italy; and

Whereas it is the desire of the Senate of the United States to mete justice to all parties concerned without fear or favor, when the treaty of peace between the United States of America and its Allies on one part and the Austro-Hungarian Government on the other part shall be presented to the United States Senate for ratification; and

Whereas it is the desire of the Senate of the United States to be properly advised as to the population of the city of Fiume and of the village of Sussak, so that its judgment or decision may be not rendered difficult on account of false and unsupported claims: Therefore be it

Resolved, That the President of the United States be requested, if not incompatible with public interest, to instruct the delegation of the United States of America at the peace conference of Versailles to secure, in conjunction with the representatives of our Allies—Great Britain, France, Italy, and Japan—and under their joint, impartial, and personal control, a correct census showing the correct population of Fiume and of the village of Sussak separately, and its division according to race, color, or nationalities, and to forward the same to the Senate for its advise and guidance at the earliest possible moment.

THE MOONEY CASE.

Mr. SHERMAN. Mr. President, I present two letters, one written by myself to J. B. Densmore, United States Employment Service, dated May 6, 1919, and the other written by J. B. Densmore himself and addressed to myself, dated May 14, 1919, which I should like to have printed in the RECORD without reading.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MAY 6, 1919.

Hon. J. B. DENSMORE,
United States Employment Service, Washington, D. C.

DEAR MR. DENSMORE: I find your letter on my return from an absence of some weeks.

You ask that, if I know anything of the misuse of the United States Employment Service, to advise you. The inquiry is made in view of a letter written by me in answer to a Mr. Anderson, of Rock Island, Ill. May I ask if the inquiry covers the activities of the United States Employment Service in San Francisco in the Mooney case? I would be very glad to include this subject in my answer to your letter, so as to avoid duplicating the correspondence.

Very truly yours,

LAWRENCE Y. SHERMAN.

UNITED STATES DEPARTMENT OF LABOR,
UNITED STATES EMPLOYMENT SERVICE,
Washington, May 14, 1919.

Hon. LAWRENCE Y. SHERMAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Receipt is acknowledged of your reply of May 6 to my letter asking you to be good enough to bring to my attention cases of misuse of the United States Employment Service which you mention generally in your letter to Mr. Anderson, of Rock Island.

In your reply you ask if my inquiry "covers the activities of the United States Employment Service in San Francisco in the Mooney case?"

My inquiry did not cover what you allege as "the activities of the United States Employment Service in San Francisco in the Mooney case," for the reason that the United States Employment Service had no connection whatever with the activities to which you refer.

I am sure you are so fair that you desire all the facts on this subject, which, briefly, are these: Since 1913 I have been Solicitor of the Department of Justice for the Department of Labor, appointed as such by the President. I resigned this position in January, 1918, at the request of the Secretary of Labor, to take up the work of establishing and directing the United States Employment Service.

During the year 1917, as solicitor for the department, I was sent by the Secretary of Labor to San Francisco to make an investigation of alleged graft and corruption in the Chinese immigration service in connection with the fraudulent admission of Chinese laborers to this country. I had a few trained investigators of the Government service with me, and at the conclusion of the investigation we had turned up and dismissed some 23 employees of the Immigration Service who were involved in accepting money from Chinese and others for the illegal admission of alien Chinese and for the delivery and destruction of certain records of the Government pertaining to Chinese. These frauds also involved several lawyers in San Francisco who were working with those dishonest Government employees.

I was instructed by the Secretary of Labor and the Attorney General to present the whole matter to the Federal grand jury with the United States attorney, which I did, with the result that about 22 of the grafters were indicted. The grand-jury investigation was finished and the indictments returned about November, 1917, at which time I returned to Washington, as there was no possibility of trying the cases in the near future. As several of the defendants had made complete confessions upon their arrest, and were Government witnesses, I felt that it was necessary to leave one of the department special inspectors to protect them from corruption by the more influential defendants, and also as a matter of protection to the Government's cases, as an attempt had been made to corruptly influence the action of the Federal grand jury while considering the cases we had before it.

With this in mind, one of the inspectors who had worked on the whole investigation was left in San Francisco, together with one other who lived there, and together they assisted the United States Attorney in gathering additional evidence to be used in the trial.

It was during the time these inspectors remained in San Francisco that they discovered an opportunity to present further evidence to the Secretary of Labor on the subject of the fairness of the trial of Thomas J. Mooney by the State's attorney for

San Francisco, which subject had been gone into by the commission appointed by the President, of which the Secretary of Labor was chairman. They were authorized to do so in connection with their other work.

In the meantime, when I returned to Washington in November, 1917, I was, as before mentioned, asked to take charge of the establishment and direction of the United States Employment Service, and I resigned as solicitor to do so. This new work engaged all my time, and it was not until the middle of October, 1918, that I found myself able to leave this work even for a few weeks to go to San Francisco and assist the district attorney in the prosecution of the cases. I was then Director General of the United States Employment Service, but I went to San Francisco at that time solely for the purpose of assisting in the Government's prosecution of the people indicted as a result of my investigation as solicitor and not at all for the purposes as universally charged "to investigate the Mooney case." Such investigation as was made was carried on by the two inspectors of the department who remained in San Francisco, and no person connected with the United States Employment Service had anything to do with it.

The investigation was practically finished when I arrived in San Francisco last October to assist the United States attorney in the trials, and the report of the investigators was transmitted by me to the Secretary of Labor. Unfortunately some of this report fell into the hands of the publisher of a local paper who published it without any authority whatever.

This statement is in no way meant to be an apology for any action of mine, as I am conscious of no act in connection with my official duty without authority therefor. It is meant to correct your apparent misapprehension that the United States Employment Service had any activities in connection with the Mooney case.

My inquiry to you was made in the interest of the betterment of the Employment Service, in the hope of having you bring to my attention, that they could be corrected, such matters as you mention in your letter to Mr. Anderson, of Rock Island, Ill.

I assure you there is no one who realizes quite as I do the imperfections of this service, but there can be no one more interested than I in removing them.

Sincerely,

J. B. DENSMORE,
Director General.

MR. SHERMAN. Mr. President, the matter is personal to myself and a case of pronounced official mendacity. I ask leave to make a statement in answer rather than by private correspondence to that United States official.

THE VICE PRESIDENT. The Chair hears no objection, and the Senator from Illinois will proceed.

THE UNITED STATES EMPLOYMENT SERVICE ACTIVITIES IN THE
MOONEY CASE.

MR. SHERMAN. A concerted movement was for some time conducted to make permanent many millions of dollars in appropriations for the United States Employment Service. Many communications urged me to support the measure. I declined, giving my reasons in various letters. One of these letters addressed to Mr. Anderson, of Rock Island, Ill., was procured by or sent to J. B. Densmore, Director General of the United States Employment Service. He wrote me asking me if I knew of any activities of the Employment Service indicating a misuse of its powers, as I had intimated it in some of my letters, the Anderson letter among others.

All the letters were privileged to be made public. There were none of them private.

On May 6, 1919, in a letter which I have already submitted, I asked Mr. Densmore if his inquiry covered the activities of the United States Employment Service in San Francisco in the Mooney case. Mr. Densmore replied in a letter of May 14, 1919, signing it as director general on a letterhead of the United States Department of Labor, United States Employment Service. Director General Densmore denied that any person connected with the United States Employment Service had anything to do with the Mooney case. This unequivocal denial is contained in the letter submitted signed by Densmore. He undertook to explain that his presence in San Francisco on and before November 1, 1918, was exclusively to prosecute certain immigration frauds in which indictments had before that time been returned. The investigation of the Mooney case had previously been made, he says, by two investigators who had been employed in the immigration cases and had discovered an opportunity to present further evidence to the Secretary of Labor on the subject of the fairness of Mooney's trial. The director general says this investigation was practically finished when he arrived in San Francisco in October, 1918, to assist the United States attorney in the immigration trials there. The report of the investigators relating to Mooney was by Mr. Densmore transmitted to the Secretary of Labor. Mr. Densmore

states in his letter that he went to San Francisco at that time solely for the purpose of assisting in the Government's prosecution of the defendants in the immigration cases and not at all for the purpose, so universally charged, to investigate the Mooney case. He adds that, unfortunately, this report on Mooney fell into the hands of a local newspaper, which published it without authority. This explanation, he says, is meant to correct my apparent misapprehension that the United States Employment Service had any activities in connection with the Mooney case. The letter directly states no one connected with the United States Employment Service had anything to do with the Mooney case. Densmore's letter conveys the statement that he simply transmitted a report made by the investigators in no way connected with the Employment Service to the Secretary of Labor.

It is most unfortunate for the director general of this service that on June 27, 1919, House resolution No. 128 required the Secretary of Labor to transmit to it information of the connection of John B. Densmore, Director of the United States Employment Service, with the Mooney case. Under the pressure of this resolution the Secretary gave to the House the suppressed report, Document No. 157, Sixty-sixth Congress, first session. It is found on page 3, headed "The Mooney case." It is dated November 1, 1918, San Francisco, Calif. It opens with this significant sentence from Mr. Densmore:

Pursuant to instructions received from time to time during the past six months, I have the honor to report that I have conducted a secret and altogether informal inquiry into the Mooney case and beg leave to submit herewith the results of my investigation.

The six months' period from November 1, 1918, would relate back to May 1, 1918. Mr. Densmore was appointed Director General of the United States Employment Service January 1, 1918. Therefore the six months' period covered in this report is a time when Densmore was Director General of the United States Employment Service.

Again, on page 6, I quote:

This was the condition of things when I asked for and received official permission to make a further investigation of the case along certain lines which I hoped would develop information of the first importance. By this time the fate of the Mooney defendants had aroused international interest and solicitude. * * * The liberal sentiment of Russia was aroused.

And so forth. Again, on page 6:

In my investigation of the Mooney case I have kept these facts well in mind and proceeded on the theory that an unwarranted attack upon labor leaders with a premeditated and deliberate intention to injure and discredit union labor—

And so forth.

On page 7, in preparing for a fresh investigation, "two plans of operation naturally presented themselves." He continues it was decided to work secretly, and to the two trusted assistants in San Francisco he says, "I confided my plan of operations."

The entire document carries abundant evidence of the continuous activity of the director general in the Mooney case. It is signed, on page 76, "J. B. Densmore, Director General of Employment." A more complete case of official mendacity has not occurred capable of proof by documentary evidence. Before the House extracted this suppressed report from the Secretary of Labor the only evidence of the falsity of the director general's letter to me of May 14, 1919, was the publication of the report, in November, 1918, in the San Francisco Call, which is owned and edited by Fremont Elder. It is now officially established that the Director General of the United States Employment Service is unable to state facts, although he possesses the documentary evidence which would give him the information to do so. I regret the incident, but must preserve in some permanent form the reason why the United States Employment Service has been so prostituted to basely improper uses and the evidence thereof suppressed and denied by a United States official.

RESERVATIONS IN ENTERING LEAGUE OF NATIONS.

MR. HALE. Mr. President, I have before me a copy of a letter sent by me on July 18 to Justice Hughes, of New York, asking his opinion about reservations to the covenant for the league of nations in the peace treaty and also his reply. I ask leave that they be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON CANADIAN RELATIONS,
July 18, 1919.

HON. CHARLES EVANS HUGHES,
96 Broadway, New York City.

MY DEAR JUDGE HUGHES: Many of us in the Senate are in favor of having the United States enter a league of nations, provided that in doing so we do not sacrifice the sovereignty or traditional policies of our country. We believe that the pro-

posed covenant for a league of nations in the peace treaty now before the Senate does make such a sacrifice. Rather than take the covenant as it now stands, I am very certain that considerably more than one-third of the Senate would refuse to ratify the treaty altogether. As far as I am personally concerned, I do not want to see this happen, and I do want to see some plan devised whereby the United States may safely enter the league of nations. It has seemed to some of us that this result could best be accomplished by attaching certain reservations to the proposed covenant which would limit the participation by the United States in the league. I shall be very glad if you will give me your opinion as to the validity of such reservations, and also as to what reservations, in your judgment, should be made to safeguard the interests of our country.

Sincerely yours,

FREDERICK HALE.

NEW YORK, July 24, 1919.

Hon. FREDERICK HALE,

United States Senate, Washington, D. C.

MY DEAR SENATOR HALE: I am in receipt of your letter of July 18, and it gives me pleasure to comply with your request for my opinion with respect to the validity and advisability of reservations on the part of the United States in entering the proposed league of nations.

Permit me to state at the outset the point of view from which I think the questions should be approached. There is plain need for a league of nations, in order to provide for the adequate development of international law, for creating and maintaining organs of international justice and the machinery of conciliation and conference, and for giving effect to measures of international cooperation which from time to time may be agreed upon. There is also the immediate exigency to be considered. It is manifest that every reasonable effort should be made to establish peace as promptly as possible and to bring about a condition in which Europe can resume its normal industrial activity.

I perceive no reason why these objects can not be attained without sacrificing the essential interests of the United States. There is a middle ground between aloofness and injurious commitments.

I share the regret that suitable steps have not been taken for the formulation of international legal principles and to secure judicial determinations of international disputes by impartial tribunals, and that the hope of the world in the determination of disputes has been made to rest so largely upon the decision of bodies likely to be controlled by considerations of expediency. There is merit enough in the proposed plan to make it desirable to secure it, if proper safeguards can be obtained, but it is just as futile to exaggerate its value as it is to see nothing but its defects. One must take a light-hearted view of conditions in the world to assume that the proposed plan will guarantee peace or bring about a cessation of intrigue and of the rivalries of interests or prevent nations which can not protect themselves from being compelled to yield to unjust demands where for any reason great powers deem resistance inexpedient. Rather, the proposed covenant should be viewed as a mere beginning, and while it is important that we should have a beginning, it is equally important that we should not make a false start.

I think that the prudent course is to enter the proposed league with reservations of a reasonable character, adequate to our security, which should meet ready assent, and thus to establish a condition of amity at the earliest possible moment.

As to the validity of reservations, this question has two aspects—first, with respect to the action on our part which is essential to the making of reservations and, second, as to the effect of reservations upon other parties to the treaty.

As to the first question it is manifest that attempted reservations will be ineffectual unless they qualify the act of ratification. The adoption of resolutions by the Senate setting forth its views will not affect the obligations of the covenant if it is in fact ratified without reservations which constitute part of the instrument of ratification.

If the Senate should adopt reservations by a majority vote, I assume that these will be made part of the proposed resolution of assent to the treaty, and the question will then be whether the Senate will give its assent with these reservations by the requisite two-thirds vote. If the proposed reservations are reasonable, the responsibility for the defeat of the treaty, if it is defeated, will lie with those who refuse the vote essential to the assent. If the Senate gives its assent to the treaty with reservations, the concurrence of the President will still be necessary, as ratification will not be complete without his action, and the responsibility for a refusal to give the ratification with the reservations as adopted by the Senate as a part

of the instrument of ratification would thus lie with the President.

Assuming that the reservations are made as a part of the instrument of ratification, the other parties to the treaty will be notified accordingly. As a contract the treaty, of course, will bind only those who consent to it. The nation making reservations as a part of the instrument of ratification is not bound further than it agrees to be bound. And if a reservation as a part of the ratification makes a material addition to or a substantial change in the proposed treaty other parties will not be bound unless they assent. It should be added that where a treaty is made on the part of a number of nations they may acquiesce in a partial ratification on the part of one or more.

But where there is simply a statement of the interpretation placed by the ratifying State upon ambiguous clauses in the treaty, whether or not the statement is called a reservation, the case is really not one of amendment, and acquiescence of the other parties to the treaty may readily be inferred unless express objection is made after notice has been received of the ratification with the interpretative statement forming a part of it.

Statements to safeguard our interest which clarify ambiguous clauses in the covenant by setting forth our interpretation of them, and especially when the interpretation is one which is urged by the advocates of the covenant to induce support, can meet with no reasonable objection. It is not to be supposed that such interpretations will be opposed by other parties to the treaty, and they will tend to avoid disputes in the future. Nor should we assume that a reservation would lead to the failure of the treaty or compel a resumption of the peace conference when the reservation leaves unimpaired the main provisions of the covenant looking to the peaceful settlement of disputes and the organization of conferences, and simply seeks to avoid any apparent assumption of an obligation on our part to join in a war at some indefinite time in the future for a cause the merits of which can not now be foreseen, as it is evident that in such case we must inevitably await the future action of Congress in accordance with what may then be the demand of the conscience of the Nation. In contemplating this experimental, albeit hopeful, enterprise, our security and good faith are primary considerations. Those, either here or abroad, who would oppose such reasonable interpretations or reservations on our part would take a heavy responsibility.

The question is then what specifically should the reservations be:

First. With respect to the right of withdrawal (art. 1). It is reasonable to provide that a member withdrawing from the league should not be released from a debt or liability previously incurred. But it should not be possible that through a claim of the nonperformance of an obligation a member desiring to withdraw should be kept in the league, perhaps indefinitely. I understand that different interpretations have been put upon the clause in question, and I think that there should be a clarifying statement as a part of the ratification.

Second. The clause relating to domestic matters, such as immigration or tariff laws is ambiguous (art. 15), as it provides for a finding by the council whether the question is one solely within the domestic jurisdiction. There should be a clear statement of our understanding that such matters, where no international engagement has been made with respect thereto, are not submitted for the consideration or action of the league or any of its agencies.

Third. It is urged by the advocates of the covenant that article 21 recognizes and preserves the Monroe doctrine. But the descriptive phrase employed in the article is inaccurate, and the meaning of the article is far from clear. There should be an interpretative statement which will remove all doubt that the traditional policy of the United States as to purely American questions is still maintained. I fully indorse Mr. Root's proposed statement of reservation and understanding upon this point, but in the view that an alternative form of statement may be helpful I submit one below.

Fourth. I agree with Mr. Root that it would be desirable to eliminate article 10, with its guaranty to "preserve against external aggression the territorial integrity" of all members of the league. My views as to this article were stated in the inclosed address before the Union League Club (Mar. 26, 1919), and I need not repeat them at length. I still think that article 10 is a trouble breeder and not a peacemaker.

If we are entering upon a new world order of democracies, the inevitable consequences should be recognized. Democracies can not promise war after the manner of monarchs. It is idle to attempt to commit free peoples to the making of war in an unknown contingency when such a war may be found to be clearly

opposed to the dictates of justice. The limitation with respect to "external aggression" is important, but does not meet the difficulty. As the most earnest supporters of the article admit, it may be invoked against a power which has performed all its obligations under the other provisions of the covenant and be the victor "in a war 'legal' under articles 12, 13, and 15."

While the importance of article 10 is strongly emphasized by its supporters, it is said at the same time that the fulfillment of the engagement would be only according to the plan advised by the council of the league, and as this must be a plan upon which the members of the council unanimously agree we could veto any proposal calling for an intervention in what we deemed to be an unsuitable case. Again, it is freely recognized that war can only be declared by Congress.

Article 10 is objectionable because it is an illusory engagement. Whether we shall go to war to preserve the territorial integrity of another State in a situation not now disclosed or described so that the merits of the case may be judged will depend upon the action of Congress, and that action will be taken according to the conviction of our people as to our duty in the light of the demands of justice as they appear when the exigency arises. The general guaranty of article 10 can not be relied upon to produce action contrary to its judgment. We should not enter into a guaranty which would expose us to the charge of bad faith or of having defaulted in our obligation, notwithstanding that Congress in refusing to make war had acted in accordance with its conception of duty in the circumstances disclosed.

Of course a limitation of the operation of article 10 to a period of years would be preferable to the indefinite obligation proposed. But in my judgment it would be better that if article 10 is not eliminated a reservation and interpretative statement should be adopted which would adequately recognize the limitations I have mentioned. Further, it is possible that such a reservation and interpretative statement, while sufficient for our protection, would make acquiescence easier than if the elimination of the article were required. I append the form of such a statement for your consideration.

The resolution embodying the reservations and interpretations thus suggested might be in some such form as the following:

"The Senate of the United States of America advises and consents to the ratification of said treaty with the following reservations and understandings as to its interpretation and effect to be made a part of the instrument of ratification:

"First. That whenever two years' notice of withdrawal from the league of nations shall have been given, as provided in article 1 of the covenant, the power giving the notice shall cease to be a member of the league, or subject to the obligations of the covenant of the league, at the time specified in the notice, notwithstanding any claim, charge, or finding of the nonfulfillment of any international obligation or of any obligation under said covenant: *Provided, however,* That such withdrawal shall not release the power from any debt or liability theretofore incurred.

"Second. That questions relating to immigration, or the imposition of duties on imports, where such questions do not arise out of any international engagement, are questions of domestic policy, and these and any other questions which, according to international law, are solely within the domestic jurisdiction are not to be submitted for the consideration or action of the league of nations or of any of its agencies.

"Third. That the meaning of article 21 of the covenant of the league of nations is that the United States of America does not relinquish its traditional attitude toward purely American questions, and is not required by said covenant to submit its policies regarding questions which it deems to be purely American questions to the league of nations or any of its agencies, and that the United States of America may oppose and prevent any acquisition by any non-American power by conquest, purchase, or in any other manner of any territory, possession, or control in the Western Hemisphere.

"Fourth. That the meaning of article 10 of the covenant of the league of nations is that the members of the league are not under any obligation to act in pursuance of said article except as they may decide to act upon the advice of the council of the league. The United States of America assumes no obligation under said article to undertake any military expedition or to employ its armed forces on land or sea unless such action is authorized by the Congress of the United States of America, which has exclusive authority to declare war or to determine for the United States of America whether there is any obligation on its part under said article and the means or action by which any such obligation shall be fulfilled."

With high regard, I am,

Very sincerely yours,

CHARLES E. HUGHES.

LEAGUE OF NATIONS.

Mr. MOSES. I ask unanimous consent to have printed in the RECORD a brief editorial from the Boston Transcript, entitled "Why some Senators hold fast."

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

"WHY SOME SENATORS HOLD FAST.

"The blindness of partisanship to the beauty of patriotism and the deafness of partisanship to the dictates of conscience are exhibited by the following questions asked to-day by the New York Times, one of the chief petitioners for the unconditional ratification of the unpurged treaty of Versailles:

"How is it that Republican Senators rage against the treaty and league, though the Republicans of their own State beg them to change their course?

"How is it that some of them are imperiling their booms and some of them their chances of another term in the Senate?

"It is because 'some of them,' to the number of more than a militant one-third of the Senate, hold the honor of their country dearer than they hold their political lives, and will gladly lay down their political lives in defense of the honor of their country, in defense of the preservation of American independence, in defense of the policy of Washington and the doctrine of Monroe and the nationalism of Cleveland and the Americanism of Roosevelt, counting themselves fortunate that in so doing an opportunity has been offered them to emulate, in their places in the Senate, the splendid spirit that took the American doughboy over the top in France and made him spurn to count the cost or pause to consider whether he would ever come back. White House Democrats and Wall Street Republicans, who have entered into an alliance for the purpose of intimidating Senators into voting against the dictates of conscience and against the honor of their country as they envisage it, are bewildered by the failure of the alliance to accomplish its unworthy purpose and by an inability to find a reason for that failure in the encyclopedia of professional politics."

Mr. MOSES. I also present a press dispatch from Boston, Mass., containing an account of the action of the Democratic State committee of Massachusetts and resolutions adopted by that body on Saturday last, which I ask to have printed in the RECORD.

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

"BAY STATE DEMOCRATIC COMMITTEE SAYS BRITISH FOISTED LEAGUE ON UNITED STATES.

"BOSTON, July 26.

"The Democratic State committee adopted a resolution to-day expressing its unalterable opposition to the attempt of England and her allies to force upon the American people 'a so-called covenant of a league of nations which attempts to commit this Republic to recognize and hold forever the title of England to own and rule Ireland against the expressed will of an overwhelming majority of the Irish people.'

ADJOURNMENT TO THURSDAY.

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

The motion was agreed to.

HOUSE BILLS REFERRED.

The following bills were each read twice by their titles and referred to the Committee on Finance:

H. R. 2837. An act to repeal section 630 of the revenue act of 1918, approved February 24, 1919; and

H. R. 7840. An act providing for a tax on pure fruit-juice beverages.

THE OIL SITUATION.

Mr. POINDEXTER. I ask the Chair to lay before the Senate a resolution submitted by me on yesterday, and which went over under the rule.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from yesterday, which will be read.

Senate resolution 138, submitted by Mr. POINDEXTER on the 28th instant, was read, as follows:

Resolved, That the Federal Trade Commission is hereby requested to investigate and report to the Senate the causes of recent advances in the market price in the United States, especially on the Pacific coast, of fuel oil, kerosene, gasoline, and other petroleum products, and in reporting the foregoing the said commission is requested to take into consideration and report the sources of oil supply for the United States, and particularly for the Pacific coast; the annual production of the same for several years last past, with especial reference to the years 1914 to 1919, inclusive; the corporate or other agencies by which the business of oil production, oil refining, oil distribution, and oil marketing, including petroleum and all its products, is and has been conducted in the past and at the present time, with especial reference to the particular period mentioned above, and to these activities on the Pacific coast, and to the Standard Oil Co. of California, the Union Oil Co., and the General Petroleum Co., and other companies engaged in this business on the Pacific coast, and to report to the Senate what, if any,

combinations in restraint of trade between those engaged in this business or unfair competition on the part of any of these or other agencies engaged in said business have existed during the said period or do exist at the present time, and, if such combinations, restraint, or unfair competition have existed or do exist, what, if any, effect the same have had upon the market price of fuel oil, gasoline, and other petroleum products, especially on the Pacific coast, and especially with reference to the price charged to the ultimate consumer of the same. The said commission is also requested to report to the Senate any suggestions or recommendations which may be agreed upon by the said commission relative to the removal of such combinations in restraint of trade, or unfair competition if the same exists, or other suggestions or recommendations relative to the cost, market price, production, distribution, and sale to the Government or to private consumers of fuel oil, gasoline, kerosene, or other petroleum products.

Mr. PHELAN. Mr. President, when the Senator from Washington introduced his resolution yesterday I announced that I should lay some important information before the Senate. What I referred to was a report to the Secretary of the Interior on the international policies affecting the world's petroleum industry by Van. H. Manning, Director of the Bureau of Mines, dated May, 1919.

When in California last spring I learned, confidentially, that English interests were acquiring California oil properties, and that led me to make inquiry, and on March 8, after having telegraphed my apprehensions to the Hon. Franklin K. Lane, Secretary of the Interior, I wrote to Van. H. Manning, Director of the Bureau of Mines, submitting a questionnaire. He replied on May 15, very fully, frankly, and completely, and it is this report, addressed to the Secretary of the Interior, that I submit now to the Senate. I delayed publicity, because I was told that the matter should be regarded as confidential until it had been examined by an interdepartmental committee, and since then the Secretary of State has written me, in answer to a letter of mine, that it might be released, with the exception of one confidential report which I beg leave to withhold.

The Director of the Bureau of Mines says that he should like to emphasize the fact that there is no other situation in respect to future supplies of essential raw materials for the United States and in respect to our future trade which is at the present time so important and so critical as the petroleum situation. In so far as America is concerned, the whole complexion of our petroleum industry has changed within the last two years. We are now consuming more crude oil than we produce, depending upon imports to make up the deficit. Forty per cent of our natural petroleum reserves has been taken out of the ground and used, whereas we have used up about 1 per cent of our coal. Our nationals have not gone abroad to any extent. American oil-producing companies are to be found only in Mexico, Central and South America, and Roumania. The United States produces yearly 65 to 70 per cent of the world's total production. The increase of our consumption of crude oil in 1918 over the consumption in 1911 was 190,000,000 barrels. We are eating up our substance.

In view of the extensive use of fuel oil in the industries, merchant marine and navy, of lubricating oils and gasoline, it seems certain that our consumption of crude oil will continue to increase at a rate comparable with that of the past. Our consumption in 1918 was 406,916,000 barrels or 61,920,000 more than our domestic production. The attractive oil-producing regions of the world have been closed to the entry of America. All of these areas with the exception of Mexico and parts of Central and South America lie within British and French possessions or spheres of influence. British and British Dutch nationals practically control all the world's petroleum industry that is not controlled by our own companies. Great Britain and British nationals are alive to the fact that production—production scattered all over the world—will be the dominating factor from now on and it is their plan to secure concessions or other rights covering these probable and possible oil-producing areas.

Unless Americans are encouraged to go abroad, future oil production will all be in the hands of British nationals within the next very few years. No greater or more lasting and far-reaching service can be rendered to this country at the present time than securing for American citizens their rightful participation in the development of all the world's resources of petroleum.

Mr. Manning answers categorically the several questions submitted to him which bears out his preliminary statement which I have just quoted in substance. Great Britain is the principal factor in this new scheme of world conquest.

I remember that two years ago a Senator quoted on the floor the remarks of Mr. Runciman, who was then the president of the Board of Trade in Great Britain, in which he stated that he, Runciman, found, in reviewing the resources of the British Empire, that the Germans were in possession of many of the natural resources of Great Britain. He then said that it was the duty of the nation, not only to control its own resources

as against foreigners ever afterwards, but he either said or implied that it was its duty to control, so far as it was able, the production and the storage of these essential raw materials throughout the world. During the entire period of the war, hard-pressed as Great Britain was by the enemy, she never forgot for a moment the post-war period, which has now come, in which it would be necessary for her to conserve her own natural resources and to gather in the natural resources of other lands if she were not prohibited. What does this mean? England's policy is to control the carrying trade of the world, and oil is absolutely the determining factor in the competition of nations. Does the United States purpose to let her great opportunity to establish a merchant marine pass without a contest? That is the new conquest of peace, which is now going on; and very timely is it to recall these things when we are negotiating international treaties. I think there should be some reciprocity. If we give we should also receive.

It is very well for the great United States to be the fairy godmother of dependent States and small nationalities, but we do not want the big nationalities to array themselves very meekly in that category when it is a matter of receiving benefits. I think this report of Mr. Manning will awaken the Senate to the realization of the necessity, now that we are negotiating with foreign countries, giving and taking, that we should certainly protect our nationals in the exploitation of these vital resources, necessary for commerce and trade, for the Navy, for industries, for transportation. Why, I have shown you that we are consuming more oil than we produce, and that we have to import oil from other lands. Without this oil our vaunted greatness as a resourceful Nation will be undermined; and vigilant nations in other parts of the world, not unmindful of this fact, are endeavoring to assert a superiority, certainly in tactics and in strategy and in diplomacy, and unless we realize our position we are bound to suffer.

Mr. THOMAS. Mr. President—

Mr. PHELAN. I yield.

Mr. THOMAS. Is it not a fact that the United States is also a great exporter of oil?

Mr. PHELAN. The United States has supplied oil during the war to foreign countries, and I think the principal exportations are, it may be, by American companies from Mexican fields. The Senator, however, does not dispute the statement of the Director of the Bureau of Mines that our consumption exceeds our production by 61,000,000 barrels annually?

Mr. THOMAS. I did not rise to dispute anything. I simply wanted to be corrected if my information was wrong, which is that we not only import but we also export large quantities of oil.

Mr. PHELAN. There is a great traffic in oil, and possibly by the exportation of oil we are injured in two particulars. That is to say, if there is a market for oil elsewhere, the companies referred to in the Senator's resolution will probably be raising the price on account of this extraordinary demand abroad, and we are injured also in the fact that our industries will languish if they are not supplied with oil, and there are at times possibly an artificial shortage of oil, due to export.

Furthermore, the American companies are denied the privilege of mining for oil in any part of the British possessions or protectorates, and the same is true, as Mr. Manning explains, of France, which leads to exports to meet foreign demand.

Great Britain has created a permanent governmental petroleum department, to grant permits in the British Empire and to assist British oil-producing companies in securing concessions in other countries. Throughout the British Empire she debars foreigners or foreign nationals from owning or operating oil-producing properties or even owning shares of stock.

I call your special attention to answer 3 in Mr. Manning's report, which I will later advert to.

What I learned in California last spring was that companies and corporations were organized, under our easy laws, which were in fact British companies, to acquire large areas in the Coalinga and other California districts. Sir Robert Balfour, who happened to be in California, and who is a member of the British firm of Balfour, Guthrie & Co., denied the alleged fact stated in the newspapers that he was there in the interest of the British acquisition of American oil fields. He had been in the oil fields when he made the denial. So it was a mere association of Sir Robert with the oil fields that led the press to publish the alleged fact that he was there in the interest of the acquisition of oil fields, oil properties, or oil stock. He wrote me a letter denying that he had any purpose in his visit to California to take up that matter and left the impression that his old firm, which had been connected with the Pacific coast in all matters of grain exportation and development for 50 years, was not seeking the acquisition of American fields for British owners. I accepted his state-

ment, but then I wrote at the same time to Mr. Manning, and he wrote me, under date of June 28, 1919, as follows:

DEPARTMENT OF THE INTERIOR,
BUREAU OF MINES,
Washington, June 28, 1919.

Hon. JAMES D. PHELAN,
United States Senate.

MY DEAR SENATOR: Replying to your letter of June 24, I presume the quotation refers to the activities of the Shell Co. of California. This property was purchased from the Balfour, Guthrie & Co.'s interests in 1913 and was the first large purchase of the Shell Co. of California on the Pacific coast. Since then they have acquired a number of other properties in the Coalinga and other fields of California.

There are, of course, other British oil companies in California, one of which is the Kern River Oil Fields (Ltd.).

The connections of the Shell Co. of California is covered in a report recently submitted to you by Secretary Lane.

Yours, very truly,

VAN. H. MANNING,
Director.

You will see that Balfour, Guthrie & Co. were particularly active, and hence the intimation given out by the senior member of the firm that his presence in California was wholly innocent was not exactly in correspondence with the facts, and I have learned that within the last two weeks the Balfour-Guthrie firm has sold other oil properties, including the California Oil Fields, Limited, to the Royal Dutch Shell (British owned). The Union Oil Co. of California has just been sold to unidentified buyers. Is that also foreign?

So under our easy laws, I say, Great Britain is acquiring, right under our very eyes, the great productive oil fields of California, and at the same time denying our nationals the privilege of exploring, owning, and operating mines for oil in any part of the British possessions or its protectorates or owning any stock therein.

What is this Royal Dutch Shell Co. which Mr. Manning says has acquired these properties from Balfour, Guthrie & Co. and which owns so much valuable property in California, having acquired some within the last few weeks?

The Royal Dutch Shell Co. is the pioneering and holding British agency, and it is suspected that it is owned by a majority of shares by certain British nationals, and more than likely by the British Government itself, just as the British Government owns the Suez Canal.

My information is that the control of the Royal Dutch Shell Co. was before the war owned by the British Petroleum Co. This company was owned by German stockholders and their shares were bought, when offered by the British alien property custodian, during the war, by the Anglo-Persian Co., which is owned by the British Government. So the British Government owns, in fact, the Royal Dutch Shell Co. and its subsidiaries.

The Shell Co. of California, which is one of their subordinate or subsidiary organizations, had a production of 6,357,000 barrels in 1917, which is just about double its production in 1915. The Royal Dutch Shell has subsidiary companies all over the world, and the report I submit enumerates them.

This suggests to us the duty of exercising some control over oil production as a governmental function, the encouragement of our nationals in the fields of exploration at home and abroad, and if we can not secure reciprocity of treatment then retaliation by promptly debarring foreigners from acquiring oil properties in the United States. The Dutch Shell Co. has recently purchased the Pearson Mexican property, thus adding to its possessions a great oil company with a tremendous potential production in Mexico. Besides it has a great marketing organization, which extends even to the markets of this country.

The nationalistic sentiment is dominant in British control of oil areas throughout the world and particularly exemplified recently in Mesopotamia, Persia, Burma, Peru, and Ecuador.

During the war the question of oil control was never lost sight of, and during this period German-controlled companies were taken over by the British Government in several of its dependencies.

I may say that our Government has not given proper encouragement to men willing to explore for oil. It is notorious that but a small per cent ever succeed, and that the enterprise is very expensive, involving very often as much as twenty or thirty or forty thousand dollars to sink a deep well before they ascertain positively whether it will pay. So the men who have lost in the exploration for not only oil but gold, silver, and copper in the United States far outnumber those who have gained, but they are willing to take the chance. It is the spirit of adventure, the spirit of the pioneer, the man hungry for the horizon, that has developed the United States. If the Government had undertaken out of the Treasury to develop the silver and gold and petroleum and other natural resources hidden in the earth, it would not have been justified in the value of the output. The Government would have spent more money in finding these precious things than the value of the precious

things themselves. Hence one naturally has a sympathy for the pioneer who takes his chance, and if he wins we should not begrudge him his success.

Mr. KING. Will the Senator yield?

Mr. PHELAN. Certainly.

Mr. KING. The Senator, of course, does not mean to express the view that the Government ought to have subsidized those who have gone upon the public domain for the purpose of developing the mineral resources, because the Senator knows that those who have been the pioneers in the mining industry have not asked for governmental aid. The only complaint they have made, and it was a just and reasonable one, was that the Government has too often interposed impediments to the development of the mineral resources of the United States. They ask to be permitted to go upon the public domain and to take the chances to which the Senator has referred, and only ask fair treatment at the hands of the Government.

Mr. PHELAN. I certainly did not intimate that I favored a subsidy, and one reason why that would be unjustifiable is that there are men always ready, in the West particularly, to explore on their own account, lured by the expectation of reward. But I say the reward rarely comes to them. That is their misfortune. To encourage them by offering a premium upon discovery has never been seriously proposed. But certainly they should not be penalized.

But the point I wish to make is that these derelicts, these wasted human beings, whom you will find in the mining camps, have given to the Government by their explorations of the hidden places of the country the great advantage of acquiring precious metals and other minerals without any cost to the Government, and they themselves have fallen by the roadside, and they may be regarded as heroes in our industrial campaigns. I do not know that they have ever even asked a pension from the Government; but the Government, in dealing with its own people, making laws for the exploration of the public domain, should bear these things in mind.

I was pained to hear the other day, indirectly, that Mr. E. L. Doheny, the California and Mexican oil developer, who has had phenomenal success, complained that he has not been fairly treated by this Government. What has been the result? He has appeared before the Senate Committee on Public Lands and told his story. He has appeared before the department and told his story. He had manifested the highest patriotism in all his public acts and statements. He found that the Government was unwilling, for some reason, to take his product, and he found that the Government was unwilling to protect his properties in Mexico, and he drifted to London, I am told, and there, with British interests, has organized, on a basis of equality of advantages, a marketing company. I know he was not disposed to do anything which would be inimical to American interests. But, after all, if a man can get no encouragement in the sale of his products, or in the protection of his property, it is quite natural for him to seek a market. Can we not well emulate England's solicitude for its nationals as a matter of vital national interest? I am informed he has organized a marketing company, which means a lessening of American influence, which means a division of American energy and pluck and enterprise, which should all be devoted to the cause of American development, prosperity, and prestige.

We have not any authority in the organization of our Government, as they have in England, to take up and promote in the national interests the enterprises of our nationals. They have too long been looked upon as pirates instead of discoverers, and as long as that attitude is held we will find ourselves, just as Mr. Manning describes, alone in the world, cut off from the possibility of finding oil in any other land under the sun, even those lands for which we fought and bled, and be relegated to our own particular dominions, protected, perhaps, against outside aggression, but which do not yield sufficient oil commensurate with our own needs. We must have a broad national policy, and we must deal with the world certainly on terms of equality. We must stop giving away and deserting those national rights which will enable us, in the interest of our producers and of our national prosperity, to command better consideration of our national interests.

In answer to my question, "What is the remedy?" Mr. Manning replied as follows:

"10. Question. What should be done to protect and encourage the American operator in his effort to get a fair share of the oil of the world for this country?

"10. Answer.

"(a) The Government of the United States should adopt a continuous, zealous, and effective policy of protecting the rights, properties, and lives of American nationals and citizens operating in other countries.

"Fundamentally this policy is not altogether new. The Department of State has on more than one occasion made effective representations to other Governments relative to property rights of citizens of the United States.

"(b) The fixed intent of the Government to follow this policy (a) should be made known to our own citizens and to foreign Governments.

"This alone will do much to encourage and give assurance to American nationals to go abroad for production and to protect their rights and investments in foreign countries.

"(c) The acquisition, ownership, and operation of oil-producing properties should be placed upon some basis of reciprocity internationally. Hence—

"1. Representations should be made to those Governments which at present discriminate against or forbid the participation of American nationals within their boundaries or possessions on an equal footing with their own citizens, to remove these restrictions, and if this endeavor fails

"2. Companies organized or controlled in countries in which American companies are not permitted to acquire, own, or operate oil-producing properties should be prohibited from acquiring, owning, or operating such properties in the United States or its possessions.

"It is believed that this last policy should be adopted only after failure of all ready means for securing equal participation by American nationals in the countries in question. Such a policy affords a precedent or justification to the less advanced countries, such as Mexico, which are neither able to develop their own natural resources or to participate in the development of ours, to discriminate against, to keep out, or to harass American nationals.

"(d) The control of American oil companies should be prevented from passing into foreign hands.

"This is of immediate importance.

"(e) It should be made possible for American tank steamers to compete on equal terms with foreign-owned tankers.

"(f) Positive stipulation should be made that, in any protectorate or mandatory sphere resulting from the pending peace negotiations, the protecting or mandatory power, its citizens and its nationals, shall not enjoy any special privileges or preferences in respect to the oil industry.

"It should be noted that Mesopotamia, South Russia, Palestine, Papua, Galicia, and other lands formerly belonging to enemy countries have great and very important petroleum-producing possibilities.

"(g) American citizens and nationals should be allowed to compete both at home and abroad on equal terms with foreign combines, in respect to combining or pooling their interests, under proper governmental supervision.

"American oil companies are greatly handicapped in competing as individuals against the Dutch-Shell combine.

"(h) Encourage and assist American interests to go abroad for oil production by increasing the scope (to include foreign countries) of the Interior Department in order that it may supply more thorough technical information relative to oil prospects and operations in all parts of the world.

"In its foreign expansion American business needs this governmental supervision, and through it the interests of the public can be best safeguarded."

I ask leave, Mr. President, to have printed in the Record the first 26 pages of Mr. Manning's report, and if that is granted I shall make another request.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

REPORT TO THE SECRETARY OF THE INTERIOR ON INTERNATIONAL POLICIES AFFECTING THE WORLD'S PETROLEUM INDUSTRY.

[By Van. H. Manning, Director Bureau of Mines, May, 1919.]

QUESTIONNAIRE.

"1. What foreign governments are showing a lively interest in seeking petroleum in various parts of the world?

"2. In what parts of the world are foreign governments making explorations for oil, either directly or through their nationals?

"3. How are these governments trying to control the situation?

"4. What control of the situation do they aim to create through their laws governing corporations? What are England's and France's laws in this respect?

"5. Do they exclude foreigners from owning and operating fields in their domain or in their colonies?

"6. What about the rights, or lack of rights, for Americans who may wish to look for oil in South Africa, Australia, and Canada?

"7. How are American oil interests suffering or being put to a disadvantage by the laws, orders in council, or other regulations or practices of foreign countries?

"8. Are foreign corporations in the oil business assisted or subsidized in any way by their governments?

"9. Do foreign companies make use of any commercial or legal devices which are unfair or disadvantageous to American oil men?

"10. What should be done to protect and encourage the American operator in his effort to get a fair share of the oil of the world for this country?

"1. Question. What foreign governments are showing a lively interest in seeking petroleum in various parts of the world?

"1. Answer. Most actively, Great Britain, the Netherlands, France, Japan, and Argentina.

"2. Question. In what parts of the world are foreign governments making exploration for oil, either directly or through their nationals?

"2. Answer. Great Britain. British Government, directly.

"In England and Scotland, where exploratory drilling is now progressing.

"In Persia, through the Anglo-Persian Oil Co. (Ltd.), in which the British Government owns 51 per cent of the voting stock. Appendix I gives an abstract of the last meeting of the board and directors of the Anglo-Persian Oil Co. This company has a concession granted by the Persian Government, giving the exclusive right to search for and deal with petroleum, asphalt, ozokerites, etc., throughout an area of some 500,000 square miles in the Persian Empire.

"In Papua, through an advance of £50,000 to the Commonwealth of Australia to assist in the testing of the Papuan oil fields. (Appendix XII.)

"Through the Royal Dutch-Shell, in which the British Government has and is acquiring large holdings, according to persistent reports. This group represents purely British interests to at least 40 per cent and its general policy is as much British as Dutch, in Dutch East Indies, South Russia, Roumania, Venezuela, Trinidad, Curacao, Egypt, Canada, United States, Mexico, and British West Indies.

"Appendix II gives the 1918 production of the Dutch-Shell.

"Plate I shows graphically the Royal Dutch-Shell group, in so far as information is available.

"Plate II shows graphically the principal controlled sources of supply and the marketing affiliations of the Royal Dutch-Shell group, in so far as they are known.

"Through British nationals in French West Africa (French territory, in which it seems unlikely that foreign companies will be allowed to operate in the future), South Africa, Algeria (French territory, in which it seems unlikely that foreign companies will be allowed to operate in the future), Australia, British West India, Canada, Cuba, Cyprus, East Indies, Ecuador, Egypt, Roumania, Trinidad, Turkey, Galicia, India, Italy, Madagascar (French territory, in which it seems unlikely that foreign companies will be allowed to operate in the future), Mexico, Morocco (French territory, in which it seems unlikely that foreign companies will be allowed to operate in the future), New Guinea, Peru, Syria, Tunis (French territory, in which it seems unlikely that foreign companies will be allowed to operate in the future), United States, Venezuela, and Russian Empire (1. Southeastern Russia; 2. Central Russia; 3. Sakhalin).

"Appendix III is a partial list of British companies engaged in oil development and production in different countries. This list does not include British oil companies that are marketers or distributors but are not producers or prospectors of crude oil, nor does it include British financial, mining, agricultural, plantation, and trading companies operating all over the globe, which have in the past and probably will in the future get into the business of oil exploration and production. Past examples: S. Pearson & Sons (Ltd.), originally engineering contractors, who acquired and developed the Mexican Eagle properties in Mexico; and Balfour & Guthrie Co. (Ltd.), grain dealers, brokers, and shippers, who acquired and developed large oil properties in California, now owned by the Shell Co. of California. The Shell Co. itself was not at first engaged in the oil business.

"It is to be noted that a number of the companies listed in Appendix III have close relations with the Anglo-Persian Oil Co., as well as with the Royal Dutch-Shell combine, through (1) interlocking directorates; (2) marketing arrangements; and (3) financial interests.

"It is further to be noted, in connection with Plate I and Plate II, that not only has the Anglo-Persian Oil Co. (Ltd.) a marketing agreement with the Dutch-Shell extending until 1922 but also the Anglo-Persian-Burmah group is jointly interested with the Dutch-Shell in the United British West Indies Petroleum Syndicate (Ltd.) and its subsidiaries.

"British nationals are now trying to get control of what promise to be very extensive and prolific oil fields in Mesopotamia.

"Southeastern Russia, with its present oil fields and future petroleum potentialities, is now under British military control.

"The Netherlands, through its nationals, in the Dutch East Indies and Curacao.

"Japan, directly as well as through its nationals, in Japan, Formosa, China, and the Island of Sakhalin.

"France, directly, is considering sinking test wells in France. A request was made in July, 1918, by the French foreign office that the American Government assist in this enterprise by furnishing technical advice and experienced drilling crews.

"Through French nationals, in Morocco, Algeria, Roumania, Greece, and Galicia.

"Argentine Republic, directly, in Argentine—Comodoro Rivadavia oil fields.

"Roumania, directly and through nationals, in Roumania.

"3. Question. How are these Governments trying to control the situation?

"3. Answer:

"**GREAT BRITAIN**

"(1) By creating a permanent governmental petroleum department (the petroleum executive under the war cabinet is to be made permanent) with powers and duties as follows: (a) To act as an advisor in petroleum matters to all other branches of His Majesty's Government; (b) to grant concessions for all oil development within the British Empire; and (c) to advise and assist British oil companies in securing concessions, carrying on work, and conducting trade in other countries.

"(2) By debarring foreigners and foreign nationals from owning or operating oil-producing properties in the British Isles, colonies, and protectorates.

"Prospecting for petroleum or working a petroleum property is lawful in the United Kingdom only for the board of trade or minister of munitions or person or persons authorized by them. (D. O. R. A., 2-A A A, Jan. 31, 1919.)

"(3) By direct participation in ownership and control of petroleum companies.

"(4) By refusing permission to British oil companies to sell their properties to foreign-owned or controlled companies.

"(5) By orders in council that prohibit the transfer of shares in British oil companies to other than British subjects or nationals.

"**FRANCE**

"Is continuing the controls exercised through the Commissariat General aux Essences et Combustibles and allied bodies that were set up during the war, and is seriously considering making a State monopoly of petroleum and petroleum products.

"The ownership of coal and presumably of oil resources is vested in the Government, and concessions for exploitation are granted on a royalty basis. The terms of individual concessions may be made such as to exclude foreign control.

"**THE NETHERLANDS AND COLONIES.**

"Prospecting licenses and concessions are granted only to Dutch subjects, inhabitants of the Netherlands or Netherlands East Indies, and to companies incorporated under the Dutch laws either in the Netherlands or in the Netherlands East Indies, having in their board of directors a majority of Dutch subjects. Persons or companies not established in the Netherlands East Indies must be represented in the islands by a trustee who must comply with the stipulations of the mining laws.

"**JAPANESE AND ARGENTINE GOVERNMENTS**

"Have withdrawn oil fields within their domain from private ownership or development.

"**ROUMANIA**

"Is considering the creation of a State monopoly of petroleum, both production and distribution, out of the monopoly which Germany was establishing there during the time of the German occupation.

"In a decree of November 27, 1918, the Roumanian Government expropriated certain rural property owned by foreigners. This is regarded as an agrarian measure, and it is believed it will not affect oil properties.

"**ITALY**

"Has passed a law, which has not yet been enforced, authorizing a State monopoly of sale and distribution of certain petroleum products. The Government control established during hostilities still continues.

"**MEXICO**

"Has been studying the question of a State monopoly of production and distribution. Article 27 of the Mexican Constitution of 1917 states that 'in the nation is vested direct owner-

ship of * * * petroleum and all hydrocarbons—solid, liquid, or gaseous'; also that 'only Mexicans by birth or naturalization and Mexican companies have the right to acquire ownership in lands, waters, or their appurtenances, or to obtain concessions to develop mines, waters, or mineral fuels in the Republic of Mexico. The nation may grant the same right to foreigners, provided they agree before the department of foreign affairs to be considered Mexicans in respect to the same, under penalty, in cases of breach, of forfeiture to the nation of property acquired.'

"On February 19, July 31, and August 12, 1918, decrees were issued making it necessary, under penalties of confiscation, for all companies owning or leasing oil lands in Mexico to file new 'manifests' of properties already duly registered, which 'manifests' apparently constitute the first step in the nationalization of petroleum in Mexico. In addition to the new registry, taxes referred to as 'rentals' and as 'royalties' were imposed; these terms in themselves concede the national ownership mentioned in article 27 of the constitution. Continued operation of oil lands is conditioned upon 'contracts' with the Government, these contracts to be fixed by regulations yet to be issued. The foreign companies operating in Mexico have made a vigorous protest against the legislation, and the Governments of the United States, Great Britain, and France have also protested. The decrees have not as yet been enforced, and so far as known no final decision has been reached. (See Appendices XX and XX-A.)

"**FOR OTHER COUNTRIES**

"See Appendix XVII, which gives a summary of the best information at present available concerning the laws and policies of various other countries relative to the acquiring and operating of oil properties by foreigners and foreign interests.

"4. Question. What control of the situation do they aim to create through their laws governing corporations? What are England's and France's laws in this respect?

"4. Answer. This has been answered in part under answer 3, where is indicated the development of nationalistic and national policies leading to the direct or indirect governmental control of oil production and distribution in the respective countries. Appendices IX, X, XI, XIII, and XVI are attached to give further evidence respecting the policies of Great Britain and of British sentiment.

"Such control has a number of objects:

"(1) To insure an unhampered and certain supply of petroleum products in war as well as in peace;

"(2) To benefit the public treasury;

"(3) To secure for their own citizens all profits accruing from the petroleum business within the borders or zones of influence of these countries; and

"(4) To dominate indirectly shipping and commerce by controlling oil-bunkering stations and sources of supply of petroleum. Petroleum products may be bartered for other raw materials or commodities.

"The British petroleum press is advocating the creation of a 'National Petroleum Bank,' patterned somewhat after the Deutsche Bank, which will specialize in British petroleum securities and promotions. (See Oil News, London, Feb. 1, 8, 15, 22; Mar. 1, 8, 15, 22, 29.)

"Sir Albert Stanley, president of His Majesty's Board of Trade, is quoted in the London Times as stating, on December 10, 1917, that His Majesty's Government has under consideration the question of forming an all British oil company, free from all foreign interest and foreign control, for dealing with the development of oil fields outside the British Isles, and particularly in British colonies, dependencies, and allied countries.

"See also answer 6.

"France, so far as is known, has not as yet adopted special laws or orders in council on this subject. It is reported, however, that before the Lord Cowdray (British) interests could secure satisfactory assurances and permission from the French Government to proceed with oil explorations in a concession in Algeria, for which they have been negotiating for several years, they have been obliged to form a French company in which the control and the majority of stock is owned by French citizens. It would, therefore, seem that in granting or renewing concessions for oil properties the French Government is following a policy similar to the British.

"It is to be noted that American or other foreign citizens or nationals can not now compete with British or French nationals, as the case may be, in British or French 'spheres of influence' in the less advanced parts of the world. This statement applies in particular to companies developing national resources and, to a lesser degree, to companies engaging in any trade. There are many reasons that contribute directly and

indirectly to this state of affairs. The fundamental ones are the close cooperation between British and between French nationals of all categories, and the close liaison between these nationals and their Governments.

“Mr. H. W. A. Deterding, managing director of the Dutch-Shell combine, stated shortly before the European war started that within 10 years he would control the oil bunkering of the world. The war may have delayed his plans, but the recent purchase of the Mexican Eagle by the Dutch-Shell group would indicate that they have not been abandoned. This, in connection with the activities of the Anglo-Persian-Burmah group in both hemispheres, indicates that the fruition of a purpose to control the world's oil bunkering, and thereby control shipping and trade, can easily be effected through (a) controlling sufficient present and future oil production scattered all over the globe, (b) a centrally controlled and world-wide distributing and marketing organization interlocking and coordinating with production and refining, and (c) control of sufficient tanker tonnages.

“While at the present time, United States interests occupy the leading place in the business of supplying oil to ships, the above summary indicates the danger of losing this position.

“5. Question. Do they exclude foreigners from owning and operating fields in their domain or in their colonies?

“5. Answer. Yes. For details, see answers 3 and 4.

“6. Question. What about the rights, or lack of rights, for Americans who may wish to look for oil in South Africa, Australia, and Canada?

“CANADA.

“6. Answer. Article 40 of the Canadian Regulations for the disposal of petroleum and natural gas rights, the property of the Crown, in Manitoba, Saskatchewan, Alberta, the Northwest Territories, etc., provides:

“Any company acquiring by assignment or otherwise a lease under the provisions of these regulations shall at all times be and remain a British company, registered in Great Britain or Canada, and having its principal place of business within his Majesty's dominions, and the chairman of the said company and a majority of the directors shall at all times be British subjects, and the company shall not at any time be or become directly or indirectly controlled by foreigners or by a foreign corporation.

“If the company which may acquire a location under these regulations shall at any time cease to be a British company or shall become a corporation under foreign control, or shall assign any of the rights acquired under the lease without the consent in writing of the minister being first had and obtained, the lease shall be subject to immediate cancellation in the discretion of the minister.” (Canadian order in council, Jan. 13, 1914.)

“Since these regulations are in agreement with what appears to be the imperial policy, it is probable that similar regulations will be found to exist in other British possessions, were complete and up-to-date information available.

“It has been reported that the Dutch-Shell has made an application to the Canadian Government for a 250-mile oil and gas concession in western Canada and that the application has been supported by the British Government.

“AUSTRALIA.

“Queensland.

“Petroleum on or below the surface of all land in Queensland, whether alienated in fee simple or not so alienated from the Crown, and if so alienated whosoever alienated is and always has been the property of the Crown.

“The Northern Territory.

“Licenses are required for the exploitation of oil lands. Only companies incorporated in the United Kingdom or a British possession may receive such licenses. The governor general has the right of preemption of all oil produced, and in case of war may take control of the old properties. (Ordinance No. 1 of 1913.)

“South Nigeria (British).

“A lease must be obtained from the governor in order to carry on mining operations for mineral oil. The Government has the right of preemption over oil at market price. (Ordinance No. 12, 1907.)

“Transvaal (British).

“All minerals belong to the Government and not to the owners of the surface of the land.

“Trinidad and Tobago (British).

“The Government has the right of preemption of crude oil and its products, with due compensation, and has power to force the sale of oil properties to the Government. A concession covering 50 square miles was granted with the stipulation that the company is to remain British controlled, and that the Admiralty is to be given preferential rights of purchase of the oil produced. In 1917 all lands in the colony south of latitude N. 10° 26' 36" were declared oil-bearing lands, and no person can acquire title to such lands without the written consent of the governor of the colony.

“British Honduras.

“All mines of mineral oil are reserved to the Crown.” (Ordinance No. 26, 1907.)

“British Guiana.

“All companies incorporated outside of the United Kingdom or British possessions can hold only such lands as might be authorized by the governor in council from time to time.” (Ordinance No. 15, 1917, sec. 19.)

“India.

“American oil companies are expressly excluded from doing business in Burmah, and a blanket concession of 99 years was given the Burmah Oil Co. (Ltd.) in 1889, protecting this company from all foreign competition. (See Appendices XVIII and XVIII-A.)

“It is reported that recent legislation has limited the ownership of oil properties in India to British-born subjects. None but British oil companies are operating in India.

“7. Question. How are American oil interests suffering or being put to a disadvantage by the laws, orders in council, or other regulations or practices of foreign countries?

“7. Answer. Participation in producing and distributing oil is denied to American companies and citizens in these countries and their possessions, or Americans are otherwise discriminated against, as set forth in answers 3, 4, and 6. At the same time nationals and citizens of these countries are competing on equal terms with Americans in our own country. The United States is practically the only country producing oil in quantity wherein the citizens and foreigners participate and compete on equal terms.

“The contemplated policies of France and of Italy to nationalize the purchase of petroleum products for consumption within their borders will place the individual American producing and refining companies in a position of competing against each other to supply the business—in which they have hitherto largely participated—of the French and Italian Governments. American nationals have large investments in distributing plants, equipment, and organizations, which will be greatly depreciated, if not lost, by such actions on the part of the French and Italian Governments.

“American oil companies are now competing individually in whatever part of the world to which they may go for supplies of crude petroleum or markets for refined products, particularly products for which there is no ready market in this country, with the world-wide British-Dutch and British combines—the Royal Dutch-Shell and the Anglo-Persian-Burmah-United British West Indies Petroleum Syndicate group.

“There is a decided national and nationalistic policy throughout the British Empire to favor and encourage British oil nationals. When the pool board was formed as a war necessity in Great Britain for the domestic distribution of petroleum products a large American national which has had more of the oil business than any other company in the British Isles, was at first left out. This company was admitted to the pool board and to its fair share of the business it had previously held because of the necessity of securing petroleum supplies from the United States.

“The basic rates of the German railroads on oil moved into the country from such ports as Bremen and Hamburg—where American oils were imported—were about twice as high as those on Russian and Galician oil moved by rail from the countries of origin.

“If bunkering oil can be universally secured through only one oil combine, American shipping interests will be forced into fuel oil and, probably, lubricating oil contracts with this combine, to the disadvantage of American dealers as well as to their own disadvantage.

“8. Question. Are foreign corporations in the oil business assisted or subsidized in any way by their Governments?

“8. Answer. British oil companies are assisted by the protection and the encouraging restrictions and policies discussed in answers 3, 4, and 6.

“It would seem that British oil companies are further assisted by the action of the British Government in selling tank steamer tonnage, built by that Government during the war, only to companies that are both British owned and British controlled, while the sale of such tonnage is refused to British incorporated companies whose stock is preponderantly owned by American citizens. In this way the British-controlled companies are enabled to replace losses of tonnage suffered during the war while the other companies are unable to do so.

“Among the ‘permanent measures’ recommended by the economic conference of the allied Governments at Paris, June 17, 1916, to be carried out by them not only during but after the war, were measures directed to assuring their ‘independence’ as regards ‘sources of supply’; and as an example there was

mentioned 'enterprises subsidized and directed or controlled by the Governments themselves.'

"9. Question. Do foreign companies make use of any commercial or legal devices which are unfair or disadvantageous to American oilmen?

"9. Answer. The Royal Dutch-Shell group is constantly extending its operations and unified control by purchasing competing companies outright or by taking them into the combine. Such purchases, combinations, and interlocking control are prohibited by the antitrust laws of the United States. The Dutch-Shell has recently purchased the Mexican Eagle Oil Co. (Ltd.) (Lord Cowdray's Mexican properties), thus adding to its holdings another great oil company possessing a large present and a tremendous potential production in Mexico, as well as pipe lines, storage, wharves, and sea loading facilities and refineries. Through the purchase of the Mexican Eagle, the Dutch-Shell group secures control of its subsidiaries—the Eagle Oil & Transport Co. (Ltd.), which owns and operates a large fleet of tank steamers, and the Anglo-Mexican Petroleum Co. (Ltd.), a marketing organization that has extensive markets in Mexico, Central and South America, and the British Isles, and markets some oil in this country.

"The Anglo-Persian Oil Co. (Ltd.), in addition to its connection with the Burmah Oil Co. (Ltd.) (being practically owned by the latter company and the British Government), has acquired and now entirely controls the British Tanker Co. (Ltd.), the Petroleum Steamship Co. (Ltd.), the Homelight Oil Co. (Ltd.), and the British Petroleum Co. (Ltd.). The three last-named companies were formerly German controlled and were taken over by the British Government shortly after the war started. The last two companies are marketing organizations that were formerly competitors. The Burmah Oil Co. (Ltd.), enjoys a monopoly granted by the Crown in Burmah, and the Anglo-Persian Oil Co. (Ltd.), has a concession of unprecedented magnitude granted by the Persian Government.

"The development of a strong nationalistic sentiment among British oil companies is illustrated by the resolution recently adopted by the Lobitos Oilfields (Ltd.), which produces in Peru and has recently acquired oil lands in Ecuador, to prevent the transfer of more than 20 per cent of the capital to foreigners.

Appendix XIX.

"10. Question. What should be done to protect and encourage the American operator in his effort to get a fair share of the oil of the world for this country?

"10. Answer. (a) The Government of the United States should adopt a continuous, zealous, and effective policy of protecting the rights, properties, and lives of American nationals and citizens operating in other countries.

"Fundamentally this policy is not altogether new. The Department of State has on more than one occasion made effective representations to other Governments relative to property rights of citizens of the United States. For example, Mr. Bayard, Secretary of State, wrote the minister of Peru on January 19, 1888, as follows:

"The Government of the United States will not permit, without interposition on its part, the spoliation by Peru of the property of American citizens invested in that country by the invitation of its own authorities. * * * And even were there such a tribunal, its decrees validating in defiance of international laws such confiscations could not bind the citizens of foreign States thereby despoiled.

"This is not, it will be understood, the assertion of any new principle in international law. The seizure or spoliation of property at the mere will of the sovereign and without due legal process has always been regarded as in itself a denial of justice and as affording the basis for international interposition.

"(b) The fixed intent of the Government to follow this policy (a) should be made known to our own citizens and to foreign Governments.

"This alone will do much to encourage and give assurance to American nationals to go abroad for production, and to protect their rights and investments in foreign countries.

"(c) The acquisition, ownership, and operation of oil-producing properties should be placed upon some basis of reciprocity internationally, hence—

"1. Representations should be made to those Governments which at present discriminate against or forbid the participation of American nationals within their boundaries or possessions on an equal footing with their own citizens to remove these restrictions, and if this endeavor fails—

"2. Companies organized or controlled in countries in which American companies are not permitted to acquire, own, or operate oil-producing properties should be prohibited from acquiring, owning, or operating such properties in the United States or its possessions.

"It is believed that this last policy should be adopted only after failure of all ready means for securing equal participation

by American nationals in the countries in question. Such a policy affords a precedent or justification to the less advanced countries, such as Mexico, which are neither able to develop their own natural resources or to participate in the development of ours, to discriminate against, to keep out, or to harass American nationals.

"(d) The control of American oil companies should be prevented from passing into foreign hands.

"This is of immediate importance.

"(e) It should be made possible for American tank steamers to compete on equal terms with foreign-owned tankers.

"(f) Positive stipulation should be made that, in any protectorate or mandatory sphere resulting from the pending peace negotiations, the protecting or mandatory power, its citizens and its nationals, shall not enjoy any special privileges or preferences in respect to the oil industry.

"It should be noted that Mesopotamia, south Russia, Palestine, Papua, Galicia, and other lands formerly belonging to enemy countries have great and very important petroleum-producing possibilities.

"(g) American citizens and nationals should be allowed to compete both at home and abroad on equal terms with foreign combines in respect to combining or pooling their interests under proper governmental supervision.

"American oil companies are greatly handicapped in competing as individuals against the Dutch-Shell combine.

"(h) Encourage and assist American interests to go abroad for oil production by increasing the scope (to include foreign countries) of the Interior Department in order that it may supply more thorough technical information relative to oil prospects and operations in all parts of the world.

"This department should also be given more power and latitude in carrying out its general constructive economic policy leading to the sound development of the whole petroleum industry; to discouraging unrestricted and wasteful competition in producing territories within the United States; to developing better productive methods so that the largest possible amount of the oil that is in the ground can eventually be brought to the surface; and to the overcoming of waste and inefficiency in the production, transportation, refining, and utilization of petroleum.

"(1) Necessary legislation and machinery should be provided to make possible at once the creation of a world-wide exploration, development, producing, and marketing petroleum company, financed with American capital, guided by American engineering, and supervised in its international relations by the United States Government.

"In its foreign expansion American business needs this governmental supervision, and through it the interests of the public can be best safeguarded."

Mr. PHELAN. I submit a resolution, to be referred to the Committee on Printing, providing that the entire report of Mr. Manning, together with the maps or plans, be printed as a public document.

Mr. POINDEXTER. May I inquire of the Senator what it is that he asks be referred to the Committee on Printing?

Mr. PHELAN. The entire report, with the schedules and appendices, made by Mr. Manning, of which I have given a digest.

The resolution (S. Res. 143) was referred to the Committee on Printing, as follows:

Resolved, That the report to the Secretary of the Interior on International Policies Affecting the World's Petroleum Industry, with maps, by Van H. Manning, Director Bureau of Mines, May, 1919, be printed as a public document.

Mr. PHELAN. I also ask to have printed in the Record a letter which I have just received, which is a copy of a letter to Dr. Garfield on the same subject, and signed by M. L. Requa, General Director Oil Division, United States Fuel Administration; Van H. Manning, Director Bureau of Mines; and George Otis Smith, Director United States Geological Survey.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

FEBRUARY 28, 1919.

Dr. H. A. GARFIELD,
United States Fuel Administrator, Washington, D. C.

DEAR SIR: Following a conference in which the petroleum problem was considered in detail, we have agreed upon the following statement of fact as representing an accurate picture of the petroleum problem as we see it:

1. The rapidly growing use of internal-combustion engines, as well as of fuel oil on ships, both naval and merchant, inevitably means a more rapid increase in the consumption of petroleum in the future than in the past.

2. The enormous increase in world consumption in recent years has been coincident with the increasing difficulty of production in the United States, due to much greater depth necessary to drill in order to reach the oil-bearing horizon.

3. Careful calculations based upon data of the United States Geological Survey indicate the probability that 40 per cent of the available oil of the United States has already been exhausted, whereas less than 1 per cent of the coal has been mined.

4. The United States produces, consumes, and exports nearly 70 per cent of the annual world production of petroleum, and has therefore industrially and commercially more at stake than any other nation.

5. The success of the United States Shipping Board program is dependent in largest part upon the use of fuel oil.

6. In view of the enormous expansion in consumption in the recent past and immediate future, it is absolutely necessary, in order that the situation may be thoroughly safeguarded, that American interests be encouraged by sympathetic Government cooperation in acquiring additional foreign sources of supply and by protection of properties already acquired.

7. American oil companies are seriously handicapped in their ability to compete throughout the world with the Shell-Royal Dutch combine, and if the combination now under discussion in England becomes an accomplished fact, American interests will be still further handicapped.

8. The review of domestic conditions as set forth in the pamphlet entitled "Petroleum Resources of the United States," written by M. L. Requa, in 1916, has been proved to be a conservative statement of conditions. The arguments made at that time are even more acutely applicable at present.

9. The memorandum entitled "The World's Problem of Petroleum," prepared by Mr. Requa in September, 1918, is, we believe, a conservative presentation of the international situation, and the plan suggested therein is the only practical solution.

10. We are not unmindful of the oil-shale resources of the United States. The cost, however, of producing oil from this source is so much greater than the cost of producing petroleum from oil wells that it can not become a commercial proposition until prices are much above those now prevailing.

11. We can not too strongly urge some immediate Government action that will guarantee the continuance in American ownership of American oil companies, and by proper legislation make foreign control of these companies impossible.

12. We urge that Government cooperation with existing companies be agreed upon, which will guarantee the requirements of the Navy and the Shipping Board at satisfactory prices wherever delivery is made throughout the world.

13. American geologists, petroleum engineers, and drillers have led the way in developing the majority of the oil fields of the world, but these men have in large degree been in the employment of foreign capital. American capital should be encouraged to use this technical skill now forced to seek employment under foreign flags and to serve foreign interests.

14. The passage of the oil-leasing bill has been taken into consideration, and we desire to point out that all estimates made have included all withdrawn lands. Failure to drill these lands will render the situation more acute than above outlined.

We are impressed with the seriousness of the efforts being made by the British and Dutch interests to dominate the petroleum supply of the world. The United States now commands the premier position by reason of its domestic production, which even now exceeds one-third billion barrels per year, with less than 7,000,000,000 barrels estimated reserves (20 years life). This position of our country can and should be safeguarded and rendered secure by the Government giving moral support to every proper effort of American capital to make its circle of activity in oil production coextensive with the new expansion of American shipping. This means a world-wide exploration, development, and producing petroleum company, financed with American capital, guided by American engineering, and supervised in its international relations by the United States Government. In its foreign expansion American business needs this governmental partnership, and through it the interests of the public can best be safeguarded.

M. L. REQUA,
General Director Oil Division,
United States Fuel Administration.

VAN. H. MANNING,
Director Bureau of Mines.
GEORGE OTIS SMITH,
Director United States Geological Survey.

TREATY WITH FRANCE.

MR. LODGE. Mr. President, I ask that the message of the President of the United States, which, I understand, has been received, transmitting to the Senate the treaty between France and the United States, be laid before the Senate as in open executive session, and that the injunction of secrecy be removed from the treaty.

THE VICE PRESIDENT. Is there objection? The Chair hears none. The Chair lays before the Senate a message from the President of the United States, which will be read.

MR. PHELAN. It is not the intention of the Senator now to consider and act upon the message, but simply to have it read?

MR. LODGE. I want to have the message read and then to have it take the usual course required by the rule.

THE VICE PRESIDENT. The Secretary will read.

The Secretary (George A. Sanderson) read the message from the President, as follows:

GENTLEMEN OF THE SENATE:

I take pleasure in laying before you a treaty with the Republic of France the object of which is to secure that Republic of the immediate aid of the United States of America in case of any unprovoked movement of aggression against her on the part of Germany. I earnestly hope that this treaty will meet with your cordial approval and will receive an early ratification at your hands, along with the treaty of peace with Germany. Now that you have had an opportunity to examine the great document I presented to you two weeks ago, it seems opportune to lay before you this treaty which is meant to be in effect a part of it.

It was signed on the same day with the treaty of peace and is intended as a temporary supplement to it. It is believed that the treaty of peace with Germany itself provides adequate protection to France against aggression from her recent enemy on the east; but the years immediately ahead of us contain many incalculable possibilities. The Covenant of the League of Nations provides for military action for the protection of its members only upon advice of the Council of the League—advice given, it is to be presumed, only upon deliberation and acted upon by each of the governments of the member States only if its own judgment justifies such action. The object of the special treaty with France which I now submit to you is to provide for immediate military assistance to France by the United States in case of any unprovoked movement of aggression against her by Germany without waiting for the advice of the Council of the League of Nations that such action be taken. It is to be an arrangement, not independent of the League of Nations, but under it.

It is therefore expressly provided that this treaty shall be made the subject of consideration at the same time with the treaty of peace with Germany; that this special arrangement shall receive the approval of the council of the league; and that this special provision for the safety of France shall remain in force only until, upon the application of one of the parties to it, the council of the league, acting, if necessary, by a majority vote, shall agree that the provisions of the covenant of the league afford her sufficient protection.

I was moved to sign this treaty by considerations which will, I hope, seem as persuasive and as irresistible to you as they seemed to me. We are bound to France by ties of friendship which we have always regarded, and shall always regard, as peculiarly sacred. She assisted us to win our freedom as a nation. It is seriously to be doubted whether we could have won it without her gallant and timely aid. We have recently had the privilege of assisting in driving enemies, who were also enemies of the world, from her soil; but that does not pay our debt to her. Nothing can pay such a debt. She now desires that we should promise to lend our great force to keep her safe against the power she has had most reason to fear. Another great nation volunteers the same promise. It is one of the fine reversals of history that that other nation should be the very power from whom France fought to set us free. A new day has dawned. Old antagonisms are forgotten. The common cause of freedom and enlightenment has created new friendships and a new perception of what it is wise and necessary for great nations to do to free the world of intolerable fear. Two governments who wish to be members of the league of nations ask leave of the council of the league to be permitted to go to the assistance of a friend whose situation has been found to be one of peculiar peril, without awaiting the advice of the league to act.

It is by taking such pledges as this that we prove ourselves faithful to the utmost to the high obligations of gratitude and tested friendship. Such an act as this seems to me one of the

proofs that we are a people that sees the true heart of duty and prefers honor to its own separate course of peace.

WOODROW WILSON.

THE WHITE HOUSE,
29 July, 1919.

ASSISTANCE TO FRANCE IN THE EVENT OF UNPROVOKED AGGRESSION BY GERMANY.

AGREEMENT BETWEEN THE UNITED STATES AND FRANCE, SIGNED AT VERSAILLES JUNE 28, 1919.

Whereas the United States of America and the French Republic are equally animated by the desire to maintain the peace of the world so happily restored by the treaty of peace signed at Versailles the 28th day of June, 1919, putting an end to the war begun by the aggression of the German Empire and ended by the defeat of that power; and

Whereas the United States of America and the French Republic are fully persuaded that an unprovoked movement of aggression by Germany against France would not only violate both the letter and the spirit of the treaty of Versailles, to which the United States of America and the French Republic are parties, thus exposing France anew to the intolerable burdens of an unprovoked war, but that such an aggression on the part of Germany would be and is so regarded by the treaty of Versailles as a hostile act against all the powers signatory to that treaty and as calculated to disturb the peace of the world by involving, inevitably and directly, the States of Europe, and indirectly, as experience has amply and unfortunately demonstrated, the world at large; and

Whereas the United States of America and the French Republic fear that the stipulations relating to the left bank of the Rhine contained in the treaty of Versailles may not at first provide adequate security and protection to France, on the one hand, and the United States of America as one of the signatories of the treaty of Versailles, on the other:

Therefore the United States of America and the French Republic having decided to conclude a treaty to effect these necessary purposes, Woodrow Wilson, President of the United States of America, and Robert Lansing, Secretary of State of the United States, specially authorized thereto by the President of the United States, and Georges Clemenceau, president of the council, minister of war, and Stephen Pichon, minister of foreign affairs, specially authorized thereto by Raymond Poincaré, President of the French Republic, have agreed upon the following articles:

ARTICLE I.

In case the following stipulations relating to the left bank of the Rhine contained in the treaty of peace with Germany signed at Versailles the 28th day of June, 1919, by the United States of America, the French Republic, and the British Empire, among other powers—

"ART. 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 kilometers to the east of the Rhine.

"ART. 43. In the area defined above the maintenance and assembly of armed forces, either permanently or temporarily, and military maneuvers of any kind, as well as the upkeep of all permanent works for mobilization, are in the same way forbidden.

"ART. 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."

may not at first provide adequate security and protection to France, the United States of America shall be bound to come immediately to her assistance in the event of any unprovoked movement of aggression against her being made by Germany.

ARTICLE II.

The present treaty, in similar terms with the treaty of even date for the same purpose concluded between Great Britain and the French Republic, a copy of which treaty is annexed hereto, will only come into force when the latter is ratified.

ARTICLE III.

The present treaty must be submitted to the council of the league of nations and must be recognized by the council, acting if need be by a majority, as an engagement which is consistent with the covenant of the league. It will continue in force until on the application of one of the parties to it the council, acting if need be by a majority, agrees that the league itself affords sufficient protection.

ARTICLE IV.

The present treaty will be submitted to the Senate of the United States at the same time as the treaty of Versailles is submitted to the Senate for its advice and consent to ratification. It will be submitted before ratification to the French Chambers of Deputies for approval. The ratification thereof will be exchanged on the deposit of ratifications of the treaty of Versailles at Paris or as soon thereafter as shall be possible.

In faith whereof the respective plenipotentiaries, to wit, on the part of the United States of America, Woodrow Wilson, President, and Robert Lansing, Secretary of State, of the United States; and on the part of the French Republic, Georges Clemenceau, President of the Council of Ministers, Minister of War, and Stephen Pichon, Minister of Foreign Affairs, have signed the above articles both in the English and French languages, and they have hereunto affixed their seals.

Done in duplicate at the city of Versailles on the 28th day of June, in the year of our Lord 1919 and the one hundred and forty-third of the Independence of the United States of America.

WOODROW WILSON.
ROBERT LANSING.
CLEMENCEAU.
S. PICHON.

ASSISTANCE TO FRANCE IN THE EVENT OF UNPROVOKED AGGRESSION BY GERMANY.

Whereas there is a danger that the stipulations relating to the left bank of the Rhine contained in the treaty of peace, signed this day at Versailles, may not at first provide adequate security and protection to the French Republic; and

Whereas His Britannic Majesty is willing, subject to the consent of his Parliament and provided that a similar obligation is entered into by the United States of America, to undertake to support the French Government in the case of an unprovoked movement of aggression being made against France by Germany; and

Whereas His Britannic Majesty and the President of the French Republic have determined to conclude a treaty to that effect and have named as their plenipotentiaries for the purpose; that is to say:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the seas, Emperor of India: The Right Hon. David Lloyd-George, M. P., first lord of his treasury and prime minister; the Right Hon. Arthur James Balfour, O. M., M. P., his secretary of state for foreign affairs.

The President of the French Republic, Mr. Georges Clemenceau, president of the council, minister of war; Mr. Stephen Pichon, minister of foreign affairs; who having communicated their full powers found in good and due form have agreed as follows:

ARTICLE I.

In case the following stipulations relating to the left bank of the Rhine contained in the treaty of peace with Germany signed at Versailles the 28th day of June, 1919, by the British Empire, the French Republic, and the United States of America, among other powers—

"ART. 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 kilometers to the east of the Rhine.

"ART. 43. In the area defined above the maintenance and assembly of armed forces, either permanently or temporarily, and military maneuvers of any kind, as well as the upkeep of all permanent works for mobilization, are in the same way forbidden.

"ART. 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."

may not at first provide adequate security and protection to France, Great Britain agrees to come immediately to her assistance in the event of any unprovoked movement of aggression against her being made by Germany.

ARTICLE II.

The present treaty, in similar terms with the treaty of even date for the same purpose concluded between the French Republic and the United States of America, a copy of which treaty is annexed hereto, will only come into force when the latter is ratified.

ARTICLE III.

The present treaty must be submitted to the council of the league of nations and must be recognized by the council, acting

if need be by a majority, as an engagement which is consistent with the covenant of the league; it will continue in force until, on the application of one of the parties to it, the council, acting if need be by a majority, agrees that the league itself affords sufficient protection.

ARTICLE IV.

The present treaty shall, before ratification by His Majesty, be submitted to Parliament for approval.

It shall, before ratification by the President of the French Republic, be submitted to the French Chambers for approval.

ARTICLE V.

The present treaty shall impose no obligation upon any of the Dominions of the British Empire unless and until it is approved by the Parliament of the Dominion concerned.

The present treaty shall be ratified and shall, subject to Articles II and IV, come into force at the same time as the treaty of peace with Germany of even date comes into force for the British Empire and the French Republic.

In faith whereof the above-named plenipotentiaries have signed the present treaty, drawn up in the English and French languages.

Done in duplicate at Versailles on the 28th day of June, 1919.

D. LLOYD-GEORGE.
ARTHUR JAMES BALFOUR.
CLEMENCEAU.
S. PICHON.

After the reading of the President's message,

MR. LODGE. I ask that the message and treaty be referred to the Committee on Foreign Relations and printed for the use of the Senate. I make this request as in open executive session.

THE VICE PRESIDENT. Without objection, it is so ordered.

MR. LODGE. I ask also that the treaty, which has not been read, be printed in the RECORD after the message of the President.

THE VICE PRESIDENT. That will be done. The Senate returns to legislative session, and the resolution of the Senator from Washington [Mr. POINDEXTER] is before the Senate.

THE OIL SITUATION.

The Senate resumed the consideration of Senate resolution 138, submitted by Mr. POINDEXTER on the 28th instant.

THE VICE PRESIDENT. The question is on agreeing to the resolution.

MR. SMOOT. Mr. President, I wish to call the attention of the Senator from Washington to the last paragraph of the resolution, and in doing so I desire at this time to move to strike out, beginning with the word "the," in line 13, page 2, down to and including the word "products," in line 21; in other words, the following part of the resolution:

The said commission is also requested to report to the Senate any suggestions or recommendations which may be agreed upon by the said commission relative to the removal of such combinations in restraint of trade, or unfair competition if the same exists, or other suggestions or recommendations relative to the cost, market price, production, distribution, and sale to the Government or to private consumers of fuel oil, gasoline, kerosene, or other petroleum products.

I do not want to take the time of the Senate to discuss it, unless the Senate desires to hear it discussed, but I would ask the Senator from Washington if he has any objection to striking out that portion of the resolution?

MR. POINDEXTER. I have no objection to striking out those words.

MR. WALSH of Montana. Mr. President, it will be recalled that after many years of labor a bill was passed by the last Congress looking to the further development of the oil fields of this country as well as the lands containing other nonmetallic minerals. A bill radically different, but covering the same subject, was passed by the House of Representatives, resulting in a deadlock between the two bodies, which continued for many months. The differences between the two Houses were eventually compromised, and a conference report was submitted embodying apparently the best possible thought of the two branches of Congress upon this rather difficult subject. It was impossible to get consideration for that conference report at the last session; and, in the hope that the work that was done would not be utterly lost, a number of Senators introduced at the beginning of this session bills in substance the same as that conference report, which bills were referred to the Public Lands Committee in the hope that they would take up the subject where it was left at the conclusion of the last session and speedily bring before this body for consideration a bill dealing with the subject.

I inquire of the chairman of the Committee on Public Lands what progress is being made with the subject?

MR. SMOOT. Mr. President, in answer to the Senator from Montana, I wish to state that there were some half dozen

leasing bills introduced in this body, as has been suggested by the Senator. As chairman of the committee, I directed each one of those bills to be sent to the Secretary of the Interior, and asked him for a report upon them. I wish to say to the Senator that up to the present time there has been no answer to the request. The committee, however, decided at its last meeting that, notwithstanding a report from the Secretary of the Interior had not been received, to-morrow the committee would begin the consideration of the leasing bills before it.

I can say to the Senate that if newspaper reports are true—and, by the way, I do not say that they are—the Attorney General takes the position that he does not wish to join in any report of the Secretary of the Interior until after he has had sufficient time to consult the President of the United States. It was reported to me the other day, Mr. President, that the Secretary of the Navy has stated that he is going to oppose all of the leasing bills now before the Public Lands Committee of the Senate. Whether or not that is true I can not say, but I want to say to the Senator from Montana and to the Senate itself that the Public Lands Committee of the Senate will tomorrow begin the consideration of the leasing bills; and if I express the sentiment of the committee, as I am positive I do, the committee is going to continue that consideration and is going to report a bill to the Senate at the earliest date possible.

MR. WALSH of Montana. Mr. President, my recollection is that something over two months ago the session began and the bills were then promptly introduced.

MR. SMOOT. Perhaps the Senator's remarks are justified, but I did not want to report to the Senate a bill and state to the Senate that no report had been received by the departments of our Government interested in the legislation. However, I think the committee has waited long enough; I know that the members of the committee think so; and I can promise the Senator from Montana and the Senate that a report will be made on this proposed legislation just as quickly as the committee can agree upon its terms.

MR. WALSH of Montana. Mr. President, I am very highly gratified at the promise made to the Senate by the Senator from Utah. I merely desire to add that I can not believe that the Secretary of the Navy stands alone among the public men of the United States adhering to the position that he will oppose any bills whatever looking to the disposition of the oil lands of this country or their development or utilization.

MR. SMOOT. I do not want the Senator to understand that I made any such suggestion.

MR. WALSH of Montana. I understand the Senator did not make any such statement upon authority, but he simply told us what he had heard. However, the conviction in this body at least is unanimous that the situation calls, and crying calls, for some legislation.

MR. POINDEXTER. Mr. President, in order to clarify the pending resolution on the subject as to which the Senator from Iowa [Mr. CUMMINS] yesterday made inquiry, I ask unanimous consent to insert in line 3, on page 2, after the word "coast," the words "and the profits of said business."

THE VICE PRESIDENT. The Senator has a right to modify his resolution. The Chair understands that the Senator has accepted the amendment offered by the Senator from Utah [Mr. Smoot].

MR. POINDEXTER. Yes.

THE VICE PRESIDENT. The question, then, is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

MR. POINDEXTER. Mr. President, I entirely concur in the views expressed by the Senator from California [Mr. PHelan] as to the neglect of the nationals of the United States by this administration. I join in his condemnation of that policy. I think it was entirely appropriate for the Senator from California, as a member of the party which is in control of our foreign affairs, to introduce into the RECORD a report by the Director of the Bureau of Mines, apparently made upon the request of one of the committees of Congress, recommending to the United States that it would be good policy for it to protect its citizens in foreign countries.

It was rather a peculiar way for the suggestion to be made and rather a naive remark on the part of the Senator from California, which he interjected as he made the request that the report be printed, that this was not altogether a new suggestion. It is not altogether new. It is true that it is grown to be obsolete in recent years. During the last six years, from desuetude, it has become an obsolete doctrine to a large extent.

I noticed in the newspapers on yesterday a recommendation of the Government of Mexico, concurred in, I believe, by the Government of the United States, that in order to save the life

of his son, an American citizen lawfully resident in Mexico and entitled to the protection of his country, should pay money to some bandit who had seized his son within 30 miles of the boundaries of the City of Mexico and was holding him for ransom. The Senator from California may well call attention to the conditions of which this is but a familiar incident.

It seems a far call to the old days when an American citizen was safe under the protection of his flag in any part of the world. Realizing that a nation which refuses to give protection to its citizens will soon lose its claim upon their allegiance, we suppressed the Barbary pirates, and in the very infancy of our national life to vindicate our rights upon the sea we defied the power of England. The Senator from California may well point out that the abandonment of national protection means national decadence.

PEACE TREATY AND LEAGUE OF NATIONS.

Mr. GAY. Mr. President, in the settlement of world peace America, as in the final determination of the World War, has played a most conspicuous part. After months of patient work in the performance of the most gigantic task ever undertaken by skilled diplomatists, our American representative, the Chief Executive of our Nation, has returned and presented to this honorable body a document in which are embodied the high principles of statesmanship and fair dealing which have always characterized our Government.

The victory in statecraft has been as complete as was the victory of our brave men in the various branches of the service and reflects the same glory in the performance of deeds well done.

We are living in an international age. The travel by air brings London and Paris as close as St. Louis and Chicago. The necessity of world cooperation since the recent war is as vital to world reconstruction and a task as difficult as world preservation from the barbarous Hun. We must not permit chaos to rule in civilized Europe. We must cooperate to start afresh the wheels of industry and orderly government and protect the same and give a fresh start to war-worn peoples under new living conditions in which ambition to grasp the nobler things of life will have a place.

A league of nations to enforce peace has been the dream of eminent statesmen for decades.

Daniel Webster, the princely orator and profound statesman, in his eulogy of Adams and Jefferson, filled with the spirit of America's mission in the interest of the world's welfare, said:

America! America, our own country, fellow citizens, our own dear native land, is inseparably connected, fast bound up in fortune and by fate, with these great world interests. If they fall, we fall with them; if they stand, it will be because we have upheld them.

President Jackson in his farewell address well said:

You have the highest human trust committed to your care. Providence has showered on this favored land blessings without number and has chosen you as the guardians of freedom to preserve it for the benefit of the human race.

The distinguished senior Senator from Massachusetts, in an address delivered at the commencement exercises at Union College at Schenectady, N. Y., June, 1915, stated:

Nations must unite as men unite in order to preserve peace and order. The great nations must so unite so as to be able to say to any single country, "You must not go to war," and they can only say that effectively when the country desiring war knows that the force which the united nations place behind peace is irresistible.

These very ideas, Mr. President, are embodied in the treaty which we now have before us, the force of united nations to maintain peace. Can America assume the responsibility, by any political quibbling or by any feeling of petty jealousy, of failing to join other civilized nations for peace? Can we as a Nation stand out alone and say to the world that we refuse to join in the plan to have world peace, simply because that plan has some few features which are not to the liking of some people? Why, Mr. President, it is impossible to have the Senate of the United States, or any other legislative gathering in this country, agree absolutely on any proposition. How, then, can we expect the great nations of the world, sitting about a peace table, to frame a document which would be entirely free of criticism and to which some objectors could not find fault? The treaty, we know, has been a series of compromises; compromises, however, which in no way have sacrificed any American principles, compromises which have been knitted together and molded into the greatest document ever presented to civilized people. Few doubt that had there been a covenant of a league of nations in 1914 that the world would not have been subjected to the crime of all ages from which it has just emerged. Few doubt that, with such a covenant in force, America would not have sent her millions of armed men to engage in bloody conflict on foreign soil. Few doubt but that the freedom of the seas would have been maintained and that Americans would have been safe wherever

they went and under whatever flag they saw fit to go. It is to prevent a recurrence of just such events that I for one stand ready to cast my vote now to ratify the peace treaty and to adopt the covenant of the league of nations, to help mankind to lift a burden from suffering humanity everywhere, to keep America always foremost as the advocate of justice, liberty, and peace.

The greatest crisis in history has just been concluded, and to prevent a recurrence of such a conflagration is the duty of all who love humanity and desire peace on earth. It would be nothing short of a calamity should we allow partisan lines to warp our judgment and shorten our vision in the solution of the grave problem which now devolves upon the United States Senate by her constitutional authority.

The issue arises above all questions of selfishness and faction. There cries out from every grief-stricken home where sorrow has crossed the threshold by reason of this inhumane conflict a demand that there must never be another war. Loyal Americans who have made every sacrifice that right should prevail now look to this great legislative assembly, with all of its noble traditions, to play the part of true men and let no politics creep into its deliberations at such an hour.

The fruits of victory should not be wasted. Let us conserve our forces, moral and material, for the betterment of the world.

The difficulties of the peace conference were many. Delegates representing all corners of the earth assembled, many speaking different languages and reared in various environments and schools. Yet so set upon a single purpose were they that a unanimous decision has been reached.

Mr. President, I wish only to briefly review that portion of the treaty of peace with Germany, the covenant of the league of nations, the purpose of which is to promote international cooperation and to achieve international peace and security. It proclaims the high purposes of the contracting parties. Each one of the signatories shall be members, and other nations who are not now members may be admitted on proper application to the assembly. A way to withdraw is likewise provided. National sovereignty is in no way impaired.

An assembly and a council with a permanent secretariat are created. These are the powers through which the league will function.

The assembly shall meet at stated intervals, as occasion may require, at the seat of the league or such other place as may be decided upon.

The assembly consists of representatives of members of the league, and may discuss any matters which come within its scope affecting the peace of the world. Every member is entitled to one vote, and can not have more than three representatives. This insures absolute fair dealing to all nations, and gives as much power to the weaker or smaller nations as is possessed by the greater powers. In the Senate of the United States each State in the American Union has two Senators, and likewise two votes, regardless of their size, population, or material resources. No American will contend but that this is proper representation, and it is but just and fair that all nations forming a part of the great league of nations should be treated alike. All questions before the assembly must be decided by unanimous vote, and nothing can be done without the approval of the United States. No better plan has been suggested by the opponents of the league or by those who only thus far have half-heartedly given their support. The powers of the assembly are limited in comparison with the powers granted to the council.

The council shall consist of the principal allied and associated powers. These are five in number: The United States, Great Britain, France, Italy, and Japan, with four other members selected by the assembly from time to time in its discretion. Those named as original members are Belgium, Brazil, Spain, and Greece. The council must meet at least once a year at the seat of the league or at such other times and places as may be decided upon. Nations not represented by the council who are members of the league shall be invited to send a representative to act as a member of the council when matters affecting the interests of that member are under consideration. Each member of the league represented on the council has one vote and one representative.

The first meeting of the assembly and the first meeting of the council shall be summoned by the President of the United States.

Unanimous action is necessary, except in certain cases specified, when a majority of the members of the league represented at the meeting may decide. These exceptions are matters of procedure at meetings, including the appointments of committees to investigate particular matters.

There is a permanent secretariat and such secretaries and staff as may be required. The expenses are to be borne by the

members of the league in accordance with the apportionment of the expense of the International Bureau of the Universal Postal Union.

The equality of sex in holding positions under the league is recognized and the place of meeting of the league is established.

Representatives of the league members shall have diplomatic privileges and immunities.

The first forward step toward providing for international peace is article 8, which looks to the reduction of armaments to the lowest point consistent with national safety. By this article the great war machinery of Europe will be forever wiped out. The vast expenditures and wasteful extravagances in building engines of war and maintaining armed forces will be obliterated, and money that has been expended for the purpose of destroying lives and property can now be used to uplift and benefit humanity and reduce the heavy burden of taxation, which has been for so long a time a curse on many European nations. The manufacture of munitions by private enterprises will become obsolete. Those great corporations which have in the past encouraged rebellion and international strife for private aggrandizement and gain will cease to exist. Needed public improvement can be realized in place of burdening business by unlimited expenditures which have been necessary to maintain the great armies and navies of the past. National safety and international obligations are recognized, and the members of the league agree to exchange full and frank information concerning their armaments, military, naval, and air forces, and conditions of their industries as adaptable to warlike purposes. The council takes into consideration geographical situations and circumstances of every nation in the plan to reduce armaments, and such plans are subject to reconsideration and revision every 10 years.

There is a permanent commission created to advise the council on the execution of the plan, as prescribed by the league, for the accomplishment of disarmament.

Article 10, the heart of the league, has been more bitterly attacked, perhaps, than any other.

This is an agreement to respect and preserve each other against external aggression. We here depart, as is absolutely necessary, from the policy of exclusiveness. We here undertake to assist in preserving the territorial integrity of France and Belgium against external aggression when the American people, through their accredited representatives in the American Congress so decree. America can not, and will not, under the Constitution of the United States, go to war unless a majority of her chosen representatives so affirm. There can be no more grabbing of territory by greedy nations under this article. The sovereignty of small nations is established. In agreeing to this section to preserve against external aggression the cause of most wars in the past is removed and war is given a deathblow. Let us remember that this section does not attempt to interfere in any way with uprisings and disturbances within a State. We have nothing to do with the domestic affairs of other nations and are in no way committed to any such policy by any article of this covenant. The fact that each member of the league gives this solemn assurance will have more effect to preserve peace than any other. We take it for granted that each nation, in signing this document, does so in good faith; and in signing it it enters a promise that it will not attempt, by conquest, to gain new territory or to expand its possessions. Almost all of the wars in history have been wars of conquest. America is the only great power whose record is clean and who has not been guilty of waging wars of conquest and despoilment. Weak nations are here protected, and no nation in the future can look with fear upon its neighbor with such an understanding honorably agreed to and honorably observed.

I for one believe, Mr. President, that section 10 will have more influence in the prevention of wars and will help more to preserve the peace of the world than any other article of the covenant. With this agreement entered into, the nation violating this article will be subject to boycott in trade relations by all of the other powers. This is sufficient to deter a belligerent from actually engaging in war. In addition thereto there are other means by which this obligation shall be fulfilled, and no nation in the light of past events is likely to undertake a repetition of what we have just seen and bring down upon itself the condemnation of the entire world. The effectiveness of this provision was well demonstrated in the war just ended, as the severance of trade with Germany created a virtual blockade and caused so much distress to the civil population in that country that there is no reason to doubt that such action was one of the prime causes of bringing the war to a sudden termination.

Any member of the league, should an emergency exist, can, through the secretary-general, summon a meeting of the council.

Any breach of faith or unfriendly act affecting international relations are matters of great concern affecting the whole league, and the league can take any action which is thought proper and effectual to preserve the peace of nations.

One of the important provisions which will prevent nations from resorting to war in the heat of passion is that article which provides that when any dispute is likely to lead to a rupture the matter is subject to arbitration or inquiry by the council, and that in no case will they resort to war until three months after the award by the arbitrators or the report by the council. Nations, like individuals, are apt to be sobered by calm second thought, and much of the friction that arises through sudden misunderstandings or quick popular outbursts of passion will be prevented by the delay necessary in the submission to arbitration. Arbitrators can not delay for any unreasonable time and the council must report within six weeks after the submission of the dispute. This delay will afford an opportunity for discussion and the exchange of views, which doubtless will always clarify misunderstandings and give justice and the law a chance to prevail.

Members of the league determine what questions are left to arbitration, and those in dispute are free to select the members of the court of arbitration. They likewise pledge themselves not to resort to war against any member of the league and to carry out in good faith any award that may be rendered. Should this fail, the council may take steps to have the award enforced; but if at any time a dispute should arise likely to lead to rupture which is not submitted to arbitration, the members of the league agree that they will submit the matter to the council. The council may refer the dispute to the assembly, thus giving those in dispute the choice of having it determined by the council or by the assembly, as is provided in article 15.

Plans for a court of international justice are provided. Thus every possible safeguard is contemplated for permanent arbitration and for prompt enforcement of right and for bringing the nations of the world closer together for international harmony.

In matters of dispute between members of the league which have not been submitted to arbitration a method is provided by which the members of the league examine the disputed question and determine the real merits involved, whether the same is wholly within domestic jurisdiction under international law, and report to the league the facts and their opinion of the same, with a recommendation for such action as they shall consider necessary for the maintenance of right and justice.

Where disputes arise between a member of the league and a State not a member of the league an invitation shall be tendered to the nonmember to accept the obligation of membership in the league for the purpose of such dispute upon such conditions as the council may deem just. Immediate inquiry shall be made into the circumstances of the dispute, and recommendation of the council for such action as may seem best and most effectual, with power to enforce such recommendations through means already provided. If the disputants refuse to accept the obligations of membership in the league, the council may take such measures and make such recommendations as will prevent hostilities.

A provision is also incorporated in the league providing for the registry of all treaties and international engagements with the secretary of the league, so a ready reference may be had at some particular place of every such agreement, thus abolishing the pernicious secret treaties which have been the cause of so many world disturbances. It is also provided that the assembly shall from time to time advise the league when members of that body should revise treaties or international engagements which menace the peace of the world. All members of the league severally agree that all obligations or understandings among themselves which are inconsistent with the covenant shall be abrogated, and pledge themselves that they will not enter into any engagements inconsistent with the terms of the covenant. It clearly and explicitly maintains and protects the Monroe doctrine and all arbitrations for maintaining peace. It provides for the protection, guidance, and governance of backward peoples who are unfit to govern themselves; makes suitable provisions that under the regulations of the league these people shall not be exploited and shall be led to the pathway of self-government, and provides that they shall enjoy religious freedom. The league is authorized to deal with the question of labor and endeavor to secure international organization through which labor throughout the world will receive fair and just treatment; it will endeavor to secure just treatment to all native inhabitants under its control and regulate the traffic in women and children and in opium and other dangerous drugs. It is to be intrusted with general supervision over the traffic in arms and ammunition, secure and maintain freedom of transit

of commerce, and use every endeavor for the prevention and control of disease. All international bureaus already established will, as far as possible, be placed under the direction of the league. Red Cross organizations are to be encouraged and promoted in their work of prevention of disease and the mitigation of suffering throughout the world. Amendments to the covenant can only be made when ratified by each nation in the council and by a majority in the assembly. A member dissenting from an amendment is not bound thereby, but ceases to be a member of the league.

Mr. President, this league may not be a panacea for all evils which have affected the nations of the world; it may be that it will not prevent wars in the future, but if it prevents one war, it will have served humanity and civilization.

Business throughout the country demands that we now conclude peace terms and get back to normal as rapidly as possible. Labor will be happier, and all enterprises will advance. The farmer and manufacturer, the producers of food and other necessities of life, will be able to so adjust conditions for America that she may continue her great prosperity and assist the unfortunate nations who have so severely suffered to readjust their conditions.

The demand is for ratification now; and if this plan is not effective, it can be corrected in the future.

Mr. President, as a representative of the great State which to-day contains the largest body of loyal Americans in whose homes the language of France is as commonly spoken as English, a people who by ancestry and tradition regard France as their mother, I feel it imperative that I should express the universal sentiment among our people in favor of the league of nations. No section of the Republic is more deeply and soundly American; in none are the people more jealous of the independence and sovereignty of the American Union.

Many of our people still retain the customs and habits of their French ancestors, who came to Louisiana and made their homes, reduced the wilderness to flourishing plantations, built cities, and fought a victorious battle for nearly a century against the floods of the mighty rivers which flow through her borders, and who have overcome, like the sturdy people of their mother country, many of the hardships and adversities in the development of a great people.

Louisiana met every call for men and money, subscribed liberally and freely to the Red Cross and every organized war relief association. Its people raised the largest crops of sugar and rice in the history of the State and more than trebled its production of meat and corn.

With patriotic fervor, and cheerfully making every sacrifice to win the war, every obligation has been met and every call promptly answered. Familiar with the devastation of France, her loss of the flower of her manhood, and the intense suffering of her people, Louisiana now wants every possible safeguard against any future wars, with all of its horrors and sufferings.

Four great empires have fallen, the rulers dead or in exile; eight million of the flower of the Caucasian race have been killed in battle; and close to twenty million people have died from this wholesale destruction. Two hundred billions of dollars of debt have been fastened on posterity, to be ground out of the toll of generations yet unborn.

America entered the war under the great leadership of President Wilson. She threw into the wavering scale two million of her bravest and best and brought victory decisive and swift by the heroism of her sons. More than fifty thousand of her young men fell on the battle fronts of France.

This four years of destruction convinced the world that civilization must destroy war or war will destroy civilization. States and nations have discovered they can not live alone. They have learned that if one member suffers all must suffer. Time and distance have been annihilated by inventions. Terrible, indeed, was the slaughter. Methods of destroying life and property have been intensified. Terrible as were the means of destruction brought into the field at the commencement of the war, they were far more terrible at the end.

The artillery that strove in vain to turn back the German rush on Mons in the summer of 1914, though superior to anything ever before used in battle, was weak and small compared with the artillery that won back the ancient town in the summer of 1918. The bombs that spread destruction in London in 1915 were but toys in comparison with the bombs which were to have shattered Berlin had not the armistice been signed on the 11th of November. The application of modern science—for chemistry is a very progressive science—in the art of destruction is in its infancy, and, in the language of Mr. Asquith, "is still Hisp in the alphabet of annihilation." It will soon come in vigorous manhood and then humanity will perish.

When the sky is black with aeroplanes; the ocean thick with submarines; when poisonous gases and liquid fires are projected

from enormous distances, burning bodies of men and slaying them amidst torture; when means of destruction far more powerful than the biggest guns command vast areas of land and sea and are guided by foes hidden in far distant shelters; when the air itself is turned into a force of war; when distinction between combatant and noncombatant has vanished; and there is no security on earth, air, or sea, then humanity will perish from the earth. Surely civilization must for its own preservation destroy war or war will destroy civilization.

For 40 years Germany's main business was to prepare for war. Its greatest industrial plant at Essen engaged an army under the best scientists to manufacture implements of destruction. Its young men in its universities were taught to glorify war. Faith and conscience were eliminated. Kultur was drilled into the mind of every child in the land, and its fiendish principles put into action in sinking unarmed ships, murdering defenseless women and children on sea and land, in robberies of cities and towns, looting private residences, subjecting women to outrages worse than death, destroying the works of genius held sacred by the civilized peoples of all ages, by the cruel and merciless treatment of prisoners, and the introduction of the most excruciating and agonizing methods of inflicting death, thus making war more fiendish, cruel, and merciless, while at the same time more destructive, than at any previous period in the history of man.

The war ended in the breaking up of empires, the organization of new governments, the release from a grinding bondage of millions of human beings who had been hewers of wood and drawers of water for overlords who by brute force retained these millions under the yoke of toil and with no hope of betterment.

For nearly 40 years the majority of the people of Europe were groaning under taxes three-fourths of which were applied to means of defense or war. Nine-tenths of the revenues for years to come must be required to pay war debts and would be required to maintain armies and navies to watch each other.

The fighting ceased November 11. The stupendous task of establishing orderly government for the millions suddenly released from the iron hand of the past; of seeking means to prevent civilization from falling into utter chaos, such as prevails in Russia, was the primary duty of those who had conquered the great war machine of the Central Powers. All had been tried in the furnace of affliction. Fortunate, indeed, that among the representatives of the suffering peoples America came to the peace table seeking no material profit, claiming no indemnities and no territory, but coming to assert the principles of law in a world in which the principles of war had been broken down, to make sure in the future the essential principles of right dealing and humanity. Who in all this great land of ours was so well fitted to bring to the peace conference the principles which have made the American people mighty in arms and material power as Woodrow Wilson? Wilson, the profound scholar, the lifetime student of history and government by the people and for the people, who spent years in the continuous study of the sources of American power and achievement; the chosen leader of the Republic during the trying period before the war; the master mind who, by wise counsel and patriotic devotion to his country, advised legislation which he executed with singleness of heart and unselfish purpose to win the war; a statesman whose creed was summed up in the doctrine that right made might rather than the slogan of German Kultur that might made right; a man who had imbibed the spirit of the fathers of our Republic, that it was our privilege to make—

Not only the liberties of America secure, but the liberties of other peoples as well.

As expressed in his Fourth of July address at Mount Vernon:

What we seek is the reign of law, based upon the consent of the governed and sustained by the organized opinion of mankind.

President Wilson carried with him to Versailles the opinions and the wishes of the American people and at that conference put in concrete form their convictions of what should be the basis of an enduring settlement, opinions and convictions as clearly expressed as though they had been put in the form of an expressed referendum.

For more than two years, in messages to Congress, by public proclamation, and by speeches, he had clearly and concisely expressed principles and policies to be engrafted in a treaty of peace.

At Des Moines, on February 1, 1916, he said:

That flag stands for the right of mankind, no matter where they may be, no matter what their antecedents, no matter what the races involved; it stands for the absolute right to political liberty and free self-government.

When President Wilson met the representatives of the nations at Paris he found the first step to secure a peace that would

bring the nations back to industrial pursuits was to form a common agreement for the settlement of the many complicated problems of new governments, settlements of boundaries, disarmament, and economic reconstruction.

In his proclamation of April 16, 1917, he said:

The entrance of our own beloved country into the grim and terrible war for democracy and human rights, which has shaken the world, creates so many problems of national life and action which call for immediate consideration that I hope you will permit me to address to you a few words of earnest counsel. We are fighting for what we believe and wish to be the rights of mankind and for the future peace and security of the world.

No voice or pen in America dissented from this proposition. It was read by the American people; everywhere it met their hearty approval, although all knew the tremendous sacrifice of men and money involved.

President Wilson, after close study of the questions at the conference, found that to secure these principles which had triumphed, a league of nations to maintain and enforce what had been conquered was an absolute necessity.

In his fifth annual message to Congress he concluded with this solemn statement:

A supreme moment of history has come. The eyes of the people have been opened and they see the hand of God is laid upon the nations. He will show them favor, I devoutly believe, only if they rise to the clear heights of justice and mercy.

In this reverent spirit our President represented the American people at the peace table and was guided in his acts in that conference.

His proclamations, as every other enunciation of principles, received the unanimous approval of the American people, and there was not a discordant note in the press or on the platform. Therefore President Wilson was justified in his statements in speeches in England and France and Italy when he stated that he voiced the heart and mind of the public on the terms of peace, for he had been their spokesman, had laid down the general principles during the war which should govern in the treaty of peace. It may be termed "idealism." If so, it was the idealism of the Nation. It was, however, no dream, but the practical application of the principles of the American Government to the problem of reconstruction of the world under the clearest and most equitable adjustment of governmental affairs ever put in operation since the Divine Master came to earth and preached the gospel of peace and good will to all men.

The war marks the end of an old order and the beginning of a new one. The spiritual meaning will only penetrate our minds after the final adjustment of peace shall have been completed. The social, political, and spiritual results of the tragedy will affect the destinies of mankind to the end of time.

The President, in his address to the Senate July 10, 1919, submitting the treaty for its ratification, said:

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 peace, as the only means 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?

It has come about by no plan of our conceiving, but by the hand of God, who led us in this way. We can not turn back.

Surely, Mr. President, the American people, who gave their absolute confidence to their chosen leader, armed with extraordinary powers, during the trying hours of the war, who responded cheerfully to every appeal he made for men, money, and the practice of self-denial, who listened to his clear and fervid enunciation of the issues involved, who believed that he clearly stated their purpose and interpreted the spirit of our Government, who believed in him and trusted him with a faith as trustful as was ever given to any leader of men, will not in the hour of triumph reject his final and conclusive work to end the great tragedy and establish peace on earth.

For seven weary and strenuous months he gave mind and soul to the great task. At the council board he toiled with the great statesmen who had led their people through the valley of the shadow of death. Experienced, tried statesmen, no novices in world politics, men who knew the difficulties of reconstruction, men determined to work out a plan to remedy the great wrongs of the past, men determined to preserve civilization, determined to destroy war, and to safeguard the future by a general plan of disarmament by cooperation of the society of nations to settle national difficulties at the council board rather than by the sword. All these joined in what they deemed the only practical method of securing an immediate peace, which should endure and give rest to a troubled and suffering world to insure the reign of law based upon the consent of the governed and sustained by the organized opinion of mankind, organized through the plan of the league of nations. As they trusted Woodrow Wilson in the past they trust him now and will still follow that clear

mind and noble heart which engrafted in the league of nations that divine doctrine of liberty, the support of the weak, the trusteeship of the strong, and the universal brotherhood of man.

Mr. THOMAS. Mr. President, the attainment of permanent peace among men has been a theme for poets, philosophers, and statesmen since the race emerged from the rudiments of tribal life. It has found expression in the literature of all ages and all countries, in the sanctions of every established religion, and in the yearnings of humanity for an existence immune from conflict and tribulation. It is vitalized by the carnage of every great war. Its spirit crowns their close with treaty covenants establishing peace between the nations, bristling with rigid guarantees and prohibitions designed to safeguard its permanency. These parchment restraints and provisions have hitherto been regarded as self-executing; and the nations after imposing and securing them have again turned aside to find absorption in the more prosaic and profitable pursuits of trade, industry, and politics.

The rivalries of commercial competition soon reappear. These in time arouse the latent elements of strife which inevitably overcome the inertia of every established order that has failed to note their disturbing influence and provide against their acute development. History, therefore, discloses the constant interplay of their cause and effect. Its pathway is strewn with a dreary procession of treaties and alliances evolved from the bitter experiences of war and suffering, christened with the benediction of their authors, but foredoomed to failure by the operation of the causes which made their negotiation imperative.

We are just emerging from the most terrible of all wars. The vast range of the conflict, the destruction of life, the waste of property, the carnage, the heroism, and the sacrifice attending its progress have been portrayed many times upon this floor. The Allies, finally triumphant, have risen to their feet, covered with the stains of battle and surrounded by the ruins of a continent. Staggering under the awful burden of their losses and their obligations, they have imposed upon the enemy their terms of reparation. They have sketched upon the background of ruined cities and blackened landscapes the outlines of a league of nations designed to prevent the recurrence of future wars. They have woven it into the fabric of their treaty and forced its acceptance upon Germany, while denying to her the privilege of immediate membership. It is a plan composed of many details, some of them unobjectionable, others intricate and of supreme importance, none of them superfluous. It was drafted and is sponsored by many illustrious men chosen from all the nations, men prominent in public affairs, distinguished in social, political, and industrial life, noted for practical and intellectual achievement—patriots all and inspired by the purest and loftiest of purposes. These unite in giving the world earnest and disinterested assurance that the plan of the league will effectuate what all treaties of the past have proven powerless to secure. If this be true it should receive unqualified approval. For surely the permanent abolition of war would be the transcendent achievement of the centuries. No lover of humanity should hesitate, whatever his convictions, to ratify a covenant so desirable.

The draft of the treaty is formally before the Senate, which, as a part of the treaty-making power, must now pass judgment upon it. This body never before encountered a duty of such magnitude, whose performance is fraught with so many and such far-reaching consequences. We can not and will not evade it. We can discharge it faithfully and efficiently only after a patient investigation of the details of the document, its framework, its capacity for effectuating its avowed purpose, its results as far as we may forecast them, and, above all, its relation to the authority of the Senate operating under the delegated powers of a written constitution. Sentiment and passion should have no place in our counsels. Our action here is legislative in form only; in substance and effect it is essentially judicial.

We are confronted at the threshold with the inquiry whether the grateful assumption so confidently and constantly made and so widely accepted that this treaty is a practical guaranty of permanent peace is justified. If it may be sustained even with some qualification, our task would be materially lightened by the balancing of results with covenants of dubious expediency. If it will not bear the scrutiny of analysis, we may still conclude to accept the treaty, but freed from the influence of a sentiment which may prove illusory and disappointing. We are legislating, it is said, for all time, and we can not bow to prediction, how exalted soever its source, unless we be very sure of its basic value.

Lord Byron says that "the best prophet of the future is the past." To history, therefore, must we turn for enlightenment regarding the intellect of man, its attributes and character-

istics in operation, what changes and modifications it has undergone in the progress of civilization, the influences directing or controlling its development, and, above all, the effect of war upon its spiritual and material processes.

What warrant does history furnish for the optimism of the hour? Has the recent war effected transformations in man which all previous wars were unable to accomplish?

In what essentials have man's defects and virtues been cleansed and purified in the crucible of his last great agony? Has he been transfigured by his recent sufferings and sacrifices, or, still true to type, is he merely chastened by the recent exhibition of his awful powers of destruction and, under the spell of a spiritual exaltation, absorbed by the age-old conviction that permanent peace "may be born of treaties and need not proceed from the prosperity and well-ordered education of the people"?

Man's progress from barbarism may be due, as claimed, to the uplifting and beneficent influences of morals and revealed religion. These have disclosed and defined their mutual privileges and restraints, established codes of conduct, and outlined the principles of justice. They have ministered through the centuries to his sense of responsibility to an Omnipotent Power, the sanction of whose assurances of rewards and punishments was inexorable. Of all the nations upon earth those involved in the Great War just ended were foremost in recognition of the advanced principles of Christianity and their sense of responsibility to the obvious requirements of moral law. But the war ensued notwithstanding. It ensued not only, but the nations engaged on either side proclaimed that theirs was the cause of the Almighty, and invoked His aid in their behalf and against the enemy. Such, indeed, has been the attitude of nations in every war that has stained the annals of recorded time. These melancholy facts disclose but half the story, for it may be averred without the fear of successful contradiction that more lives have been lost in the carnage of warring religions since the world began than were sacrificed to the German Moloch since August, 1914. Liberty of conscience has indeed found latter-day refuge in the habitations but the spirit which exorcised it for ages still lurks in the heart of man. It is dormant only because religion has become a minor note in the diapason of modern progress. Morality, like every other natural condition, is static; its laws are unchanging and unchangeable. That which they were in the beginning they are now, and they ever will be. Their recognition and application to the varied complications of man's intercourse with man may be more pronounced in one age than in another. They may be observed in larger degree by one nation or generation than by others, but they may be varied by neither, for they are the same at all times and everywhere.

The moral and intellectual conduct of a given time and race is the reflex of the moral and intellectual view then prevalent. "The progress," says Mr. Buckle, "is one not of internal power but of external advantage." This author concludes, and I think correctly, that "moral motives and moral instinct have exercised but small influence over the progress of civilization. For there is unquestionably nothing to be found in the world which has so little changed as the great dogmas of which moral systems are composed: To do good to others, to sacrifice our own wishes, to love your neighbor as yourself, to forgive your enemies, to restrain your passions, to honor your parents, to respect those who are set over you. These and a few others are the sole essentials of morals, for they have been known for thousands of years and not one jot or tittle has been added to them by all the homilies and textbooks which moralists and theologians have been able to produce."

If the lessons of history teach us that neither morals nor religion has kept the world at peace, that Christ, indeed, came not to bring peace but a sword, that their benign influences were at flood tide when Germany drew the sword, how may we in confidence rely upon either as a stimulus for the prevention of future conflicts? May we expect that either or both have been diverted into other and purer channels, or that the minds of men have been finally cleansed and purified by their last ordeal of suffering and sacrifice? I wish it were possible. But if we except a few noble men and women from the general mass of mankind, I can perceive no evidence of such a change.

Will future wars be prevented by the condign punishment of those responsible for the last one? Victorious allies have decreed the delivery for trial and conviction of those who plunged the world into chaos five years ago. Vengeance, they declare, has not prompted them, but the need for examples warning others similarly disposed of the fate they must encounter.

A recent writer has said:

After every great war ardent and indignant spirits have cried aloud. "It must never happen again." Europe in 1815, seeking an explanation of its devastating paroxysm of bloodshed, found it in Bonaparte; to-day the world is taught to attribute its latest convulsion to the Kaiser. Then, as now, the minds of men were dominated by the

eternal delusion that the immediate cause of strife once found and removed nothing was needed but a common purpose of good will to remodel the sorry scheme of things entire, and to achieve our heart's desire in a millennium of enduring peace.

Napoleon voluntarily delivered himself into the hands of England. Pending his final sentence, the ship containing him was compelled to put to sea to escape the crowds of clamoring Englishmen proclaiming his eminence and demanding his freedom. Amid such influences England decreed perpetual banishment of her arch enemy to the loneliest isle on the face of the globe as a warning and example for all time, but in vain. She merely crowned him with the immortality of martyrdom, enshrined him forever in the soul of militant France, and commended his career and ambitions to the future. The Kaiser was not appalled by Napoleon's failure. On the contrary, he aspired to greater things. There the parallel ceases. Shall we by the infliction of personal punishment restore it? I would not mitigate, if I could, the crimes of Wilhelm II. No human tribunal can exact adequate expiation for them; but I believe that his trial, conviction, and punishment will accomplish only what England accomplished with Bonaparte.

The influence of a martyred Kaiser may not become as great but may prove quite as potent for war as that of Napoleon. Prof. Cramb describes the mastery of the great Corsican over the minds of men as the most significant spiritual phenomenon of the twentieth century. He calls it the conflict between Christ and Napoleon and declares that Corsica has conquered Galilee; that Germany, while "abjuring the tyrant and oppressor of Europe, gradually acquired a profound and ever profounder reverence for the creed and the religion toward which that great and solitary spirit, perhaps the loneliest among the children of men, still struggled amid the tumults and desolations, the triumphs and the glories, the victory and the disaster, of his tragic and brief career."

Can it be true that the spirit and nature of man have been so changed and chastened by the awful experiences of the past four years, by his sacrifice of life and of treasure, by his development of methods of wholesale slaughter and destruction, that he is determined henceforth to avert his gaze from the genius of war and banish it from the events and contingencies of the future? Are his ambitions so softened, his greed, avarice, and selfish competitions so permanently dissipated, that appeals to the sword may now be replaced by appeals to conscience, by tribunals of arbitration, and by conventions of similar import?

The situation everywhere furnishes an eloquent and conclusive answer. I affirm without hesitation that the world is to-day more turbulent, and scarcely less bloody, than before the signing of the armistice. Only a few days ago Mr. Andrew Bonar Law told the British House of Commons that 23 different wars were then in progress. These have been enumerated and I shall ask permission to incorporate a list of them in the RECORD. Revolt or revolution in some part of the world is an everyday occurrence. New nations are fighting each other for territory, while the dominant races among them are butchering and despoiling their weaker subjects. The Frankenstein of Bolshevism is covering half a continent with its bloody tracks and consuming torch. Strikes, riots, murder, lawlessness, disregard of authority, robbery, and insurrection in Europe, Asia, and America have long been a story of each succeeding day. Respect for the ordinary conventions of law and order and a decent regard for the reciprocal rights and duties of the private citizen have generally declined, and in some parts of the earth have disappeared altogether. The world shudders at the possible consequence of a returning demobilized soldiery weaned from the prosaic environment of prewar conditions and inured to the sordid experiences of active warfare. The people of no nation upon earth seem inclined either to peace or to the arts of peace. International conflict between the great powers is not apprehended. Insurrection and internecine conflict threaten every land. The passions and discontent of men now rock the world.

Wars can not be avoided by any plans, leagues, or precautions unless the minds of men become averse to war; and I am unable to accept the theory that men can be made merciful, wise, and moderate, that their ambitions can be stifled and their jealousies curbed, by treaty regulations. The belief that this can be done is a very old one. It is, in the language of another, "a dramatic but deluded expression of the hope that by some miraculous process of lawgiving, the collective wisdom of human society might suddenly be made to dominate over its collective folly. The Russian Czar in 1815 assumed that the corporate conscience is capable of development equal to that of the individual conscience; that assumption is still widely prevalent, but it runs counter to all human experience, ancient

and modern, and can not be justified under existing conditions of social and economic evolution."

And the nations are as the individuals composing them. These are naturally and necessarily concerned first for their own interest and welfare, to which all other considerations, even that of permanent peace, are secondary. France knows from a long and bitter and terrible series of experiences that the German of the twentieth is identical with the Hun of the fifth century, who covets his neighbor's possessions and is restrained only by the power of visible force. She has thoroughly learned his nature, his attributes, his intellectual processes, and his power in the hard and bloody school of strife and conflict. And in dealing with him she reveals her own possession of many of his qualities. She has therefore disarmed him not only but wrested a Province from him, and she demands a defensive alliance with England and America against Germany as a supplement to her league of nations. She may feel secure against the recurrence of another war, but she will take all necessary precautions to win it when it comes.

Italy wants peace, as we do, but not without Fiume and most of the Tyrol. If she must make a choice between them, she prefers the latter. No dread of consequences has swerved her for a moment from this demand, although she can find no treaty warrant for it and must know that without Fiume the new Republic of Jugo-Slavonia must nurse a wound that naught but war can heal. Scarce 20 days ago her soldiers, resenting the presence of a small French garrison stationed at Fiume by the allied powers to aid in preserving the peace, slaughtered many of them like cattle in the shambles. This atrocious butchery is reported to have been encouraged by their officers. She has also demanded the Austrian concession at Tientsin as spoils of war. With one hand she signs the treaty and accepts the league of nations, while with the other she slays the soldiers of her ally and spreads her net for transoceanic territory, undeterred by the sanctions of a covenant not yet hardened into permanency and undismayed by the prospect of collision with armed France. She holds by force what she has taken and demands by diplomacy what she still covets.

Japan advocates the league of nations, but her adhesion to the plan was subordinated to her demand for Shantung until the demand was recognized. China, deprived of an important Province and distrusting the integrity of Japan's promise to return it to her, declines the treaty and the league. Abandoned by her allies, she hints at overtures elsewhere and appeals to the conscience of the nations.

Greece must contend with France and Italy for dominion over the isles of the eastern Mediterranean and the coast of Syria. Who can say in view of these manifestations that the nations besides our own and recently at war are inclined to a peace with which these demands and ambitions can not be reconciled?

France nursed the wrongs which Germany imposed upon her at Versailles for nearly half a century. Mommesen declared that Louis XIV had supplied Germany with ample ground for Bismarck's invasion of France in 1870, and Poland's partition has fanned the spirit of Polish nationalism and shaped the destiny of the Polish race for two centuries. Will this treaty, differing not a whit in spirit and policy from countless precedents of the past, escape the consequences which sooner or later have overtaken and overwhelmed them all? I make no plea for Germany. She richly merits every requirement which the treaty has imposed upon her, although I doubt if she can ever comply with them. Were the nation dismantled and dismembered, were its people delivered in perpetual slavery into the hands of the Allies, were all its property, movable and immovable, confiscated and sequestered for the benefit of its plundered enemies, the reparation would be incomplete. But the Germans are human beings, possessed of human attributes, influenced by human motives, and inspired by human impulses. They have not accepted the treaty; that has been forced upon them. Their remonstrances, protests, pleas, and denunciations aptly and graphically indicate the national attitude regarding it. It is true that had the gauge of battle been against us Germany would have imposed equal or harder conditions upon the Allies. But would we have accepted them willingly or otherwise than at the point of the sword or with a less rebellious or protesting spirit or without a similar determination to rid ourselves of it at the first opportunity? Our treaty with her will be respected and its covenants performed so long as the allied powers can so dictate. It will be repudiated whenever that power shall disappear, and this whether Germany be within or without the league of nations. The aspiration of Germany will be the coming of that hour. She will prepare for it, within the limitations of the treaty if she must, but she will prepare for it nevertheless, and we may be sure that her preparations will not be discouraged by a world's assurance that the horizon of the future shall not be overcast

by the gathering clouds of war. For it is everlasting truth that no peace of force has ever outlived the force which imposed it. "It binds only so long as you can make your enemy see behind the parchment the gleaming point of the sword."

Germany's fleets and armies have been dissipated and her military prowess overthrown. But her perfect system of espionage still covers the world with a vast network of intrigue, whose meshes penetrate its every secret corner. She still hears the discussions of council chambers, still records impressions of every sinister whisper that means aught to her present or future, still notes the pulse beats of every nation that has blocked her pathway to universal dominion. And she is sowing the seeds of another crop of dragon's teeth in the soil of prostrate Russia, whose harvest of misery is foreshadowed by the mistaken policy of the Allies toward that unhappy country. She is now the world's pariah. Excluded for the time, and perhaps permanently, from the league of nations, she will yet be familiar with all its activities. She can widen the differences of its members and subtly strive to encourage them. The conflicting currents of trade and commerce must inevitably create rifts in the scheme of allied unity, and the support of seventy millions of people outside the pale may become a prize in national competition for markets and material. Here is a balance of power pregnant with sinister import, one likely to materialize, possibly to be encouraged, by rival ambitions.

The league of nations, as the name implies, is international in its framework if not in its substance. Its labor provisions are distinctly so. It does not propose a fusion of peoples, but a covenant between governments whereby express powers, partly judicial, partly administrative, are mutually transferred to a representative organism. This ligament, federative in character, is to bind the nations together on terms of mutual security. This presupposes internationalism. Some of its sponsors declare the American Constitution to be its analogue, while the Socialist support of it is frankly based upon its international character. These features of the project amply justify the inquiry whether internationalism may be relied upon to banish wars from the affairs of men.

The Socialist rightly declares that patriotism promotes the war spirit, and that it springs from the sentiment of nationality, which in turn is the child of race consciousness. Mazzini wisely appealed to the race instinct of the Italian that he might arouse the spirit of nationality. He well knew that until the sentiment of his people thrilled with the pride of ancestry and the glory of their past their dormant patriotism would never respond to his burning appeals for national unity. The same processes underlie the story of every great race whose achievements crowd the pages of history. But it is a serious problem whether the extinction of nationalism, were that possible, would result in any corresponding advantage. It might secure peace, and it might stagnate the races. China is here both a warning and an example to the world.

But upon that contingency we need not speculate, for it is an impossible one. The composite man may appear as a sporadic production, but he can never be a type. Races may be blended as they mingle in the same communities, when enjoying equal privileges, as in the United States, but never otherwise. Their differing color, aptitudes, intelligence, latitudes, foodstuffs, religions, institutions, and social attributes are fundamental, and these will assert themselves persistently, if not offensively, to the confusion of internationalists and the undoing of empires.

Racial instincts and tendencies are the infallible antidotes to internationalism. They will assert themselves with a vigor and persistency that no barriers can suppress. They will survive every obstacle they encounter. Persecution, suppression, assimilation may check but can not destroy them. Races may be annihilated or reduced to pitiful fragments of survival by violence or by epidemics. Not otherwise can they be disposed of. The Jew is the age-long illustration of this truth. Before the crucifixion the hands of surrounding nations were against him. Since that period he has been persecuted by the common consent of the Christian world. He has been butchered, decimated, ostracized, exiled, starved, robbed, enslaved, and execrated. He has been exposed to every horror and subjected to the vicissitudes of every danger that the genius of cruelty and malice could devise. At this hour, when a world bled white is welcoming peace and humanity yearns for the day when the lion and the lamb shall lie down together, the newly freed peoples of Europe are celebrating their regained nationality by Jewish pogroms and assassinations. "Yet the Hebrew abides and is strong."

But the Jew only typifies a universal racial condition, which asserts itself when opportunity beckons and in moments of danger and of peril. The old law of self-preservation is both collective and individual. It appeals to the members of every

race whose existence may be exposed or threatened. Like families, they frequently quarrel among themselves, but wage no battles of extinction. Like families, they forget internal differences and unite to meet the shock, or make the attack upon the outer circle, of the common foe. Americans were amazed in 1898 by the general sympathy of the Latin peoples of Central and South America for Spain, in the war we then waged against her for Cuban independence. Mexican distrust and animosity are a source of constant exasperation to us. But these antipathies are spontaneous because they are racial. The Anglo-Saxon attitude toward the Spaniard is a long history of successful aggression; and the descendant of the Spaniard instinctively associates Anglo-Saxon propinquity with racial antagonisms.

From the hour that the Central Empires declared war against Great Britain there was never a doubt as to the side America would espouse if she determined to enter the struggle. The German knew also what we would do, whether he lived here or in the Fatherland. Their one alternative was to keep us out, and when the urge became too great they added terrorism to propaganda. Germany thus cast the die that sealed her fate. She was the mortal enemy of Britain and resolved to dominate or to annihilate her. But Britain is our mother country, an unnatural and hard-hearted parent at times, if you like, but our mother country. Both nations are Anglo-Saxon. The crushing of the parent nation would be the ultimate undoing of the offspring, and that would set the world back to the days of medievalism. Many reasons have been assigned for America's declaration of war, none of which I shall challenge. But I affirm that the underlying mainspring of our action was Germany's menace to the Anglo-Saxon race.

The same urge which thrust Canada and Australia into the allied ranks at Ypres and Gallipoli; which prompted Tattnall in 1859 to aid the British squadron against the Chinese defenses in the Peiho River, because "blood was thicker than water"; which inspired England's assurance to Germany in 1898 that if she entered the Spanish War at all she would be America's ally; and which caused Chichester to place his ship between Dewey's fleet and the guns of Admiral Diederich in Manila Harbor. And it compelled the Federal Government to abandon its unnatural reconstruction policy in the South, which threatened to subject the Anglo-Saxon to the domination of an inferior and an alien race.

The spirit of nationalism was never more assertive than it is now. President Wilson's announcement of the right of self-determination was like deep calling unto deep. The response greeting it was universal. It aroused the self-consciousness of peoples, which had been dormant or intermittent for centuries. Much of the turmoil and bloodshed following the cessation of hostilities has been due to its swift and defiant assertion. And it is a condition not easily controlled. It must expend its energy before it subsides, and will do more to exorcise the spell of internationalism than all the fleets and armies of men. When we reflect that though gagged and shackled for centuries it could not be extinguished, we may pardon much of its excesses and feel sure of its ultimate adjustment to the scheme of the world's progress. But this end will not be easily or peacefully attained. For race must collide with race ere their jarring contentions can be disposed of. Not all the peace congresses of history can prevent it. It is the bitter fruit of the oppressions and tyrannies of the past, and it is as true to-day as in the days of Sinai that the sins of the fathers are visited upon their children.

England long ago realized the indomitable persistency of racial characteristics and accommodated her policies to it. She is the great mother of colonies, because she governs subject nations by respecting their customs, prejudices, and religions. She suppresses their lawlessness only, and invites their participation in public affairs. The fruits of her wise and tolerant administration of her subject peoples were made abundantly manifest in the late war, when their soldiers flocked to her standards and their treasures were placed at her disposal.

Internationalism would be a menace if it were not an unattainable dream. Through no such agency can wars be banished from the affairs of men. Bolshevik Russia asserts the cause of internationalism and would establish it through the annihilation of every class of men save the lowest, least efficient, and most degraded. Let us credit the infamous creed with consistency, for it has blazed the only path along which internationalism is possible of attainment. When it is once secured, problems of peace and war, like all others affecting humanity, will have perished along with the nations concerned in them.

Ours is a material world and man is a fighting animal. His contests are not circumscribed by the periods and limitations of

physical conflict. Bernhardi was not far wrong when he said that war was the continuation of foreign policy by nondiplomatic means. And foreign policy now concerns itself with commercial intercourse more largely than with purely political problems. In 1916 the allied powers conferred at Paris regarding the need for a common policy to be asserted in the "war after the war," when commercial interest would again be paramount, with Germany reaching out for the markets of the world. They outlined a program of offense and defense, drastic, pitiless, and exclusive, to be observed at all times and subject to change only by common consent. To that policy the United States took prompt exception, and it was, therefore, postponed to a more convenient season.

But the war of arms is practically over. International commerce, languishing during the war period, is again the prize of the nations, who will strive for it in eager and unremitting competition. Their rivalries and jealousies are everywhere developing. French exclusions, British embargoes, Japanese advantages of location, renewed American clamor for domestic duties of higher and yet higher proportions, on the one hand, are confronted on the other by the diminution of markets through the overthrow of Russia, the weakening of credit, and the ostracism of Germany. The manufacturing powers are facing the dawn of their fiercest and most relentless industrial contention for the world's markets and materials. War successfully appealed to their altruism; but this contest will not witness its survival of the armistice unless all of the signs of the hour be misleading. This quotation from a recent article in *Harpers Magazine* tells the story:

The war has not changed the old system of international trade relations. We are far from the era of free trade between nations and the open door in colonies. Unless reaction goes so far as to cause a revolution, and if economic conditions in other countries are like those in France, we may expect the third decade of the twentieth century to accentuate the tendency to high protective tariffs and to governmental backing of large enterprises in marketing goods in secondary states, protectorates, and colonies. The industrial effect of France during the war made victory possible, but at the price of a commercial war after peace is signed. And if with peace the world secures a diminution of armaments, international commercial rivalry will be all the more intense.

In the domain of trade we are reentering the same old world that environed us before the war interrupted its activities, and the same rivalries, resentments, practices, underminings, overreachings, and retaliations will accentuate conflicting efforts for securing and maintaining commercial supremacy. These have been the primal source of all the wars of the past two centuries. They will prove the trouble breeders of the future just as surely. This is true, albeit commercial treaties establish reciprocal rights and duties between the nations hereafter as heretofore.

Mr. Courtenay DeKalb, writing for the *Atlantic*, in December, 1917, graphically declared that—

We shall find at last that the supreme ends of peace and general prosperity are not attainable in nations that attempt a commercial interlocking while they bristle with bayonets of tariff opposition.

He also asserts that—

The plan of a league to enforce peace, stripped of its details, is in the direction of unification and denationalization. To carry it out requires the sinking of national aspirations in the will of a controlling central authority, which to become effective must progressively change its scope of world dominance, and that inevitably means the ultimate supremacy of the most aggressive of the represented groups. It is contrary to the fundamental laws of broadly developing life. There is something better than this; something that will preserve the natural tendencies to intellectual growth in the race without requiring military aggressiveness as a national prerogative. That is to introduce the principle of natural trade by taking steps to eliminate the fostering devices on which national aggrandizement depends. It might not be possible to reach every scheme for artificial trade development which will lift its head, but the tariff can be stripped off, and the granting of subsidies and bounties, and all the cruder forms of paternalism. This would at least go far toward the organization of the sisterhood of nations on the true competitive basis of relative inherent skill, knowledge, and ability. In that direction lies the open road to peace and progress. The world may not deduce itself; it must take that highway, or accept the principle of the trade war which goes hand in hand with Mars.

This author anticipated the President's declaration of September 26, 1918, that—

It would be an insincere as well as an insecure peace that does not definitely exclude those economic rivalries which have been the prolific source in the modern world of the plans and passions that produce war.

It is here in the language of still another author that—

Warm-hearted idealism approaches the colder regions of policies and practice.

I am unable to discover how the pending treaty proposes to exclude economic rivalries, unless the plan is embraced in the 41 articles of part 13 outlining the international labor program. And if these rivalries are not excluded, may we expect any other than a peace which is insincere and insecure?

Article 23 commits the members of the league to the endeavor to "make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all its members." This clause seems to the junior Senator from Virginia all sufficient for the purpose. I quote his construction of the article:

By according equitable treatment to the commerce of all members of the league, securing for them freedom of communication and transit, wars occasioned by commercial discrimination and by prohibition of access to the seas will be prevented. This will remove one of the most fertile sources of the wars of the past. Besides, this will greatly facilitate and increase foreign trade and commerce.

My mind would be relieved of an anxious burden if I could accept the cheerful optimism of this assurance, given so clearly and so free from any qualifying limitations. But if I did so, it would still be necessary to inquire whether it did not partially deprive Congress of its power to raise revenue and bring upon its devoted head the vociferous protests of all protectionists. The chairman of the Republican national committee, speaking, doubtless, after prayerful and anxious consultation with his associates whose first anxiety clusters around the next election, has recently demanded a reservation to the treaty safeguarding the tariff-making authority from the sacrilegious hands of any league, and my colleague has expressed himself in similar fashion. Personally I should like to see some uniform system of international customs scientifically prepared and equitably applied, as I would like to enjoy other sadly needed but altogether unattainable blessings. Selfishness, avarice, greed, constitutional restrictions, international jealousies, trade rivalries, resentments, suspicions, and a train of other unlovely but altogether human traits forbid. But I derive some consolation for these unfortunate conditions from Burke's assurance that no government founded solely upon the heroic virtues is possible. "Discontent is the divine mother of progress" and selfishness the driving force of the world. Trade wars and tariff reprisals must go on till human nature shall have been cast in other molds. Of this there is no present possibility. Brooks Adams teaches that trade is the relation between civilizations, and announced the discovery of a law through the agency of which civil progress follows the exchanges. If he is right, the law must persist even in the face of treaty covenants, and peace though sincere must remain insecure.

It will be observed that I am at this time making no analysis of the treaty covenants. I have, indeed, but seldom referred to them. I have made some study of the causes of human strife and the effect of treaty stipulations upon the conditions of war and peace since the commencement of that mighty struggle whose closing scenes make the present year so eventful. They have convinced me, much against my inclinations, that the optimism of those in times past and of those now living regarding the establishment of permanent international relations of any sort, and particularly for the regulation of their political affairs, however high the purpose or propitious the occasion, must prove disappointing. When this occurs, reproaches and recriminations inevitably ensue, and these do not tend to soften asperities or diminish the prospect of collision. My views may be unfounded or imperfect; they may indeed be wholly erroneous; but I hope that they may contribute in some small measure to the solution of our difficult task. Let us perform it reverently and with abundant care, accepting assurances only when they are fortified by the events of the past, and rejecting predictions which can not stand the test of patient, exhaustive analysis.

I am aware that armaments tend to war and that preparedness for defense is apt to be a cover for aggression, that militarism will persist if fleets and armies are to be constructed and maintained as heretofore, and that some method must be devised for minimizing or abandoning them. The world has just had all-convincing experience that armaments are no guaranty of peace, and the argument that the league of nations is the necessary forerunner of disarmament constitutes a powerful plea for its acceptance. I am also aware that we can not return to the old conditions and expect to avoid the old consequences. And I am as desirous as any colleague now occupying a seat in this Chamber to provide, as far as human foresight can provide, against recurrence by reducing the probabilities of war. Hence this address is not a plea toward treaty rejection. It may be better in operation than it seems in theory. I have read the draft of the league many times, and I am not yet prepared to pass final judgment upon its merits. But I have learned that a league for peace is the unwelcome companion of a peace of force. Their ways are divergent, their objects antagonistic, their details inconsistent. These come to us as one instrument. They are so interblended that familiarity with the whole is essential to an understanding of its parts.

It is to me a source of regret that the two could not have been formulated as distinct and separate protocols, a course that its framers would have adopted had the conditions at Versailles made it possible.

The league, inspired by unselfish and uplifting impulses, typifies peace and reconciliation; the treaty, based upon passion and self-interest, embodies suppression, reparation, indemnities, partition, punishment. The league proposes a plan for a new order in world affairs; the treaty perpetuates the old order. The league seeks to reestablish the family of nations along racial and self-determining principles; the treaty applies to the German his own method of indemnities and territorial acquisition. The league would restore Alsace-Lorraine to France and make the episode a warning to the nations; the treaty recognizes and reverses the application of the principle and makes France the aggressor and Germany the victim. The league would abolish militarism and establish international justice; the treaty re-enacts militarism by feeding the passions which make war the final arbiter of national differences.

France knows this so well that she has asked for a defensive alliance of Great Britain and America with herself and against Germany. She knows that the treaty bodies forth a transformation scene upon the stage of Europe wherein she and Germany change places with each other, and that time must bring its revenges for Germany as it brought them for her, that peace for the future, like peace for the past, must be transitory so long as one people nursing a sense of injury and race oppression can only hope to satisfy never-ceasing discontents by retaliations which become inevitable when opportunity knocks at the door.

Everyone knows this to be the situation. The treaty is doubtless the best that the conflict of ideals and interests could have produced. It is not the men negotiating it whom we must criticize, but the inexorable conditions which they respectively advocated and encountered.

But its contending elements can not coexist, for they are mutually destructive. If the conditions of the treaty persist, the league will perish. If the covenant survives, the treaty must temper its harsher features to conform with the mission of the league. Both can not endure. In some form the treaty will probably be ratified, and time will determine which of its purposes will survive the other.

I may, however, say in conclusion that my view of a league to secure peace differs fundamentally from that here outlined and submitted to our final judgment. The theory of a league composed of every distinct sovereignty in existence has much to commend it if mutuality of action and of obligation through councils and assemblies be indispensable. But these are cumbersome, slow in operation, and apt to prove disappointing in critical periods when celerity of movement is essential to the accomplishment of its objects. Moreover, they lack direct control of the element of force, which is the ultimate dictator of peace. If I could write a covenant for a league to enforce peace, I would, bearing in mind the arbitration treaties of 1913 and continuing allied association for treaty enforcement, confine it to the English-speaking nations and colonies of the world. Theirs are the institutions of free men, theirs the wealth, the commerce. They are carriers of the sea. They advocate and enforce the impartial administration of justice and of law. They control the armaments and can mobilize the armies that may be needed to enforce the peace between nations. No people would disregard the admonition or reject the counsel of such a league. Its benign influence, the ripe fruit of centuries of experience in self-discipline, which is the parent of self-government, shedding its rays over the habitable globe, guaranteeing protection and extending aid to those not yet able to move unsupported along the pathway of national development, would do more to minimize the danger of war and promote the ways and the arts of peace than any other international understanding the wit of man can devise. And if these nations be true to themselves and to the impulses of their common origin, whatever we may now do or fail to do, these will in time be leagued by destiny for the harmony and well-being of mankind. If they can not save the world, it is past all redemption.

PEACE TREATY AND LEAGUE OF NATIONS.

Mr. NELSON. Mr. President, I crave the indulgence of the Senate for a few moments in making some remarks on the treaty of peace and the league of nations, and in making these remarks I shall avoid as far as possible all manner of technical discussion.

The total annual commerce of the world is over \$50,000,000,000, and of this our country contributes nearly, if not quite, one-fifth. Our resources and our activities are so vast that they require a world for their necessary development and expansion. We can no longer isolate ourselves in our relations with other countries. Their doors must be open to us, and

our doors to them. Modern science has made distant nations our near neighbors. Chaos, stagnation, and distress in one part of the civilized world react upon and ultimately affect other parts of the world, including our own country. There is, in these strenuous modern times, a neighborhood of nations, as well as a neighborhood of individuals. Nations can no longer with safety and immunity say, "I am not my brother's keeper." While our commerce extends to all parts of the world, Europe absorbs upward of one-half of the entirety. Our country has become, and for years has been, the great reservoir of food and raw materials for Europe. Europe has been our greatest market for these products, as well as for the vast products of our varied and manifold industries. We need Europe and Europe needs us. Free access to her markets is an absolute necessity of our industrial and economic life, and her capacity to absorb our products is contingent upon the degree of law and order that prevails within her borders. We can not, therefore, isolate ourselves from, or afford to be oblivious to, the conditions prevailing or likely to prevail in the realms across the sea.

Mr. President, we embarked in the Great War not because Germany had invaded our country, but because Germany had invaded our commerce and trade in European waters. She had made a dead line around Great Britain and France and in the North Sea, and parts of the Mediterranean, and decreed that across this line no American shipping should be allowed to pass. She proceeded to enforce this decree by a most ruthless and barbarous submarine warfare, in utter defiance of our rights and in utter defiance of all international law. As a demonstration of what she could do and intended to do with her submarines, she had long before this decree sunk the *Lusitania*. This attitude and course of Germany made it plain as never before that she was not only a great menace to England, France, and Italy, but also a most dangerous menace to America. Could she have subdued our Allies, our country would have been at her mercy and would have been her next victim, for it was evident that she aspired to world dominion. It was, moreover, clear to all who looked beneath the surface of things that not only was there a menace in her deeds and practices, but there was even a greater menace in her system of government; for it was only such a system that could breed such practices and such terrors. It was only such a system that, without valid cause, could embark on such a war and ride roughshod with fire and sword over a little country whose neutrality it was pledged to protect. The evident eagerness for the war, the campaign of terror and destruction in Belgium and northern France, all stamped Germany as the juggernaut among nations. She was emphatically a most dangerous menace, in spirit and in deed, to the entire world.

When our country embarked in the Great War nearly all our people, at least all good Americans, believed we had valid grounds for our action and were fully justified. Had we failed to meet the Teutonic challenge we should have been regarded as a poltroon among the nations of the world; and, more than that, it seemed apparent that without our intervention Germany could not have been thoroughly vanquished or a substantial peace brought to a distracted world—a peace vital to the future prosperity of our country.

Washington's Farewell Address, which we all cherish and of which we are not unmindful, did not deter us from embarking in the war and cooperating with the Allies in its energetic prosecution. Had he and the other great men of his day been with us at the time we entered the war, he and they would undoubtedly have fully justified our course. The founders of our Government could not foresee, indeed none of us could foresee, that in the first quarter of the twentieth century we would be sending an army of 2,000,000 men to Europe to participate with England, France, and Italy in curbing and suppressing the great ambition and menace of Germany. There was a most effective "entangling alliance" between our soldiers and the soldiers of England and France that brought the enemy to his knees and forced him to seek an armistice and to sue for peace.

Mr. President, our brave and heroic soldiers demonstrated to the world that they were second to none in courage, in initiative, in endurance, and in all the qualities that go to make first-class fighting men. They demonstrated that the American people were not, as many in Europe supposed, a mere nation of money-makers who worshiped Mammon so intensely that they had lost all stomach for war. The American soldier "went over the top" with a spirit and alacrity that surprised even the veterans of England and France. The glory of Cantigny, of Chateau-Thierry, of St. Mihiel, and of the Argonne is his forever, and the graves of our fallen heroes who made the supreme sacrifice bear mute witness to his bravery and heroism.

American soldiers have fought on the frozen fields of Canada, on the arid plains and tablelands of Mexico, on the shores of torrid Cuba, and in the distant Philippine Islands, but of all the wars they have been engaged in the war that terminated on the plains and hills of Argonne last November was beyond any question the most glorious—glorious because of the enemy encountered, glorious because of the issues involved, and, above all, glorious in its ultimate outcome.

It now remains for us to reap the full fruits of their victory. It has not only been our business to vanquish the enemy, but it is now our task to see that he stays vanquished and that he ceases to be a menace to the peace of the world. Unless this task is accomplished we shall have failed to score a complete victory. To undertake to secure the full fruits of our victory in Europe will involve a dangerous "entangling alliance" to no greater extent than was involved in our participation in the war.

If any great cyclone of war shall arise in the future it will come from Europe and not from the Western Hemisphere; and to say that our country would have no interest in preventing such a war would be contending for the isolation of our country from the rest of the civilized world.

The entire world, civilized and uncivilized, is vitally interested in preventing the recurrence of such a war as ended in November last or of any war akin to it. Our country has scored a great victory in war; it now remains to score a great victory of peace. Nearly three centuries ago the great English poet, Milton, declared:

Peace hath her victories,
No less renowned than war.

A treaty of peace has been negotiated between Germany on the one part and the United States, Great Britain, France, Italy, and Japan on the other part. The treaty has been ratified by Germany, and Great Britain, and I think by France and Italy. By its terms it is now in force between those countries, and it is now before the Senate for ratification.

It is unlike any other treaty resulting from and concluding a war in the past, in that it contains provisions for a league of nations to enforce and maintain peace. No similar attempt has found its way into any former treaty. The treaty may be likened to a judgment, and the league may be regarded as the executive officer, the marshal, if you please, to enforce the judgment. The avowed purpose of the league is to relieve the world of the terrors of war in the future, and with this purpose, I take it, we can have no controversy.

The question for us to consider is whether our country should participate in carrying out this purpose, and, if so, to what extent and subject to what limitations.

I have already pointed out how vitally our country is interested in the peace of Europe, the storm center of future wars. To have our economic, industrial, and commercial relations with Europe severed by the convulsions of a great war within her borders would divest us of much of our vitality, would confine us mainly to the Western Hemisphere, and commercially we would, to a large extent, be a Samson shorn of his locks. Europe is our greatest customer, and it is for the interest of our country to maintain that customer on a high purchasing level. This may seem a sordid argument, but, thank God, our people are not all sordid. The great mass of the American people, having enjoyed the blessings of a free government, are vitally interested in and sympathize with the downtrodden people of Europe, and realize that of all the calamities and agonies that can befall them the greatest is that of war.

I confess that I can not take much stock in the "entangling-alliance" argument. When we sent our soldiers to Europe to participate in the war with the Allies, we jumped that fence. It seems to me that was to a considerable extent an entanglement in European affairs. And having entangled ourselves to that extent, why should we not entangle ourselves to secure the full results of our victory and avoid being entangled in another war? But it is claimed by some overnervous people that the league will breed war. Can any sane man believe that if the representatives on the league of the United States, Great Britain, France, and Italy, through the machinery of the league, should forbid Germany to enter upon a war, Germany in the face of this admonition would venture to cross the Rubicon? The league is the first concrete and substantial effort that has been made looking to the prevention of war and the maintenance of international peace. It may be that some of the provisions are crude and vague and could well be improved upon. We can hardly expect perfection in a first effort in a new field. Time may develop the necessity for amendments, and provision should be made therefor in the covenants. I do not care to enter upon a technical discussion of the provisions relating to the league; that has been covered by many other Senators.

Mr. President, to my mind the chief question is, Are any of the provisions relating to the league unconstitutional or beyond the pale of the treaty-making power? I take it that the treaty-making power extends to all subjects not inhibited by the mandates of the Constitution and not counter to powers expressly vested in Congress. The paragraph of the Constitution conferring upon the President and the Senate the power to make treaties contains in itself no limitations. The Constitution declares:

This Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made or which shall be made under the authority of the United States, shall be the supreme law of the land.

But the "authority of the United States" is the authority conferred by the Constitution in its entirety, and nothing more. The war-making power, with the power to raise and support armies, is expressly vested in Congress, and in no other body or authority. No one, I take it, will for a moment seriously contend that the President and the Senate—a part only of the law-making power—can, by treaty, divest Congress, in its entirety, of its constitutional war power. So far as article 10 of the covenant would tend to embroil our country in war without the consent of Congress, it is manifestly outside of the pale of the treaty-making power. While it might be said that the league should take judicial notice of the limitations of our Constitution and construe article 10 in the light of those limitations, it is better for us, and much better for the league, to qualify that article by suitable reservation or disavowal.

There are those who maintain that article 10 does not militate against the war-making power of Congress; but as this is a matter over which there is much doubt and controversy, the safer course is to remove all doubt and controversy by express declarations or reservations.

The last provision of article 1 should in some form be eliminated or neutralized; the right of withdrawal from the league should be unconditional.

The contention that article 12 might compel us to submit to arbitration such domestic questions as immigration or other vital subjects is, I think, to a great extent obviated or neutralized by the second paragraph of article 13 and the eighth paragraph of article 15. But, in any event, if there is any serious doubt on this subject, it can be covered by suitable reservation, and so can the matter of the Monroe doctrine, if there is any doubt about that.

Except in one particular, to which I shall hereafter refer, the provisions of the treaty, considering its vast scope, seem to me just, fair, and reasonable.

Alsace and Lorraine are, as a matter of retributive justice, restored to France. The Saar Basin, with its coal mines, is placed in the control of France for a period of 15 years, as a substitute and recompense for the coal mines of northern France destroyed by the vandalism of Germany.

The Danish portions of Schleswig are, through a plebiscite, to be restored to Denmark. Poland is again resuscitated and established as an independent nation, with its boundaries fixed on the north, the west, and a part of the south, and is given an outlet to the sea by way of Danzig. Owing to present conditions in Russia, the eastern and southeastern boundaries could not well be established in the treaty.

The Czecho-Slovak State is recognized and its boundaries with Germany established.

The reparation provisions of the treaty, in view of the havoc and destruction wrought by Germany, are just, though not ample, but probably all that Germany can stand or that can well be realized from her at this time or in the near future.

Among the most important and valuable provisions of the treaty are the disarmament and demobilization provisions. If these are carried out, conscription is abolished and Germany will be left with a standing army of only 100,000 men, composed of volunteers under a 12-year enlistment, and a standing navy of 6 battleships, 6 light cruisers, 12 destroyers, and 12 torpedo boats, with a personnel of 15,000 men, volunteers under a 12-year enlistment. This will reduce her military and naval power to a minimum and for years render her less dangerous than formerly as a belligerent.

These provisions of the treaty are of great value to the German people in relieving them of conscription and in relieving them of the burden of maintaining a vast military and naval establishment, as in the past. It will enable them to devote their energies to industrial instead of military activities, and it will enable them more easily to meet the reparation requirements of the treaty. While the German people may feel that the terms of the treaty are in many particulars very harsh and exacting, they can not help realizing, unless they are still possessed of a mania for war, military autocracy, and

world power, that a great blessing has been conferred upon them by relieving them from the extensive military service in vogue in the past and the burdens of taxation incident thereto. But, more than this, they are relieved of army rule, and can more easily establish and maintain a freer and more democratic form of government than they have had heretofore. This will be the main gain of the German people from the war into which they were driven by their military autocracy. I hope the German people will have the good sense to avail themselves of this feature in the body of the treaty.

Poland, dismembered and divided by Germany, Austria, and Russia many years ago, has by the terms of the treaty, after years of suffering and brutality at the hands of those powers, been restored to its own people and established as an independent nation, to work out its own salvation on its own lines and for its own people, relieved from the incubus of the three despilers. This is one of the grand results of the war that we can not help but rejoice in. America has been able to make some return for the help Poland's sons, Pulaski and Kosciusko, rendered our country in the Revolutionary War. The wrongs and injustice of more than a century have been in part atoned for and righted. Poland has in it the elements of a strong and vigorous nation, imbued with the elements of true democracy, and she will prove to be a safeguard and barrier between military autocracy on the west and south and Bolshevism on the east; and she will be able to stay German commercial attrition to the eastward, and to that extent be a relief to Russia.

The only part of the treaty, aside from the covenants of the league, that I can not be reconciled to are the provisions relating to Shantung, articles 156, 157, and 158. This concession, as I am informed, was made with much reluctance and misgiving. As I understand it, the genesis of the matter is this:

In the early part of the war, long before we came to the relief of the Allies, England and France were sorely pressed, especially England, on account of her unpreparedness, and they were seeking help and allies in all directions. As an inducement for Japan to join them, they agreed, in substance, that if Japan would capture the German acquisitions in Shantung and expel the Germans therefrom and in general support the Allies, Japan should, on the conclusion of peace, be subrogated to the rights of Germany. It was this agreement that confronted England and France at the peace table and prevented them from joining the President in opposing these provisions of the treaty. Japan was insistent, and China protested. I understand that Japan, while as a matter of pride insisting on the provisions of the treaty, yet, nevertheless, through her representatives, verbally agreed that within a year or two she would restore the concession to China; that a written memorandum was made of this verbal promise, but it was not signed by the representatives of Japan. Japan ought to clear up the matter and give satisfactory assurance that she will within a reasonable time return all the German Shantung concessions to China. It will never do to leave Japan in permanent control of this Province, with full right of exploitation. It would tend to put her in full control of the East, and ultimately lead to the dismemberment of China.

How fortunate we are at this juncture to have a big American base in the East, in the Philippine Islands, from which our voice can be effectively heard and our influence felt in oriental affairs! And now, when we are all rightfully exercised over Shantung, it is well to recall how a few years ago an effort was made in Congress, which came near succeeding, to cast the Philippine Islands adrift and leave them to shift for themselves, and the agitation for this is still pending. This Shantung affair ought to admonish us not to leave the Philippine Islands as a lure for similar exploitation. The relinquishment of Heligoland, when made, seemed a small matter to England, but it turned out to be a great embarrassment and handicap to her naval operations in the late war.

As the war which closed on the plains of Argonne last November was in all its course and aspects the greatest, the most terrific, and the most destructive of lives and property in all the known annals of time, so the treaty of peace which has resulted therefrom is the most comprehensive and the most far-reaching in all its details of all treaties, modern or ancient. It was a Herculean task to extinguish and overlap the great crater of the war. As the grounds covered by the treaty are vast, it leaves a large field for criticism for those who are so inclined.

My first thought was that the covenants of the league should be separated from the main treaty and considered apart therefrom, but on examination I find that this can not well or properly be done. So many of the provisions of the treaty rest upon and are entwined with the league covenants for their initiation or ultimate performance that such segregation would tend, directly

or indirectly, to destroy or neutralize valuable and important provisions of the treaty and render some of its provisions abortive. So, to my mind, the only safe course to pursue is to consider and act on the covenants in connection with the other provisions of the treaty.

There has been so much technical and learned discussion of the covenants that I have avoided entering that field. I have merely in a brief manner pointed out some of the objectionable features and have suggested how these can be obviated and overcome. I have not groped around to find objections to defeat the treaty, for I am imbued with the faith that fundamentally the general purpose of the league is sound and fully warranted.

Little as we looked for it in 1914, we were, after all, contrary to the admonitions of the fathers of our country, "entangled" in a great war, not in our own borders, not anywhere in the Western Hemisphere, but 3,000 miles away, in the very heart of Europe. It seems to me that our country is, and ought to be, as much interested in preventing the recurrence of any similar war as in entering the war in the first instance. We ought to be as much interested in securing permanent peace results from the war as in making war. It surely can not be more dangerous to "entangle" us in securing a permanent peace in Europe than to "entangle" us in a war in Europe.

Aside from the facts I have heretofore mentioned, there are some facts and circumstances which at this juncture seem to me of the highest importance and worthy of our consideration. The events of the last seven or eight months have shown to us what a great spirit of unrest, bordering in some instances on anarchy, prevails throughout the civilized world as an aftermath of the Great War; and our country is not entirely free from this spirit of unrest. Organized society seems in many places to be in a soluble state, especially in the Old World. Let us not be blind to this condition nor seek to minimize it, but look it squarely in the face. What is needed is to restore law and order throughout the civilized world, and in this problem our own country is interested in common with the other great civilized nations of the world. A permanent and lasting peace, leading to a full revival of the industrial and commercial activities of the world, will tend to cure this spirit of unrest. Where food and work at good wages abound there is little thought of revolution. There can be no such revival where war clouds are on the horizon. Remove the terrors of war—the poor and lowly suffer most therefrom—and mankind will breathe easier and will soon be born to a new life and to a new spirit. Would it not be sad to think that our country should stand aloof from such purpose and such mission?

PROPAGANDA AND REPRESSION.

MR. FRANCE. Mr. President, I desire to make a very brief statement bearing upon a memorial which I send to the desk and which I ask to have printed at this point as a part of my remarks.

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

47 UNIVERSITY PLACE,
New York, July 10, 1919.

To the CONGRESS OF THE UNITED STATES:

The undersigned ministers of the Gospel, deprecating the prevalent tendency to oppose the spread of anarchism by lawless and violent methods, respectfully invite attention to the following statement, which has already been addressed to the public:

"While the horror of the latest bomb outrage is still fresh in the minds of Americans, we would call attention to the menace of the growth of the spirit of violence, bitterness, and unreason among our people. We sincerely trust that the criminals responsible for these outrages will be discovered and punished by due process of law. Terrorism must be given no room in our land. But to eliminate this menace it is not enough merely to join in the hue and cry against anarchism and Bolshevism; we must also study the economic and mental factors which make the background for this half-insane type of terrorism. A common resolve to abide by our time-honored principles of free discussion and the regular processes of constitutional government is the need of the hour.

"Unhappily violence, recently employed in the name of patriotism, has been allowed to go unpunished by the authorities, and has even been praised by leaders in Government and in the press. In New York on May day peaceful meetings were attacked, the Call Building was raided, and innocent men and women suffered serious injuries. Many voices openly praised such treatment of 'the reds.' But contributions of violence lead to contempt of law and strengthen those who counsel revolution.

"To meet the situation we urge—

"1. That all men and women of good will set themselves to influence public opinion through every available medium against lawless measures by whomsoever they may be employed.

"2. That they resolve to see that fair hearings and just trials are given to men, irrespective of their political or economic opinions, so that it may be truly said that in America no man's case, be he an I. W. W. or a Bolshevik or the most reactionary conservative, is prejudged by an appeal to popular feeling; and in particular that they set themselves against the counsels of hate, whose effect upon the rising generation can only be to pile up future disaster for mankind.

"3. Since, in the judgment of the Attorney General of the United States, existing laws against criminal terrorism are adequate and since free discussion is essential for the exposure of economic and political errors, that the attempt be abandoned to coerce minority opinion, so long as it does not promote disorder, and to defeat social change by repressive legislation.

"As ministers of the Christian church and as citizens of this liberty-honoring Republic, we plead for faith in reason, good will, and fairness to oppose the forces of bitterness and violence in our national life."

Rev. George Alexander, pastor of the First Presbyterian Church, New York; Rev. Charles R. Brown, dean of the School of Religion, Yale University; Rev. Henry E. Cobb, West End Collegiate Reformed Church, New York; Rev. Henry Sloane Coffin, Madison Avenue Presbyterian Church, New York, assistant professor, Union Theological Seminary; Rev. Harry E. Fosdick, minister in First Presbyterian Church, professor, Union Theological Seminary; Rev. William P. Merrill, Brick Presbyterian Church, New York; Very Rev. Howard C. Robbins, dean of Cathedral St. John the Divine, New York; Rev. William Austin Smith, editor of the Churchman; Rev. Ralph W. Sockman, Madison Avenue Methodist Episcopal Church; Rev. Frank Mason North, secretary, Board of Foreign Missions of the Methodist Episcopal Church, president of the Federal Council of the Churches of Christ in America; Very Rev. Hughell Fosbroke, dean of the General Theological Seminary, New York; Rev. Arthur C. McGiffert, president, Union Theological Seminary.

MR. FRANCE. Mr. President, this memorial urges that all men of good will set themselves against violence and lawlessness and against all the counsels of hate. It urges toleration, freedom of discussion, and the abandonment of the attempt to coerce minority opinion and to defeat social change by repressive legislation. Coming as it does from men distinguished both for their intellectual leadership and their patriotic devotion to our free institutions, it is worthy of our most careful consideration.

Senators, none of us can fail to realize that we are here charged with unprecedented responsibilities while the Republic is passing through these most critical and dangerous days of her whole history. Upon the decision of the next few months depends the future of our institutions, dedicated to the exalted purposes expressed in our Constitution, and perhaps the fate of free republican government everywhere throughout the world.

On a number of occasions during the last session of the Congress I urged the repeal of the repressive, oppressive, un-American espionage act. Believing as I do in free discussion, in the essential rationality of popular government, in the all but infallible judgment of the masses of the people when the processes of the common mind are allowed to operate undisturbed, I deemed it essential that when a treaty was to be submitted involving all that we hold dear, pledging the blood of our youth in a new armed coalition which guarantees the rearranged map and an arbitrary redistricting of a world of important parts of a treaty fixing the obligations which are to be fastened upon future generations, it was but fair to ask that the whole case be fairly submitted, that the people be allowed to freely and fearlessly discuss the facts and to reach the conclusion for themselves as to whether this proposed plan was designed to serve the ends of royalty, of imperialists, of reactionaries, of special interests, or whether it was devised to secure the advancement of the masses of mankind.

I deemed it dangerous at such a time as this to clothe interested Government officials with unlimited and arbitrary powers, to close the public forums to discussion and debate, to intimidate speakers, to censor the cables, to control the press, to exclude publications from the mails when as never before full and accurate information seemed to me to be indispensable for the preservation of our liberties. We asked, I say, only for a fair hearing upon this falsely named league of nations' plan at the great bar of public opinion, but this has been denied.

It is the apparent purpose of the administration to foist this scheme upon the people by a well thought-out campaign, cleverly combining propaganda with repression.

In certain cities it is impossible to hold a public meeting without the permission of the police. I offer in support of this statement a letter which I ask to have printed at this point as a part of my remarks:

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

DEPARTMENT OF PUBLIC SAFETY,
BUREAU OF POLICE,
Philadelphia, June 20, 1919.

(Meeting June 26, 1919.)

HOWARD L. FUSSELL, Esq., Attorney at Law,

505 Chestnut Street, Philadelphia, Pa.

DEAR SIR: In reply to your letter of 19th instant, in which you ask permission for a meeting to be conducted at South Broad Street Theater at 8 o'clock on Thursday evening, the 26th instant, to be addressed by Senator France, of Maryland, Hon. D. F. Malone, of New York City, and Rabbi Magnes, of New York City, on "The preservation of American Liberties," would say:

Permission is hereby granted for the proposed meeting to take place, providing it is properly and lawfully conducted, but the speakers in

their remarks must comply with our laws and ordinances and with the proclamations issued by the President of the United States prohibiting treasonable or seditious utterances.

I have notified the Lieutenant of the fifth district to this effect, and instructed him to see that above conditions are strictly complied with.

Yours, respectfully,

JAMES ROBINSON, Superintendent.

MR. FRANCE. I desire now to call attention to another illustration of repressive measures in the form of the suppression by the Department of Justice of a legitimate publication. I read from the Review, a periodical published in New York, the number of July 26, 1919, volume 1, No. 11, page 237:

The Century Co. has been informed by a representative of the Department of Justice that action will be brought to prevent the further distribution and printing of Thomas F. Millard's "Democracy and the Eastern Question," because of confidential matters it contains. What these matters are we have no means of knowing. The book was informally reviewed in these columns (July 12) by Prof. W. W. Willoughby, whose residence during the last four years in the Far East and close study of its problems from a peculiarly advantageous position excellently qualified him to point out the striking importance of Mr. Millard's work. Prof. Willoughby's paper has already created considerable interest among those who appreciate the gravity attending our relations in the Orient, especially with respect to Shantung.

I desire now to read an interesting editorial upon this statement in the Century. This editorial does not come from a Republican paper. It comes from one of the strongest Democratic papers of the country, a paper which up until this time has been a real supporter of the administration, the Baltimore Sun, of Baltimore, Md. This is the editorial, and it might be well for the absent Democratic Senators to read it for their edification in to-morrow's RECORD:

[Editorial in the Baltimore Sun, Saturday, July 26, 1919.]

AGAIN THE CENSOR.

From the Review we learn that the Century Co. has been informed by a representative of the Department of Justice that action will be brought to prevent the further distribution and printing of Thomas F. Millard's "Democracy and the Eastern Question," because of confidential matters it contains.

What excuse under heaven can be presented in justification of this action? From the suppression of newspapers the Government moves onward to the suppression of books. Not on the ground of immorality—there is nothing in "Democracy and the Eastern Question" that would make blush the cheeks of the daintiest maiden. Not on the ground that it would interfere with the progress of the war—the war is over. Not even on the ground that it preaches subversive social doctrines—Mr. Millard's book has nothing to do with Bolshevism. But on the strange and mystifying ground that it contains confidential matters.

What possible confidential matters can a book on China and Japan, written by a man who, although he intensely dislikes Japan, is recognized as an authority on eastern questions—what possible confidential matters that the United States Government has a right or should care to object to can such a book contain? This Government has no secret treaties. It boasts of openly arriving at its covenants with other powers. It boasts of its belief in free speech. What has it to be ashamed or afraid of?

"Democracy and the Eastern Question" was reviewed in the Evening Sun of July 5. Our reviewer found it a bitter but forceful denunciation of Japan's course in China. He reviewed at the same time a defense of Japan's course by a Japanese writer. There has been no attempt to suppress the latter book. Is anti-Japanese propaganda to be prohibited and Japanese propaganda encouraged?

The censorship was supposed to end with the war. It is bad enough in war; it is intolerable in peace. Its characteristic stupidity is evidenced in this case by the fact that the suppression took place after the book had been on the market for two or three months and widely distributed. We hope the Century Co. will test the right of the Department of Justice to interfere with the printing and sale of this book in the courts.

That is an editorial from a Democratic paper. Commenting upon this editorial, the Baltimore News, one of the great independent papers of the South, goes on further in the discussion of the question of censorship, and I shall read into the RECORD this editorial from the Baltimore News of July 26, 1919, entitled "Censorship, indeed":

[Editorial from the Baltimore News, July 26, 1919.]

CENSORSHIP, INDEED.

Our highly esteemed Democratic contemporary discovers that the censorship is still in operation; that it is directed toward the repression of public information and discussion of international politics, particularly in their relation to national policies of other nations. A book on Japanese-Chinese relations is about to be suppressed because somewhat of the information it contains is of "confidential" character.

Does our contemporary really think this the first instance of censorship in this direction? Does any day go by that its copy desk doesn't handle dispatches bristling with intimations of a censorship at work to help the league of nations propaganda? How much comes in to our contemporary concerning the true situation in eastern Europe, a very considerable section of the world, whose future has now been so admirably settled on paper that we can afford to guarantee its permanence even by arms, if need be?

If our contemporary will look carefully through its files of the past few months, it will find there abundant evidence that the censorship to keep this Nation in the dark has been at work right along, and that it is more concerned to keep the Senate in the dark than the public. This, because the Senate has the greater need of the information, as a body that wants to make immediate and official use of it. If our contemporary will look very hard, perhaps it can find evidences that, so far as the Senate is concerned, the President is not even relegating the suppression of information to subordinates. He does it himself. Witness the many unanswered Senate resolutions on his desk that beg for official light on the problems officially before it. Witness the French treaty, that the Senate can not ignore, but which, as to text

and to purpose, it must continue to consider in the light only of what the President has said unofficially concerning it; this being, in May, that it was simply an agreement to do in a specific instance what we would be bound in general to do under the league covenant, and, in July, that it was simply an interim arrangement.

Senators, if the purposes of this treaty are compatible with our national traditions and purposes, why is it that its proponents must use methods which are out of harmony with the spirit of free institutions and violate the specific provisions written by the fathers into the Constitution of our country?

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 seven minutes spent in executive session, the doors were reopened and (at 4 o'clock p. m.) the Senate adjourned until Thursday, July 31, 1919, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 29, 1919.

REGISTER OF LAND OFFICE.

Gould B. Blakely to be register of the land office at Salt Lake City, Utah.

RECEIVER OF PUBLIC MONEYS.

Heber C. Jex to be receiver of public moneys at Salt Lake City, Utah.

APPOINTMENTS IN THE REGULAR ARMY.

George W. Burr to be major general.

QUARTERMASTER CORPS.

Col. Charles R. Krauthoff to be brigadier general.

Col. Herbert M. Lord to be brigadier general.

MEDICAL CORPS.

Charles Augustus Pfeffer to be first lieutenant.

APPOINTMENT, BY TRANSFER, IN REGULAR ARMY.

CAVALRY.

Ira Platt Swift to be second lieutenant.

PROMOTIONS IN THE REGULAR ARMY.

CAVALRY.

Lieut. Col. Louis C. Scherer to be colonel.

INFANTRY.

To be lieutenant colonels.

Maj. Robert S. Offley.

Maj. Samuel P. Lyon.

Maj. Charles H. Paine.

Maj. Thomas W. Darrah.

Maj. Americus Mitchell.

PROMOTIONS IN THE ARMY.

The following-named temporary colonels to be lieutenant colonels in the Marine Corps:

Harold C. Snyder and

Alexander S. Williams.

The following-named temporary majors to be captains in the Marine Corps, for temporary service:

Charles A. Wynn,

Thad T. Taylor,

Glenn D. Miller,

Herbert Rosenzweig,

Thomas E. Watson,

Burwell H. Clarke,

Walter G. Sheard,

Paul Brown,

Roger W. Peard,

John D. Nevin,

Pete C. Geyer, jr.,

James E. Davis,

Lloyd L. Leech,

Charles P. Gilchrist,

Gustav Karow,

Joseph E. Brewster,

Raphael Griffin,

Karl I. Buse,

Harold S. Fassett,

Samuel A. Woods, jr.,

William C. Byrd,

George C. Hamner,

Arthur B. Jacques,

David H. Owen,

James M. Bain,

George B. Reynolds,
 James T. Moore,
 Horace C. Cooper,
 John M. Arthur,
 Gordon Watt,
 Thomas P. Cheatham,
 Louis W. Whaley,
 William C. James,
 Thomas E. Bourke,
 James F. Jeffords,
 Benjamin T. Cripps,
 Jacob M. Pearce, jr.,
 Daniel E. Campbell,
 Maurice G. Holmes,
 Charles C. Gill,
 James E. Betts,
 Norman S. Hinman,
 George Faunce Adams,
 Wethered Woodworth,
 James W. Webb,
 John M. Tildsley,
 Le Roy P. Hunt,
 Louis E. Woods,
 Edward R. Rhodes,
 Donald R. Fox,
 William McN. Marshall,
 George H. Scott,
 Alexander Galt,
 Paul R. Cowley,
 Bailey M. Coffenber,
 Eugene F. C. Collier,
 Evans O. Ames,
 Stanley M. Muckleston, and
 William H. Davis.

The following-named temporary captains to be first lieutenants in the Marine Corps, for temporary service:

Victor A. Barraco,
 Thomas O. Tate,
 James G. Somerville,
 Jack H. Tandy,
 Eric A. Johnston,
 William P. T. Hill,
 Robert A. Bowen, jr.,
 Philbrick W. Jackson,
 William W. Carson,
 Albert V. Williams,
 Harold B. Hoskins,
 Lucian H. Vandoren,
 Thornton Wilson,
 Daniel W. Bender,
 Clyde N. Bates,
 George H. Whisenhunt, jr.,
 Carl D. Brorein,
 Vincent J. Fitzgerald,
 Anthony W. Durrell, jr.,
 William R. Brown,
 James M. Wallace,
 John G. Vowell,
 Lewis R. Stickles,
 William A. Eddy,
 Oliver T. Francis,
 Carlos H. McCullough,
 Cornelius H. Reece,
 Lemuel A. Haslup,
 James P. Adams,
 Edward A. Fellowes,
 Haskin U. Deeley,
 Sparling B. Anderson,
 Henry W. Paret, jr.,
 Louis F. Timmerman, jr.,
 Gordon M. F. Chance,
 George K. Campbell,
 Henry R. Heebner,
 Fred C. Eastin, jr.,
 Robert C. Kilmartin, jr.,
 Edward A. Craig,
 James E. Hunter, jr.,
 Julian P. Brown,
 William E. Riley,
 Albert G. Skelton,
 Walter S. Fant, jr.,
 Andrew L. W. Gordon,
 Percival L. Wilson,
 Bernard Dubel,
 George C. Medary,

Charles C. Simmons, jr.,
 Thomas G. Letchworth,
 Earle M. Randall,
 Leland S. Swindler,
 John P. Manton,
 Ernest H. Lowenthal,
 Ray A. Robinson,
 Howard N. Stent,
 Kenneth B. Collings,
 Basil Gordon,
 Donald Spicer,
 Ford O. Rogers,
 Creswell M. Micou,
 Walter G. Farrell,
 Raymond T. Presnell,
 Lloyd A. Houchin,
 William L. Harding, jr.,
 John B. Neill, jr.,
 David Duncan,
 Lyle C. De Veaux,
 Ralph R. Robinson,
 Floyd W. Bennett,
 Norman E. True,
 Walter E. Bilsoly,
 John K. Martenstein,
 Francis J. Kelly, jr.,
 Conrad S. Grove, 3d,
 Charles M. Portis,
 St. Julien R. Childs,
 Hamilton M. H. Fleming,
 Walter I. Greth,
 Frederick E. Stack,
 George C. Collar,
 John F. Roy,
 Edward S. Shaw,
 Stanford H. Moses,
 Edward L. Pollock, jr.,
 Gardiner Hawkins,
 Leland D. Breckinridge,
 Merritt A. Edson,
 Laurence T. Stallings, jr.,
 Edgar A. Poe, jr.,
 Edward O. Bogert,
 John A. Tebbs,
 John C. Wemple,
 Curtis W. LeGette,
 Cleghorn Foote,
 Thomas B. McMartin,
 Thomas H. Raymond,
 David C. Levy,
 Joseph H. Fellows,
 Louis G. DeHaven,
 John S. Tyler,
 Luther W. Jones,
 Chester R. Milham,
 David P. Cowan,
 Robert L. Montague,
 Lester A. Dessez,
 John R. Minter,
 Robert B. Stuart,
 James Wood,
 Andrew R. Holderby, 3d,
 Fillmore W. Eiker,
 Timon J. Torkelson,
 Merton A. Richal,
 Robert A. Barnet, jr.,
 Francis B. Reed,
 Frank B. Wilbur,
 Lester D. Johnson,
 John Kaluf,
 Judson H. Fitzgerald,
 Samuel A. Milliken,
 Henry D. F. Long,
 James Diskin,
 Ross L. Iams,
 Lee Carter,
 George Nielsen,
 Wyle J. Moore,
 Charles D. Baylis,
 Richard B. Dwyer,
 William G. Kilgore,
 Harry E. Leland,
 Winfield S. Cranmer,
 John F. Leslie,
 David R. Nimmer,

Georges F. Kremm,
Trevor G. Williams,
David L. Ford,
Josephus Daniels, jr.,
Horace Talbot,
Edward B. Moore,
Frank W. Hemsoth,
Emil M. Northenscold,
David Kipness,
Robert K. Ryland,
William D. Wray,
Uley O. Stokes,
Charles P. Phelps,
Sherman L. Zea, and
Harold W. Whitney.

The following-named temporary first lieutenants to be second lieutenants in the Marine Corps, for temporary service:

Kenneth R. Berkey,
Ogbourne A. Hill,
Joseph F. Verhelle,
Gerald K. Hemsing,
Melvin E. Fuller,
Howard Mayes,
Robert B. Jeffrey,
Vincent M. O'Donnell,
George E. Gardner,
Walter Roll,
Paul Jahn,
Holton Y. Ditto,
Frank M. Keller,
Robert L. Wadell,
Claude B. Taugher,
Eldred L. Rawles,
Richard V. H. Ridgely,
Phillips T. Lehmer,
William T. Howze,
Bruce C. Lubers,
Joseph A. Yeager,
Francis I. Fenton,
Joseph De Paiva,
Thomas R. Wert,
Joseph L. Doll,
John W. Cunningham,
Samuel K. Eaves,
Alvan E. Stoddard,
Charles M. Adams,
Lindley H. Pryor,
Earl F. Lucas,
Elmer W. Johnson,
Charles H. Hassenmiller,
Hugh A. McGann,
Herbert B. Renninger,
Alfred J. Wainman,
William K. MacNulty,
Carlton E. Edwards,
Kenneth M. Stead,
Edwin J. Davenport,
Ralph W. Luce,
Marshall Y. Chapman,
Richard Cornelius,
William English,
George W. Hopke,
Frederick Israel,
Carl J. Norstrand,
Cecil J. Widdifield,
Frank Neider,
Morris C. Richardson,
George Belmont,
George B. Batten,
John T. Foster,
Russell M. Frederick,
Edward E. Lindgren,
Bayard Vasey,
Jesse L. Crandall,
Edward F. Dunk,
Harry L. Smith,
Robert L. Young,
Terrence J. Callan,
Paul J. Ogden,
William W. Rogers,
George F. Stockes,
William J. Whaling,
Curtis T. Beecher,
Walter Sweet,
Oliver D. Bernier,

Alfred Dickerson,
Rowan C. Pearce,
Axel Enholm,
Edward F. Bailey,
Stanley E. Ridderhof,
Willard R. Enk,
Eben C. Mann, 2d,
Elton C. Hersman,
Albert E. Gagnon,
Richard F. Cleveland,
Odilo N. Kass,
George L. Chumbley,
Wylie F. McKinnon, jr.,
Joseph Lubomski,
Samuel B. Witt,
Richard A. Cullum,
Charlton P. Lee,
Blaine G. Wiley,
Edwin G. Schwartzman,
George P. Buell,
Julian N. Frisbie,
Ervin R. Whitman,
Harry E. Leive,
William Scruggs,
Willard L. Peach,
Benjamin W. Atkinson, jr.,
Ralph C. Battin,
Gilbert C. Henderson,
Max D. Smith,
Anthony Rinkevich,
Carl J. Allenbaugh,
Minter L. Lowther,
Franklin H. Hayner,
Wilbur V. Styles,
Joseph Lacey,
George E. Ladd, jr.,
Herman Kingsnorth,
John A. Self,
Edward J. Moneypenny,
George S. Van Riper,
Alexander D. Shaw,
William L. McKittrick,
Gerald C. Thomas,
George Esau,
Philip W. Mohr,
Adolphus Cannon,
Albert L. Winner,
James T. Elliott,
Frank Saddler, jr.,
Howard B. Enyart,
William A. Keiter,
Herbert S. Keimling,
Ramie H. Dean,
Raymond P. James,
Fred J. Zinner,
Rueben E. Puphal,
Stephen Skoda,
Harold A. Strong,
James E. Foster,
Clarence L. Seward, jr.,
William A. Siefer,
Wilbur T. Love,
William S. Fellers,
Henning F. Adickes,
Roy W. Conkey,
Samuel H. Wood,
Merile H. Stevenson,
Augustus Paris,
Chester E. Orcutt,
Louis B. West,
Denzil R. Fowls,
Forest J. Ashwood,
George C. Buzby,
Augustus H. Fricke,
Edward M. Butler,
Thomas J. Caldwell,
Louis E. McDonald,
George H. Towner, jr.,
Robert A. Coban,
Stephen E. St. George,
Louis Cukela,
Emmons J. Robb,
Allan S. Heaton,
Erwin F. Schaefer,
Daniel D. Thompson,

Wilbur Summerlin,
Charles F. Cummings,
Walter W. Wensinger,
Robert O. Williams,
John T. Stanton,
Virgil P. Schuler,
Harry S. Davis,
Peter P. Wood,
Lawrence E. Westerdahl,
David N. Richeson,
Merle J. Van Housen,
James C. Leech,
Richard S. Ross,
Vinton H. Newell,
Emmit R. Wolfe,
Stephen A. Norwood,
Raymond A. O'Keefe,
Frank M. Cross,
George W. McHenry,
Gale T. Cummings,
Charles W. Holmes,
Samuel H. Woods,
Wilbur Eickelberg,
Robert A. Butcher,
Allen J. Burris, and
Earl M. Rees.

HOUSE OF REPRESENTATIVES.

TUESDAY, July 29, 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, impart unto us the skill, fortitude, and courage to cast out the demon we call pessimism, which infests our hearts and brings misery and sorrow to the world. Help us, on the other hand, to fill our souls with optimism, that we may have larger faith and confidence in Thee and our fellow men.

For in spite of the punch-bell honesty in our street cars, railroads, and business life we may be sure that in every great crisis men will rise to the exigencies of the hour, in the political, moral, and religious life, as our brave men on the field of battle flinched not from their duty and won a signal victory for liberty, fair play, and justice. So help us to depend upon them now, to stand for those great principles in the hour of the reconstruction of the world. Thus by truth and right and justice guide us. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 222. An act to provide necessary commissioned personnel for the Army until June 30, 1920;

S. 223. An act relating to affidavits required by the act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war";

S. 2595. An act to extend the time for the construction of the Main Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.; and

S. 2594. An act to extend the time for the construction of the Broadway Street Bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark.

The message also announced that the Senate had passed without amendment the following concurrent resolution:

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Saturday, the 2d day of August, it stand adjourned until 12 o'clock meridian, Tuesday, the 9th day of September.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 1361) further extending the time for the commencement and completion of the bridge or bridges authorized by an act entitled "An act to amend an act to authorize the Dauphin Island Railway & Harbor Co., its successors or assigns, to construct and maintain a bridge or bridges, or viaducts, across the water between the mainland, at or near Cedar Point, and Dauphin Island, both Little and Big; also to dredge a channel from the deep waters of Mobile Bay into Dauphin Bay; also to construct and maintain docks and wharves along both Little and Big Dauphin Islands," approved June 18, 1912, as extended by an act approved June 30, 1916.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2622. An act to provide necessary commissioned personnel for the Army until June 30, 1920; to the Committee on Military Affairs.

S. 2236. An act relating to affidavits required by the act entitled "An act to extend protection to the civil rights of members of the Military and Naval Establishments of the United States engaged in the present war"; to the Committee on the Judiciary.

QUESTION OF PERSONAL PRIVILEGE.

Mr. TREADWAY. Mr. Speaker, I rise to a question of personal privilege, and ask that I may proceed for five minutes.

The SPEAKER. Does the gentleman ask unanimous consent to proceed for five minutes or does he speak to his rights?

Mr. TREADWAY. I will not take the hour that I am naturally entitled to—

The SPEAKER. The Chair asked only to know whether to put the question.

Mr. TREADWAY. I rise to the question of personal privilege, so that there will be no question about that.

In this morning's Philadelphia Press, of which I hold a clipping in my hand, the following heading appeared:

MOORE assails TREADWAY—Pennsylvanian says Bay State man would not be missed from party.

That is the press notice to which I take exception. Mr. Speaker, in view of the colloquy that took place in the House yesterday. The colloquy referred to appears on pages 3263 and 3266. I made some very brief remarks in relation to the bill then under consideration, the "repeal of the soda-water tax," which remarks appear on page 3266. The colloquy which evidently occasioned the mistake in the Philadelphia Press appears on page 3263, where the gentleman from Pennsylvania [Mr. MOORE] and the gentleman from Ohio [Mr. EMERSON] entered into some rather lengthy and disparaging statements in reference to each other and to party affairs, and so forth. My remarks subsequently made were much more peaceable, and I was endeavoring to show that the colloquy between the two gentlemen to which I have referred was the result of the hot weather rather than the result of any personal irritation between two such distinguished Members of the House as those engaged in that dispute.

Mr. BLANTON. Mr. Speaker, I rise to a point of order.

Mr. TREADWAY. Mr. Speaker, I decline to yield. The gentleman from Texas himself takes plenty of time.

Mr. BLANTON. Mr. Speaker, I make the point of order that the gentleman is not stating a question of privilege.

Mr. TREADWAY. The Chair has the right to rule, and not the gentleman from Texas, as to whether I am proceeding in order or not. I decline to yield to the gentleman from Texas.

The SPEAKER. The Chair thinks that the headlines referred to by the gentleman from Massachusetts constitute a question of privilege. Of course, the gentleman from Massachusetts must confine himself to his question.

Mr. TREADWAY. Mr. Speaker, my desire is to call attention to the error which was very plainly made in the lines which I have read from the Philadelphia Press, and to say that the gentleman from Pennsylvania [Mr. MOORE] did not assail me nor did the Pennsylvanian say that the Bay State man would not be missed from the party. I trust that my party loyalty is sufficiently well known to the gentleman from Pennsylvania [Mr. MOORE] so that such a question as that need never enter his mind or enter any discussion of his upon the floor when he is having a colloquy with such a distinguished Member as the gentleman from Ohio [Mr. EMERSON] or anyone else.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. MOORE of Pennsylvania. Mr. Speaker, I confirm the gentleman's statement. No reference was made to the gentleman from Massachusetts, who merely endeavored to act as a peacemaker and who unfortunately has received the usual penalty that comes to a peacemaker—that of being hit with a brick after the colloquy is over.

Mr. TREADWAY. A brick in the Philadelphia Press.

Mr. MOORE of Pennsylvania. Purely an error, not of the correspondent, whose report was accurate, perhaps, but of the blue-pencil up at home, who, after all, is the dictator who determines what shall be published. The gentleman from Massachusetts is entirely too valuable a Member to be lost to the Republican Party.

Mr. TREADWAY. Of course we all realize that the headlines are what attract the most attention in the papers. It is

for that reason that I take this opportunity to call attention to the fact that the gentleman did not endeavor to read me out of the Republican Party, and I trust my conduct in the future will be such as to make such an endeavor upon his part absolutely out of the question, even though he be a member of the steering committee, to which the gentleman from North Carolina [Mr. KITCHIN] made reference yesterday. I regard the steering committee as a most excellent body, and so far as I am concerned I am very glad of their advice and assistance in the conduct of our affairs on the floor of the House. With that explanation I yield the floor.

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. GARRETT. Would the gentleman regard it as a very serious thing after all to be read out of the Republican Party?

Mr. TREADWAY. I certainly would. This newspaper story is not a very serious matter, but I did think it was worth correcting on the floor of the House.

FIRST LEGISLATIVE ASSEMBLY IN AMERICA.

Mr. BLAND of Virginia. Mr. Speaker, I ask unanimous consent for the consideration of the resolution which I send to the desk and ask to have read.

The Clerk read as follows:

Whereas on July 30, 1619, the first session of the first legislative assembly which ever met in America was held at Jamestown (then called James City), Va.; and

Whereas to-morrow, July 30, 1919, will be the three-hundredth anniversary of said event, which may be justly considered as one of the great events in the history of this Republic and the world: Now, therefore, be it

Resolved, That when this House adjourns to-morrow, July 30, 1919, it do so in commemoration of the three-hundredth anniversary of the first session of the first legislative assembly which ever met in America.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. BARBOUR. Mr. Speaker, on page 3239, July 24, I was reported as not voting when I was present at the time and voted "no" on the motion to recommit.

The SPEAKER. Without objection both the Journal and Record will be corrected.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE.

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentleman from Texas asks unanimous consent to address the House for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LANHAM. Mr. Speaker, reference was recently made on the floor of the House to the apparent disparagement of the South and Southwest to a pamphlet issued by the Public Health Service of the Treasury Department concerning the percentage of venereal diseases among approximately the second million drafted men, by cities. The pamphlet states that the figures used were furnished by the medical records section of the Surgeon General's Office of the Army. Knowing the white people of our section to be as broad minded and pure hearted as any good Americans who live elsewhere in our country, I made inquiry of the Surgeon General with reference to these statistics in order that it might be known what proportion represented whites and blacks, respectively.

I am in receipt of a reply from Lieut. Col. Albert G. Love, of the Medical Corps, in which he states that no provision was made in this investigation for stating race, or color, or nativity, and that, consequently, it was not possible to say what was the incidence among the white and colored draftees. He does announce, however, that his office has presumed that the high rate for venereal diseases in the Southern States and cities was due to the high rate of venereal diseases among the negro part of the population. He inclosed a reprint of what he denominates the most reliable statistics which the office has, showing the relative rate of incidence in the United States Army of the venereal diseases among white and colored troops. These statistics reveal the fact that in the Army that was mobilized in 1917 the rate for various venereal diseases ranged from four and one-half to two and one-half times as great among colored troops as among white troops.

I think it but fair to the Southern States and cities that this statement should be incorporated in the RECORD in justice to the loyal and red-blooded Americans who live in those sections. No better people reside anywhere and no better soldiers fought in this war for world freedom. The records of their achieve-

ments are a permanent testimonial to their patriotism and their lives are in keeping with their splendid performance. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. LANHAM. I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by making a statement in regard to the bill H. R. 6750, the alien deportation bill, which is expected to be called up to-morrow.

The SPEAKER. Is there objection to the request of the gentleman from Washington? [After a pause.] The Chair hears none.

CORRECTION OF A REFERENCE.

Mr. EVANS of Montana. Mr. Speaker, I ask unanimous consent that the bill S. 796, which was apparently erroneously referred to the Committee on the Public Lands, may be referred to the Committee on Irrigation of Arid Lands. I have the authority of both committees for this request.

The SPEAKER. The gentleman from Montana asks unanimous consent for the change of reference suggested. Is there objection? [After a pause.] The Chair hears none.

POINT OF NO QUORUM.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. It is obvious there is no quorum present.

Mr. MADDEN. 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 absent Members, and the Clerk will call the roll.

The Clerk called the roll and the following Members failed to answer to their names:

Andrews, Md.	Echols	Kennedy, R. I.	Rayburn
Anthony	Edmonds	Kettner	Reed, N. Y.
Babka	Ellsworth	Kincheloe	Riordan
Barkley	Emerson	King	Rouse
Bee	Fairfield	Kraus	Rowan
Benson	Ferris	Kreider	Rubey
Bland, Ind.	Fitzgerald	Langley	Rucker
Britten	Focht	Lee, Ga.	Sabath
Browne	Frear	Lesher	Sanders, La.
Burdick	Fuller, Ill.	Lever	Sanders, N. Y.
Butler	Fuller, Mass.	Linthicum	Sanford
Byrnes, S. C.	Gallagher	McArthur	Scully
Caldwell	Gallivan	McClinic	Sherwood
Candler	Ganly	McGlennon	Slemp
Cantrill	Goldfogle	McKeown	Smith, Ill.
Caraway	Goodall	McKiniry	Smith, N. Y.
Carew	Graham, Pa.	McKinley	Snyder
Carter	Hamill	Maher	Steele
Casey	Hamilton	Mason	Stephens, Miss.
Clark, Fla.	Hardy, Colo.	Mead	Sullivan
Classon	Haskell	Miller	Taylor, Ark.
Cooper	Hastings	Minahan, N. J.	Thompson, Okla.
Copley	Hersman	Money	Tinkham
Cramton	Hicks	Mudd	Vare
Crowther	Hill	Neely	Venable
Cullen	Howard	Newton, Mo.	Ward
Currie, Mich.	Husted	Nicholls, S. C.	Weaver
Curry, Calif.	Jacoway	O'Connor	Whaley
Dempsey	Johnson, S. Dak.	Oliney	Williams
Dooling	Johnston, N. Y.	Osborne	Wilson, Pa.
Doughton	Jones, Pa.	Paige	
Dyer	Kahn	Pell	
Eagan	Kelley, Mich.	Purnell	

The SPEAKER. Three hundred Members have answered to their names. A quorum is present.

Mr. MADDEN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

REFERENCE OF A BILL.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to refer the bill H. R. 416 from the Committee on Agriculture to the Committee on Public Lands—

The SPEAKER. The Chair will recognize the gentleman some other time.

Mr. RAKER. All right.

The SPEAKER. Under the special rule for to-day, the Chair will recognize the gentleman from Illinois, chairman of the select committee [Mr. GRAHAM].

EXPENDITURES IN THE WAR DEPARTMENT.

Mr. GRAHAM of Illinois. Mr. Speaker, I desire to call up the report of the Select Committee on Expenditures in the War Department and ask for the reading of the report under the

rule, and pending that I would like to ascertain by agreement with the gentleman representing the minority, if possible, whether it is not possible to obviate the reading of the tabulated part attached to the minority report.

Mr. FLOOD. I think it would be all right to read just the report, and not the appendix.

Mr. GRAHAM of Illinois. Mr. Speaker, I ask unanimous consent that the reading of the appendix attached to the minority report may be dispensed with.

The SPEAKER. The gentleman asks unanimous consent that the reading of the appendix to the minority report be dispensed with. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. GRAHAM of Illinois. Mr. Speaker, I think under the rule the first thing is the reading of the report.

The SPEAKER. The Clerk will read the report and resolution.

The majority and minority reports were read.

[For majority and minority reports see pp. 3268 to 3279 proceedings of Monday, July 28.]

Mr. WALSH (interrupting the reading). Mr. Speaker, I rise to a question of privilege affecting the rules and procedure of the House.

The SPEAKER. The gentleman will state it.

Mr. WALSH. The gentlemen submitting the minority views have not conformed to the rules of the House, in that they have included excerpts from testimony and from documents and letters which are not the views of the minority. The minority report is not a report; simply an opportunity for the minority members of the committee to express their views. If the Chair will consult volume 4 of Hinds' Precedents, page 946, section 4607, he will see that where the question was raised before, during the consideration of the Coeur d'Alene investigation, the Speaker ordered expunged from the Record extraneous matters which were not in the nature of the views of the minority. He stated at that time:

The Chair will state that he has ordered the Clerk to strike from the minority views those things which are not strictly the views of the minority. The Chair will advise the gentleman from Virginia that his instructions to the Clerk are that the views should not include arguments and testimony. * * * The committee has the right to make its own report; there is no doubt about that; but the views of the minority are not a report. * * * The Chair is clear, if called upon to rule, that he has the right to direct the Clerk to expunge everything except the views of the minority. The argument which has just been submitted by the gentleman from Virginia to the Chair is a proper argument to make to the committee when making up the majority report.

Now, we have letters here from various officials. We have on page 12 excerpts from the testimony had at a hearing; we have quotations in various matters added to the report as appendices. Clearly they are not the views of the minority, and those matters are proper matters to be presented to the House during the consideration of the matter upon which the report is made, but are not proper matters to be included in the report made upon the measure if submitted by the majority to express their views.

And I submit, Mr. Speaker, to the Chair, that the minority report is not in accordance with the practice of the House nor with the precedent laid down under the rule.

The SPEAKER. The Chair has examined the precedent cited by the gentleman from Massachusetts, which seems to be in point. The Chair would be glad to hear from the members of the minority.

Mr. GARRETT. May I inquire just the part of the report to which the point of order was leveled? I was out of the Chamber at the moment.

Mr. WALSH. I regret the gentleman was out of the Chamber. Before I rose I looked over and I thought I saw the gentleman present. The question is directed to all that portion of the minority report which is extraneous matter, that is to say, which does not present the views of the minority, but consists of extracts from testimony and the views and arguments of other persons than those of the minority upon the committee.

Mr. GARRETT. Mr. Speaker, the primary duty of the special committee is not legislative but to ascertain facts and report them to the House. I should imagine that the ruling to which the gentleman has referred as a precedent must have been made upon a proposition coming from a legislative committee of the House of Representatives. Under the resolution creating this special committee it was specifically directed to inquire into and report facts, not legislation. I am at a loss to understand how the committee will at any time, if the point of order made by the gentleman be sustained, be able to comply with its duty under the resolution which created it if it can not in its report state the facts as it was instructed to do.

Mr. WALSH. Will the gentleman yield?

Mr. GARRETT. I will.

Mr. WALSH. How is it that the majority of the committee were enabled to present a report stating the facts without including excerpts from testimony and official documents?

Mr. GARRETT. Of course, there is a contention as to whether or not the majority of the committee in all respects stated facts. But leaving that aside and discussing the parliamentary situation, the majority of the committee expressed themselves in a way in which they chose to express themselves.

Mr. WALSH. And according to the rules.

Mr. GARRETT (continuing). And the way they had a right to express themselves.

Mr. WALSH. Of course, the majority of the committee in making the report have a broader latitude than the minority in expressing their views.

Mr. GARRETT. I do not concur with the gentleman in that, but that is not in point. The fundamental point about this is that the committee is charged with the duty of finding facts and reporting them to the House, and if the majority of the committee have alleged as facts certain things, putting it in the language and in the way they choose, and the minority of the committee is not permitted to state the facts as shown by the evidence, choosing that method rather than the *ipse dixit* alone of the minority, I am at a loss to understand what these investigating committees will accomplish.

Mr. REAVIS. Will the gentleman yield for a question?

Mr. GARRETT. I will.

Mr. REAVIS. I agree with the gentleman that the committee has a right to report facts, but the gentleman can distinguish between the report of the committee and giving of the testimony by which the facts are proved.

Mr. GARRETT. Unquestionably, Mr. Speaker, the committee charged with the peculiar duty that an investigating committee such as this is charged with would surely have leeway to quote the testimony giving the facts.

Mr. WALSH. Mr. Speaker—

Mr. HARDY of Texas. Will the gentleman yield for a suggestion?

Mr. GARRETT. I will.

Mr. HARDY of Texas. The majority report itself makes a statement and bases that upon an alleged order of the Quartermaster General. What is the difference between that and hearing evidence? If they can quote orders and evidence—that is, the majority—why can not the minority?

Mr. WALSH. Mr. Speaker, replying briefly to the contention of the gentleman from Tennessee [Mr. GARRETT] that the minority of this committee have some peculiar power because it is a special investigating committee and not a committee with power to legislate, I beg to state that unless the resolution appointing the committee conferred some peculiar power upon the minority of this committee they are bound by the rules of the House, which apply to all committees, standing or special.

Now, I submit that the views of the minority upon the committee are not a report. The only portion of the committee that can make a report is the majority of that committee. Under the practice the minority have been permitted to express their views, but they are confined to a somewhat narrower scope than the majority of the committee. If the contention of the gentleman from Tennessee is correct, he would have the matter which is the subject of action by the House thrashed out in the reports of the majority and minority as submitted to the House. The minority must state facts, and shall not be permitted under the rules to inject extracts from testimony and other extraneous matter; and I think, from the reading of the minority report, that the minority have even extended letters which were not considered by the committee—by the majority—as they appear to be of a later date than the date when the hearings were held. The place for these matters to be presented to the House is here upon the floor when the matter is under discussion, and under the rule they are no part, and can be made no part, of the report on the measure.

Mr. SAUNDERS of Virginia. Mr. Speaker, let me call the attention of the gentleman from Massachusetts [Mr. WALSH] to a feature of this case which has not heretofore been adverted to in this discussion. While of course technically, as a general proposition, a minority can not file a report, and is as a rule given permission to file only the views of the minority, that is not the present situation. My colleague from Virginia [Mr. Moore] has called my attention to the terms of the request of the gentleman from Illinois contained in the *Record* of yesterday. I desire to call the attention of the Speaker to the fact that the unanimous-consent request of the gentleman from Illinois gave the minority the right to file a report. That fact makes a very obvious distinction between this case and the case cited by the gentleman from Massachusetts and one that is proper to be adverted to in this connection. Apparently the in-

tention of the gentleman from Illinois was to give to the minority the right to file a report, and not views, so that the report might include the very things to which the gentleman from Massachusetts has objected. The gentleman from Massachusetts will find on page 3268 of the RECORD the following:

The SPEAKER. The gentleman from Illinois asks unanimous consent that the report from the Select Committee on Expenditures in the War Department may be printed in the CONGRESSIONAL RECORD, and that the minority report from the same committee may be printed accompanying it, if it be filed with the Printing Office before midnight to-night.

The request submitted by the Speaker does not say that the minority may file their views, but it says that the minority report may be filed. That is a very clear indication, so far as this case is concerned, and without advertizing to the precedent on which the gentleman from Massachusetts relies, that it was intended that the minority should have powers in this connection that ordinarily it would not enjoy. I cite the Speaker to the RECORD.

Mr. WALSH. That is a distinction between tweedledee and tweedledum. There is no such thing as a minority report under the rules of the House. If anybody got up here and was granted permission to file a minority report, he received permission to file minority views, because under the precedents that is all that is contemplated in this House.

The SPEAKER. Will the gentleman from Massachusetts refer to that citation regarding the minority views in the rules?

Mr. SAUNDERS of Virginia. In reply to the tweedledee and tweedledum suggestion of the gentleman from Massachusetts, granting that the gentleman is right in his main contention, yet it is certainly true that the House would have the right by unanimous consent to give the minority members of a committee the right to file a minority report, and when such a minority report is filed by the unanimous-consent action of the House, then the Speaker in determining the proper scope of its contents, would apply to that determination the same principles that he would apply to a majority report.

The point that I make is that the gentleman from Illinois [Mr. GRAHAM] in his unanimous-consent request used the words "minority report," and not the "views of the minority." His request was unanimously agreed to, and the unanimous action of the House will speak for itself, and by its own terms determine what may be done under the authority which it affords.

Mr. WALSH. According to the gentleman's argument, we could get up here and by unanimous consent amend the Constitution of the United States.

Mr. GARNER. No. You can not by unanimous consent amend these rules.

Mr. WALSH. You can not get permission to do something under one name when the rules contemplate its being done under another.

Mr. GARNER. The gentleman would change the rules of the entire House of Representatives.

Mr. WALSH. I have heard the gentleman make an argument on the other side of that question very eloquently when he happened to be in the majority of this House. The rules of the House, section 730, page 319 of the Manual, provide this:

All reports of committees, except as provided in clause 56 of Rule XI, together with the views of the minority, shall be delivered to the Clerk for printing.

That is section 730, page 319 of the Manual, constituting clause 2 of Rule XIII. That is the old citation. I have not a later volume of the Manual at hand. It is clause 2 of Rule XIII.

Mr. GRAHAM of Illinois. Mr. Speaker, relative to this matter of privilege, it seems to me to be entirely immaterial as to just the exact language that appears in the RECORD. I do not now recall just what word was used. When the matter came up originally, as I preferred the request, the minority report part of it was not attached to it, but it was suggested by some one on the floor of the House that it be incorporated in the request and put in the RECORD in that form. But that does not make any difference one way or the other. The point is, can the minority, or the majority for that matter, incorporate in a report, which is supposed to be composed of matters of fact, matters entirely extraneous, and which, even if they relate to the subject matter of the report, are matters that were never heard by the committee? Now, the matters attached to these minority views are matters that were not heard by the committee and not heard in any place. They are matters never brought to the attention of the committee, and yet they are included in this report.

The question suggests itself to me, if the Speaker please, if this minority in this instance can do this, in any future reports of this committee where they report questions of fact that are not satisfactory, perhaps, to a minority of the committee that minority can go out about the town, or here and there about the

country, prepare affidavits, get letters, take the ex parte views of anybody on any subject, attach them to the minority report, and have them made matters of record in this House. That certainly is not the idea. The idea is that the committee shall report facts, and nothing more.

Mr. GARNER. But how does the gentleman get around the unanimous consent that was given? The RECORD shows that you gave them unanimous consent to make this report.

Mr. GRAHAM of Illinois. To file a report. Now, this is no report. This includes a lot of matters that are not a report of anything that ever occurred before this committee. If they can report these things they can report the affidavit of John Smith that Secretary Baker does not believe in this kind of policy. That is not a report of anything except some ex parte views of somebody who never came before the committee. Certainly this is not a matter that should be incorporated in this report or in any report. I am not speaking exclusively of minority reports now. I am speaking of a report that deals with matters of fact, which this committee was required to get.

Mr. WALSH. May I direct the Speaker's attention to the precedent which I have cited? The objection there was made to the minority including in their views the printed hearings and the arguments of the attorneys. Now, in this case they have included excerpts from the hearings and they have included arguments not of attorneys but of officials of the War Department and others, some of which, I understood the chairman of the special committee to state, were not considered by the committee during their hearing. Now, Mr. Speaker, the minority of a committee under the rules have the right to file their views, when consent is given, and if you simply call the minority views a report, that does not take it outside the scope of the rule. They must confine themselves to the limits of the rules. Changing the name of a thing does not make any difference. Why, if the gentleman's argument is sound all the minority would have to do in filing a report under consent of the House—and I will say in passing that the consent asked is usually to file a minority report—

Mr. GARNER. No, no.

Mr. WALSH. The gentleman says "No, no"; but if you will refresh your recollection on it you will find that when committees divide upon partisan lines usually one Member of the minority gets up and asks unanimous consent that they may have so many days to file a minority report.

Mr. GARNER. Of course, if that minority is not familiar with the rules of the House, it may be a request to file a report; but usually the Member representing the minority understands the rules of the House and asks unanimous consent to file the views of the minority. I challenge the gentleman to refer to the CONGRESSIONAL RECORD for any period of time he desires. He will find in nine cases out of ten that the request is to file minority views; but in this instance the gentleman from Illinois [Mr. GRAHAM] requested unanimous consent—and I know I did my best to keep this side of the House down as far as I could by saying, "Don't interfere with them; that is all this side could get, anyway"—and the gentleman asked unanimous consent that the minority might have until 12 o'clock to file a minority report.

Mr. GRAHAM of Illinois. Then the gentleman contends that under that consent the minority might include anything they pleased, as long as the minority considered it a report?

Mr. GARNER. Mr. Speaker, I did not say anything about the quality of the report.

Mr. REAVIS. Will the gentleman from Texas yield to me?

The SPEAKER. The gentleman from Texas has not the floor.

Mr. GARNER. I can not yield. The Chair declines to allow me to yield.

The SPEAKER. The Chair is not criticizing the gentleman. The Chair simply makes a suggestion in the interest of saving time. The Chair will hear the gentleman from Nebraska if he desires to be heard.

Mr. REAVIS. I rose only for the purpose of asking some one in charge of the floor to yield to me.

The SPEAKER. The Chair is in charge of the floor. The Chair will listen to the gentleman.

Mr. REAVIS. Mr. Speaker, I think we have been arguing about things that are largely nonessential. The only question before the Chair is whether or not the power that is given to a committee to report facts carries with it the authority to report the evidence employed to adduce those facts. It is of no concern to me whether the gentleman from Illinois [Mr. GRAHAM] asked unanimous consent that the minority be permitted to file a report, and it is equally of no concern to me that the gentleman from Texas said that that was all they

could personally ask for themselves. If such privilege was granted, the minority did not exercise it. What they filed is before you, and it is found on page 4 and is headed "Views of the minority," and not a minority report. Now, the question which the Speaker has to determine is merely whether or not the minority can take a great bundle of letters, a great bundle of telegrams, not any of them under oath, never adduced in the hearings before either the subcommittee or the main committee, and then in their views state certain facts and put in this *ex parte* matter, entirely alien to the record, in support of the facts which they state in their views. Under the rules of the House they are restricted to a statement of facts. I have no doubt that the minority could have gotten many more telegrams and many more letters expressing confidence in the policy of the Secretary of War, but those are not views within the rules. None of those things are sworn to. They are all *ex parte*. They are all alien to the record, and yet are put in, not in a minority report but in the minority views.

THE SPEAKER. The Chair is ready to rule. This is a new question to the Chair, and apparently there has been only one decision upon it, made by Speaker Henderson. That precedent exactly sustains the point of order made by the gentleman from Massachusetts. But Speaker Henderson apparently bases his decision on the distinction between the term "views" and the term "report." The distinction is very technical, and the Chair thinks that on such a question the technicalities should be observed equally on both sides. The point made by the gentleman from Virginia that the House by unanimous consent gave the minority the right to file a report instead of views is no more technical than the point decided by Speaker Henderson, and the Chair accordingly is disposed to think that, inasmuch as the excerpts and arguments which are cited in the minority views or the minority report appear to be relevant and such as would be used in argument on the floor of the House, they should be allowed unless the rules of the House clearly exclude them. The Chair has not had time to investigate the full decision of Speaker Henderson and the circumstances and arguments on which he founded his decision, and such further examination might change the opinion of the Chair. But from the decision as quoted in Hinds' Precedents the Chair is disposed to think it reasonable and in the interest of expedition to overrule the point of order. The general purpose of filing minority views is to give them an opportunity to express their reasons against the majority report, and this is the report of a select committee appointed only for the purpose of investigation; and the Chair thinks the minority's right should not be more narrowly limited than the strict interpretation of the precedent requires. The Chair overrules the point of order.

The Clerk completed the reading of the report.

Mr. GRAHAM of Illinois. Mr. Speaker, this report was printed in the RECORD of yesterday. I therefore ask unanimous consent that the report and appendices be not again printed in to-day's RECORD.

THE SPEAKER pro tempore (Mr. KINKAID). The gentleman from Illinois asks unanimous consent that the majority and minority reports be not printed again in to-day's RECORD. Is there objection?

There was no objection.

Mr. GRAHAM of Illinois. Mr. Speaker, the rule that has been adopted relative to this particular matter is not entirely clear, and in order to obviate some apparent ambiguities I now ask unanimous consent that the debate on any amendment or amendments that may be offered to this resolution may be under the five-minute rule of the House.

THE SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

Mr. GARRETT. Reserving the right to object, I think it comes legitimately within the scope if, during the general discussion, a Member shall offer an amendment and comment upon it; that it would permit a discussion of the report and the pointing out of where it ought to be amended.

Mr. GRAHAM of Illinois. Under general debate I think that is entirely proper, but what I referred to was that, after we had finished the general debate, debate on the amendment, if any, should be under the five-minute rule.

Mr. GARRETT. And confined to the resolution.

Mr. GRAHAM of Illinois. Yes.

THE SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois that the debate on the amendments shall be under the five-minute rule?

There was no objection.

Mr. GRAHAM of Illinois. Mr. Speaker, I yield whatever time he may desire to the gentleman from Nebraska [Mr. REAVIS].

Mr. REAVIS. Mr. Speaker and gentlemen of the House, the minority views presented with this report call in question the accuracy of the report and, at least indirectly, the fairness of the method pursued in taking the testimony upon which the report is based. I regret the necessity of taking the time I will require, but it is unavoidable. I want to spend just a moment on the method that was pursued by subcommittee number 4, from which committee this report comes, not only in taking the testimony but in arriving at its conclusion.

The first thing necessary to be ascertained was the system devised by the department for the sale of surplus food. While the work provided by the jurisdiction of this committee is appalling in its immensity, and the work that is submitted to it practically impossible to adequately perform, the committee came to the conclusion that the one thing of most pressing necessity which faced the committee was the question of getting food products in storage by the War Department of the United States out to the people.

We were actuated by two thoughts in that desire; first, the desire to get the food to the people; and next, the desire to get the money into the coffers of the Government which would be derived from the sale of the food. In our investigation we learned that there are three steps under the plans of the War Department looking to the sale of this food. The first step is the authorization of the surplus which is declared by the Chief of Staff, Gen. March. The witness that we called to ascertain when this authorization for surplus was first declared was the man who was given the responsibility of making the authorization himself. That was Gen. March. We called Gen. March before the committee. He was accompanied by his aides. Several gentlemen were there to assist him on matters that were inquired into and to furnish him with data and departmental orders when occasion required. Gen. March testified that he made the authorization for surplus of all perishable food products on the 30th day of November last, or just 19 days after the armistice had been declared. We then asked Gen. March as to the next step in disposing of food products. He informed us that the next step was the declaration of surplus issued upon the authority granted by him. We asked him who made the declaration, and he said the Quartermaster General, Gen. Rogers. So the next witness we called before us was Gen. Rogers, the man who makes the declaration of surplus. No sale can be made until that declaration is made. Gen. Rogers came before the committee and testified that notwithstanding the authorization of surplus was made on the 30th of last November, though he did not recall the March order of November 30, there was no declaration of surplus that would permit a sale of food products until the month of May, or nearly six months thereafter. Gen. Rogers was accompanied by a large corps of aides in his department, who had volumes of typewritten sheets before them, and whenever a question was asked concerning which the witness was not informed he would turn to his aides and they would furnish him the information and he would put it into the record. Gen. Rogers informed us that the next step after he declared a surplus was the sale of surplus by the director of sales, which sale was based upon the declaration made by the Quartermaster General. The director of sales is Mr. Hare, so we called Mr. Hare before the committee.

Mr. STRONG of Kansas. Mr. Speaker, will the gentleman yield?

Mr. REAVIS. Yes.

Mr. STRONG of Kansas. What excuse was given for the six months' delay in making the declaration?

Mr. REAVIS. The gentleman is anticipating me. I will reach that shortly.

Mr. STRONG of Kansas. I beg the gentleman's pardon.

Mr. REAVIS. I will get to that in a moment. We called Mr. Hare, the director of sales, before the committee to ascertain why this product was not being sold, and his reply was that he could not sell it until the surplus was declared; that there was no authority under the system of the War Department for him to make any sale except on declaration of surplus made by the Quartermaster General.

Mr. Speaker, we knew the urgent necessity for haste in this matter; we knew of the millions of pounds of food products that were going to waste because of the delay down at the War Department; we knew of the dire necessity out among the people of America occasioned by the high cost of living; and, in order to economize in time, we did not call any of those before our committee who had been writing and wiring us, who had been calling on us personally, telling us of waste here and waste there, criticizing the Government, but we called the men who were responsible for action. We called them for another reason. The men who made these orders and upon whom the responsi-

bility for action rested knew the reason for their conduct. They had very selfish and very natural impulses to defend their own conduct against criticism. For that reason we called the men before us who had the facts, who had the responsibility, who had made the orders, who had the selfish desire to defend what they had done, and we did that in order that we could be absolutely fair to this War Department and not take the criticism of Tom, Dick, and Harry, not take the testimony of those who were writing and wiring us, but calling the men who did the thing, who were impelled to defend what they had done, and it is upon their record and upon their testimony that this report has been made.

I would say, further, parenthetically, that the conduct of the War Department in its delay in selling this surplus food may have its defenders in this House—I do not know—but I say that when the proposition was put to these men high in the councils of the Army, these men who had the responsibility of action, who did what they were ordered to do—when the question was asked them, "What do you think of a system of that kind?" without exception they answered, "Please do not put me in the attitude of criticizing my superior officer." That conduct of the War Department, I say, may have its defenders on the floor of this House, but it has no defenders down in the War Department among those men who are acting under the orders of the Secretary of War.

As to the claim of unfairness, it seems to me that the committee, inspired by the desire to be fair, inspired by the necessity for haste, wanting every man who made an order to put his own defense in the record for making that order, could not have adopted a fairer method than that adopted, and the record and resolution that is now before this body is founded exclusively upon the testimony of the men who made the orders.

What is a surplus in the Army? When the war closed suddenly in November and active hostilities ceased we had an Army of 3,700,000 men. In round numbers, 2,000,000 of them were in France and 1,700,000 were in continental America. Not only did we have an Army of 3,700,000 men, but the War Department had formulated its plans and agreed on the proposition that in the immediate future we would have an Army of 5,000,000 men. The War Department, through the Quartermaster General, under the orders of Gen. March, as it appears by this record, when the armistice came was contracting and having delivered supplies for an Army of 5,000,000 men eight months in advance. It was the only safe plan. It took some time to get the food products from the localities where they were manufactured and where they were purchased to the seaboard. It took some time, approximately 30 days, to get them across the seas. It took some time to get them into the depots and warehouses in France, and they had constantly in front of them the necessity of keeping enough food in France to prevent any possibility of disaster in the food supplies of that Army. So on the 11th of November we not only had the food that would feed an Army of 3,700,000 men, but we were having delivered, and it was delivered to us in large quantities, long after the armistice was signed, food for an Army of 5,000,000 men eight months in advance.

The moment the armistice came they started to demobilize the Army. The first act of demobilization was the relieving from service of 75 officers in the city of Washington. That occurred the first week. The early demobilization was of those in America, and it was done so rapidly that 800,000 American soldiers were discharged and permanently out of the service 60 days after the armistice was signed. The demobilization went on from that time at an approximate rate of 80,000 a week, until on the 11th of May, I think it was, the total demobilization amounted to 2,252,000 men.

Now, bear in mind that 2,252,000 men was approximately two-thirds of the Army as it existed when the armistice was signed, and yet with the demobilization of 2,252,000 men, leaving about one-third of the Army yet to feed, leaving only a million and a half of soldiers to feed, with food supplies on hand for 5,000,000 men eight months in advance, the War Department had not yet declared a surplus of food products. A surplus is made in this way: If you have food enough for 100,000 men and 50,000 are discharged you have a surplus food supply sufficient to feed 50,000 men. Anybody would have known, it seems to me, by the exercise of ordinary judgment that with this tremendous demobilization the great rapidity with which they were being demobilized, that a tremendous food surplus would result. The Government needed the money, the people needed the food, and yet for six months, up to the month of May, there was no surplus declared upon which the director of sales could act. The first thing that the War Department did or one of the first things was to adopt a policy. This policy is disclosed in a circular

issued in January of 1919, shortly after the war was over. It is signed by Mr. C. W. Hare, director of sales, and this is the policy:

It is the policy of the Director of Sales to dispose of the surplus property of the War Department so as to disturb the industrial conditions of the country as little as possible.

Now that policy if carried out in good faith is a good policy. There is no one who wants to disturb unnecessarily the business of the country. It is well to bear in mind, however, that if they had put the food products back to the people they would have only restored normal conditions. Forty per cent of the food productions of America were commandeered by this Government. Taken out of the general supply that was the food of the civilians and they had to get along with the remaining 60 per cent at great sacrifices at times. Because of the reduction of this supply to almost one-half the price of food products went up and continued to ascend. Now after the Army had been demobilized, when 40 per cent had been set aside to feed them as soldiers, when they had returned to civil life, why was not the 40 per cent released so as to increase the food supply of the people even if it did to a certain extent disturb industrial conditions? It should be borne in mind that even if it should "disturb industrial conditions," even if it reduced the cost of living, still the cost of living was increased when the food was first withdrawn and to have put it back would merely have tended to restore normal conditions. Now I want to say a word about this surplus. There is a criticism in the minority report about the allegations in the majority report with reference to the declaration of surplus. I read from page 24 of volume 1 of the hearings before subcommittee No. 4. I am reading from the testimony of the director of sales:

Mr. REAVIS. The armistice was signed in November and here it is July.

Mr. HARE (interposing). That is due to the fact there was no surplus declared until recently.

Mr. REAVIS. There was a surplus in March; then they were talking of forcing the soldiers to eat it.

Mr. HARE. I do not want to pass the buck. I did not have it for sale then. Now that I have it, I will sell it in the highest market.

Mr. REAVIS. How long have you had the meat?

Mr. HARE. About a month.

At another time the director of sales testified as follows:

Mr. REAVIS. Therefore we will not have an opportunity to go into the matter as fully now as eventually we will have to go into it. I wish you would state in a general way who has charge of determining what will be the surplus of food products, who in the War Department?

Mr. HARE. The Chief of Staff. That does not come under my control in any way. Mr. Crowell and I have often tried to have the surplus determined more promptly and accurately. But first the Army was fixed at 1,000,000 men, and then brought down to 500,000 men, and Congress has said it should be 325,000 men. On these bases various surpluses have been declared. This meat surplus, I believe, was declared the 1st of May, but I think it was there and the Army.

Mr. REAVIS (interposing). Was there no meat surplus declared at all until the 1st of May?

Mr. HARE. None; and I have no power over that. The director of sales only begins to function when a surplus is declared by the Army and its sale is directed, and then it is put into the hands of our department to make sales.

Mr. REAVIS. That is, the War Department, notwithstanding the armistice was signed in November, waited until the 1st of May before it declared that there was any meat surplus at all?

Mr. HARE. Yes, sir; I think that is correct. They started out making a surplus in March, and withdrew it because they thought they were inaccurate.

Mr. REAVIS. Notwithstanding the rapid demobilization of troops, the fact that the Army was being demobilized, no activity on the part of the War Department was manifest with reference to declaring a surplus of meats from November until the 1st of March?

Mr. HARE. None to my knowledge.

Mr. REAVIS. And then the surplus that was declared in March was subsequently withdrawn?

Mr. HARE. As being inaccurate, and the whole list gone over again.

Mr. REAVIS (interposing). So in fact there was no surplus declared for the purpose of sale until May?

Mr. HARE. Exactly so.

This testimony was given on the 8th of July, and notwithstanding two-thirds of that Army was out by May, notwithstanding we had contracted for supplies for 5,000,000 men eight months in advance, it was not until June that the War Department declared a surplus on meat products that would permit a sale. Volume 1, pages 7 and 8 of this same hearing. This is the testimony of Mr. Hare, who is the man responsible for the order. This report is not founded upon telegrams and letters sent indiscriminately across this country. It is not founded upon the *ex parte* and unfounded statements of anybody. It is founded upon the sworn statement of the man who made the order and who had the responsibility.

The minority views question the report as to the date of the surplus, but the record contains no contradiction of Hare's testimony. But finally they did get a surplus, gentlemen. Finally they did get in position where this product could be sold to the American people—such of it as was left and unspoiled.

And the first thing they did on the proposition was to call a meeting at the War Department. You will find that in volume 1, on page 21, and it is quite an interesting story. They were talking about canned meats at this meeting, and the meeting is reported on the 3d of June of this year. Here is what that meeting decided.

Before any of these sales, however, can take place an important question must be decided as to what price we are to market this vast store of foodstuffs for. It is obvious that if the price is made low enough and the articles sacrificed that all of it can be disposed of in this country. It must not be forgotten, however, that a very much better price can be secured through export.

That was the first meeting on the meat supply surplus in this country.

Then, again:

It seems advisable, therefore, that we continue our present efforts to market as much of this surplus as possible in this country at the best prices obtainable and sell the remainder for export. It must be borne in mind, however, that if a low price is established here for domestic sales it will make it more difficult to secure a higher price for the same class of canned meats from exporters.

Now, it was the determination of that meeting that so far as the meats were offered for domestic consumption, in order to keep up the export price, they were to keep up the price here.

There are a few other things contained in the report of this meeting that are illuminating. It is in this report that there was no domestic market for the canned meats; that it could not be sold here; that it was not in commercial packages; that they were in 2-pound cans when our market had been educated to an 8 and 12 ounce can, and for that reason it was useless to try to sell them on the local market. I ask the corroboration of the ranking member of the minority, the gentleman from Virginia [Mr. Flood], if they did not put these same canned meats on sale at Newport News, Va., the other day, which the gentlemen at this meeting determined that our people would not buy, and that the people broke the doors down trying to get it; that they put them on sale at 9 o'clock in the morning and the supply was absolutely exhausted at 11 o'clock of the same morning. And yet this meeting at the War Department decided that canned meats could not be sold in this country.

So what do you suppose they decided to do? Let me call your attention to what they decided to do:

In view of these various statements—

Just bear that phrase in mind, because it becomes important to learn who made "these various statements"—

In view of these various statements and, further, in view of the fact that it had come to the attention of the director of sales that Mr. Hoover had very recently purchased in this country for shipment overseas bacon held by the Italian and French Governments in this country, it was decided advisable to get in touch with Mr. Hoover and ascertain whether he would not purchase a certain amount of the canned surplus meats held by the Army.

Then, this next sentence:

Immediately after this meeting a cable was sent to Mr. Hoover, through the United States Liquidation Commission, asking him whether or not he was in the market to purchase a proportion of the canned meats held by the Government.

Now, gentlemen, that becomes significant, for this reason: At that time we had millions of pounds of surplus meat in France. Why did they want to sell Hoover what we had here? Why did they not try to sell him what we had there if it was not the purpose of the War Department to take this meat away from the American people? If the Secretary of War was not determined to keep it out of the domestic market in order not to disorganize business, why did they not sell their foreign product to Hoover instead of insisting that he buy the domestic product? Why did they not try to sell the foreign product that we are to-day trying to sell to France at a ruinous price? Why did they want to sell what we had here? There are some very luminous things that creep into this testimony.

Who do you suppose attended this meeting? We got that out in the testimony. There were seven Army officers who attended the meeting and a few civilians, and I have in this record the name of every civilian who was there, where they decided that our people would not buy it, where they decided we should get a better price abroad, where they decided that they should go to Hoover and try to get him to buy it instead of buying our French products. Here are the civilians:

Mr. J. A. Hawkinson, representing Wilson & Co.; Mr. M. C. Plainer, representing Wilson & Co., packers; Mr. D. B. Russell, representing Morris & Co., packers; Mr. J. J. Deady, representing Armour & Co., packers; Mr. A. F. Peiffer, representing Armour & Co.; Mr. W. F. Wardwell, representing Armour & Co.; Mr. G. C. Shepherd, representing Cudahy & Co., packers; Mr. F. E. Wilbur, representing Cudahy & Co.; Mr. E. D. Baldwin, representing Libby, McNeil & Libby, packers; and Mr. Burroughs, representing Swift & Co., packers.

These were gentlemen who were present at this meeting at which the policy of this department was definitely established to send these products overseas to keep them out of the American homes, where people were suffering for them, give them to Hoover to take abroad under the \$100,000,000 appropriation we authorized in this House.

Hoover stood up against that for some time and refused to buy it, but since that time they have sold to him and shipped across the sea, with transportation charges, \$22,000,000 of meat products that were stored in America, and we are now trying to sell our French product to the French people at a low price.

We are criticized for saying it is the policy of the War Department to keep these things off the local market. Why, I suppose there is not a man listening to what I say who has not personally observed something of the sacrifices that have been made by the American people to furnish the money with which this product was bought. Gentlemen, the American people bought and paid for it, and the American people should have it sold to them without delay just as soon as they can get it. [Loud applause.] Yet they are not to get it unless we can force the War Department to act, because the packers who sold it and who made enormous profits from the sale want it sold abroad instead of in America.

In volume 2 on page 78, Col. Davis, who had charge of the surplus property division and the sale of this product under the Quartermaster General, made this statement:

Mr. REAVIS. Do you know whether any sale had been made to Mr. Hoover out of the \$100,000,000 we appropriated?

Col. DAVIS. There was a sale made to Mr. Hoover. Some packing-house products and flour were sent to Mr. Hoover's representatives in Europe; some went to Trieste and some, I think, went to Hamburg, and I presume that was bought out of the \$100,000,000 fund.

Mr. REAVIS. You do not know? Do you know what quantity was purchased by Mr. Hoover of flour and packing-house products?

Col. DAVIS. I can get the figures.

Mr. REAVIS. I should be glad if you would, and put them in the record.

And in the same volume, on page 51, is a detailed statement of the sales to Hoover of the stuff we had in this country that was shipped to him abroad, and it amounts in total to \$22,292,869 that we sent across the sea when we had millions of pounds abroad that to-day are spoiling for the want of a buyer.

Mr. Speaker, how much time have I consumed?

The SPEAKER pro tempore (Mr. WALSH). The gentleman has consumed 32 minutes.

Mr. REAVIS. I do not want to be unfair to the other members of the committee. Still, there are a number of things that, briefly, I want to call to your attention. There is a statement made in the minority report that we are extravagant in saying that this food is deteriorating. In volume 1, pages 24 and 25, you will find the following from Mr. Hare:

Mr. REAVIS. This meat is deteriorating?

Mr. HARE. I call it all perishable, and it should be sold within three months.

Mr. REAVIS. That does not answer my question. It is deteriorating?

Mr. HARE. Yes, sir.

Mr. REAVIS. In some localities to a marked degree?

Mr. HARE. It depends on the storage.

Mr. REAVIS. But in some localities it is deteriorating to a marked degree?

Mr. HARE. Yes, sir.

Mr. REAVIS. You have had some experience with deteriorated meats?

Mr. HARE. Yes, sir; I have taken meat into the woods on fishing trips and had it spoil.

Mr. REAVIS. I mean in your present capacity?

Mr. HARE. Yes, sir.

Mr. REAVIS. Haven't you had meat on your hands that spoiled?

Mr. HARE. Yes, sir.

Mr. REAVIS. Where?

Mr. HARE. In Baltimore; bacon.

Mr. REAVIS. Wasn't there some more than that in Baltimore?

Mr. HARE. I heard of ham also; and also I know of my own knowledge that subject to the temperature in wooden buildings the hams "smell" and "sweat" and deteriorate. That is the reason we can not give any guarantee back of the goods.

Mr. REAVIS. Isn't that true of the hams as well as the bacon?

Mr. HARE. Yes, sir.

Mr. REAVIS. Haven't you been compelled to sell ham, more than 2,000,000 pounds?

Mr. HARE. I do know there was a large amount of ham that was moldy and was sold at a sacrifice.

Mr. REAVIS. A large amount at Atlanta, Ga.?

Mr. HARE. At Norfolk.

Mr. REAVIS. And a large amount at Atlanta, Ga.?

Mr. HARE. Yes; but whether that has been sold or not I do not know.

Without taking the time to read the somewhat voluminous testimony on this question, I will say to you that it is in evidence that more than 2,000,000 pounds of ham in Baltimore deteriorated so that we sold it at 28 and a fraction cents per pound; that 1,497,000 pounds at Norfolk deteriorated so that we sold it at 20 cents a pound.

On Friday morning of last week the Baltimore Sun contained a statement of the condition that exists at our warehouses there, and the same condition is also all through the southern country

where we have warehouses and where it is hot. This meat is spoiling, and has been spoiling rapidly. Here is the condition at Baltimore:

PILE OF FOOD BURNED—VAST STORES OF ARMY SUPPLIES MUST BE DESTROYED—SPOILED BY HASTY PACKING—SMOKE FROM GREAT DUMP NEAR RIVER VIEW BEARS TESTIMONY TO WASTAGE OF WAR.

Thousands of dollars' worth of foodstuffs of every kind are being burned as refuse at the Colgate warehouses of the United States Quartermaster Corps near River View, and the pity of it is, say the Government officials, that they are powerless to prevent the waste.

A visit to the warehouses yesterday disclosed the truth of persistent rumors that wholesale destruction of canned goods has been in progress for months. Just outside the wire palisade about the reservation, in plain view from the River View car line, the smoke from the refuse was ascending. The ground to the extent of about an acre was strewn with empty tin cans, burst open and their contents poured out in many places more than knee deep.

Three negro dump keepers were on the job, and the wheelbarrows in which the cans were trundled from the four big warehouses were close by.

SWAMP FILLED WITH THE CANS.

"That pile is nothing," one of them said in answer to a question. "All this ground we are standing on is filled with layers of tin cans several feet thick. You see, after we burn the stuff for a while and the pile gets big we cover it over with a layer of dirt and start a new pile. That swamp over there is several feet deep, and it is filled with cans, too."

The negro explained that he is one of the 16 men whose task it is to sweep up around the warehouses and wheel the condemned cans to the fire.

"Each warehouse has several inspectors, who go around every day and inspect tomatoes, peas, milk, and other goods, and as soon as they find bad ones they mark them, and we wheel them away," he said.

As to how long the destruction has been going on the negro was dubious.

"You see, I have only been here since February," he said. "I don't know how long it was going on before that, but I know that some of us have wheeled cans to the dump almost every day since I came here to work."

Now, gentlemen, it is suggested that the Government will reimburse itself, because it has a six months' guaranty on this canned stuff. Why, eight and one-half months have gone by since we purchased it. Eight and a half months have gone by since the armistice was signed, and it is in the record that some of it was bought in the year 1917. The guaranty has long since expired. But suppose that the Government got all its money back. God help the poor people who can not get the food! That is gone. It is difficult for me to characterize what I think of conduct of this kind. I could be arrested for what I think of that War Department and the way it has handled this food supply.

There are other items that I want briefly to call to your attention. I am not inclined to blame Rogers or Davis or Hare or these men who are acting under orders. Hare was a frank witness. I said to him, on page 26:

Mr. REAVIS. It was apparent the Army would not be more than 500,000, and if it was not more than 500,000 there was a vast quantity of surplus meat?

Mr. HARE. Yes, sir.

Mr. REAVIS. And any man would know that a vast quantity would have to be sold?

Mr. HARE. Yes, sir.

Mr. REAVIS. Don't you know of cases where the wholesale grocers have tried to buy it and could not and it was kept in storage until it deteriorated?

Mr. HARE. Yes, sir; and I have tried to pry it loose and sell it.

And yet they criticize the majority report that holds the Secretary of War and his policy not to disturb industrial conditions up to the view of the Nation.

My friends, I want to call your attention to one other thing, and I have got to hurry along or I will consume time that I ought not to take. On page 30 of volume 1, Gen. R. E. Wood, Acting Quartermaster General in the month of January, wrote a letter to Frank Gerber, the president of the National Canners' Association, which contained this statement:

No canned vegetables will be put on the domestic market during this season.

Just what the relationship between the Canners' Association and Gen. Wood was I do not know, but I do know that Gen. Rogers came back from France in February and succeeded Gen. Wood as Quartermaster General. He started to sell these canned goods. They had between 25 and 50 carloads on the track at St. Louis that demurrage was being collected on, and Gen. Rogers started to sell it. In volume 2, page 43, in the testimony of Col. Davis, we find this:

Col. DAVIS. As I stated before, Gen. Rogers, on his return from France, knowing that there was a large surplus of canned vegetables on hand, shortly after his arrival took up that question with a view to disposing of this surplus. This information at once reached the canners of the country, and Mr. Gerber, president of the National Canners' Association, together with several canners and the secretary of the association, whose office is here in Washington, called on Gen. Rogers and showed him a letter received from Gen. R. E. Wood, Acting Quartermaster General, agreeing not to place on the market.

Mr. REAVIS (interposing). When was that?

Col. DAVIS. This was in the latter part of February or early in March that this meeting occurred.

Mr. REAVIS. You may continue your statement.

Col. DAVIS. Agreeing not to place on the market this large surplus until after the 1919 pack was made.

Mr. DONOVAN. And when would that be?

Col. DAVIS. That would be completed along in September or along about September.

Mr. DONOVAN. Of this year?

Col. DAVIS. Of this year; yes, sir.

When that order was shown to Gen. Rogers he testified that he was in duty bound to keep the agreement that his predecessor had made, and on page 299 of volume 5 of the record Gen. Rogers testifies as follows:

Mr. REAVIS. General, were you disposed to sell all of these canned goods?

Gen. ROGERS. Yes.

Mr. REAVIS. Why did you want to sell them?

Gen. ROGERS. I wanted to sell them because I thought it was for the interest of the Government to sell them.

Mr. REAVIS. Not only the 25 or 50 carloads, but all the canned goods?

Gen. ROGERS. Yes, sir.

Mr. REAVIS. That was the thing you had in mind at the time you had this conference?

That was the conference with Gerber when he came to him to show him the letter written by Wood.

Gen. ROGERS. Yes, sir.

And out of that conference between the Canners' Association, who had gotten a promise from Gen. R. E. Wood not to sell these canned goods on the domestic market—and there were 200,000,000 cans of them, running from 1-pound to 3-pound cans—Col. Davis, in order to further assure the Canners' Association, wrote the following letter to Mr. Gerber.

Mr. SMITH of Michigan. Will the gentleman yield there for a question?

Mr. REAVIS. Yes.

Mr. SMITH of Michigan. What were the contents of those 200,000,000 cans?

Mr. REAVIS. Peas, squash, spinach, corn, tomatoes, pumpkins—all that sort of canned vegetables.

Mr. SMITH of Michigan. And not meat?

Mr. REAVIS. Oh, no; these were canned vegetables; but if you will look at the record, in the list of the men who belong to the Canners' Association, it is worth while to notice that most prominent are some of the packers in Chicago, who were canning vegetables as well as meat. Bear in mind that the people needed this food. Bear in mind that your Government needed the money; but here is what Col. Davis writes to the president of the Canners' Association on the 17th of March of this year:

WAR DEPARTMENT,
PURCHASE, STORAGE AND TRAFFIC DIVISION,
OFFICE OF THE DIRECTOR OF PURCHASE AND STORAGE,
Washington, March 17, 1919.

FRANK GERBER,

President National Canners' Association, Washington, D. C.

MY DEAR MR. GERBER: Your letter of March 15 to Maj. Gen. H. L. Rogers has been referred to me for reply.

I am glad to be able to relieve your mind on the subject of any surplus of canned vegetables to be dumped on the market.

Acting along lines suggested by you—

Suggested by the president of the Canners' Association—canned peas, corn, squash, and string beans will be added to the ration list, which has always contained canned tomatoes. This will entirely dispose of our stock and eliminate surplus.

I trust this will relieve your mind and those of your associates in the Canners' Association.

Yours, very truly,

A. M. DAVIS,
Colonel, Quartermaster Corps, Director of Storage.

[Applause.]

Mr. KNUTSON. Will the gentleman yield?

Mr. REAVIS. With pleasure.

Mr. KNUTSON. Is the writer of this letter a member of the Canners' Association?

Mr. REAVIS. He is now acting at the head of the Surplus Property Division in the War Department, under Newton D. Baker. That is the man who wrote that letter.

Mr. KNUTSON. Nice business!

Mr. REAVIS. Oh, do not criticize him. I will show that he was acting under orders.

Mr. REED of West Virginia. Will my colleague yield there for a question?

Mr. REAVIS. I will, with pleasure.

Mr. REED of West Virginia. In some parts of the Republic the people think that Congress is somewhat to blame for not passing legislation to permit the sale of this food. Now, is it not a fact that there was ample law, from the time the armistice was signed, to do all that was necessary along that line?

Mr. REAVIS. There is not any question about it at all. It is merely the policy of the department not to do it. Now, you talk about Col. Davis, and ask if he is a member of the Canners' Association. Let me call your attention to what Davis intended to do by this letter. You will find it on page 53 of volume 2; Mr. Davis is very frank about it:

MR. REAVIS. I tried to get that from Mr. Hare yesterday and he passed the buck to you, and now you pass it to somebody else, and we will get him and get to the bottom of it.

Now, you say here, quoting your letter, "This will entirely dispose of our stock and eliminate surplus." Now, if that had been true, Colonel, you would have deprived the Government of the money that it would make from the sale of these canned vegetables?

Col. DAVIS. Mr. REAVIS, this was written this way, largely with a view of quieting the mind of the canner and the farmer as to the likelihood of this surplus being dumped on the market here, and they knew, and Mr. Gerber knew, that it did not in any way prevent or intend to prevent the sale which we expected to make of a portion of our canned goods on the other side of the water.

MR. REAVIS. Well, how would that permit you to make a sale of a portion of your goods when you say in your letter that this will consume all the surplus?

Col. DAVIS. That is what I say; that was done for the purpose of quieting the minds of the canner and of the farmer.

MR. REAVIS (interposing). You did not mean it?

Col. DAVIS (continuing). As to the fact of any surplus being dumped in this country; it did not mean that we were not going to continue our efforts to sell some of our goods abroad. It would take us—with the strength of the Army that we had at that time it would take a long while to use the entire amount, and it was intended to show these people that there would be no surplus so far as they were concerned to harass the conditions in the United States.

MR. REAVIS. That is, you mean that the American people would have no opportunity of buying this surplus?

Col. DAVIS. That is the point exactly.

MR. REAVIS. And notwithstanding the distress occasioned by the high cost of living here the only people to get the benefit was the people abroad and not our own?

Col. DAVIS. That is it exactly.

MR. REAVIS. And that was done to protect the canners and the farmers?

Col. DAVIS. Yes, sir.

MR. REAVIS. Now, gentlemen, I wish I had two hours more in which to talk about this thing, but I have gone on and taken more time than I really should have taken. But as to this Wood order and this Davis letter that were issued by these men in charge of these departments, let me show you by the testimony of Gen. Rogers where they came from. This is Gen. Rogers's testimony:

MR. REAVIS. Was there any definite conclusion arrived at at the first conference with reference to the disposition of canned vegetables?

Gen. ROGERS. Yes, sir.

MR. REAVIS. What was the conclusion?

Gen. ROGERS. The conclusion was—after Mr. Thorne came into the office. I asked him if he knew anything about this letter of Gen. Wood, and he said that he did, and that the letter was not only written by Gen. Wood but had the approval of the War Department.

MR. REAVIS. The approval of the War Department?

Gen. ROGERS. I think he made the statement "At the approval of the Secretary of War." I would like to change my statement and say, instead of the War Department, that it had the approval of the Secretary of War.

There was the deliberate purpose of the War Department to compel the soldier to eat all the canned vegetables which could be sold in America. This purpose was inspired by the desire to save the canners from competition with the Army surplus, to keep up the price to the burdened people even though it prevented the Government from getting the money which would have been derived from this sale. This thing which "invisible government" was doing through conspiracy with the War Department is shown not only by the testimony of Col. Davis but is also shown by the following testimony of Gen. Rogers:

MR. REAVIS. Now, let me ask you this: Does not the letter say, which you say was written with your approval, that this will eliminate all surplus?

Gen. ROGERS. The letter states that, but as near as I can remember it is misleading in that it was expected to sell a part of these canned vegetables for foreign export.

I am not disposed to criticize Gen. Rogers or Col. Davis or Mr. Hare; but it is charged in the report, and by way of reiteration and on my responsibility as a Member of this House I charge now that it was the well-defined policy of the Secretary of War to keep these food products away from the American people who bought and paid for them, and to export them to save the big business interests of this country. [Applause.] That statement is made on the sworn testimony of the men in charge of these bureaus down at the War Department.

Gentlemen, every man who has studied the philosophies of history realizes that the food of the people is the most menacing proposition with which a Government has to contend. The whole shore of existence is lined with the wrecks of nations whose destruction had its inception in the hunger of the people. It is twenty centuries since Christ walked this earth with the children of men to teach them the fundamentals of a new civilization, and now, after the passing of nearly 2,000 years, it seems to me that the causes which lead to revolution are more menacing and more universal than they ever were before.

Organized government and orderly society seem struggling to justify their right to endure. These are brooding years, pregnant with God knows what, for there is strife and turmoil down in the shadows. Scarce a nation in Europe that is not in the twilight, and brave is the man who ventures a prediction as to the affairs of this world a year hence.

We are proud of this country, proud of its history and of its accomplishments. For some the "light may stream on the path ahead and nowhere else," but for me the glorious past of America will never be shrouded in darkness. We are confident of its future; but, sirs, with all of its power and resources, it could lie in ashes before the month is out if its people became hungry enough.

Hunger is the breeder of revolution. Notwithstanding the distress occasioned by the high cost of living, notwithstanding there is rebellion in the spirit and in the heart of those who are burdened with the high cost of living, the War Department, to keep from disturbing the industrial conditions, has been hoarding foodstuff in the warehouses of this country until it has deteriorated and spoiled.

Whatever disturbance industrial conditions may suffer will be because these food purveyors sold the product in the first instance. Let me illustrate my meaning: Sitting in front of me is my good friend from Illinois [Mr. WILSON]. The tailor who sold him the clothes he is wearing, and which look like a million dollars draped over his handsome shoulders, disturbed conditions by so doing because he destroyed the demand for that suit of clothes. Do you think he should be heard, after making the sale and receiving his profit, to demand that Mr. WILSON hang the garments in the closet because conditions would be disturbed if he should wear them?

The American people bought and paid for this food. It was sold for consumption. Conditions were disturbed in the sale. Mr. Gerber, president of the Canners' Association, testified before our committee that the profits derived the year these goods were sold were far and away the most profitable he had ever had, and yet after selling them and getting the profit he conspired with the Secretary of War not to let the people of America consume them, because if they did it would disturb the industrial conditions.

I have been speaking more than an hour, and I regret that I have taken so much of your time. I would like to relate an incident which I witnessed recently, and with its relation I will conclude. I was in one of the public markets last Saturday evening when I observed a frail, prematurely aged lady speaking in a low tone to the clerk. She was wretchedly clad in faded calico, and she had all the evidences of cruel poverty. She was inquiring how much of a cheap cut of meat she could buy for 20 cents. Some who were near her, inspired by sympathy, asked some questions, and learned that she was providing Sunday dinner for herself and three children. I do not want to comment on the incident, but I cite it because the lady is a type of thousands who dwell in this land of plenty. It seems to me that the struggle is somewhat unequal; on the one hand these great wealthy companies seeking to control the food supply of the people, fortified by the sympathetic protection of the War Department, striving always to keep up the price, to increase profits and dividends, and on the other hand, quite helpless and alone, the woman doing her best to keep life in the bodies of the little fledglings God had given her. You will choose to-day the one you will help. So far as I am concerned, so far as the Republican Party is concerned, you will find us fighting on the side of the great mass of our people typified by the lady in the calico dress. [Applause.]

MR. FLOOD. Mr. Speaker, a good deal was said in the discussion of the point of order this morning, and also by the distinguished gentleman from Nebraska [Mr. REAVIS] in the debate on the pending resolution in a semicriticism of the minority of the Special Committee on the Expenditures of the War Department in incorporating in the minority views certain statements of the War Department officials that had not been taken in the course of the evidence before the committee on the subject with which this resolution deals. This pretty clearly demonstrates that the evidence which we produced is conclusive of our contention that the majority report has misstated the facts in relation to the distribution of surplus food supplies.

I will state to the House the circumstances under which these communications were incorporated in our report. The whole evidence in this case was taken by subcommittee No. 4. As the House well knows, this special committee of 15 was divided into 5 subcommittees of 3 each, 2 Republicans and 1 Democrat being on each committee. All of this evidence was taken by the subcommittee. Twelve members of this committee had never heard a word of the evidence, and I do not believe had ever read a line of it.

On last Thursday this resolution was presented to the full committee with the report of the majority, at a time when the minority member of the subcommittee No. 4, who had heard a portion of the evidence, was absent in New York at the bedside of a sick son. We heard the resolution read. We felt that it

meant nothing, that it was another evidence of Republican incapacity and inefficiency to deal with the great problems of the day, and then we heard the report read. We had not been present at the taking of the evidence, but we knew the report was bristling with misstatements of facts and of misrepresentations of the attitude of the Secretary of War and of the War Department in reference to these food supplies.

I called the attention of the committee to that fact. The next day I prepared a letter and presented it to the chairman of the committee; the letter has been read to the House. I pointed out to these gentlemen the errors of fact in this report and gave a list of the witnesses whom we asked to be summoned, the list being headed by the Secretary of War, whose position in reference to this food supply was attacked and misrepresented in this report. We stated to the committee that if they did not open this matter and allow us to produce the evidence to show, as we can show, that the statements in the report were incorrect, we would be compelled to go to the War Department, get the evidence, and file it with the minority views. No one dissented. We were left distinctly under the impression that the committee agreed that we had that right and consented to our right to exercise it.

Then, upon a statement by the gentleman from Nebraska [Mr. REAVIS] that as the report had been given to the newspapers to reopen the hearings would make the committee ridiculous, our request that the Secretary of War and other officials might be heard was denied. I replied to the statement of the gentleman from Nebraska [Mr. REAVIS] that to open the hearings by the committee would not make it quite so ridiculous as having the errors and misrepresentations contained in it exposed upon the floor. I am satisfied that my prediction has come true. It might be stated parenthetically that the report had not been filed in the House and was not filed until yesterday. I do not believe that the right of a high official of this Government to be heard upon a matter about which he was being criticized has ever before been denied by a committee of this House. This course stamps this committee with a partisanship that it will never outlive. [Applause.]

Following up that action of the committee we prepared our report, obtained these letters and communications from the officials of the War Department, as we had stated to the whole committee we would do and as we thought they had agreed we should do, and embodied them in our report. And with that understanding in his mind Mr. GRAHAM asked for unanimous consent yesterday that our report be accepted and filed along with the minority report. I do not understand the parliamentary ethics under which these gentlemen are acting when they attempt to exclude these statements from the minority report. We have simply put into that report that which the Republican members of the committee had never heard and would not hear—evidence from the Secretary of War, going down to lesser employees of that department, who have to deal with the surplus supplies of war foodstuffs, that would have contradicted practically every statement of importance made in the report of the majority. [Applause on Democratic side.]

Mr. Speaker, I am in favor, and the minority of this committee are in favor, of putting on the market for the benefit of the consumers of this country the surplus food supplies of the War Department as quickly as possible and in the most satisfactory way to get the surplus supplies into the hands of the consuming people of the country. The Secretary of War is in favor of that, and I challenge any man, however bitter his partisan Republicanism may be, to put his finger upon one word ever uttered by the Secretary of War that contradicts the statement that that is to-day and has been his policy ever since the armistice was signed. [Applause on the Democratic side.] The officials of the War Department generally are in favor of it, and I would have thought that the majority members of this committee were in favor of a similar policy. I still think they must be, but a reading and study of the resolution which they have brought into this House would lead one to believe either that they are not in favor of getting these surplus food supplies to the people or that they have been very derelict in their duty in studying and understanding the questions relating to these food supplies. [Applause on the Democratic side.]

Let us see what is the situation. The gentleman from Nebraska [Mr. REAVIS] talks about a conference here with the meat men and a conference yonder with the vegetable canners. But I call attention to the fact that none of these conferences resulted in the suggestions made by the meat men being accepted, and for only a limited time were the suggestions of the canners the ruling policy of the War Department. I call attention to the fact that notwithstanding the War Department in the discharge of its duty to consider every interest in this country conferred freely with the canners, both of meat and

vegetables, the policy that the department has pursued has been solely in the interest of the Government and of the consumers of the country. The meat men made certain suggestions. They were rejected. A policy was adopted in the interest of the Government and in the interest of the consumers. [Applause on the Democratic side.]

After the armistice we had on hand the largest supply of foodstuffs ever gathered together by any organization in the history of the world. It was pouring in every day. Immediately the officials of the War Department began to cancel contracts, where there was authority to cancel them. A great many of them were canceled, and soon after that, upon the direction of Gen. March, it was determined to take an inventory of the food supplies that were scattered about at 225 different warehouses and posts in the country. Ten thousand men were employed and put to work the last day of December, 1918, to make a physical count of food supplies on hand. In about 10 days they completed it and sent their inventories to Washington. Then began the work of classifying these food supplies, of determining how much was needed for the support of the Army and how much should be declared a surplus. With the limited number of men the department had to work on this stupendous job, it did take months. A small quantity of supplies were declared surplus in February and March and sold, but the bulk of it was declared surplus, the meats on the 5th of May and the canned vegetables on the 23d of May, and from that time on sales have been made in large quantities to the consumers in this country. The first plan adopted by the War Department was to advertise the articles for sale in the newspapers and receive sealed competitive bids for them, sale being made to the highest bidder.

Recently 1,572 bids have been received for canned goods, and many of these bids have been accepted, and those goods have been sold to the bidders at 80 per cent of the cost, and they will soon go out to the consumers. But owing to the large supply of foodstuffs in this declaration of surplus the War Department did not feel that they were going to the consumers rapidly enough, so on the 3d day of July the Secretary of War directed an order to be issued authorizing municipalities in the country to buy in carload lots meats at 80 per cent of the cost and vegetables at cost, to be sold by the municipalities to the citizens at what the goods cost the municipalities.

This report of the majority says that that order abrogated the other methods of sale of these goods. These gentlemen who issued the order, who have charge of distribution under that order, would have told them, if they had asked, that it was in addition to the method then in vogue for the sale of these foodstuffs. Under that arrangement a number of municipalities in this country bought large quantities of these surplus foods and sold them to their people at cost, and they were in as perfect condition, I am told by the people who bought some of them, as any meat ever bought by anyone from any market upon the face of the earth. While these gentlemen are thanking God for one thing and another, let them not forget to render thanks for the fact that at the end of this war the meat that the War Department accumulated was sound and good enough for anybody to eat and not embalmed beef, such as the Republican administration had at the end of the Spanish-American War. [Applause on the Democratic side.]

It developed that some of the municipalities under their charters could not purchase foodstuffs to be sold to their citizens.

And so the Secretary of War last week enlarged that order and provided that any group of patriotic citizens in any city in this country whose standing was approved by the mayor of their city could purchase those goods in carload lots on 10 days' time, to be sold to the citizens of that city at cost. [Applause on the Democratic side.] And under that arrangement a great number of the cities of this country are now negotiating for meats and canned goods and sugar and anything that happens to be surplus supplies of the War Department. So they are selling to-day through the ordinary channels of trade, accepting competitive bids from anybody who desires to buy, the surplus they have on hand. In addition to that they are letting any city of this Nation which desires to do it buy carload lots of these goods and sell them to their citizens at cost and give that city ten days' time; and, thirdly, where the cities can not or will not buy for sale to their citizens, or where there is danger of profiteers stopping the cities by injunction, the War Department is providing that any group of patriotic citizens whose responsibility is vouches for by the mayor of those cities can buy those goods in carload lots on the same terms as the cities and sell them to the consumers in those cities at cost. That is what the War Department is doing to-day. Is not that getting these goods to the consumers? Is that keeping the goods away from the American consumer? [Applause on the Democratic side.]

Mr. HARDY of Texas. Will the gentleman yield?

Mr. FLOOD. I will.

Mr. HARDY of Texas. Is there anything in the resolution presented that would even suggest any better way of supplying the people direct in a majority of cases?

Mr. FLOOD. I said a few minutes ago that a study of that resolution would lead an impartial student to believe that these gentlemen, the majority, were not in favor of getting these surplus war supplies to the consumers, because, as the gentleman from Texas says, they make no suggestion by which these supplies can be gotten into the hands of the consumer. My construction of that resolution is that if the Secretary of War followed the suggestion of that resolution he would feel himself prohibited from selling to municipalities, selling to groups of persons in cities, and selling through the ordinary channels of commerce, because that resolution provides that the War Department shall sell directly to the people of the United States, which I think means the consumers of this country. If that is not what the resolution means, then it simply requests the Secretary of War to do what he is doing now and has been doing for some time.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. LAGUARDIA. Does the gentleman recall that when the Army appropriation bill was before us we endeavored to get the War Department to explain its policies in the disposition of these goods and all that we could get was that they had offered for sale to the Salvation Army some canned stuff and they had offered to some Jewish organization the sale of some bacon. [Laughter.]

Mr. FLOOD. I recall that when the Army appropriation bill—

Mr. FIELDS. Will the gentleman yield?

Mr. FLOOD. Was before the committee the chairman of that committee, Mr. KAHN, of California, asked Mr. Hare some questions with reference to the disposition of these food supplies, and Mr. Hare asked Mr. KAHN's advice as to what course the Government should pursue in the disposition of these food supplies, and Mr. KAHN's advice to him was that it was the duty of the War Department to protect the Treasury of the United States and they ought to sell those goods wherever they could get the best price for them. [Applause on the Democratic side.]

Mr. LAGUARDIA. Will the gentleman yield again?

Mr. FIELDS. If the gentleman from New York will recall in the hearings on the Army appropriation bill the statement was made that they were advertising in the newspapers throughout the country for bidders for surplus supplies at that time.

Mr. LAGUARDIA. May I make a further inquiry—

Mr. FLOOD. I object to the gentleman using any more of my time. I can not yield. I have answered the gentleman's question.

Mr. MAGEE. Will the gentleman yield to a question?

Mr. FLOOD. I will.

Mr. MAGEE. The gentleman stated in reference to the sale of goods to municipalities. I would like to ask the gentleman if he does not know that a municipality in the State of New York, under its charter, has no power to purchase these goods from the War Department?

Mr. FLOOD. I will say to the gentleman that the Secretary of War is much more attentive to the citizens of New York than the gentleman is, and, he realizing that fact, issued an order last week providing that any group of patriotic citizens in any city in New York could put up the money or have 10 days' time within which to pay for carload lots of these goods, take them to the cities, sell them to their citizens, the consumers of that place, at cost. [Applause on the Democratic side.] The Secretary of War is taking care of your interests, if you are not keeping up with it. [Applause on the Democratic side.]

Mr. MAGEE. Will the gentleman answer my question?

Mr. LAGUARDIA. Will the gentleman yield?

Mr. FLOOD. No; I can not yield now. I have not much time. Mr. Speaker, I want to say to my friends there is more politics than patriotism in this resolution. [Applause on the Democratic side.] I am not prepared to vote against any resolution that may help to get these products to the consumers, but I want to call your attention to the fact that the committee which reported this resolution was appointed under a resolution passed by this House on the 4th day of June.

We all thought it had a high and patriotic purpose, but, Mr. Speaker, when that committee began to work there was in constant attendance upon its sessions a Mr. George Hill. His presence there created some suspicion, and he was asked what his mission there was, and he said that he was being employed by the National Republican Committee to get out publicity arti-

cles in reference to the hearing before this committee. The first one that we saw was an interview given out by the distinguished and able chairman that indicted the administration for all sorts of crimes, and, among others, was the charge that he had, with the aid of the Council of National Defense and the advisory commission, begun to prepare the country for war when it was thought war was inevitable.

He criticized the administration for getting ready for this great war beforehand. But our amiable chairman has been so roughly dealt with by the press of this country, Republican as well as Democratic, that I do not believe he cares to recall that interview or Mr. Hill's part in its propaganda any more. [Applause on the Democratic side.]

I want to insert here a statement by Mr. G. B. Clarkson, of the Council of National Defense, in reply to Mr. GRAHAM's interview:

My examination the other day before Mr. Graham's committee showed at the outset a tendency on the part of a majority of the committee to disclose that the administration had taken no preparedness steps before entering the war, whereas the truth was that, owing to the almost providential presence of the Council of National Defense created by Congress itself eight months before, a great many far-sighted plans had been initiated by the council acting alone and on the advice of its advisory commission.

The advisory commission of seven men was throughout the war, by the way, composed of at least three and probably four Republicans, as was the huge majority of the personnel of the council's subcommittees.

The council minutes, which I furnished to Mr. GRAHAM's committee, with the hearty consent of Secretary Baker, chairman of the council, and which I voluntarily supplemented with those of the advisory commission, disclosed beyond any question that the council had in the most constructive way looked sharply ahead into the immediate future to the end of preparing the country for war.

It is my deliberate judgment that if the council, utilizing the greatest experts in the leading industries and utilizing them in a wholly nonpartisan way, had not taken its forehanded steps, America would not have laid in time the foundation for mobilizing its industrial resources which made possible the winning of the war.

The council minutes having made exposition of these facts to Mr. GRAHAM, he addressed himself to the council's system of procuring supplies for the War Department. That matter was all thrashed out long since before the Senate Military Affairs Committee, and the intimations against members of the council's committee on supplies died of their own weight at the end of the hearings more than a year ago.

Council committee members under the stress of an unprecedented emergency were undoubtedly in some cases placed in the apparent position of doing business with themselves, but that was never actually the fact, and not a scintilla of wrongdoing was ever disclosed, and it is believed that the law throughout was complied with.

In the committee on supplies alone 45,000 contracts, involving \$800,000,000, were arranged for by the council in 200 days at an overhead cost of but \$20,000. After the council withdrew from this particular field in January, 1918, the closeness and economy of its buying methods was demonstrated by the rise in price of many commodities for whose purchase it had arranged for the War Department. Through the experts under Mr. Baruch handling raw materials, minerals, and metals, it is estimated that the council saved the Government more than \$3,000,000,000, as against prewar prices, in prices that it procured for iron and steel products.

In no instance and at no time did a member of the Council of National Defense organization actually close contracts. That was always done by the executive departments themselves, just as the activities of the council were always subject to review by the executive departments. Since this was so and since the committee-members had no power whatever to sign contracts, it is difficult to see wherein the law was violated.

The fact of the matter is that the council found itself with a huge job thrust on its hands, and it set about to perform the task as best it could. The form of organization was not immediately and probably never was ideal, but we were at war and there was no time to quibble over technicalities or precedents. The job was one which called for immediate action, and with an improvised auxiliary structure the council sought to give the military departments the best and most expert assistance it could provide from civilian life in the problems of production and supply until those departments had time to make their own organization. The council's primary purpose and work, it should be pointed out, was to increase sources of supply and at the same time to assist the industries of the country in preparing understandingly for the strain that was to be put upon them.

It was the obvious and the elementary thing for the council to call to its aid the civilian whose business experience had given him a thorough grasp of the problem involved. If the really big men in industry were to be secured, obviously they must be men who were engaged in large affairs at the time. It may be said that this gave an opportunity for favoritism and personal gain through the presence in the council's organization of men engaged in active business, but the task had to be done and some one had to be trusted to do it. The real facts prove that the council's trust was not abused.

The only alternative to the plan pursued would have been to hire executive officers from the industries at salaries proportionate to the remuneration which they received in private life, instead of securing the heads of the industries for nothing. Its difficulties from the standpoint of expense and time are too obvious to need comment, however; and, aside from the question of efficiency, the plan would have lacked completely the splendid moral effect presented to the country by the voluntary contribution of time and tireless effort given by the leaders of industry who came to Washington to fill in the breach in the greatest national emergency that we have ever known. It is very doubtful if the same results could have been achieved in the pressure of the early war days through any other method than this one of voluntary cooperation.

As to the operating expenses of the council, it gives me a good deal of pleasure to point out that from its preliminary organization, in the late winter of 1916, up to May 1, 1919, its expenditures were but \$1,500,000. This included carrying the War Industries Board for nearly a year and the expenditure of \$225,000 for the erection of its building. It made the preliminary mobilization of industry from the

date of our entrance into the war to July 1, 1917, at the almost grotesquely small expenditure of \$127,000. It is hard to believe that there is anything in the history of government to surpass that record of economical business administration of a Federal agency.

Mr. Speaker, this is the second attempt to make politics out of the work of this committee. It is a less creditable attempt because a bold attempt is made to pervert the facts that are dealt with.

Mr. OLIVER. Does not the gentleman recall that the second attempt, perhaps, was as to the records of the soldiers absolutely spoiling in water, and afterwards it was shown that the records were intact and in absolutely good condition?

Mr. FLOOD. I do not believe that got beyond the committee room.

Mr. OLIVER. It was in the papers.

Mr. FLOOD. I did not see it. I heard it in the committee room and afterwards learned that it was much ado about nothing.

This is an attempt to make a false issue. If I had the time I could take up this report item by item and statement by statement and show you that there was no foundation for the allegations made in the report. The majority are trying to raise a false issue, not justified by the attitude of the War Department and not justified by the evidence taken in connection with these surplus food supplies. I do not presume to say that the gentlemen who make the issue know that it is false. I hope they do not. And if they do not, it is a great reflection upon their industry in the investigation they have undertaken. This debate will enlighten them and prove to the House and the country that it is a false issue, with not a solitary inch of solid earth upon which to rest the foot of any man who makes it. [Applause on the Democratic side.]

Mr. KNUTSON. Will the gentleman yield for a question?

Mr. FLOOD. For a question.

Mr. KNUTSON. The gentleman spoke about a council having been formed in the fall of 1916, when it was seen that war was inevitable. Was this council formed before the Democrats had decided upon their slogan of "He kept us out of war"?

Mr. FLOOD. It was formed after the people of this country had gone to the polls and by a substantial vote reelected Woodrow Wilson President of the United States. [Applause on the Democratic side.]

Mr. HASTINGS. Will the gentleman yield?

Mr. FLOOD. I will.

Mr. HASTINGS. Was the Secretary of War ever invited before this expenditure committee?

Mr. FLOOD. We tried to get them to invite him, but they would not do it. The gentleman from Nebraska [Mr. REAVIS] talked about having the high officials. I wrote to the chairman of this committee and requested and urged him to invite the Secretary of War there to testify, and they voted it down, every Republican vote being against it.

Mr. HASTINGS. The gentleman does not mean that this fair, nonpartisan investigating committee refused and declined to invite the Secretary of War, but had sitting by its side a representative of the Republican National Committee all the time?

Mr. FLOOD. That is exactly what took place.

Mr. UPSHAW. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. UPSHAW. Inasmuch as this was an investigation of the War Department, and you have just brought out the startling and unheard-of fact that the committee refused to bring before them the head of the War Department while having present the Republican publicity man, does it not seem that our friends on the opposite side were almost as anxious to get partisan political campaign "thunder" out to the public as they are to get food out to the "pee-pull"? [Laughter and applause.]

Mr. FLOOD. That is the sole purpose of the report. The gentleman from Nebraska [Mr. REAVIS] has called attention to the burning of thousands of cans of vegetables over in Baltimore. We could have shown him, if he had just given us the opportunity, if he had just let us bring the evidence there, that those were canned goods that had been rejected by this Government and turned back to the canners, and the loss was that of the canners and not of the Government. [Applause on the Democratic side.] Our reports show, and our evidence sustains it, that these canned vegetables spoil, if they are going to spoil, in 90 days, and so the Government takes a guaranty of six months, and if in that six months they were shown not to be good they were turned back to the canners, and they must be destroyed, because under Democratic auspices we passed a law prohibiting rotten food being sold by anyone and fed to the American people. [Applause on the Democratic side.]

Mr. BLACK. These goods were what are known as "swells" and are really unfit for food consumption?

Mr. FLOOD. Yes.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. FLOOD. I can not yield; I have not the time.

I only want to refer to one or two small misstatements in this report.

The statement is made that millions of pounds of fish are in this surplus. I have ascertained that there is absolutely no fish. The salmon they had on hand did not come up to Government specifications, and so was turned back to the packers. There were a few codfish on hand, which have been sold. There is a sugar surplus, which is being distributed to the consumers to-day, principally to the American farmers, that they may do their domestic canning and preserving, and the sugar is going to them now because there is a sugar shortage in the country.

Mr. BAER. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. BAER. How do they get those to the farmers now? What is the plan? Is it necessary for us to put that in the resolution?

Mr. FLOOD. Not a bit of it. There are only a few of these food supplies that the farmers want, sugar being the principal one, and the Government has arranged for the distribution of the 56,000,000 pounds of surplus sugar so the farmers can get their share.

Mr. BAER. The gentleman complained a moment ago that there was no plan in this resolution.

Mr. FLOOD. I said the War Department had a plan and was operating under it. It is distributing these food supplies under that plan, and you come along with a resolution that asks it to do something that they are already doing, or if not that then requests the department to stop using the method of distribution they have in operation and does not provide for any other.

Mr. BAER. I understood the gentleman to state that he was going to vote for this resolution.

Mr. FLOOD. I never said I was going to vote for this resolution. I stated the kind of resolution that I would not vote against.

The statement in the report that the inactivity of the Government in the disposition of these food supplies was and is the result of a well-defined policy of the Secretary of War to withhold them from the domestic market and to protect the interests from which these products had been purchased, with the ultimate intention of disposing of them abroad, so far as circumstances would permit, is absolutely without foundation, as is shown by the Secretary's letter, in which he clearly defines his policy and shows that at no time did he entertain such purpose as indicated in the report.

The statement that the delay in selling these food supplies resulted in the spoiling of millions of pounds of ham and bacon, with a great loss to the Government, is not in accord with the facts. No ham and bacon spoiled. One million five hundred thousand pounds of ham stored at Norfolk, Va., deteriorated to some extent, and was sold for 20 cents a pound when the market price was 35 cents a pound. It was feared that bacon for which no storage had been provided would deteriorate in Baltimore, and this was sold at a somewhat reduced price.

The contention that the Government suffered great loss by spoiling or deterioration of these foodstuffs is fully answered by the statement made by Maj. Mercer, that to date sales of surplus food have been made aggregating \$26,000,000, which have brought the Government 85.7 per cent of their cost. Obviously this return could not have been made if the greater part or a very considerable part of it had deteriorated.

In connection with the suggested loss to the Government from the sale of canned vegetables, as a result of the order of Gen. R. E. Wood, it is shown that approximately one-third of the surplus of canned corn, peas, and stringless beans was sold at a return to the Government of 80 per cent of their cost or better, and that the market price of these vegetables to-day is higher than it was in January or February.

The facts in connection with the statement that there are millions of pounds of milk and tons of coffee and tea, as surplus, are as follows:

The surplus of milk consists of 680,000 cans only.

There is no surplus coffee and tea in the Army at the present time.

In connection with the statement that of the food supplies sold by the War Department, a large part of which was spoiled and unfit for general market, I refer you to the statement previously made—that a net return of 85.7 per cent of its original cost has been realized for the Government in the sale. [Applause on the Democratic side.]

Mr. Speaker, there are a great many things that I would like to deal with in this report, but I have not time. However, I do want to call attention to the fact that the statement was made in it that only \$12,000,000 worth of foodstuffs have been sold, whereas the fact is that \$26,000,000 of these foodstuffs had been sold up to last Saturday night, and that is out of a total, as set forth in the report of the majority, of \$120,000,000. Over one-fifth has been sold since this surplus was ascertained and declared. And it is going on at a much more rapid rate now since the municipalities can buy and since groups of citizens in municipalities can buy for sale to their citizens.

I favored the resolution creating this special committee to investigate the expenditures in the War Department. I believed that there were people who had volunteered their services or who had been called to the aid of the War Department who used their positions not for the benefit of their country but for their own profit. I felt that there might be some who performed their duties inefficiently or who were guilty of corruption, and that these facts should be known to the public so far as possible, and these officials punished. I am glad to say that up to this time very few facts have been developed showing that such a state of affairs existed. [Applause on Democratic side.]

I am unalterably opposed, and I believe the people of this country are opposed, to a manufactured state of facts, manufactured for political purposes with the intention of detracting from the splendid reputation made during this war by our Secretary of War. I do not believe these attacks can possibly injure him. Newton D. Baker devoted himself to the tremendous duties appertaining to his responsible position with a patriotism, ability, industry, and devotion to duty that have rarely been surpassed in the annals of our public service. His niche in the history of this war is secure. These detractors can not lower it. In this country and abroad he is regarded as one of America's great War Secretaries, and the fact that his splendid work did much to enable our armies to accomplish the glorious results they did on the battle fields of Europe is recognized, appreciated, and applauded by fair men the world over. [Applause on Democratic side.]

Mr. GRAHAM of Illinois. Mr. Speaker, does the gentleman from Virginia want to yield any more time now?

Mr. FLOOD. I would rather the gentleman would go on, if he will.

Mr. GRAHAM of Illinois. My idea was to keep it as nearly equally divided as possible. I think the gentleman talked half an hour.

Mr. FLOOD. Mr. Speaker, I yield 20 minutes to the gentleman from California [Mr. LEA].

The SPEAKER pro tempore (Mr. TEMPLE). The gentleman from California is recognized for 20 minutes.

Mr. LEA of California. Mr. Speaker, in advance I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. LEA of California. Mr. Speaker, I approach the discussion of this subject with a consciousness that to a degree anything I may say is discounted by the fact that I am subject to the suspicion that I have a political motive in my attitude upon this question. You gentlemen on the other side approach the presentation of this question subject to the same suspicion. I believe the situation here presented to the country to-day demonstrates that Congress made a mistake when it appointed this investigating committee instead of appointing a nonpartisan committee, whose usefulness to the country would not be destroyed by its partisanship. The course pursued after the war of 1898 should have been followed, and this Great War should have been investigated by a nonpartisan committee. By giving the country the impression that everything that is done is inspired by a partisan purpose, this committee is rapidly destroying its usefulness to the country. [Applause on the Democratic side.]

Now, the question here is a question of facts. The intelligent judgment of the American people is not going to be based on what the Republican members of this committee say or on what the Democratic members say, but it is going to be based upon the intrinsic merit of the facts established. With this in mind, I want to present to you some facts in reference to the allegations made in the majority report now before the House.

In the first place, it is declared that for six months from the 30th day of November, 1918, when a survey of surpluses was ordered, "no action was taken" by the War Department to have a surplus of supplies declared. That statement is absolutely unsustained by the facts. What was done? The very

day after that order was made 178 men were summoned for the purpose of forming an organization for taking an inventory. On the 17th day of December the members of that organization were sent to every zone in this country, 16 different zones, and they began taking an inventory, the greatest inventory ever taken in the history of this world. It involved nearly \$2,000,000,000 worth of property. It took the services of 10,000 people to complete it. On the 26th day of March, 1919, that committee returned an inventory of the meat supply, after other inventories had been rendered. That inventory was revised and was finally adopted on the 5th day of May, 1919, and after that the matter of selling meat was open; meat was subject to sale by the director of sales.

Now, I want to call your attention to certain difficulties that stood in the way of the determination of the amount of the surplus and what was done to reduce the surplus. In the first place, on the 7th day of November, four days before the armistice was declared, the War Department sent telegrams throughout the country ordering production for war purposes to cease, anticipating the armistice that came four days later.

Thousands of contracts were canceled following the armistice, and the amount of supplies to be furnished under those contracts had to await adjustment at a later date. A large percentage of the supplies for the Army were commandeered on the basis of a percentage of factory output, and an inventory could not be taken until the amount of such output was determined.

Another uncertainty was due to the fact that thousands of informal contracts had to be validated, and the amount of the property that the Government had received could not be determined until there was an adjustment by the validation committee. The surplus was reduced by sales to other departments, \$145,000,000 worth of property being sold to one department.

The shipments of meats to the Army on the other side did not cease until about the 1st of February, when Gen. Pershing ordered them held up. It was said here that the meat was turned into the possession of the United States as early as 1917. The fact is that the meat which it is charged spoiled at Norfolk was shipped there in January, February, and March of this year.

The taking of this inventory required the repiling of vast stores. In addition to that, in making an inventory for offering this property to the country for sale more definite descriptions were frequently required than had been necessary for the Army to make for its ordinary purposes.

Another element of uncertainty was that three times during the taking of inventories the estimated size of the Army changed. First the estimate was that the size of the Army next January would be 1,000,000 men. Next it was decided that the Army should be decreased to 500,000 men, and in June this year the size of the Army was reduced to 325,000 by Congress. Every reduction that was made caused a new estimate of requirements and an increase of the surplus. Had the Army remained at the first estimate there would not be any surplus of the goods here in question. It was only when Congress made the change in June that the full and correct inventory of the surplus now involved could be finally presented.

The statement is made in the majority report that "millions of pounds" of ham and bacon have spoiled. There is no specific evidence in the whole record to show that there has been a single pound of bacon spoiled. There is evidence of deterioration, and there are two specific instances of deterioration. One is as to 2,000,000 pounds of bacon at the city of Baltimore. The director of sales sold it for 28 $\frac{1}{2}$ cents per pound. Where is the buyer in the market in these United States who is willing to pay over 28 cents a pound for spoiled bacon? As a matter of fact, when the Government submitted bids to dealers of the country, in some instances only 20 cents was offered for bacon that was in good condition.

As to the ham at Norfolk, the other instance of deterioration, that ham was ordered overseas. It was shipped to Norfolk January, February, and March. Later came an order revoking the shipment. It was found to be deteriorated by mold, but not seriously, and it was sold at 20 cents a pound, less than 1,500,000 pounds.

The complete answer to this charge is that out of the first \$12,000,000 received from the sale of food products, including this meat alleged to have spoiled, the Government received over 85 per cent of its cost.

In the testimony reference is made to some bacon at Old Hickory, but that bacon was not in the possession of the Army. It was in the possession of a contractor. The reference is made to the canned goods burned at Baltimore. Those were

goods that proved to be defectively canned, and they were burned at the expense of the canners. That is the evidence of "millions of pounds" of bacon spoiled.

The policy of the Secretary of War is discussed at some length in his report. It is said that the well-defined policy of the Secretary of War was to withhold these goods from the domestic market and to dispose of them abroad, so far as the circumstances would permit.

Mr. AYRES. Will the gentleman yield for a question?

Mr. LEA of California. I would rather not, because my time is limited. The total sales of surplus property of the department in America aggregate nearly \$209,000,000 received by the Government since the armistice was declared. Of the food products outside of the Food Administration, 700,000 pounds of butter sold to the British, 480,000 pounds of bacon sent to Holland, and 60,000,000 pounds of flour are practically all that were sold to the foreign market, and all the other food products were sold here.

How about the complaint that \$22,000,000 worth of meat products were sent to Europe by Mr. Hoover? What is the fact in reference to that circumstance? The fact is this, that the United States Congress donated \$100,000,000 for the purpose of giving relief to the starving civilians of Europe. They had to have food from America; and Mr. Hoover, instead of going over to Europe or to a foreign market and spending our money in a foreign land, spent it in America. We kept our money. We took our own supplies and saved that \$22,000,000 to the American people and the American producer. [Applause.]

Now, how about the foreign market? When did America learn to despise a foreign market? Why, every sensible business man in America courts the foreign market. What is the fact in reference to the sale of meat? Since the 1st day of January over 1,000,000,000 pounds of meat have been sent to the foreign markets through the port of New York. Mr. KAHN, before the Military Affairs Committee, placed his hands upon the situation in reference to this question of sale.

He immediately analyzed the situation and made these two suggestions: In the first place, it was the duty of the responsible officers of this Government to sell these surplus products at the best prices obtainable, and in the second place it was their duty to have due regard to the rights of the business people of America. At the conclusion of the war there was a surplus of nearly \$2,000,000,000 worth of goods. No man who had any real concern for the industrial welfare of America, or for the laboring men of America, or for the markets of America, or for the retailers of America would have advised that \$2,000,000,000 worth of goods be forced on the American market.

Mr. LAGUARDIA. Mr. Speaker, will the gentleman yield?

Mr. LEA of California. Will the gentleman wait until I get through?

To have forced that surplus on the American market would have simply paralyzed business.

The problem of readjustment that confronted the country at the termination of the war was appalling. Industrial plants, working to the limit on military supplies, found themselves without orders; 3,000,000 men were immediately to return from war to peaceful pursuits; merchants were stocked with goods at war prices; the one great financial problem was to stabilize prices. Rapidly tumbling prices meant panic, disorganization, unemployment, and ruin.

Going through the war with less baneful failures than in peace times and readjustment to peace conditions without a panic must ever be rated as one of the greatest accomplishments of the administration of our Government during these abnormal times.

Look at the situation in reference to canned vegetables and apply the same principle to other lines of industry, because the method of the Government shown by the evidence in reference to the canning industry is practically the same as to all other lines of industry. Here was the situation in reference to the canners: Last December, when the Wood order withholding canned vegetables from the market was issued, was at the close of the packing season. The pack was complete for the year. The United States had the largest supply it had ever had in its history. Over 400,000,000 pounds of tomatoes were in the hands of the dealers of this country, besides the retailers' stock. Less than one-fifth of that amount was in the hands of the canners.

Now, what took place during the war? The Government sent representatives to the meetings of the Canners' Association and urged them to get the largest possible production. The Government commandeered their products. The Government fixed their prices. Then what was the duty of the Government to these business men after the war was over? I say that the most elementary principles of good faith and common honesty

and business judgment demanded that the United States should not put these articles on the market at a forced sale. It is absolutely apparent that the only legitimate course that could be followed was to place these articles on the market so that they could be gradually absorbed when there was a consumptive demand for the articles.

What happened as to the Wood order? That order was revoked many weeks ago, and these goods were offered to the people of the United States. If you will look at the record in this case you will find that Mr. Gerber wanted to explain to this committee that the Wood order was revoked, and he was denied the right to put that testimony in the record. Read it for yourselves.

What is the purpose, what can this committee hope to attain in the end by closing its eyes and ears to important, reliable testimony that would place an entirely different face upon the facts involved in this investigation? [Applause.] The country is suspicious that this committee is partisan in its purposes. Gentlemen, I believe you are making a great mistake. I may have a partisan motive. I may be warped in my judgment. I realize that. You are just as patriotic as I am. But I believe that the thing we ought to do for the sake of the country is to forget party bias, have confidence in achieving most by doing the best, getting at the facts of this case, and revealing them, instead of trying to capitalize every situation for political purposes. [Applause.]

Mr. LAGUARDIA. Will the gentleman yield?

Mr. LEA of California. I will, if I get through in time.

Now, here is another situation to which I want to call your attention in justification of the Wood order. The canners went into conference with the War Department and gave their reasons why these canned goods should not be placed upon the market.

One reason they suggested was that it was then at the beginning of the season when contracts would be made with the farmers for planting for 1919. They said if you place tomatoes, for instance, on a forced sale now you will demoralize a market already shaky, discourage planting, and decrease the acreage, and the result will be that you will destroy the market of this winter and give the people a short crop and excessive prices next winter.

The Government took the course to stabilize prices and encourage the acreage, and yet the reports of the Agricultural Department made the 15th of this month indicate that, notwithstanding what was done by the Government to help, this year will have 30 per cent less acreage than last year. So that shows there was a legitimate reason for the Wood order. [Applause.]

On the 17th of March an order was made adding canned peas, corn, squash, and beans to the ration lists of the Army, so that this surplus might be used by our soldiers as part of their regular diet. This order added nothing to the quantity of vegetables to be furnished the soldier, but simply increased the variety of the ration. The report states that this order would have caused the Government to lose "millions of dollars" and caused the American people to lose "a large quantity of food."

As this order neither increased nor diminished the food supply of the Nation and provided for the use of the food on hand instead of going into the market to buy other vegetables, the fallacy of the contention is apparent. The philosophic wisdom of the suggestion equals that of the passenger who crossed a swollen river in a rowboat loaded to within 4 inches of the water's edge. He said, "If the river had been 4 inches higher, the boat would have sure gone down."

Instead of being evidence of extravagance, the order indicated common-sense economy.

The report further charges that on the 11th of this month the director of sales issued a publicity statement declaring that meat and vegetables "shall be purchased only by municipalities." If this statement were true there would be just cause for complaint against the methods of handling food sales. However, the statement is without the slightest foundation and contrary to the well-established facts. The evidence taken by the committee responsible for this report showed completed sales of foodstuffs aggregating over \$12,000,000, practically all, if not all, of which was sold other than to municipalities. No responsible officer made the slightest suggestion that the municipal-sale system was to eliminate the other methods of sale being followed, or that it was intended to be anything but an additional method of placing these surplus foods in the hands of the people. It was hoped that the municipal authorities of the country or civic organizations might give the small consumer the benefit of a retail distributing system which it was impractical for the Government to establish on its own account.

In response to advertisements circulated throughout the country in May and June, 1,572 individuals and firms submitted bids to be opened on the 20th of June. The classification of these bids is practically completed, and a large number of them

will be accepted at once. Over \$26,000,000 worth of foodstuffs have been sold up to this date. Over \$2,000,000 were sold before the 1st of May, and over \$6,000,000 by the 14th of June. The initial difficulties and delays in the sales plan were practically overcome in May. The plans are now working out. Mr. Hare, the director of sales, testified that he will dispose of these surplus foodstuffs within three months.

Mr. Hare has had charge of the sales. Of him and his work in this connection the gentleman from Nebraska bears witness in the record in these words: "I think you have done great work in this department, and I am delighted that you are to have charge of it"—page 26. And in conclusion let me say that the reader of this record in the future may wisely conclude that the political enemies of the Secretary of War have, perhaps unintentionally, paid a tribute to his worth. They have not impugned his motives; they have deferred to his intelligence to provide a plan for the disposal of these goods and left its execution to his discretion.

Mr. GRAHAM of Illinois. Mr. Speaker, I yield 17 minutes to the gentleman from New York [Mr. MACGREGOR].

Mr. MACGREGOR. Mr. Speaker and gentlemen, I do not think there is any partisan purpose in this report which is now brought before this House. It is for the purpose of compelling the War Department, that has entered into a conspiracy with the packers of the country, to place with the people, so that they can get possession of it, this large quantity of foodstuff that is being withheld from the market. [Applause.] That is the purpose of this report; that is all we are trying to get at.

It is a matter that should go to the heart of every citizen of this country, and especially to the Members of this body. They should join together, hand in hand, to the end that this bureaucratic administration we are now enduring shall be brought to light and made to serve the interests of the people rather than the special interests.

I think the people of this country have become tired of this method of government, and that they want to have placed in control of the Government men who are filled with an ardent desire to serve the interests of the people. It is a crying shame that the very people who are placed in power should be men who seek in every possible and devious way to circumvent the wishes, desires, and interests of the people. That is what this administration is doing at the present time.

I want to call your attention, preliminary to my remarks and in view of the fact that this great amount of foodstuff is held by the War Department away from the people, to the situation that exists with reference to foodstuffs in this country of ours. In the great storage warehouses of the country at the present time are contained vast quantities of foodstuffs. On July 1, 1918, there were 146,000,000 pounds of frozen beef. On July 1, 1919, there were 160,000,000 pounds of beef. There was 31.6 per cent increase of cured beef July 1, 1919, over July 1, 1918, and 199.9 per cent increase of frozen lamb. There was 467 per cent increase of broilers and 341 per cent increase in roasters, and all along the line in these warehouses in this country are contained vast stores of foodstuffs in greater quantities than ever before, and I think we should inquire about that proposition, but it is startling when taken in connection with the vast amount of food which the War Department evidently desires to keep away from the people.

Comparison of holdings of July 1, 1919, with those of July 1, 1918.

[Includes totals for those storages reporting for both years. + (plus) increase; — (minus) decrease.]

Commodity.	July 1, 1918.	July 1, 1919.	Increase or decrease.	Increase or decrease.
Case eggs.....	6,410,334	7,488,752	+ 1,078,338	+16.8
Frozen eggs.....	12,156,921	15,796,917	+ 3,639,996	+29.9
Creamery butter.....	47,919,035	87,720,486	+39,801,451	+83.1

Comparison of holdings of July 1, 1919, with those of July 1, 1918.

[Includes totals for those storages reporting for both dates. + (plus) increase; — (minus) decrease.]

Product.	July 1, 1918.	July 1, 1919.	Increase or decrease.	Increase or decrease.
Broilers.....	1,291,075	7,330,369	+ 6,039,294	+467.8
Roasters.....	2,305,312	10,185,972	+ 7,880,160	+341.8
Fowls.....	4,204,390	9,047,925	+ 4,843,535	+115.2
Turkeys.....	4,209,648	5,282,660	+ 1,073,012	+25.5
Miscellaneous.....	4,973,939	15,884,502	+10,910,563	+219.4
Total.....	16,984,864	47,731,428	+30,746,564	+181.0

Comparison of stocks of July 1, 1919, with those of July 1, 1918.

[Includes totals for those storages reporting for both dates. + (plus) increase; — (minus) decrease.]

Product.	July 1, 1918.	July 1, 1919.	Increase or decrease.	Increase or decrease.
Frozen beef.....	146,672,220	160,062,203	+ 13,389,983	+ 9.1
Cured beef.....	21,527,827	28,325,161	+ 6,797,334	+ 31.6
Frozen lamb and mutton.....	2,359,359	7,076,201	+ 4,716,842	+199.9
Frozen pork.....	94,332,361	148,302,814	+ 53,970,453	+ 57.2
Dry salt pork.....	400,764,197	378,590,606	- 22,173,591	- 5.5
Pickled pork.....	361,568,840	417,888,822	+ 56,319,982	+ 15.6
Miscellaneous meats.....	62,675,638	64,734,810	+ 2,059,172	+ 3.3

Yesterday I procured a report of the retail prices of food. At the present time in the line of groceries what would cost you in December, 1914, \$1.75, in July, 1919, costs you \$3.14. In beef products what would cost you in December, 1914, \$1.52 would now cost \$2.94. In pork products in 1914 what would cost \$2.42, in July, 1919, would cost \$5.92. In dairy products what would cost in December, 1914, \$1.11 will now cost you \$1.91, and in vegetables what would cost you in December, 1914, 47 cents now costs \$1.70.

Comparison of retail prices of foods during December, 1914, December, 1915, December, 1916, December, 1917, December, 1918, December 1919.

[Cents per pound.]

	Decem- ber, 1914.	Decem- ber, 1915.	Decem- ber, 1916.	Decem- ber, 1917.	Decem- ber, 1918.	July, 1919.
Groceries:						
Bread, 1-pound loaf.....	4	4	5	7	9	9
Sugar, granulated, pound.....	5	6	7 $\frac{1}{2}$	9 $\frac{1}{2}$	9	10
Flour, Gold Medal, pound.....	4	4	5 $\frac{1}{2}$	6 $\frac{1}{2}$	6 $\frac{1}{2}$	7 $\frac{1}{2}$
Milk, condensed, can.....	10	10	14	19	16	18
Milk, evaporated, tall.....	7 $\frac{1}{2}$	9	12	15	13	14
Milk, evaporated, small.....	3 $\frac{1}{2}$	4 $\frac{1}{2}$	6	8	6 $\frac{1}{2}$	7
Tomatoes, standard 24s.....	7	8	12	16	18	14
Corn, standard 24s.....	7	7	11	14	18	13
Peas, early June.....	8	7	11	12	15	13
Baked beans, Campbell.....	9	9	13	18	14	13
Corn meal, pound.....	3	4	4	6	8	6
Hominy, pound.....	3	4	4	8	8	5
Rice, best, pound.....	9	8	12	13	15	15
Oatmeal, pound.....	5	4	5	8	8	6
Macaroni and spaghetti, bulk, pound.....	8	8	10	13	15	13
Prunes, small, pound.....	5	5	7	10	10	10
Salmon, Red Alaska, can.....	15	15	18	22	28	30
Soups, can.....	8	9	10	12	10	10
Navy beans, best, pound.....	6	8	9	18	12	15
Lima beans, dried, pound.....	8	8	9	22	15	12
Catsup, bottle.....	9	9	10	12	15	15
Sirup, can.....	10	10	11	15	13	15
Corn flakes (Quaker), package.....	5	7	7	8	10	9
Split peas, pound.....	6	8	7	16	10	15
Scotch peas, pound.....	6	7	6	12	10	13
Black-eye peas, pound.....	4	6	7	13	12	7
Total.....	175	188	230	332	322	314
Beef:						
Rib roast, pound.....	18	18	20	27	35	35
Chuck roast, pound.....	16	14	14	24	30	28
Plate (soup meat).....	12	12 $\frac{1}{2}$	12 $\frac{1}{2}$	18	20	20
Porterhouse steak, pound.....	24	24	22	35	50	48
Sirloin steak, pound.....	22	22	20	32	48	45
Round steak, pound.....	20	18	18	32	46	45
Chuck steak, pound.....	18	14	14	24	30	28
Hamburg steak, pound.....	14	12 $\frac{1}{2}$	12 $\frac{1}{2}$	22	30	30
Beef liver.....	8	8	9	18	16	15
Total.....	152	143	142	232	305	294
Pork products:						
Fresh hams.....	16	15	20	32	38	42
Fresh shoulders.....	14	12 $\frac{1}{2}$	16	30	33	35
Fresh pork chops, lean.....	16	14	18	34	40	42
Fresh pork chops, loin.....	18	18	22	38	45	48
Fresh pork roast, lean.....	16	13	18	32	38	40
Fresh pork roast, center.....	18	16	21	35	43	45
Corned shoulders.....	14	12 $\frac{1}{2}$	16	26	30	30
Corned hams.....	16	15	20	32	40	40
Smoked hams, whole.....	16	15	22	34	38	40
Smoked hams, sliced.....	25	26	35	48	60	60
Smoked shoulders.....	14	12	18	27	30	32
Smoked bacon, sliced.....	24	22	25	44	52	45
Smoked sausage.....	12 $\frac{1}{2}$	15	18	27	30	28
Lard, pure, pound.....	12 $\frac{1}{2}$	11	19	30	30	33
Lard, compound, pound.....	10	10	13	26	28	32
Total.....	242	227	301	495	575	592
Dairy products:						
Butterine (oleo).....	22	22	25	30	37	38
Butter, first grade, pound.....	37	33	42	55	77	63
Eggs, dozen.....	32	28	38	42	66	52
Cheese (cream).....	20	22	26	32	45	38
Total.....	111	105	131	159	225	191

Comparison of retail prices of foods, etc.—Continued.

	December, 1914.	December, 1915.	December, 1916.	December, 1917.	December, 1918.	July, 1919.
Vegetables:						
Potatoes, peck.	15	23	50	38	37	45
Kale, peck.	10	12	20	40	40	40
Spinach, peck.	15	15	20	70	60	60
Onions, yellow, pound.	2	2	3	4	3	10
Lettuce, head.	5	5	10	10	15	10
Cabbage, new, pound.	1	1	4	4	10	5
	47	58	107	166	165	170
	727	721	911	1,384	1,592	1,561

Now, what has the War Department got on hand? I do not think that proposition has been very clearly brought to your minds. In corned beef they have \$24,000,000 worth; in bacon, \$23,600,000 worth; in hashed corned beef, \$10,000,000 worth; and in roast beef, \$20,500,000 worth; in poultry, \$20,000,000 worth; and in vegetables, approximately \$23,000,000 worth.

The statement of meats, in pounds, is as follows:

	Pounds.
Bacon	45,000,000
Roast beef	38,000,000
Corned beef	36,000,000
Corned-beef hash	20,000,000
Total	139,000,000

The quantity of canned goods is about 200,000,000 cans, but the surplus in foodstuffs is constantly increasing.

We have not, so far as I know, been furnished with any statement as to the actual quantities on hand.

I have made a comparison between the estimated quantity of canned goods declared surplus and the entire canning product of the country in 1918 as to several items:

	Cans.
Corn:	
1918 pack	281,324,440
Surplus, War Department	31,804,644
Peas:	
1918 pack	261,557,328
Surplus, War Department	24,607,658
Tomatoes:	
1918 pack	381,176,928
Surplus, War Department	84,016,334

Gen. March came upon the stand and gave a very vivid picture of the vast amount of foodstuffs we had when the armistice was declared. The general said:

So that eight months ahead of the armistice, on November 11, 1918, we were working on a program which contemplated laying down in March, 1919, an army of 80 divisions in France and 18 at home, which was about a million more than we had on November 11, when we cut it off and stopped it. But the buying going on in September, October, and November was not at all for those months but for the months ahead, for the spring campaign; so, on the day when the armistice was signed, and when I shut down everything in the United States, the storehouses all along the seacoast were filled with supplies, and trains were filled with supplies of foodstuffs making for the seacoast to go across the water, and food products in course of delivery all the way along back. When the armistice was signed we stopped trains and held trains filled with food products a long time, until we could get storage for them, and we encouraged contractors to store stuff and hold it for us until we could dispose of it. We had a three months' supply on November 11, which was not based on the strength of the Army as of that date, but based on the spring drive of the next year. We were buying supplies and laying in supplies, not for an army of more than 3,000,000 men, but for an army of more than 5,000,000 men.

So at the time of the signing of the armistice this immense supply of foodstuffs was proceeding on its way eight months ahead of time, so as to keep an ever-moving supply going to our men at the front. That was chopped off suddenly, and this immense stock of foodstuffs was left here, with the Army constantly being demobilized and supplies constantly becoming greater. On November 30, 19 days after the armistice, Gen. March issued a general order declaring a surplus of food supplies, and it was not until May 5, 1919, that actual sales occurred, according to the statement made by the War Department.

A statement has been made with reference to the policy of the War Department in disposing of these goods to the municipalities, but that statement is unfounded in respect to the willingness and disposition on the part of the War Department to dispose of the goods to the general public. They well knew the goods could not be placed with the municipalities because the municipalities did not have the power under their charters to take the goods, and it is only after this investigation started, when they saw the testimony that was presented, that they came before the public and stated that the goods could be sold directly to the public. I observe that no one who has made any statement here has said anything to the contrary. It is true that after they have seen the position they are in before the public they commence to cover up, and the whole testimony here

that has been expressed in this so-called "views of the minority" is an attempt to cover up a wrong perpetrated on the people. The Secretary of War has had ample opportunity to express his desire to come before the committee. We called the men who were in authority, as has been stated—Gen. March, Chief of Staff of the Army; Gen. Rogers, Quartermaster General; Col. Davis, director of storage; and Mr. Hare, director of sales. They have stated what the facts are. The Secretary of War must have known what their statements were. Why did he not come, then, and ask to have a hearing before the committee, if he desired to make any statement to the contrary, and not wait until he knew the matter was coming before this body, to be then put before the public, before making any such request? It is very easy to go out and get testimony after the thing is over and fix it up so that it will appear fair on the surface, and most of the statements made by the gentlemen who spoke this morning are matters extraneous to the record and not before the court.

Mr. SAUNDERS of Virginia. Mr. Speaker, will the gentleman yield?

Mr. MACGREGOR. Yes.

Mr. SAUNDERS of Virginia. It appears from statements made here to-day that the War Department is marketing a good deal of this stuff. Does the committee approve of the method they have been pursuing?

Mr. MACGREGOR. We have not heard of any marketing except this plan to dispose of the foodstuffs to municipalities.

Mr. SAUNDERS of Virginia. Does the committee approve of that method?

Mr. MACGREGOR. Mr. Hare stated that he did not think that would be very effective.

Mr. SAUNDERS of Virginia. Does the committee approve of the method the War Department has adopted?

Mr. MACGREGOR. It is not effective.

Mr. SAUNDERS of Virginia. If the committee does not approve of it, has the committee any alternative method to offer?

Mr. MACGREGOR. We have—selling directly to the public. We have provided in this resolution for the War Department to originate some plan of disposing of it directly to the people.

Mr. SAUNDERS of Virginia. You have not originated anything, but you have put it up to the War Department to originate a plan.

Mr. MACGREGOR. I do not know that that is the duty of the committee.

Mr. KITCHIN. Oh, the gentleman wants the Secretary of War to go around and peddle this stuff to each house. [Laughter.]

Mr. DAVIS of Tennessee. Does the gentleman consider it feasible for the Government to sell by retail directly to the individual consumer?

Mr. MACGREGOR. I have expressed no opinion along that line. I have an opinion of my own as to how it should be done. It could be done very easily, the same as in France, through cooperative organization in the various cities.

Mr. HULINGS. I would suggest to the gentleman that he permit the gentleman from Pennsylvania [Mr. KELLY] to answer that question.

Mr. FLOOD. The gentleman has stated, I believe, that he did not approve of the system of selling through the municipalities, because Mr. Hare said it would not be effective. Does the gentleman approve of the system recommended by the Secretary of War since Mr. Hare left for France, which is to sell to a group of citizens in every city whose financial standings are approved of?

Mr. MACGREGOR. I anticipate what the gentleman is going to ask. I shall approve of that, but he had not gotten that scheme until these facts came out.

Mr. FLOOD. Oh, yes; but that report was not filed until yesterday.

Mr. BAER. The gentleman would have approved of that if he had started that some six months ago.

Mr. MACGREGOR. The Secretary of War had abundant opportunity to know what testimony had been offered before the committee, and announced that policy after the facts had been disclosed.

I wish I had time to go into the question of the canners. When Gen. Rogers came back from France in February and became Quartermaster General of the Army he intended to dispose of these goods to the public.

He announced this intention, and immediately the president of the National Canners' Association came to Washington and protested against doing this, because an agreement had previously been made by Gen. Wood, director of purchase and storage, on December 6, 1918, in a letter addressed to Frank

E. Gorrell, secretary of the National Canners' Association, in which he stated:

You are further advised that it is not intended to offer the surplus that the Army owns to the domestic trade during the present season.

Gen. Rogers testified:

They called my attention to this letter, and on the strength of their calling my attention to it and verifying the fact that this letter had been written by Gen. Wood and had the approval of the Secretary of War I, of course, reversed the order that the supplies should be put on the market.

Not being able to carry out his purpose of disposing of the surplus to the people, advice was asked of a committee of the National Canners' Association as to the method of disposal, and on March 15, 1919, a letter was written by Frank Gerber, the president of the Canners' Association, to Gen. Rogers, containing the statement:

The committee hopes that consideration may be given to the possibility of making canned peas, corn, tomatoes, and salmon an issued ration for the Army instead of a sales article, which we understood to be the present arrangement.

The advice of the committee of canners was followed, and on March 24, 1919, an order was issued as follows:

[Circular No. 140.]

FORCED ISSUE OF CANNED GOODS.

WAR DEPARTMENT,
Washington, March 24, 1919.

Effective April 1, 1919, and thereafter until further orders, the following percentages of canned vegetables, where available or where they can be made available, will be issued in lieu of the garrison ration authorized by paragraph 1205, Army Regulations; namely, canned tomatoes 20 per cent, canned corn 10 per cent, canned peas or canned string beans 10 per cent, canned pumpkin or canned squash 2½ per cent. (432.2, A. G. O.)

By order of the Secretary of War:

FRANK MCINTYRE,
Major General, Acting Chief of Staff.

Official:

J. T. KERR,

The Adjutant General.

Col. Davis testifying upon this subject said:

Mr. REAVIS. You were trying to relieve the canner of any competition from surplus products which the Army had by unnecessarily putting it on the ration list of the soldier, and their consuming it, so that it would not be sold?

Col. DAVIS. Exactly, yes. In other words, we were trying to eat it up in the Army.

Col. Davis further testified:

As to the fact of any surplus being dumped in this country, it did not mean that we were not going to continue our efforts to sell some of our goods abroad. It would take us, with the strength of the Army that we had at that time, it would take a long while to use the entire amount, and it was intended to show these people that there would be no surplus so far as they were concerned to harass the conditions in the United States.

Gen. Rogers testified as follows:

Mr. REAVIS. So that we come to the point that the American public was deprived of the opportunity of purchasing hundreds of millions of canned vegetables by an agreement of Gen. Wood with the canners, is that true?

Gen. ROGERS. That is practically true; yes, sir.

Mr. REAVIS. And that was carried out by you because you had been advised that it had met with the approval of the Secretary of War?

Gen. ROGERS. Yes, sir.

Mr. Hare, the director of sales, certainly was in a position to have some idea with reference to the policy of the department, and he stated that he thought it a fair inference that these goods were added to the ration list of the soldier not because the soldier needed them, but because the War Department wanted to protect the canners from competition that would result from a sale of the millions of cans of vegetables that it had on hand.

It will be noted that the soldier was not to get any more to eat by this arrangement, but he was to be used as a means of getting the surplus of canned vegetables out of the way.

Much more of the testimony could be quoted to substantiate the fact that the War Department has been acting in concert with the packers and canners to help them maintain the price of foodstuffs and to increase their profits.

Is there any reason that should lead our Government to increase the profits of these concerns? The average net profit on investment made by canners was 9 per cent in 1916 and 32 per cent in 1917.

The largest contributors to the National Canners' Association in 1918 were Armour & Co. and Libby, McNeil & Libby. Armour & Co. has become the largest jobber of canned goods in the United States. Their sales increased from about \$6,500,000 in 1916 to nearly \$16,000,000 in 1917. Swift & Co. controls Libby, McNeil & Libby, and that concern is the second largest packer of canned goods in the United States.

In view of the fact that the National Canners' Association has claimed to have been very patriotic and that it rendered

great service during the war period, all honor should be given to them for the service rendered, but when it comes to the matter of profits to the canning industry in general a reference to the report of the Federal Trade Commission on canned goods of May 15, 1918, will show:

The increase in profit in 1917 deserves particular attention in view of the fact that the regulations of the Food Administration were inaugurated in that year.

The prices for the Army purchases were fixed after most futures had been sold, and were higher than future prices, though lower than some of the later spot prices.

The ruling of November, 1917, which allowed the canner to base his price on cost, enabled him to make a large profit because even a normal percentage on such an increased cost amounted to a considerable sum.

All over this broad country of ours there is going up the demand that something be done to relieve the people from the appalling cost of foodstuffs. They are looking to their Government to relieve them from the oppressor and the profiteer. They certainly have a right to expect that those who have been placed in positions of power and influence shall use their best efforts to protect them and adopt all possible methods to relieve conditions of distress. What adequate words of condemnation can be used when it is found that the executive branch of our Government is conniving and conspiring with the profiteers to prevent the placing upon the market of vast stores of foodstuffs; that the executive branch of the Government preferred that good substantial food should decay and become of no value rather than permit it to come into competition with the goods of those whose aim and purpose was to keep up the price; a Government that would rather send it to foreign peoples to consume than have it consumed by its own people; would rather throw it into the sea, or force the soldier to eat it, so that it would be consumed, or allow it to rot, than get into the mouths of those who had by self-sacrifice and deprivation furnished the means to purchase these very foodstuffs?

Mr. FLOOD. Does the gentleman wish me to consume some of my time?

Mr. GRAHAM of Illinois. Yes.

Mr. FLOOD. Mr. Speaker, I yield 20 minutes to the gentleman from Michigan [Mr. DOREMUS]. [Applause.]

Mr. DOREMUS. Mr. Speaker and gentlemen of the House, I desire briefly to review some testimony that was taken by subcommittee No. 4. Before doing so I desire to read into the RECORD a statement made by Col. Davis, director of storage, on the question of the agreement that was made between Gen. Wood and the Canners' Association. So much has been said about the agreement that I deem it due to the House that it have in its possession the full facts regarding the circumstances that prevailed at the time that agreement was made. Here is the testimony of Col. Davis:

Col. DAVIS. In order that you may thoroughly understand the action of Gen. Wood it is necessary that you should know something in regard to the general situation pertaining to the canning of vegetables and which were the reasons advanced by Mr. Gerber at this conference at which I was present with Gen. Rogers, and which were presumably the reasons for the action of Gen. Wood and the approval of the Secretary of War. Canned vegetables are sold by the canners to the jobbers, and the contracts are made by the canners with the jobbers and wholesalers each year along in January and February, before the ground is plowed in which to plant the vegetables which are to be canned. These contracts between the canner and the jobber are banked by the canner with his local bank. You understand that the great bulk of the canning industry of the country is in the hands of very small organizations; they are not large corporations, but are small individual companies or people, as a rule, with small capital. These contracts which they make in January and February with the jobbers and wholesalers form a considerable portion of the capital which they must have in order to finance their year's work. As I say, they are banked as collateral, and they draw against that for the rehabilitation of their equipment and their preparation for the canning work of the season. The canner, then, on his part makes a contract with the farmer in his locality to supply him so many bushels of tomatoes and so many bushels of corn and peas and the various other things he is going to pack. This contract which the farmer makes with the canner is also banked, and the farmer draws against that as collateral for the purchase of his seed, for the purchase of his implements, and so on, for the succeeding year. So that these contracts which are made in January and February between the canner and the wholesaler are a very important element in the working out of this new season's work on the part of the farmer and the canner and all the way back.

Due to the fact that the country knew that there was this enormous surplus of canned goods which was likely to be dumped by the Government on the country, the whole situation as far as canning and planting was concerned was at a standstill. The wholesalers could get no bids for their stocks from the retailers, and, as you know, last year a very considerable increment was given to the household production of canned and preserved foods. The Food Commission encouraged home industry in the canning trade, as you will remember, so that the demand for canned goods on the part of the consumer of the retailer was very much reduced. Therefore the retailer, with this shadow of an enormous surplus hanging over him, would not buy from the wholesaler, and the wholesaler would not make any contract with the canners, and the result was, as Mr. Gerber stated in March or the latter part of April in this conference at which I was present, that whereas under ordinary circumstances contracts at that date would be fully completed, yet, due to the agitation which had arisen on the possibility of this surplus being thrown on the market, there was hardly a contract in existence between the canners and the wholesalers for a sale of this year's goods.

The consequence was that the farmers were getting no contracts from the canners, and that fields were lying idle and would lie idle this summer which ordinarily would be planted in products that would go into the canning industry and at a time when the world was going to need every article of food that it could possibly get. This was the argument which had been advanced to Gen. Wood and to Mr. Thorne, and which was the basis of the action which Gen. Wood took in agreeing not to put this surplus on the market until the products of this year's crops had been harvested and canned.

I simply call attention to this testimony for the purpose of permitting the House to have the facts which surrounded the situation at the time Gen. Wood made the agreement with the Canners' Association. The reckless disregard of facts disclosed in the majority report is probably without a parallel in the history of committee procedure in this House. The misrepresentation that has gone to the country as to the condition of the surplus Army food products has embarrassed the department and delayed their sale to the public. After trying to convince the country to the best of their ability that these foods are spoiled and rapidly deteriorating the majority of the committee come blandly into this House with a request that the Secretary of War proceed to sell them direct to the private consumer. [Applause on the Democratic side.] It has been stated that this is not a political report. I pass no judgment upon that at this time, but I want some Member of this House, upon either side, to tell me what service this committee is performing to the country when it tries to convince the consuming public that these goods are spoiled and rotten and rapidly deteriorating, and then come forward here with the request that the Secretary of War sell them direct to the consumer. [Applause on the Democratic side.]

The majority of the committee has played into the hands of the food profiteers of the country as effectually as though the thing had been deliberately planned.

The majority report is water on the wheel of every anarchist in the land. While there are those in our midst who would destroy this Government they are not numerically strong. By no act of ours should we strengthen their hands or augment their numbers.

Whenever we indulge in serious charges against the conduct of the Government that are unfounded in fact we furnish grist for the mill of every Bolshevik, every I. W. W., and every other discordant element in our society. [Applause on the Democratic side.]

The majority report bears upon its face unmistakable evidence of the unseemly haste with which it was prepared. It abounds with charges that a more complete investigation would have disclosed to have been untrue and bristles with accusations at variance with the testimony taken. Let us briefly analyze these charges. The majority report states: "The inactivity of the Government in the disposition of these food products was and is the result of the well-defined policy of the Secretary of War to withhold them from the domestic market and to protect the interests from which these products had been purchased, with the ultimate intention of disposing of them abroad, so far as the circumstances would permit."

The testimony taken by the subcommittee effectually disposes of this charge. On page 20, No. 1, of the testimony, Mr. REAVIS, chairman of the subcommittee, inserted in the record a statement of the director of sales as to the surplus canned meats of the Army June 3, 1919.

Now, the gentleman from Nebraska [Mr. REAVIS] has quoted from this report, and he has taken from it such parts as he thought would establish the case which he is trying to make against the War Department. Let me call attention, gentlemen of the House, to some things contained in this report. Now, this is the report of the director of sales, Mr. Hare, whom the chairman of the subcommittee [Mr. REAVIS] has eulogized when he was upon the stand, and said that he was proud that he was connected with the Government. Now, what did Mr. Hare say?

The general question was discussed as to how this canned meat could be marketed in this country to the best advantage. The department had no organization to retail this large supply to individual consumers, and the packers' opinion was therefore asked as to what was the best method to dispose of it.

Also:

The question of the disposal of these canned meats in this country was discussed with the Salvation Army; Red Cross; Farmers' Union, who distribute food products through cooperative stores; the Central Purchasing Committee of New York City, which does the purchasing of all charitable, penal, and hospital institutions in the city of New York; Austin Nichols & Co., of Brooklyn, and R. C. Williams & Co., of New York City, two of the largest wholesale grocery houses in the country. Col. Baker, representing the Salvation Army, stated that they might be able to buy a limited amount of the canned meats provided a satisfactory price were named, as they were obliged to sell at a very low price. The Red Cross have no distributing means; the Farmers' Union stated that they did not care to purchase any of it, and advised strongly that it be sold for export. The Central Purchasing Committee of New York City stated that they purchase only fresh meats, and unless a considerable change was made in their dietary regulations they would not be able to purchase it. Austin Nichols and R. C. Williams & Co. stated that they would be interested in a small quantity at a price for export. The matter was also taken up with A. B. Rodway & Co., exporters of canned food products, of New York City, and Nogan Garrison & Co., merchants, representatives of groceries and canned meats in New York City, who stated that they would be interested in small amounts for export solely, and that no market, in their opinion, existed for this type of canned meat in this country.

I also quote from the report of the director of sales, as follows:

We are now circularizing approximately 20,000 State, municipal, and charitable institutions, asking them to bid on this surplus meat, and we may be able to dispose of a certain amount of it in this way. We are also circularizing all the dealers, wholesale and retail grocers, and other dealers in food products who may be interested, and this sale is being advertised in all daily papers in States where the meat is stored and in trade papers, appealing to produce men, wholesale grocers, hotel men, and large dealers in foodstuffs.

I also quote from the report of the director of sales of June 3, 1919, as follows:

We are also seeing if arrangements can not be made through which some of this canned meat may be offered direct to the public at the warehouses where it is stored in Chicago, Columbus, Schenectady, New Cumberland (Pa.), Newport News, Baltimore, Omaha, New Orleans, San Antonio, New York, St. Louis, El Paso, Atlanta, and San Francisco.

In the report of the director of sales he also states:

It must be remembered that all of this canned meat is considered perishable, i. e., that under the storage conditions maintained by the Army it is doubtful that it will remain marketable for a longer period than nine months. I also want to draw your attention to the fact that once a can is opened it spoils very rapidly, which would make it rather difficult for the average small household to make use of the larger size cans which the Army has for disposal.

The report of the director of sales concludes as follows:

It seems advisable, therefore, that we continue our present efforts to market as much of this surplus as possible in this country at the best price obtainable and sell the remainder for export. It must be borne in mind, however, that if a low price is established here for domestic sales it will make it very difficult to secure a higher price for the same class of canned meats from exporters.

This statement of the director of sales as to surplus canned meats was made June 3, and it is obvious that the various steps taken to dispose of the surplus in this country were taken before that date. Notwithstanding this undisputed testimony, the chairman of the subcommittee, who had the statement inserted in the hearings, states in the majority report that it was and is the well-defined policy of the Secretary of War to withhold these products from the domestic market and to protect the interests from which these products had been purchased, with the ultimate intention of disposing of them abroad.

On page 16 of the testimony Mr. Hare testifies as follows:

We sent out some 25,000 offers for bids, taking two examples. For instance, in Boston we sent out, if my recollection serves me, some 400 or 500 offers for bids and got only 2 requests. In New York we sent out some 800 or 900 offers for bids and got 4 requests, and so it went on around the country. We threw all the bids out as they were all too low. Capt. Clement, of the Surplus Property Division, is now trying to negotiate sales to highest bidders. I should like to state that the policy governing the sales organizations is to get the highest price we can get for surplus goods for the benefit of the Government Treasury.

Another statement in the majority report that is directly contradicted by the testimony reads as follows:

On July 11 of the present year, and after the War Expenditures Committee was appointed, the director of sales issued to the press a publicity statement with reference to the sale of meats and vegetables. This statement provides that meat and vegetables shall be purchased only by municipalities.

The testimony I have already quoted, and there is much more in the record, proves clearly that it was not the intention of the director of sales to dispose of these surplus food products to municipalities only, but that they were trying to sell to all classes of purchasers in this country.

Referring to the order directing that the surplus of canned vegetables be fed to the soldiers, the report says:

This order would have resulted in a loss to the Government of millions of dollars to be derived from the sale of this surplus, as well as depriving the American people of a large quantity of food.

As a matter of fact clearly disclosed by the testimony, the order could not result in the loss of millions of dollars to the Government or deprive the American people of a large quantity of food. The vegetable ration per soldier per day—see testimony of Col. Davis, No. 2, pages 50-52—is a pound and a quarter. This ration was a pound and a quarter per day before the order was issued, and it was a pound and a quarter after it was issued. There is not a child in America who does not know that that order would leave just as much food in the hands of the people as there was before it was issued and that the Government could lose no money by reason of it.

Gentlemen, there is not a line, a word, or a scintilla of evidence taken by subcommittee No. 4 that substantiates the charge that it was the plan of the War Department to sell these

supplies to municipalities only. [Applause on the Democratic side.] If there is, I call now upon the chairman of subcommittee No. 4 to point it out. [Applause on the Democratic side.]

Mr. REAVIS. Will the gentleman yield to me? Unfortunately I was engaged and did not hear the last remark.

Mr. DOREMUS. I made the statement that there is not a word or a line of testimony taken by the gentleman's committee that substantiates the charge that it was the plan of the War Department to sell these supplies to municipalities only, and if there is I ask the gentleman now to point it out to the House. [Applause on the Democratic side.]

Mr. REAVIS. If I could get the time, I would do it in a holy minute. I understood the gentleman's time had expired. If he has additional time and will yield it to me, I will point it out.

Mr. FLOOD. I can not yield additional time.

Mr. DOREMUS. I will be glad if the gentleman will give me five minutes of his time.

Mr. REAVIS. I have not any time, unfortunately. I wish I had.

Mr. GRAHAM of Illinois. Mr. Speaker, how does the time stand?

The SPEAKER pro tempore. Thirty-eight minutes remain on each side.

Mr. DOREMUS. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. REAVIS] may have five minutes in which to point out any part of the testimony taken which substantiates the charges of the committee report that it was the intention of the War Department to dispose of this product to municipalities only.

Mr. GRAHAM of Illinois. Mr. Speaker, reserving the right to object—

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent that the gentleman from Nebraska have five minutes for the purpose he mentions.

Mr. GRAHAM of Illinois. I am not going to object. I want to know if this is to come out of the regular time?

The SPEAKER pro tempore. If additional time is granted by unanimous consent, it would not come out of the time granted by the rule. Is there objection? [After a pause.] The Chair hears none. The gentleman from Nebraska [Mr. REAVIS] is recognized for five minutes.

Mr. REAVIS. Mr. Speaker, in order that I may know just what service I can be to the gentleman from Michigan I would like to get the Reporter to give me his language in which he asked unanimous consent that I should have five minutes for some purpose. What does the gentleman want me to answer? He states that he asked unanimous consent that I might have five minutes to justify some portion of the report. What is it?

Mr. DOREMUS. To justify that portion of your report where you declare explicitly that the plan of the War Department, promulgated in July, was to sell to municipalities only. That is the exact language of your report. Point out the evidence to substantiate that charge.

Mr. REAVIS. There are a good many things, directly and indirectly, which show that to be the intention of the War Department. There was never any disposition on the part of the War Department, as shown by the testimony of Gen. Rogers, Mr. Hare, Col. Davis, and the other gentlemen whose names I can not for the moment recall, to do anything but prevent the sale of these food products on the American market. In the testimony of Gen. Rogers, found in volume 5, pages 309 and 310, with reference to the sale of these food products—

Mr. DOREMUS. Is that the testimony that has not yet been printed?

Mr. REAVIS. It has not yet been printed, for the reason that Mr. Rogers has not furnished the exhibits which must go in the testimony when printed; but this testimony the minority Members have had access to at all times. On page 309 I asked Gen. Rogers the following questions:

Mr. REAVIS. What I am trying to get at is that if you had followed your original intention the surplus canned vegetables would have gone to the American public, would they not?

Gen. ROGERS. There is no question about that.

Mr. REAVIS. And you did not follow your original intention because of the agreement of Gen. R. E. Wood, quartermaster—

Gen. ROGERS (interposing). Acting quartermaster.

Mr. REAVIS (continuing). With the canners?

Gen. ROGERS. Yes, sir.

Mr. REAVIS. So that we come to the point that the American public was deprived of the opportunity to purchase hundreds of millions of canned vegetables by an agreement of R. E. Wood with the canners; is that true?

Gen. ROGERS. That is practically true; yes, sir.

Mr. REAVIS. And that was carried out by you because you had been advised that it had met with the approval of the Secretary of War?

Gen. ROGERS. Yes, sir.

Following that up, you come to other portions of the testimony which show that at the very meeting of which you have just been reading, published on June 3, there was an agreement at that

time between the packers' representatives, who were the only civilians present, and the officials of the War Department that found expression in a cable, which you gentlemen read, that was sent immediately upon the adjournment of this meeting to Hoover to sell the meat products abroad. Now, you have got your canned vegetables, which Rogers said it was the purpose of the Secretary of War under his order not to sell on the domestic market, and you have your meat products, which under the advice of the packers they were trying to sell abroad.

Do not interrupt me. I refuse to yield.

Mr. DOREMUS. I have not interrupted the gentleman.

Mr. REAVIS. The gentleman looks so fierce when he stands there—

The SPEAKER pro tempore. The time of the gentleman from Nebraska [Mr. REAVIS] has expired.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman's time be further extended five minutes.

Mr. HARDY of Texas. Mr. Speaker, reserving the right to object—

Mr. McLAUGHLIN of Michigan. For the purpose of answering the question of the gentleman from Michigan [Mr. DOREMUS].

Mr. HARDY of Texas. I think it should be confined to answering that question.

The SPEAKER pro tempore. The gentleman from Michigan [Mr. McLAUGHLIN] asks unanimous consent that the time of the gentleman from Nebraska be further extended five minutes for the purpose of answering the question. Is there objection?

Mr. FLOOD. Reserving the right to object, I feel that the gentleman from Nebraska probably does not understand the question.

Mr. REAVIS. I understand the question. I am getting to it. These gentlemen started this. Let me finish it.

Mr. FLOOD. The question was asked in reference to an order of July 11—

The SPEAKER pro tempore. Is there objection?

Mr. HARDY of Texas. I object, unless the gentleman will answer the question and not talk about other matters.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. FLOOD. Mr. Speaker—

Mr. REAVIS. I refuse to yield.

The SPEAKER pro tempore. The gentleman from Nebraska [Mr. REAVIS] is recognized for five minutes.

Mr. FLOOD. I reserved the right to object.

The SPEAKER pro tempore. The Chair called for objections and no objection was made.

Mr. FLOOD. I wanted to state that I had no objection to the gentleman from Nebraska proceeding, but—

Mr. KNUTSON. No objection was made, Mr. Speaker.

The SPEAKER pro tempore. No objection was made, but the Chair will put the question again. Is there objection?

There was no objection.

The SPEAKER pro tempore. The gentleman from Nebraska is recognized for five minutes more.

Mr. REAVIS. Mr. Speaker, the point I am getting to is this: After it was exposed by this special committee that it was the policy of the War Department to sell this stuff abroad, for the first time from the War Department came a publicity notice issued on July 3, reiterated on July 11, that they were going to permit municipalities to buy this stuff. They must have known, because everybody else knows it, that 90 per cent of the municipalities are deprived of the right to buy it by their charters, and the only thing, the only entity, the only person, that the War Department in that publicity notice gave the right to purchase this stuff was the only entity which under the law could not purchase it. [Applause on the Republican side.]

I want to say to the gentleman from Virginia [Mr. Flood] that right down in his own district—I think it is in his district—

Mr. FLOOD. It is in my State—

Mr. REAVIS. Mr. Clineinst, with whom he went to the Secretary of War the other day, representing a labor union that wanted this stuff, wanted to buy it for the purposes of the people within the union—and if I am not right the gentleman can contradict me—having a credit of \$100,000 to buy it. Is not that true?

Mr. FLOOD. One hundred and ninety thousand dollars.

Mr. REAVIS. Yes; and yet when they came to buy it the only way they could buy it was to have the mayor of Newport News make an order for it.

Mr. FLOOD. Indorse it.

Mr. REAVIS. Now, then, if there is any general purpose on the part of the War Department to sell to anyone besides municipi-

palities, why did the labor union have to buy through the municipality? [Applause on the Republican side.]

Mr. FLOOD. I will answer that question.

Mr. REAVIS. How much time have I, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has three minutes.

Mr. DOREMUS and Mr. FLOOD rose.

The SPEAKER pro tempore. To whom does the gentleman yield?

Mr. REAVIS. I will yield to the gentleman from Virginia.

Mr. FLOOD. They put that order through the mayor of that town prior to the time that this order was enlarged by the Secretary of War authorizing any group of citizens or a municipality whose financial ability was indorsed by the mayor to buy for the citizens of that municipality.

Mr. REAVIS. Let me say one word further, then. If there has been an order enlarging the right to purchase, it has come since the 3d of July and since the purposes of this department were exposed by this committee. [Applause on the Republican side.]

Mr. DOREMUS. Mr. Speaker, will the gentleman yield?

Mr. REAVIS. I yield to the gentleman.

Mr. DOREMUS. The gentleman has now been allowed 10 minutes in which to answer the question that I propounded to him. Here is his statement in the majority report—

Mr. REAVIS. The gentleman gives me too much credit. It is a statement of the committee.

Mr. DOREMUS. It is the statement contained in the majority report, and, as I understand it, the gentleman prepared it. This statement provides that meat and vegetables shall be purchased only by municipalities—by municipalities only. That is the statement, and they were to have 10 days in which to make payment to the Government. Now, I ask you again to point to a scintilla of testimony to substantiate that statement. [Applause on the Democratic side.]

Mr. REAVIS. The very statement that I hold in my hand now, dated July 11, and the copy previously issued on July 3, gives permission to nobody but municipalities in that statement to buy. [Applause on the Republican side.] Mr. Speaker, I ask unanimous consent to insert this statement in the RECORD.

Mr. FLOOD. It does not take away the right of all others to buy.

The SPEAKER pro tempore. The gentleman from Nebraska asks unanimous consent to insert the statement in the RECORD. Is there objection?

There was no objection.

Following is the statement referred to:

JULY 11, 1919.

The War Department authorizes publication of the following statement from the office of the director of sales:

The director of sales announces the prices at which the surplus stocks of canned and cured meats held by the War Department are offered to municipalities throughout the country to be retailed to the general public through markets controlled by municipalities. The canned vegetables available to towns and cities will be sold to the municipalities at their invoice cost to the Government. Since these goods were produced by hundreds of different canners at varying prices, the prices which will be quoted to municipalities may vary slightly in the several zones. Quotations on the vegetables may be obtained from the surplus property officer at each of the 13 zone supply offices.

The prices for the canned and cured meats, which are approximately 20 per cent below the cost of these commodities to the Government, are uniform throughout the 13 zones in which the surplus stocks of meats are located. They are as follows:

Beef, corned:			
No. 1 cans	per dozen	\$3.60	
No. 2 cans	do	6.96	
6-pound cans	do	24.00	
Beef, roast:			
No. 1 cans	do	3.48	
1-pound cans	do	4.92	
2-pound cans	do	7.92	
6-pound cans	do	26.40	
Hash, corned beef:			
1-pound cans	do	2.76	
2-pound cans	do	4.80	
Bacon:			
In crates	per pound	.34	
12-pound tins	do	.36	

As has been announced, this subsistence is offered to municipalities in not less than carload lots, but at those warehouses at which stocks of vegetables and meats are stored a municipality will be permitted to purchase a mixed carload of either vegetables or meats, or both vegetables and meats. The prices quoted are f. o. b. location. The War Department can not pay freight charges or transport the goods. The responsibility for such detail must be assumed by the municipality.

To make these food supplies as accessible as possible to the general public, the War Department will permit municipalities to purchase the surplus stocks and defer payment until they shall have been disposed of, provided this extension of credit shall not exceed a period of 10 days after the goods shall actually have been delivered to the municipality.

The War Department will negotiate only with a properly accredited official of a municipality for the sale of this subsistence. It will not concern itself with the manner in which the municipality, having obtained the goods, shall offer it to the public further than to stipulate that the municipality shall sell at cost. The municipal government is

at liberty to conduct the sale of the foodstuffs under the direction of municipal officials or civic bodies to whom it may delegate authority.

Municipalities desiring to take advantage of the War Department's offer are requested to negotiate directly with the surplus property officer at the nearest of the zone supply offices, which are located in the following cities: Boston, New York, Philadelphia, Baltimore, Newport News, Atlanta, Chicago, St. Louis, New Orleans, Fort Sam Houston, El Paso, Omaha, and San Francisco. These surplus property offices have been instructed by the War Department to make sales to municipalities under the conditions prescribed by the War Department and are supplied with complete information concerning the commodities available in each of the zones and the actual prices at which they may be disposed of.

Mr. DOREMUS. Does the gentleman from Nebraska still insist that under that publicity statement sales must be limited to municipalities alone?

Mr. REAVIS. "The gentleman from Nebraska" insists upon this, that the department had never indicated before that publicity statement that anybody could buy except for export trade.

The SPEAKER pro tempore. The time of the gentleman from Nebraska has expired.

Mr. REAVIS. I wish somebody would give me five minutes more.

Mr. GRAHAM of Illinois. Mr. Speaker, I yield to the gentleman five minutes more.

The SPEAKER pro tempore. The gentleman from Nebraska is recognized for five minutes more.

Mr. REAVIS. Mr. Speaker, I am going a step further, a step that I would have gone if I had had more time this morning. Look at page 76 of volume 2 as another evidence of the policy of this department to keep from the American people the right to consume and use the very things that they purchased at great sacrifice with their own money. It does not refer particularly to food, but it refers to a general policy, and is a part of it in this case. It is a letter written by J. B. Irving for the Chief of the Surplus Property Division to Mr. Frank Eldridge Webb in New York on the subject of underwear and hosiery, in response to a letter from Mr. Webb, who wanted to buy the product. Here is the letter showing, as I say, that there is some general policy:

WAR DEPARTMENT,
PURCHASE, STORAGE AND TRAFFIC DIVISION,
OFFICE OF THE DIRECTOR OF STORAGE,
Washington, June 5, 1919.

From: Surplus Property Division, Office of the Director of Storage, Munitions Building, Washington, D. C.
To: Frank Eldridge Webb, Grand Central Terminal, New York, N. Y.
Subject: Underwear and hosiery.

1. Acknowledgment is made of your letter of June 2 on the above subject.

2. Advice is given that at the present moment no definite policy has been formulated on the disposition of these items. We are in active consultation with the knit-goods association, and have not yet decided to offer any of these items for sale under sealed bids in the domestic market. If this policy is consummated later on, you will have an opportunity to bid.

3. In the meantime this office has endeavored to interest many exporters in the sale of this property in foreign markets. If you are interested in this aspect of the situation, suggestion is made that you examine the stocks at Philadelphia and submit an offer.

By authority of the Director of Purchase and Storage.

J. B. IRVING,

For Chief Surplus Property Division.

You will observe he says, "We are in active consultation with the knit-goods association" that sold them. [Applause on the Republican side.] There they absolutely decline to accept a bid unless it is a bid for export, where the American people could not get control of the property.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. REAVIS. I will.

Mr. KNUTSON. They refused absolutely to consider a bid for home consumption?

Mr. REAVIS. They had refused to consider any bid for general supply for home consumption until this special committee on the investigation of the War Department exposed their policy. They are anxious enough to sell now. [Applause on the Republican side.] Mr. Speaker, I yield back the remainder of my time.

The SPEAKER pro tempore. The gentleman yields back three minutes.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DOREMUS] may have 10 minutes in which to reply to the gentleman from Nebraska [Mr. REAVIS].

The SPEAKER pro tempore. The gentleman from Virginia asks unanimous consent that the gentleman from Michigan may have 10 minutes in which to reply to the gentleman from Nebraska. Is there objection?

Mr. GRAHAM of Illinois. Mr. Speaker, reserving the right to object, the gentleman from Michigan [Mr. DOREMUS] made this challenge and invited this controversy, and the time was yielded by his side.

SEVERAL MEMBERS. By unanimous consent.

Mr. GRAHAM of Illinois. I will consent to five minutes. If the gentleman will take that, I will consent. Otherwise I will have to object.

Mr. FLOOD. In view of the statement of the gentleman from Illinois, I modify my request.

The SPEAKER pro tempore. The gentleman modifies his request, and asks that the gentleman from Michigan [Mr. DOREMUS] may proceed for five minutes, to reply to the gentleman from Nebraska [Mr. REAVIS]. Is there objection?

There was no objection.

Mr. DOREMUS. Mr. Speaker, I do not think I will require over one minute, unless I am interrupted. Of course, every Member of this House understands thoroughly that the gentleman from Nebraska [Mr. REAVIS] has not answered the question that I asked him, and that he has not attempted to answer it. [Applause.] Now, I quote again from the majority report prepared by the gentleman from Nebraska [Mr. REAVIS]:

On July 11 of the present year, and after the War Expenditures Committee was appointed, the director of sales issued to the press a publicity statement with reference to the sale of meats and vegetables. This statement provides that meat and vegetables shall be purchased only by municipalities.

Now, if he means anything by that language, he means that the sale by the Government is limited to municipalities, to the exclusion of everybody else. Can there be any question about that being the proper interpretation? That is the statement I asked the gentleman from Nebraska about, and I called upon him to point to one scintilla of testimony taken by his committee to substantiate that statement, and he has failed to do it. [Applause.] Now, unless the gentleman from Nebraska desires to ask another question, I am through. [Applause.]

Mr. GRAHAM of Illinois. Mr. Speaker, I yield nine minutes to the gentleman from Nebraska [Mr. JEFFERIS].

Mr. JEFFERIS. Mr. Speaker and gentlemen of the House, it is very evident that the report of the majority has made certain definite and specific charges. It is also evident to everyone who sits here that these charges have been met by the minority Members with numerous excuses and explanations that do not satisfy a thinking mind. My friend, the gentleman from California [Mr. LEA], says that the people of the country are suspicious of the Republican Members of this investigating committee. If they are suspicious I have not up to this time ascertained that fact; but I do know that last November the people of this country were suspicious of the Democratic majority in this House and of the administration, and that accounts for the presence of the Republican majority in this House to-day. [Applause.]

My friend from Virginia [Mr. FLOOD] told us in his eloquent speech that last week—nearly eight months after the armistice—the Secretary of War had decided to throw open the opportunity to buy these food products to any body of patriotic gentlemen of any city who might cooperate and put their funds together to purchase these supplies in the name of cities from the War Department. Great God! Did it take eight months for him to devise such a plan as that? If so, if it took eight months to do that, it is a complete refutation of the claim that he had any such policy before last week. If it takes eight months to develop such a policy as that, one conceived after this committee began its investigation, we can not know how much time it would have required for him to have invented any such policy if this committee had not been investigating these facts.

Gentlemen, the minority charge that the majority report contains misstatements of fact, whereas it is the minority report that is misleading. On page 7 of the minority report, in the letter of my friend the gentleman from Virginia [Mr. FLOOD], it is stated:

6. I note the report says there are millions of cans of surplus fish.

My information is there is no surplus of fish. All canned salmon has been turned back to the canners at cost to the Government. The reason for this was the fact that this salmon did not come up to Government specifications and consequently the War Department compelled the canners to take it back at the price the Government paid for it.

The minority report says specifically that the Government has no canned salmon; that it has already been turned back to the canners at the price which the Government paid for it. Is that true? Is the minority report true? If so, then the canners have had the benefit of the use of the Government's money, whatever benefit there was in that, during all this time. But the fact is that the Government has not turned the salmon back to the canners. I happened to know that in the city of Omaha, from whence I come, there is stored a large amount of canned salmon in the possession and control of the War Department, and which was shipped there from the Pacific coast. And the other day I got in communication with my home city through the kindness of the gentleman from Nebraska [Mr. REAVIS], chairman of the subcommittee, and who obtained from Gen.

Rogers the right to inspect the canned salmon stored in Omaha, and which the minority report says has been turned back to the canners at the price the Government paid for it, and which the minority claim did not come up to Government specifications.

This morning, as the sun rose over the city of Washington, I received this telegram from men whom I know, reputable men engaged in the wholesale grocery business in the central portion of our country and who had made an inspection of 850,000 cans of salmon yesterday afternoon in the city of Omaha. They wired me as follows:

OMAHA, NEBR., July 29, 1919.

Hon. ALBERT W. JEFFERIS,
House of Representatives, Washington, D. C.

Your letter received. The sender, in company with Mr. Hughes, of Hughes Co., Mr. Keogh, of Paxton & Gallagher, Mr. Murphy, of McCord-Brady, inspected salmon. Found same wholesaled good and fit for food. The above wholesale grocers offer the Government \$10 per case on all red salmon, \$6.80 per case on all pink salmon f. o. b. Omaha, Government warehouse, net cash. This offer good only for immediate acceptance and immediate delivery. Omaha entirely out salmon. Wholesale grocers can distribute right now to advantage, same time relieve food shortage. We understand above prices considerable in excess of what Government paid packers. The very fact three largest wholesale grocers in Omaha willing to buy this salmon is conclusive proof and evidence salmon absolutely mercantile. Examination shows about 600,000 cans pink salmon, 250,000 cans red salmon, both grades packed 48 cans to the case. We understand new salmon now in transit from Alaska. We believe Government's best interest sell this salmon immediately. Let the salmon go into consumption. The above parties bidding on this salmon are responsible wholesale grocers, not speculators.

NEWMAN BROKERAGE CO.,
M. B. NEWMAN, President.

Now, if this be true, why send this salmon back to the canners, who canned it last year? The Government has had its money in it. If this canned salmon has been kept stored at the Government's expense and is to be sent back to the canners at this time, when the market is barren, upon the false claim that it is not up to the Government requirements, and thus permit the canners to have this year's crop and last year's crop also, that they may dictate the price to the American people—if that is the purpose, it is to my mind one of the greatest outrages that could be perpetrated upon a free people, even in the name of democracy. [Applause.]

As a matter of fact, if I am correctly informed, the price offered by the wholesale grocers of Omaha for this salmon is far above the price paid by the Government for it. A sale of it to the grocers for consumption by the people at this time would relieve the food situation in the central portion of our country to some extent, permit the Government to get its money out of the salmon, and possibly prevent the raising of the price for the salmon crop of the present year.

Why should the salmon, in which the War Department has invested the people's money, be turned back to the salmon canners? Did the War Department accept salmon which was not up to requirements or has it deteriorated because of long storage? Why store salmon not up to requirements? Why invest the people's money in such an enterprise and eight months after the armistice turn it back to the canners?

The truth is as stated by the wholesale grocers who inspected it yesterday. The salmon to-day is wholesome, entirely fit for human consumption, but the administration forces of our Government, by way of excuse to turn the salmon back to the canners instead of selling it for food purposes, are attempting to put forth the claim that the salmon does not come up to Government requirements. Have the Government requirements changed since the salmon was accepted or has the salmon changed since it was stored or have conditions so changed that it is now necessary to stabilize the business of the canners of salmon by permitting them to either destroy last year's crop of salmon or add it to their present holdings, and thus control the price of salmon for the coming year? These are pertinent questions, and the American people are on guard. The consumers of America will never tolerate any copartnership between the salmon packers and the administrative branch of our Government, which has for its purpose the maintenance of the high cost of living so as to stabilize the market prices for the salmon packers [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FLOOD. Mr. Speaker, I yield 20 minutes to the gentleman from New York [Mr. DONOVAN].

Mr. DONOVAN. Mr. Speaker and gentlemen, those of us who were fortunate enough to be here early this morning and to hear our revered and respected Chaplain offer the prayer and give it earnest thought might well take the text and apply it to the situation confronting us here to-day. He prayed that we might dispel pessimism, that we might in these times be fair men and do for the country and the world some real good.

I believe that is the spirit in which this question should be approached. There is, in my mind, no question that this House is united in the main proposition; that we want this vast supply of merchandise disposed of as quickly, as profitably, and as expeditiously as possible; that we all want the American people to have the advantage of it and by so doing reduce as far as possible the intolerable standard of the high cost of living. The problem is not a partisan one; it is an economic one.

At this time I desire to make a statement in explanation of the absence of my name with that of my colleague from the minority report, which appears in this morning's issue of the RECORD. Having been granted unanimous consent for 10 days' leave of absence, owing to illness in my family, and having therewith arrived at my country home, some hundreds of miles distant, I was necessarily precluded from attesting my name to the minority report. I therefore take this opportunity of declaring my approval of the same, and if I had been available would have attested my signature thereto.

I am opposed to the resolution of the majority and the committee report supporting the same. I object to its adoption, for the reason that giving it the most generous construction and favorable consideration it must necessarily be placed in that detestable class of "whereas" resolutions that simply suggest but do not affirm or construct, and does not purport to be as well as, or better than, the War Department is now doing.

In my judgment, the problem which to-day confronts us for solution is twofold:

(a) Has the War Department employed and is it now employing sane, reasonable, expeditious, and businesslike methods in preparing, inventorying, and declaring a correct surplus and in marketing its tremendous volume of foodstuffs?

(b) Does and will the resolution now under consideration suggest, offer, or direct a more complete, efficient, practicable, and expeditious plan than that which the War Department is now employing?

The subject now in compass in this resolution and all testimony taken in support thereof was within the jurisdiction of subcommittee No. 4—Quartermaster Corps. As the minority member of that subcommittee I will address myself to the testimony with the view of enlightening the House, with the hope that its conclusion will be the same as mine—judging solely from the evidence—that the War Department has been most efficient and in the interest of the American people in its administration of this most important trust.

The Government's war machine was constructed solely as a "go-ahead" proposition. It was planned and expected that not until July 1, 1919, would the World War be terminated, at which time our troops would march into Berlin as conquerors. It was a straightaway mechanism with no reverse gear or brakes, solely with one purpose—that of going ahead and smashing forever German autocracy.

To accomplish this the Government planned having 5,000,000 men in France by that time, and every purchase of clothing, munitions, and foodstuffs was based on that estimate. A strategic program planned by our very efficient General Staff, in cooperation with Gen. Pershing, provided that at all times during hostilities the Pershing army was to have a 90-day surplus of food supplies—45 days' supply at the base in France, 30 days' supply at the zone nearest the battle line, and 15 days' supply in the front-line trenches.

The purpose of this precaution and masterful arrangement was in event of submarine or destroying of our transports in transit to France our forces in France would have a sufficient supply of foodstuffs to sustain them until the transport system could be rehabilitated. The War Department found that to keep this surplus constantly in France it was necessary to consume some eight months from the inland cities and zones where the commodities were purchased in transporting them to the seaboard in America and until they finally reached their destination in France. Consistent with this policy and because of the custom of the department to make purchases and contracts some months in advance of delivery, supplies were continually coming in and being shipped across.

The War Department was advised by Gen. Pershing that during the battles of the Argonne Forest and at Chateau-Thierry he found that the use of ham and bacon as a ration in the trenches and approximate zones was impracticable, for the reason that the fires needed in the cooking of them made attractive marks for the enemy airplanes in attacking our forces, and he asked that canned meats, such as roast beef and corned beef, which did not necessitate cooking, be supplied in their stead.

When the armistice was signed in November, 1918, we had an Army of 3,700,000 men; contracts had been placed for an Army of 5,000,000 men, and though the War Department ordered

the contracts canceled, notwithstanding the supplies kept coming into the department.

There was commandeered for the use of the Army 40 per cent of the food products of America. It was the most gigantic aggregation and variety of these products that this country, and perhaps that any country, had ever seen in control of a nation. There were 80,000 articles of such commodities listed under the supervision of the Purchase, Storage, and Traffic Division, and were distributed in 40 different camps and cities of the country.

The policy of the War Department was in accordance with its promise to Gen. Pershing to ship supplies without delay. To readily handle the shipment of these commodities from the seaboard the War Department, owing to the shortage and lack of experienced material in man power, was at times obliged, much against its will, to be content with inexperienced and untrained help in its receiving and transhipment departments.

On November 11, 1918, there were 3,700,000 men to feed. The department assumed that the maximum speed in demobilization, judging from results then accomplished, would result in about 1,500,000 men in the Army by July 1, 1919. It was estimated we would have to feed 3,700,000 men, the total number, to November 11 and 1,500,000 men to June 30, making on an average of about 2,300,000 men to be fed.

Criticism has been made that the War Department did not sufficiently early declare a surplus of food products, and the majority report overreaches itself in its undertaking to support this contention. It has been stated that authority for declaring a surplus was made 19 days after the armistice was signed, and that the order was promulgated by the General Staff through its Chief of Staff, and that more than seven months elapsed before the food products were offered for sale to the people; further, that the selling of the foodstuffs was not inaugurated until after the appointment of the committee which has reported out the resolution now under consideration. The fact is, as disclosed in the testimony of Gen. March, Chief of Staff, page 94, that surpluses were declared on baked beans from February 17 to May 20, on stringless beans from March 11 to July 7, corn from February 17 to July 7, peas February 12 to May 20, and tomatoes March 19 to July 7; and the first certified declaration of meat surplus was declared March 26, 1919.

The War Department was beset with unusual and trying conditions in declaring an exact surplus, because it submitted to Congress on January 15, 1919, its estimate for an army of 1,500,000 and was not certain whether the provisions of the armistice would be carried out by Germany, and it will be recalled that the date of its enactment was repeatedly extended.

The department could not fix a definite surplus for this reason, for the inventorying done in March was for these and other reasons found to be inaccurate and had to be rejected and a new inventory taken, which finally resulted in a declaration of surplus declared, which even then was not final, owing to the constant demobilizing of our forces, which proportionately from day to day increased the surplus by the men being cut off from the service.

Sales have been made not only to municipalities but to groups of individuals whose financial standing warranted such sales. The department has made all sales on an 80 per cent basis of the cost.

Much has been said about the Secretary of War. I supposed that if we were going to ask a man's opinion as to what his policy is, that we would ask it of the man himself if he were available. Gen. March said that the Secretary wanted these things reported and Col. Davis said that Gen. Meskin, of Chicago, the regular officer in charge of the meat supply, who knew about it and was an expert, could declare a surplus; and it was thought we might go over and visit him. The hearing will disclose that Mr. REAVIS intimated that, and I, at least, thought that would be done and that we would have the advantage of his information. I thought that if we wanted to know the policy of the Secretary of War, that if the chairman of the committee did not think well enough to ask him that the opportunity might be given me to do so. But I was foreclosed of that right. I was disappointed that the Secretary of War was not allowed to testify and give his own statement as to his policy not to export but to sell these products directly to the American people. Every witness who was asked—Hare, Rogers, and Davis—what was the policy of the Secretary of War as to exporting said so far as he knew he is opposed to it; that the theory he has and the desire he has is to sell these goods for the best profit, wherever obtainable.

A vast amount of ham and bacon was sold in Baltimore, and it was claimed here that it had deteriorated. The evidence is that Mr. Hare sold the ham in Baltimore for 28 $\frac{1}{2}$ cents per pound, which had cost 40 cents. The record will also disclose that he rejected bids which were only 40 or 50 per cent of the

cost. He made for the Government by the delay and evidently the ham had not materially deteriorated.

Now the Canners' Association ought to be explained; and how it is made up. To hear the name—"Canners' Association"—one would be inclined to think of a momentous commercial enterprise. The Canners' Association is a nonstock corporation. It is a mutual association of canners of this country, but not of all of them. There are 4,000 canners in this great country. One thousand of them belong to the Canners' Association. They pay dues, which are nominal, and employ on an average 17 laborers in each of the establishments. It is a poor organization. It is an altruistic organization to the extent that the proposition is to increase and better the canning industry. It sets no price. Let me tell you, gentlemen, that the price paid here through the placing of orders with the Canners' Association was made by the Government through the Food Administration. It was really a case where the buyer set the price and not the seller. This association maintains, in connection with the Harvard Medical School, a laboratory on which it expends \$25,000 a year, obtained by subscription of the members of from \$5 to \$2,500, for the benefit of the American people and in order that canned products may be pure and unadulterated and free from poison ingredients. Surely that is altruistic. The president of the Canners' Association, Mr. Frank Gerber, receives no salary. He gives unselfishly of his time. He impressed me greatly as a straightforward and honorable man.

Much has been said here as to the added rations of the soldier. "Added," it says. The ration was not added, and if the gentleman will refer to an order issued in March, 1919, by the Chief of Staff he will see that the rations were issued in lieu of the garrison ration, and if he will look to the ration schedule as put in effect by Gen. March, No. 1405, it is permitted to substitute canned rations for fresh vegetables, and it has been done time and time again. Now, if he will further inquire, he will find that the fact is this: That it was testified that a Maj. McDonald, an old commissary sergeant, who was caterer at West Point, who knows what the soldiers need and what they want, and also is regarded as an exemplar in that line, not being aware of the letter sent by Mr. Gerber, of the Canners' Association, to Gen. Wood, made this suggestion because fresh vegetables were difficult to procure, and, further, that the company messes were buying out of their own pockets these same products that were now included in this ration. It was not an added ration. It was in lieu of, and that order stands there and can be seen.

Col. Davis, a West Pointer, 32 years in the service and a man of unquestioned integrity, has testified to the fact that the purpose in keeping the sale of canned goods off the markets was to stabilize them and give the farmers a chance to plant their spring crops; the canners to prepare their fall pack and the American people to be saved from a food panic, which would follow if these millions of cans of vegetables were allowed to be thrown on the market and glut it.

From a résumé of the evidence I have presented it will be seen that the War Department has taken every precaution to conserve the interest of the Government, and has made sales by which they have obtained 80 per cent of the cost of the goods. That, in point of fact, the municipalities which have purchased the supplies having 10 days in which to pay for same have been permitted to act as distributing agent, directly delivering supplies to the consuming public, taking its money in payment thereof, and at the expiration of 10 days remitting it to the Government. The War Department is, therefore, in fact, selling these foodstuffs direct to the consumer, and is to be congratulated on its Secretary of War, who has demonstrated his ability as a great executive, in his contribution in directing the American Army in this Great War, and in his like ability in husbanding, distributing, and directing the sale of the surplus of these vast products. The resolution under consideration in no way offers or suggests to define a policy of carrying on this great work, and fails of its own weight for its obscurity and insufficiency. [Applause.]

Mr. GRAHAM of Illinois. Mr. Speaker, I yield nine minutes to the gentleman from Illinois [Mr. MCKENZIE].

Mr. MCKENZIE. Mr. Speaker and gentlemen of the House, I am admonished from what I have heard here this afternoon that when it comes to party politics we are rather strange individuals. If, as an American, I would say that I am proud of the magnificent record of our War Department in assembling an army as it did, transporting it across the sea, and if I spoke of the magnificent record of those boys as they went over the enemy trenches and brought victory to the old Stars and Stripes, or if I should speak of the many good, patriotic citizens of this country who came to Washington to assist our Government in that great hour of trial, I would be

referred to as a patriot and a statesman; but if I should happen to call attention to the thousands of cars and automobiles that are standing out in the sunshine and the storm between here and Baltimore, or if I should call attention to the millions of dollars' worth of deteriorating foodstuffs now in the hands of the War Department, and if I should, perchance, call attention to the fact that there were men who came to Washington with flags on the lapels of their coats and attached themselves to the War Department under the guise of patriotism and out of their services made great profits and whose unconscionable profits in some instances have been shown by the excess-profits tax they paid, then I would be referred to as a partisan.

Mr. Speaker, as one man on this committee—I am a Republican—I signed the majority report because I believed that, while it may not be exactly true in every word so far as the grammatical construction is concerned, it points to serious facts that are confronting the American people to-day, and it is strange, indeed, to see our friends across the aisle, who have stood ever since I can remember as the particular champions of the consumers of this country, forced into a position where they are undertaking to defend the activities of "big business." [Applause on the Republican side.]

As a Republican, I believe in "big business." I believe when "big business" is properly handled it is to the advantage of the consuming public of America, and I have never been against that. But, Mr. Speaker, when big business will undertake to set the prices that our Government shall pay for the things to feed our soldier boys and after they have filled their pockets with gold, as shown by the diamonds worn by their families and the excess-profits taxes that they pay, and then when the war is over and our Government undertakes to dispose of the surplus we find those men gathered in the room of the Secretary of War undertaking to dictate to him the policy that he shall pursue in getting rid of this surplus stock in order that it may not disturb their business, it behooves the people to awaken from their slumber. I have got only a few minutes, and I want to say this in conclusion, my friends, the high cost of living is only an incident. The amount of food concerned in this is but a mere bagatelle, but the thing we want to take note of—and that is why men will support this resolution—is the fact that whenever the American people discover that their Government has so degenerated from a Nation of freemen that the officials of our Government are taking their orders from, and are subservient to, the great combinations and interests of this country our land is in danger. There is a sure and just way to handle such problems, and if not so handled and the rights of all the people considered there is but one final alternative, and that is the frenzy of the mob. May God guide us away from such an end. May wisdom prevail, is my hope.

Mr. FLOOD. Mr. Speaker, how many speakers has the gentleman from Illinois?

Mr. GRAHAM of Illinois. I have two.

Mr. FLOOD. I have only one.

Mr. GRAHAM of Illinois. How much time remains for each side, Mr. Speaker?

The SPEAKER pro tempore. Eighteen minutes.

Mr. GRAHAM of Illinois. I yield eight minutes to the gentleman from New York [Mr. MAGEE].

The SPEAKER pro tempore. The gentleman from New York is recognized for eight minutes.

Mr. MAGEE. Mr. Speaker, at the outset I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

There was no objection.

Mr. MAGEE. Mr. Speaker, I do not care to inject any personalities into my remarks. I have nothing but the kindest feeling for everybody concerned. I am intensely interested in this question, because I think that the high cost of living is one of the most important questions, if not the most important question, facing the country to-day, and I think that the chairman of subcommittee No. 4, the distinguished gentleman from Nebraska [Mr. REAVIS], has rendered a great public service in bringing this question to the attention of the House and of the country. [Applause.]

There can be no doubt of the facts. My Democratic friends stand here and plead guilty to the charge upon the evidence, judging from the speeches they have made here in the House to-day. The fact is that since the date when the armistice was signed, November 11, 1918, the evidence shows that they have disposed of only \$12,000,000 worth of these products. The gentleman from Virginia [Mr. FLOOD] states that the amount is more. But it does not make any difference whether it is

\$12,000,000 or \$26,000,000 worth. The fact is that there is still on hand \$120,000,000 worth of canned meats and canned vegetables.

If it has taken the Democratic administration about eight months to dispose of \$12,000,000 worth of these products, how long will it take this active administration to dispose of \$120,000,000 more? [Applause on the Republican side.] I figure that they will be at it about 10 years.

How do they propose to get rid of them? They say now that they are in favor of the resolution. The evidence shows that one way proposed is to feed these canned products to the soldiers, to give them canned goods for breakfast, for luncheon, and for dinner. That is one way that they suggest to get rid of them. In addition to that, they think they can export some of them.

Now, the War Department has not changed its mind. The War Department has been proved in this case to be in conspiracy with the canners and packers of this country. [Applause on the Republican side.] Gentlemen on the other side of the aisle know that just as well as I do, and you know that the American people will not stand for it; that the tremendous force of public opinion will compel you to act, and place these commodities, these food products, bought with the money of the people, where they belong, within the reach of the consumers of this country. [Applause on the Republican side.]

I took up this question with the office of the director of sales upon the request of the Syracuse Chamber of Commerce. They notified me that they would sell only to a municipality. I sent the chamber that information. The officials of the city took it up. They found that the city had no power under its charter to purchase these commodities. Upon this question of power I have a concise opinion of Corporation Counsel Hancock, of Syracuse, one of the best lawyers in the State of New York, which I will place in the RECORD in order that you may read it:

JULY 18, 1919.

Hon. WALTER R. STONE, Mayor.

DEAR SIR: You have referred to me for my opinion a letter received by you under date of July 17 from Vincent P. Connolly, surplus property officer, relative to the plan of disposition to municipalities of surplus canned goods in storage at the Army reserve depot, South Schenectady, N. Y.

This plan contemplates that the city should assume some legal responsibility for the purchase price of surplus canned goods owned by the Federal Government and which the Federal Government has offered to sell to municipalities.

Under the constitution of the State of New York the moneys of the city can be expended only for city purposes in the legal significance of that term.

Cities are created by the legislature of the State and have only such powers as are expressly or by necessary implication delegated to them by the legislature.

The only powers delegated to a city to traffic in food products have been conferred by chapter 813, Laws of 1918, section 14, which reads as follows:

"PURCHASE AND SALE OF FOOD AND FUEL BY MUNICIPALITIES.

"Any municipality in this State may, in case of an actual or anticipated emergency on account of a deprivation of necessities, by reason of excessive charges or otherwise, purchase food and fuel with municipal funds or on municipal credit and provide storage for and sell the same to its inhabitants in such manner and through such agencies as it may determine, but before the exercise of any such power or authority by any municipality it shall have the consent in writing from the food commission to exercise such power. The mayor, if any, and the governing body or bodies of any such municipality shall file with the State food commission a resolution and certificate stating that such a necessity has arisen in said municipality and otherwise satisfy the State food commission that such a necessity exists. The State food commission shall act upon the application as, in its judgment, the public interest requires and may prescribe such regulations and restrictions as it deems wise."

It is my opinion that no moneys of the city can be legally expended for the purchase of food products for the purpose of resale, and that this is true irrespective of whether they are bought from the Federal Government or whether they are bought at full value or at considerably less than full value.

Furthermore, no moneys of the city can be expended except such as have been specifically appropriated in the budget adopted at the beginning of the city's fiscal year.

Therefore even if the city had the legal power to purchase food products, it would be impossible to legally finance the purchase thereof out of current funds. The only provision permitting the issue of temporary bonds or certificates of indebtedness is that which I have already quoted and which, as I have stated, has no application to the present situation.

Yours, very truly,

STEWART F. HANCOCK.

I requested the corporation counsel to give me his views upon the feasibility of the plan. I have a communication from him which I think you will find very interesting reading, and I will put that in the RECORD as part of my remarks.

SYRACUSE, July 26, 1919.

Hon. WALTER W. MAGEE,
Washington, D. C.

My DEAR CONGRESSMAN: From a practical standpoint, the proposition of the Federal Government to dispose of surplus meat and vegetable products by selling to municipalities for resale directly to the consumer, as we understand the proposition, is open to a great many objections under the law, for the reasons which I have explained in a memorandum

furnished by me to Mayor Stone, a copy of which I am inclosing herewith. The city can not legally obligate itself for the purchase of food products for the purpose of resale. It would be necessary if the city entered into a contract for the purchase of food products that the cost be underwritten by private citizens or such an organization as the chamber of commerce. This expedient would absolve the responsible officers of the city from any financial liability, because although they might exceed their legal authority and become personally liable if they entered into such a contract, the liability, as a matter of fact, would amount to nothing if the city was guaranteed against any loss or damage by responsible private citizens.

It follows from what I have said that the proposition offered by the Government must be one which commands itself to business men. Otherwise a city can not obtain their cooperation.

The proposition made by the Government, as we understand it, thus far falls short of being a business proposition, because—

(a) Many of the goods are packed in a manner not readily adapted for domestic use. For example, bacon in 12-pound tins.

(b) There is no guaranty that the goods are in proper condition and no provision for return of such goods as may be unfit for use.

(c) There has been a definite statement that the cities would be compelled to pay freight from shipping point, but no definite statement as to whether this means freight from New Orleans, San Francisco, or New York. In other words, a city might make a contract with the Government and find the cost to exceed very greatly its expectations, because of the fact that the goods might be shipped from some distant point.

(d) The bulk of the commodities thus far offered to the city of Syracuse consists of canned roast beef and canned hash. All of the soldiers whom we talked with say that canned roast beef is not palatable; that the soldiers would not eat it; and that the city officer trying to sell canned roast beef would subject himself to grave danger of personal violence. Other persons assert that no housewife would buy canned hash, as she considers it her sacred prerogative to make hash out of left overs, and never perpetrates hash on her family except as an expedient to make use of food materials which would not otherwise be used. They also assert that private consumers do not buy canned meats or canned vegetables in the summer, and at this period of the year most persons are using fresh meats and vegetables.

(e) On many of the products offered the Government is not making a price as low as similar goods can be bought from wholesale grocers under a guaranty that the goods are in proper condition and with provision for return of such goods as may be spoiled.

It is entirely possible that we misapprehend the real intention and purpose of the Federal Government. If so, it is not due to the fact that we have been indifferent, but to the fact that we have not gotten in touch with the representative of the Federal Government who really knows what the Government's plan is.

I think that I can safely say that all of our city governments are patriotic and are generally interested in reducing the cost of living. I have no doubt that they all would be willing to cooperate with the Federal Government provided a proposition could be offered to them which would be within their legal powers to accept and which would hold out some reasonable assurance of saving money to the consumer.

Yours, very truly,

S. F. HANCOCK,
Corporation Counsel.

But I want to give you gentlemen, my Democratic friends, some good advice, if you will take it kindly. I tell you that you are on the wrong track. [Applause on the Republican side.]

The people know that this Democratic administration is not an administration of the people, by the people, and for the people. They know that it is an administration of the Democratic Party, by the Democratic Party, and for the Democratic Party. [Applause on the Republican side.] That is the reason why the country has sent down here a Republican Congress. You want to get down out of the clouds and get your feet on the earth and keep them there.

I want to tell you that this administration is a close corporation, mainly concerned in perpetuating itself in power. It will not deal with an individual. An individual can not buy anything of this administration. It will sell airplanes to manufacturers at 10 per cent of cost to the Government, but if you have a flier in your district, or a young man who wants to fly, he can not purchase an airplane from this administration for love or money.

It is the same way with automobiles. They will not sell an automobile to an individual, although they have thousands of them. My Democratic friends can make more excuses within the shortest space of time for not doing something in the public interest than any men with whom I ever came in contact. [Applause.] They will tell you that the law prohibits them from selling automobiles to the public and that they are required to distribute them to the departments, so many thousands to the Post Office Department, so many thousands to the hospitals, so many to the Navy Department, so many to the Surgeon General's office, so many thousands of motor trucks to the Department of Agriculture, but they will not sell any to the farmers for use in marketing farm products, and so forth. The only automobile that they will sell to the public is a damaged one. If they have one with the axle broken, with two wheels blown up, with the top knocked off, or with one side smashed in, they intimate that they will offer that machine to the public to be sold at public auction to the highest bidder, but that is the only kind of an automobile that an individual can buy of this administration.

These foodstuffs must be sold at once. Director Hare has testified that they are deteriorating and that they should be sold within three months. You should move at once. If you have no plan, you should adopt one. I think that in matters

of this kind the only reasonable way would be for the Democrats and the Republicans to meet in conference, to get together, to try and get upon some common ground, and then act in cooperation for the interest of the country. [Applause.] That would be my way. But the trouble with this administration is that it will not play anywhere except in its own back yard. That is the trouble with it. If you do not agree with this administration, it will start in to get everybody by the ears and keep everybody by the ears and in hot water all the time. [Applause.]

Mr. FLOOD. How much time have I left?

The SPEAKER pro tempore. Twenty minutes.

Mr. FLOOD. I yield 20 minutes to the gentleman from Tennessee [Mr. GARRETT]. [Applause.]

Mr. GARRETT. Mr. Speaker, when the gentleman from New York [Mr. MAGEE] said a few moments ago that this was an administration of the Democratic Party, by the Democratic Party, for the Democratic Party, I wondered what sort of thought swept through the mind of my honored friend the chairman of this select committee [Mr. GRAHAM of Illinois] when he recalled the statement given out by him some few days ago criticizing the advisory board of the Council of Industrial Defense, every member of which, save one, was a lifelong Republican. [Laughter and applause.]

The gentleman from New York [Mr. MAGEE] is vitally interested in reducing the cost of living, and he proposes to do that, as I understand, in a very large measure by placing automobiles on the market. [Laughter.]

Mr. BAER. Will the gentleman yield right there?

Mr. GARRETT. I can not.

Mr. BAER. They are very vitally important to the farmers to distribute food to the table.

Mr. GARRETT. I arose primarily to discuss this resolution and not the report, but I do wish to say a few words generally.

All serious men appreciate, I am sure, that the period immediately following the cessation of hostilities was one of intense strain. There was uncertainty in all lines of activity. I do not refer to the big interests of the country alone. I refer to the ordinary citizens everywhere throughout the Republic. Every thoughtful man in this country was wondering what was to come next. And let me say now, Mr. Speaker, that if the War Department had proceeded as the line of argument made upon the Republican side of the House to-day indicates they would have had that department proceed, and had dumped upon the market all the surplus that had been accumulated as a necessity of war, and had broken the market, as inevitably it must have done—if they had thrown it on the market at low prices, and you can not reduce the cost of living unless you sell at lower than the market price—if that had been done and the market had broken and this country had been driven into a panic, as it inevitably would have been, what would have been your attitude, gentlemen on the Republican side? I will tell you what would have been your attitude. You would have been here seeking to impeach officially the Secretary of War. [Applause.]

Now, I do desire to discuss the resolution, because it has not been discussed. What is the resolution?

Be it resolved, etc., That the Secretary of War be, and is hereby, requested to place on sale, without delay, the surplus food products in the hands or under the control of the War Department now stored in the United States, under such plan as will safeguard the interests of the Government and insure an opportunity to the people of the United States to purchase the same directly from the Government.

Mr. Speaker, the mountain labored and brought forth a mouse. [Laughter.]

My honored friend the gentleman from Nebraska [Mr. REAVIS] said this morning in his very eloquent address that he could be indicted for what he thought of the War Department. Let me say to my friend from Nebraska that if this resolution, proposed by the majority, represents the sum total of his intelligence, which it does not, he need have no fear of conviction. [Laughter and applause on the Democratic side.]

What have you done? What have you offered? You assail the administration, you denounce it as being in league with the interests, you seek to crucify it before the public, and then say that you resolve that that same administration be requested to do so-and-so. Where is your boasted capacity? [Applause on the Democratic side.] The administration in which you do not confide, you say—why not suggest a plan of your own? What does the resolution amount to? It means, if I construe it correctly, that you request the department to change the policy and plan now in force, and if this resolution should be passed as a law and become binding, the department could not under that law sell a can of peas or a pound of meat except directly to the consumer. Is that what is desired? If so, then, knowing that it will require an extensive organization, knowing that the

department has no funds with which to organize a retail arrangement in this country, you certainly should be willing to say that you will cooperate to the extent of furnishing a fund essential to carry out such plan. Therefore an amendment will be offered requesting the Committee on Appropriations to bring in an appropriation that will be essential, or express its readiness to do so, if this should be made the policy of the Government.

Not only that—I am trying to appeal to the intelligent judgment of men. If such a system is organized, and you undertake to change the plan and have these goods distributed throughout the country under that system, and you confine it alone to that system, you know and we all know that there are quantities of this food that will not be disposed of, that can not be disposed of, to the advantage of the Government or in justice to the Government, and therefore I feel that this House, in passing a resolution expressing its judgment, ought at least to be willing to say that you do not wish the Government to sustain loss on account of these foods, that you can not distribute in this manner, and therefore will be willing to accept an amendment which will be offered that will leave to the discretion of the department the disposition of these particular things that can not be disposed of without vast waste under a system of retail dealing. That is a matter which I submit must address itself to the intelligence and the good sense of every man, if you intend to pass such a resolution at all.

So far as I am personally concerned, I have no hesitation in saying that I do not regard the resolution as necessary. On the contrary, I regard it as wholly unnecessary. If it is regarded as necessary on that side of the Chamber to do something along those lines, it seems to me that you ought to come before the Congress of the United States and before the people of the United States with a law, not a resolution simply requesting the administration which you denounce. What sort of an absurdity is that?

Mr. MOORE of Virginia. Will the gentleman allow me to ask him a question?

Mr. GARRETT. Certainly.

Mr. MOORE of Virginia. As I understand this resolution, it is not a joint resolution?

Mr. GARRETT. No; it is a simple House resolution.

Mr. MOORE of Virginia. And does not contemplate that any law shall be enacted?

Mr. GARRETT. No.

Mr. MOORE of Virginia. Will the gentleman answer one further question, that I may have the information? Is there anything in the record to indicate that a majority of the committee have in mind any definite plan to be observed by the department in disposing of this food?

Mr. GARRETT. Not in any record, either public or private. [Applause on the Democratic side.]

Mr. MOORE of Virginia. Then the majority of the committee is leaving the entire matter where it has rested heretofore, and that is within the discretion of the War Department?

Mr. GARRETT. Precisely; but they have had an opportunity to talk. [Laughter and applause on the Democratic side.]

Mr. Speaker, I do not know whether the gentlemen on the Republican side feel good over to-day's labor or not. I think I have never in the same length of time done quite so much drudgery work as I have during the last three days and nights since this matter was thrust before the full committee. While I am not very anxious about work, yet I do not mind it when I am working on something, but to have to devote my time, and for the House of Representatives, composed of, ordinarily, the pick of the communities which they represent, to spend an entire day leading up to a resolution as utterly meaningless, as thoroughly absurd, as unspeakably silly, as this proposition, seems to me a travesty on American statesmanship. [Applause on Democratic side.]

Mr. MOORE of Virginia. Mr. Speaker, will the gentleman yield?

Mr. GARRETT. Gladly.

Mr. MOORE of Virginia. Are we to seriously understand that the execution of this resolution, if it is adopted, is to be left to these department people, who have been described here to-day as malefactors?

Mr. GARRETT. It so states.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. GARRETT. Yes; for a question.

Mr. MADDEN. Of course, the gentleman from Virginia knows very well—

Mr. GARRETT. I yielded for a question.

Mr. MADDEN. I am going to ask a question. The gentleman from Virginia [Mr. MOORE] knows very well, and I assume the gentleman from Tennessee [Mr. GARRETT] also knows, that

whether they be malefactors or not we have to leave the execution of things that have to be done to the men who are in the administrative departments.

Mr. GARRETT. Not at all, not at all, on this proposition. The Congress could create by passage of a joint resolution a commission and take it out of the hands of these people and let the commissioners administer these \$120,000,000 worth of foodstuffs, which would be about a dollar apiece for every man, woman, and child in the United States.

Mr. MADDEN. The gentleman from Tennessee must know very well that if we were to pass a law on this subject and send it up to the President, no matter how meritorious it was he would veto it.

Mr. GARRETT. Fortunately the President will not have to take up his time with any veto of such a thing as this. [Laughter and applause on Democratic side.] I will say to the gentleman that it is creditable to his party, and that is about the only credit I know of in this whole business, that they did not make this a joint resolution.

Mr. MADDEN. I think the gentleman and the President and the Secretary of War and all the rest of the gentlemen who have been applauding what the gentleman has just said will find that the passage of this resolution will result in the sale of the commodities we are talking about, and they will get into the hands of the consuming public.

Mr. GARRETT. Why, they are selling them now. You are only asking for a change in plan.

Mr. KNUTSON. How long since have they been selling them?

Mr. FLOOD. Since February.

Mr. McCULLOCH. The gentleman does not seriously contend that the resolution—

Mr. GARRETT. This is not a very serious day, but what is the question?

Mr. McCULLOCH. The gentleman will not seriously contend, will he, that this resolution, if passed, will not express the intention of Congress that this food should be put upon the market? [Applause on the Republican side.]

Mr. GARRETT. I suppose it will be the expression of the intention of those who vote for it.

Mr. McCULLOCH. Does the gentleman, then, contend that the War Department will disregard the intention of Congress as here expressed?

Mr. GARRETT. I make no contention whatever about that. I do not know.

Mr. MONTAGUE. The Congress is not asked to pass this resolution.

Mr. FLOOD. This is a simple House resolution.

Mr. GARRETT. The gentleman asked me a question—

Mr. McCULLOCH. That is a little difficult, and the gentleman has not attempted to answer it.

Mr. GARRETT. Oh, yes; I did. I answered it. I said I did not know.

Mr. MOORE of Virginia. Apropos of what the gentleman says, can it be stated that this resolution expresses any intention of Congress, or even of this House, leaving the plan altogether in the air?

Mr. GARRETT. Well, it expresses some sort of intention, but I will say to the gentleman that I do not know myself what it is. Mr. Speaker, I yield back the remainder of my time. [Applause.]

The SPEAKER pro tempore. The gentleman has one minute remaining.

Mr. GRAHAM of Illinois. Mr. Speaker, is the gentleman from Virginia going to yield any more time?

Mr. FLOOD. I think not.

Mr. GRAHAM of Illinois. Mr. Speaker and gentlemen of the House, the simple question before this House, stripped of all sophistry, is whether this House should go on record now and express its opinion that in its judgment it is the proper thing that the Secretary of War should at once sell these goods directly to the American people. That is the question. There is no doubt in any reasonable man's mind who has read this record that the policy of the War Department has been studiously one to avoid putting these goods on the market. [Applause on the Republican side.] I have heard no attempted defense. I can show you half a dozen, yes, a dozen, places in this record where the evidence shows that Secretary Baker himself said that this was his policy and the evidence is in the record. I do not want to take the time now to show you, but in Mr. Baker's letter that is incorporated in the minority report he says it is his policy, although he modifies it to some extent from the foregoing conversations that he had with Mr. Thorne, who had been acting as Quartermaster General.

He now says it is his policy to-day to sell first to the other departments of the Government if he can, then to the person

or company who sold the goods to the Government, and finally, when forced to, to the public. As, for instance, the other day a sale of food was conducted in this locality supposedly direct to the people of the District. But I observed from the papers that after they had given the Department of Agriculture and the Department of the Interior and the other departments of the Government what canned meats they wanted there were just three cans remaining to be sold to the suffering population of the District of Columbia—three cans. [Applause on the Republican side.] Why, eight months and a half have elapsed, gentlemen of the House, since this War Department knew of this great excess supply of food in this country, and during that eight and a half months if a studious effort had been devised to keep it off the market they could not have devised a better effort than they have. Now, to-day we are simply asking the Members of the House to express their opinion to the Secretary of War that these things ought to be sold.

They ask, What good will this resolution do? I will tell you, gentlemen of the House, if this resolution is passed by an overwhelming majority of this House Secretary Newton D. Baker will sit up and take notice. [Applause on the Republican side.] It will go out to the people of the country, and a storm will be raised in this country, and Secretary Baker and those who are responsible for this thing will see that speedily this food gets to the people. They say, "We have no money to do it with." Why, gentlemen, let me call your attention to the fact that in the Army bill which was passed by this Congress for the year ending June 30, 1920, there is an item of a million dollars that is given as a contingent fund that is available for the Secretary of War. The next item is page 11 of the appropriation bill. I want you to notice what it permits to be done:

For such other necessary expenses incident to the purchase, test, care, preservation, issue, sale, and accounting for subsistence for supplies for the Army, \$62,526,466.

Mr. FIELDS. Will the gentleman yield?

Mr. GRAHAM of Illinois. I have not the time and I can not yield. Let me tell you something else. In the last Army bill, the one before that, you will find on page 200 of the appropriation bill print which I have here, an appropriation of \$830,000,000 for this same identical purpose, and all of these vast sums of money are now available to the Secretary of War if he wants to use them. Let me read you something else. Then I want you gentlemen here to observe this. It is not the fault of Mr. Newton D. Baker alone that this thing is being done. The fault rests with a higher authority. It rests with the President of the United States. Let me call your attention to something else. In the last Army appropriation bill is this item:

That the President be, and he hereby is, authorized, through the head of any executive department, to sell, upon such terms as the head of such department shall deem expedient, to any person, partnership, association, corporation, or any other department of the Government, or to any foreign State or Government, engaged in war against any Government with which the United States is at war, any war supplies, material, and equipment, and any by-products thereof.

And then it goes on and appropriates a vast sum of money for these and other purposes.

And that law has been in effect for a year. Why has not the thing been done? I ask you now here, gentlemen of the House, how long we shall wait and how long we shall trifle about this thing? The time for words has passed and the time to do something has come. [Applause on the Republican side.] And unless we men on this side of the House force something to be done I say that nothing will be done in view of the expressed policy of the War Department, which is to keep these products off the market.

The fact is that the War Department has been confederating with the interests who have food to sell for the purpose of keeping the price up. In this connection it is interesting to note the language of the food administration act, approved August 10, 1917. It recites, in part:

To prevent, locally or generally, * * * hoarding, injurious speculation, manipulations, and private controls.

Certain powers are given the President and severe penalties provided for. And yet the Government, by conniving with these food pirates, violates every intendment of this law.

This report will be followed by other reports on other subjects, of great, vast quantities of war supplies that have been gathered up to supply that Army of ours, from a needle to a thrashing machine, and which are being kept off the market, and which, if they can not be sold to other nations, are being junked or being sold back to the men who made them, and willfully, as an avowed policy of the Government, it is being carried out from start to finish. In my judgment it all comes back to the origination of this scheme.

I wish you would take the first volume of the report of the Council of National Defense and look and see who the men were who negotiated these sales to the Government of these canned goods. They are:

C. H. Bentley, director of the California Packing Corporation; W. F. Burrows, president of Libby, McNeil & Libby; E. B. Deming, president of Pacific-American Fisheries; L. S. Dow, secretary of H. J. Heinz Co.; H. C. Hemingway, president of H. C. Hemingway & Co.; John F. Montgomery, president of John Wildi Evaporated Milk Co.; I. C. Morgan, Jr., of the Austin Canning Co.; George N. Numsen, president of Wm. Numsen & Son (Inc.); and W. C. Leitsch, president of Columbus Canning Co.

This committee was called the Cooperative Committee on Canned Goods of the Council of National Defense, and that bought this stuff. How in God's name does anybody expect they are to consent to its going back on the market after the war? They had all the machinery. They started with the war. The machinery was built up under the Advisory Committee of the Council of National Defense, and has operated continuously during this war. And now, gentlemen of the House, at this time, when the war is over, this same council has so enmeshed itself with the departments of our Government that to-day it steps into the office of the Secretary of War and says to him when he shall sell and when he shall not sell, and he listens. And it is up to us to see that something is done. At some time soon I shall have something further to say about the secret influences that surround this Government, but the short time I now have will not permit.

Now, gentlemen, this resolution ought to be passed, and passed in its present form. [Applause on the Republican side.]

Mr. GARRETT. May I have the attention of the gentleman a moment before the reading begins?

Mr. GRAHAM of Illinois. Yes.

Mr. DOREMUS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD?

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. GRAHAM of Illinois. Mr. Speaker, along that line, I do not know whether there is any objection or not, but I ask unanimous consent that all Members of the House have three legislative days in which to extend their remarks on this subject.

Mr. HEFLIN. All who have spoken?

Mr. GRAHAM of Illinois. All Members.

Mr. KNUTSON. All Members. There are a lot of Members who could not get time.

The SPEAKER. The gentleman from Illinois asks unanimous consent that all Members have three legislative days in which to extend their remarks on this subject.

Mr. CONNALLY. Mr. Speaker, reserving the right to object, does that mean the gentlemen who have spoken?

The SPEAKER. All Members of the House.

Mr. CONNALLY. Then I object.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. REAVIS. Mr. Speaker, has unanimous consent been granted to those who spoke?

The SPEAKER. It has not.

Mr. REAVIS. I ask unanimous consent that all of those who spoke on this report and resolution may be given three legislative days to extend their remarks.

The SPEAKER. The gentleman from Nebraska asks unanimous consent that all those who have spoken on this report and resolution may be given three legislative days in which to extend their remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. GARRETT. Mr. Speaker, I would like to ask the gentleman a question before the reading begins. The gentleman knows the minority report suggests two amendments, but finally we give it in the form it would read if those amendments be agreed to. I would like to ask, if it be satisfactory to the gentleman, to permit the reading of the entire resolution and then offer the following resolution that the minority proposes as a substitute, so as to obviate two amendments. I make that suggestion in the interest of time.

Mr. GRAHAM of Illinois. Unless there is some objection of which I do not know, I will agree to that.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Be it resolved, etc., That the Secretary of War be, and is hereby, requested to place on sale, without delay, the surplus food products in the hands of or under the control of the War Department now stored in the United States, under such plan as will safeguard the interests of the Government and insure an opportunity to the people of the United States to purchase the same directly from the Government.

Mr. GARRETT. Mr. Speaker, I offer an amendment by way of substitute.

The SPEAKER. The gentleman from Tennessee offers an amendment by way of substitute, which the Clerk will report.

Mr. KELLY of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KELLY of Pennsylvania. That does not preclude any other amendment that may be offered?

The SPEAKER. Of course not.

The Clerk read as follows:

Amendment offered by Mr. GARRETT as a substitute:

Be it resolved by the House of Representatives of the United States of America, That the Secretary of War be, and he is hereby, requested to place on sale, without delay, under such plan as will safeguard the interests of the Government and insure an opportunity to the people of the United States to purchase the same direct from the Government, such part of the surplus food products in the hands or under the control of the War Department now stored in the United States as is reasonably capable of being so distributed and sold, and the Committee on Appropriations of the House is requested to ascertain, without delay, and to report to the House the sum necessary for the development of such plan."

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. GARRETT. I will.

Mr. WALSH. I will direct the gentleman's attention to the fact that, this being a House resolution, the language should be in accordance with the precedents—"Resolved, That the Secretary of War," and so forth. That would apply to the phraseology of the committee's resolution as well. The language should read, "Resolved, That the Secretary of War be," and so forth.

Mr. GARRETT. The gentleman from Massachusetts is correct about that. Of course, what we have in the proposed minority amendment did not touch upon the language in the majority resolution. I ask unanimous consent to modify the amendment which I offered so as to strike out "Be it," and then it will read, "Resolved by the House."

The SPEAKER. The gentleman has the right to modify it.

Mr. GARRETT. Then I will modify it by taking out the words "Be it," in the beginning, and also the words "by the House of Representatives of the United States of America," so that it will read, "Resolved, That," and so forth.

Mr. GRAHAM of Illinois. Mr. Speaker, I ask unanimous consent to modify the original resolution by striking out the words "Be it" and capitalizing the word "Resolved."

The SPEAKER. The gentleman from Illinois asks unanimous consent to amend the original resolution.

Mr. GARRETT. That ought properly to come in at another time, but I will yield to the gentleman for that purpose, only I do not want to surrender the floor.

The Clerk read as follows:

Amendment offered by Mr. GRAHAM of Illinois: Strike out the first two words in the resolution, "Be it," and capitalize the word "resolved," so that it will read, "Resolved by the House of Representatives of the United States of America," etc.

The SPEAKER. The Chair thinks the Clerk has not reported it as it was intended.

Mr. GRAHAM of Illinois. I think the words "United States of America" ought also to be stricken out, and I ask unanimous consent to do so.

The SPEAKER. Is there objection to the modification?

There was no objection.

Mr. KELLY of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KELLY of Pennsylvania. I want to understand the situation. I have an amendment to add to the original resolution. If the substitute of the gentleman from Tennessee [Mr. GARRETT] is adopted, would that change the entire situation?

The SPEAKER. It would.

Mr. KELLY of Pennsylvania. I would like to offer an amendment to perfect the text.

The SPEAKER. The Chair thinks the gentleman is entitled to offer a perfecting amendment.

Mr. KELLY of Pennsylvania. I wish to offer an amendment to perfect the original resolution.

Mr. GARRETT. If the gentleman states that he has a perfecting amendment, he is entitled as a matter of right to offer that. But he is not entitled to the floor.

Mr. CRISP. He can not take the gentleman from Tennessee off the floor.

The SPEAKER. The gentleman is correct. The gentleman from Tennessee is still entitled to the floor.

Mr. GARRETT. I am going to yield the floor long enough to let the gentleman have his amendment read for information.

The SPEAKER. It can be reported, and then it will be pending. It will be reported not simply for information but it can be pending.

Mr. GARRETT. That will not cut me off?

The SPEAKER. Certainly not. The Clerk will report the amendment offered by the gentleman from Pennsylvania.

The Clerk read as follows:

Amendment offered by Mr. KELLY of Pennsylvania: After the word "Government," in the last line, strike out the period, insert a comma and the following: "And such plan shall include utilizing the Parcels Post Service."

Mr. GARRETT. Mr. Speaker, I think that is subject to a point of order in all probability.

Mr. GRAHAM of Illinois. I desire to reserve a point of order on it.

Mr. GARRETT. Mr. Speaker, I move the previous question on my amendment.

The SPEAKER. The gentleman from Tennessee moves the previous question on the amendment he has offered.

The previous question was ordered.

The SPEAKER. The question is on the adoption of the amendment offered by the gentleman from Tennessee.

Mr. GARRETT. On that, Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 114, nays 160, answered "present" 1, not voting 155, as follows:

YEAS—114.

Alexander	Donovan	Jones, Tex.	Rainey, J. W.
Ashbrook	Doremus	Lanham	Raker
Aswell	Drane	Lankford	Randall, Calif.
Ayres	Eagan	Larsen	Rayburn
Bankhead	Eagle	Lazaro	Romjue
Bell	Evans, Nev.	Lea, Calif.	Rubey
Black	Ferris	Lonergan	Saunders, Va.
Blackmon	FIELDS	McGlenon	Sears
Bland, Mo.	Fisher	McKeown	Sims
Bland, Va.	Flood	McKiniry	Small
Blantou	Gandy	McLane	Smithwick
Box	Gard	Major	Steagall
Brand	Garner	Mansfield	Stevenson
Briggs	Garrett	Martin	Summers, Tex.
Brinson	Goodwin, Ark.	Montague	Taylor, Colo.
Burns, Tenn.	Hardy, Tex.	Moon	Thomas
Caraway	Harrison	Moore, Va.	Tillman
Carss	Hastings	Nelson, Mo.	Upshaw
Carter	Hayden	O'Connell	Vinson
Clark, Mo.	Heflin	O'Connor	Watson, Va.
Cleary	Hersman	Oldfield	Welling
Coady	Holland	Oliver	Wilson, La.
Collier	Howard	Overstreet	Wingo
Connally	Huddleston	Park	Wise
Crisp	Hudspeth	Parrish	Woods, Va.
Davey	Hull, Tenn.	Phelan	Wright
Davis, Tenn.	Humphreys	Pou	Young, Tex.
Dickinson, Mo.	Jacoway	Quin	
Dominick	Johnson, Miss.	Rainey, H. T.	

NAYS—160.

Ackerman	French	McFadden	Sanders, Ind.
Anderson	Garland	McKenzie	Scott
An Irews, Md.	Good	McLaughlin, Mich.	Sells
Andrews, Nebr.	Goodykoontz	McLaughlin, Nebr.	Shreve
Bacharach	Graham, Ill.	MacCrates	Siegel
Bair	Green, Iowa	MacGregor	Sinclair
Begg	Greene, Mass.	Madden	Smith, Idaho
Benham	Greene, Vt.	Magee	Smith, Mich.
Boies	Grist	Mapes	Snell
Bowers	Hadley	Michener	Steenerson
Brooks, Ill.	Hays	Mondell	Stephens, Ohio
Brooks, Pa.	Hernandez	Moore, Ohio	Stiness
Browning	Hersey	Moore, Pa.	Strong, Kans.
Burke	Hickey	Morgan	Strong, Pa.
Campbell, Kans.	Hoch	Morin	Sweet
Cannon	Houghton	Mott	Taylor, Tenn.
Chindblom	Hullings	Murphy	Temple
Costello	Hull, Iowa	Nelson, Wis.	Thompson, Ohio
Crago	Hutchinson	Newton, Minn.	Tilson
Curry, Calif.	Ireland	Newton, Mo.	Timberlake
Dale	James	Nichols, Mich.	Tincher
Dallinger	Jeffeis	Ogden	Valle
Darrow	Johnson, Wash.	Parker	Vestal
Davis, Minn.	Juul	Peters	Voigt
Denison	Keller	Platt	Volstead
Dickinson, Iowa	Kelly, Pa.	Porter	Walsh
Dowell	Kendall	Radcliffe	Walters
Dunbar	Kennedy, Iowa	Ramsey	Wason
Dunn	Kless	Ramseyer	Watson, Pa.
Edmonds	Kinkaid	Randal, Wis.	Webster
Elliott	Kleczka	Reavis	Wheeler
Elston	Knutson	Reber	White, Kans.
Esh	LaGuardia	Reed, W. Va.	White, Me.
Evans, Nebr.	Lampert	Rhodes	Williams
Fess	Layton	Ricketts	Wilson, Ill.
Focht	Lehbach	Robison, Ky.	Winslow
Fordney	Luce	Rodenberg	Wood, Ind.
Foster	Lufkin	Rogers	Woodyard
Frear	Luhring	Rose	Young, N. Dak.
Freeman	McCulloch	Rowe	Zihlman

ANSWERING "PRESENT"—1.

Hawley

NOT VOTING—155.

Almon	Dyer	Kitchin	Riordan
Anthony	Echols	Kraus	Robinson, N. C.
Babka	Ellsworth	Kreider	Rouse
Barbour	Emerson	Langley	Rowan
Barkley	Evans, Mont.	Lee, Ga.	Rucker
Bee	Fairfield	Lesher	Sabath
Benson	Fitzgerald	Lever	Sanders, La.
Bland, Ind.	Fuller, Ill.	Linthicum	Sanders, N. Y.
Booher	Fuller, Mass.	Little	Sanford
Britten	Gallagher	Longworth	Schall
Browne	Gallivan	McAndrews	Scully
Brumbaugh	Ganly	McArthur	Sherwood
Buchanan	Glynn	McClinic	Sinnott
Burdick	Godwin, N. C.	McDuffie	Sisson
Burroughs	Goldfogel	McKinley	Slemp
Butler	Goodall	McPherson	Smith, Ill.
Byrnes, S. C.	Gould	Maher	Smith, N. Y.
Caldwell	Graham, Pa.	Mann	Snyder
Campbell, Pa.	Griffin	Mason	Stedman
Candler	Hamill	Mays	Steele
Cantrill	Hamilton	Mead	Stephens, Miss.
Carew	Hardy, Colo.	Merritt	Sullivan
Casey	Haskell	Miller	Summers, Wash.
Christopherson	Haugen	Minahan, N. J.	Taylor, Ark.
Clark, Fla.	Hicks	Monahan, Wis.	Thompson, Okla.
Clason	Hill	Mooney	Tinkham
Cole	Husted	Moores, Ind.	Townner
Cooper	Igoe	Mudd	Treadway
Copley	Johnson, Ky.	Neely	Vare
Cramton	Johnson, S. Dak.	Nicholls, S. C.	Venable
Crowther	Johnston, N. Y.	Nolan	Ward
Cullen	Jones, Pa.	Olney	Watkins
Currie, Mich.	Kahn	Osborne	Weaver
Dempsey	Kearns	Padgett	Webb
Dent	Kelley, Mich.	Palge	Weity
DeWalt	Kennedy, R. I.	Pell	Whaley
Dooling	Kettner	Purnell	Wilson, Pa.
Doughton	Kincheloe	Reed, N. Y.	Yates
Dupre	King	Riddick	

So the amendment of Mr. Garrett was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. McKinley with Mr. Gallivan.

Mr. Dyer with Mr. Sanders of Louisiana.

Mr. McArthur with Mr. Whaley.

Mr. Emerson with Mr. Mooney.

Mr. Osborne with Mr. Benson.

Mr. Fairfield with Mr. Scully.

Mr. Purnell with Mr. McClintic.

Mr. Browne with Mr. Olney.

Mr. Snyder with Mr. Smith of New York.

Mr. Cooper with Mr. Thompson of Oklahoma.

Mr. Christopherson with Mr. Sullivan.

Mr. Cramton with Mr. DeWalt.

Mr. Johnson of South Dakota with Mr. Linthicum.

Mr. Jones of Pennsylvania with Mr. Lesher.

Mr. Hawley with Mr. Mead.

Mr. Hicks with Mr. Mays.

Mr. Hill with Mr. McDuffie.

Mr. Hardy of Colorado with Mr. McAndrews.

Mr. Langley with Mr. Cantrill.

Mr. Riddick with Mr. Clark of Florida.

Mr. Sanford with Mr. Casey.

Mr. Schall with Mr. Carew.

Mr. Sinnott with Mr. Candler.

Mr. Slemp with Mr. Campbell of Pennsylvania.

Mr. Smith of Illinois with Mr. Caldwell.

Mr. Summers of Washington with Mr. Byrnes of South Carolina.

Mr. Tinkham with Mr. Buchanan.

Mr. Townner with Mr. Brumbaugh.

Mr. Treadway with Mr. Booher.

Mr. Vare with Mr. Bee.

Mr. Ward with Mr. Barkley.

Mr. Yates with Mr. Babka.

Mr. Graham of Pennsylvania with Mr. Nicholls of South Carolina.

Mr. Hamilton with Mr. Neely.

Mr. Gould with Mr. Padgett.

Mr. Glynn with Mr. Riordan.

Mr. Goodall with Mr. Pell.

Mr. Fuller of Illinois with Mr. Rowan.

Mr. Fuller of Massachusetts with Mr. Robinson of North Carolina.

Mr. Echols with Mr. Sabath.

Mr. Ellsworth with Mr. Rucker.

Mr. Burdick with Mr. Weaver.

Mr. Butler with Mr. Steele.

Mr. Burroughs with Mr. Watkins.

Mr. Classon with Mr. Venable.

Mr. COLE with Mr. TAYLOR of Arkansas.
 Mr. COPLEY with Mr. STEPHENS of Mississippi.
 Mr. CROWTHER with Mr. STEEDMAN.
 Mr. CURRIE of Michigan with Mr. SISSON.
 Mr. KAHN with Mr. DENT.
 Mr. DEMPSEY with Mr. SHERWOOD.
 Mr. HUSTED with Mr. ALMON.
 Mr. REED of New York with Mr. CULLEN.
 Mr. MILLER with Mr. GALLAGHER.
 Mr. MONAHAN of Wisconsin with Mr. FITZGERALD.
 Mr. MOORES of Indiana with Mr. EVANS of Montana.
 Mr. MUDD with Mr. DUPRÉ.
 Mr. NOLAN with Mr. DOUGHTON.
 Mr. PAIGE with Mr. DOOLING.
 Mr. KREIDER with Mr. JOHNSON of Kentucky.
 Mr. LITTLE with Mr. IGOE.
 Mr. LONGWORTH with Mr. HAMILL.
 Mr. MCPHERSON with Mr. GRIFFIN.
 Mr. MANN with Mr. GOLDFOGLE.
 Mr. MASON with Mr. GOODWIN of Arkansas.
 Mr. MERRITT with Mr. GANLY.
 Mr. KEARNS with Mr. LEVER.
 Mr. KELLEY of Michigan with Mr. LEE of Georgia.
 Mr. KENNEDY of Rhode Island with Mr. KINCHELOE.
 Mr. KING with Mr. KETTNER.
 Mr. KRAUS with Mr. JOHNSTON of New York.
 Mr. BRITTEN with Mr. WEBB.
 Mr. BARBOUR with Mr. WELTY.
 Mr. ANTHONY with Mr. WILSON of Pennsylvania.
 Mr. BARBOUR. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman in the Hall and listening when his name was called?

Mr. BARBOUR. I think I arrived just after my name was called.

The SPEAKER. The gentleman does not qualify.

Mr. BUCHANAN. Mr. Speaker, I desire to vote "yea."

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. BUCHANAN. No; I was not.

The SPEAKER. The gentleman does not qualify.

The result of the vote was announced as above recorded.

The SPEAKER. The gentleman from Pennsylvania [Mr. KELLY] has offered an amendment which has been reported.

Mr. KELLY of Pennsylvania. Mr. Speaker, I have offered my amendment providing for the utilization of the Parcel Post System in the distribution of these surplus food products solely in order to carry out the purpose of this resolution.

I consider that this committee has rendered a public service in bringing the facts to the attention of the country and Congress. I believe a still greater public service can be performed if the definite suggestion of the use of a great public agency for the work desired is incorporated in the resolution adopted.

Mr. Speaker, the food problem is a real danger question in America. There is more Red menace in the retail food prices to-day than in all the Bolshevik meetings that can be held in this country.

At this moment great warehouses in 200 cities are bursting with food supplies and other commodities. They are in the hands of the War Department, because the people patriotically voted the money for expected war needs.

At the same time reports come in from every part of the country that the prices on these very articles are skyrocketing until the staples of life must be regarded as luxuries in many homes.

There has been a delay for eight months which to my mind is inexcusable. Every man should have known that there would be a vast surplus of supplies when an Army that was planned to be 5,000,000 on the 1st of this July was really an Army of but 1,000,000.

However, the one thing in which I am interested is action now. There has been too much delay, but what are we going to do about it?

There have been two plans brought out in the testimony before the committee. One is to sell these products in carload lots to municipalities. Ninety per cent of the municipalities are not able to adopt this plan owing to provisions in their charters. Even if all were able to adopt it the plan would not give a chance to half the people of this country who live outside the cities which could handle such an order.

Washington City tried out that plan and about all it proved was that these goods are high class and satisfactory to the people. But thousands of persons never had a chance to buy and were thus dissatisfied and had a feeling that they were treated unjustly. With even the finest kind of volunteer work

ers giving their time gladly in this service, there were misunderstandings about payment of money which hurt the success of the plan.

Mr. FLOOD. Will the gentleman yield?

Mr. KELLY of Pennsylvania. I can not yield, I am sorry to say, as I only have a few minutes.

The other plan, suggested by Mr. Hare, director of sales, was to organize a vast retail selling force in every city in the country. I submit that such a scheme would involve enormous expense, which would have to be defrayed by appropriations of Congress. It would mean doubling the prices paid by the Government for these products. It would mean a sheer waste of great sums of money.

Why should anyone wish to build up a great new distributing organization for these products when we already have one built to do exactly this service in the Parcel Post System?

The Post Office Department is the people's system of distribution. When President Andrew Jackson recommended its establishment he said that it would serve the same function for the country that the veins and arteries serve for the human body.

In serving as the public agency for the distribution of these foodstuffs, so sorely needed in all parts of this country, the Postal Service will be performing the very function forecast by the President.

In the past three years the fact that the post office is the direct connecting link between the people and their National Government has been recognized many times.

The proclamations of the President have been sent by the State Department to the post offices, to be posted there for the information of the citizenship of America.

The War Department and the Navy Department have organized recruiting campaigns in every community in America through the post offices, and Congress itself has authorized the payment of money for every recruit secured by a postmaster.

The Treasury Department sent its announcements to the postmasters to be bulletined for the information of the public, and the postal employees were direct agents in selling war-savings stamps and bonds.

The Labor Department has gone to the public through the postmasters in its employment work.

The Agricultural Department sends its information concerning marketing, gardening, and so forth, to the postmasters of America so that the entire citizenship may be informed of latest developments and plans.

The Food and Fuel Administrations send their orders and regulations to the public by the use of the post-office machinery.

The Civil Service Commission gives notice of its positions and requirements by bulletins in the post offices of America.

The fact is that the use of the Post Office Service in such a task as this which confronts us now is the only sensible course possible. The use of any other organization is the sheerest folly.

The problem is simply that of getting foodstuffs to the consumer direct, of emptying these bursting warehouses and placing their contents in the homes of the people of America.

In preparing for meeting that problem through the postal machinery, Congress has already spent \$610,000 of the people's money. We spent \$10,000 in 1917 for an investigation of the conditions which brought about bread riots and an effort to learn whether the use of postal connection between producer and consumer would reduce the high cost of living.

We appropriated for 1918 \$300,000 for the express purpose of experimenting in direct communication between the producer of foodstuffs and the consumer of them by means of a motor-vehicle service. For 1919 we have appropriated the same sum for the same purpose.

Now, does any gentleman here believe that the people of America will tolerate the complete overthrow of all the work done through these expenditures of public funds? Will this Congress admit that that money has been thrown away, absolutely wasted, by now permitting the creation of some new, specially created, expensive organization for the accomplishment of a task for which the Postal Service is fully prepared?

The fact is that this \$610,000 has been the best money ever spent by this Government—unless this Congress should now make it the most useless expenditure of money possible.

Mr. Speaker, the surplus food products shown in the hearings of this committee are, in part, 173,723,336 cans of vegetables and 141,000,000 pounds of meat products.

These seem like tremendous figures, and with the other surplus products do make quantities which no organization except the parcels post can handle.

But do you realize that there were handled during the last fiscal year 2,250,000,000 parcel-post packages of all sizes and containing every commodity under the sun? Do you realize

that there were handled 187,500,000 packages every month and 6,250,000 every day?

Why, the increase alone during the last fiscal year over the year preceding amounted to 62,500,000 packages a month. There would not be that many packages in the surplus of vegetables and meat products as tabulated in the hearings.

Postmaster Chance, of the Washington post office, in answer to an inquiry as to whether the local post office could handle its share of these surplus products, replied that it would be only one-fourth of the task which devolves on his office every Christmas. I believe the same statement is true for every other post office.

Mr. Speaker, my plan for handling this great surplus and getting it direct to the people is this: There are 54,084 postmasters in this country to-day. Each one could inform the people of his community, through printed matter furnished by the War Department, of these supplies and the price to be paid. He would act as agent for the consumers, buying nothing and selling nothing. He could group these orders and forward the bulk order to the nearest warehouse. The goods could be shipped from the warehouse to the post office from which the order came, and there distributed to the consumers.

This organization also includes 43,109 rural carriers, 35,200 city carriers, 46,207 clerks, and 19,968 railway mail clerks. Such a personnel would not be staggered by this task of public service, and the entire surplus could be handled in two months' time without any breakdown of the organization whatever.

Mr. Speaker, I earnestly believe that this is the only way to handle this great problem. The people are at bay before the high cost of living. The purchase of these foods by the War Department has sent food prices up. It is now a sacred duty to get these foods to the people and, if possible, bring the prices down to what they would have been.

I believe this action will bring prices down, and I want to see prices brought down. I am not worried about food traffickers, who see markets wobbling and quotations dropping through such action. I want to see this shock and still others given until there is an improvement in prices from the viewpoint of the consumer. The consumers make up the community, and their rights are paramount. The very first right of all is to have the right to buy the things upon which life depend at a reasonable price.

Let us use the public agency of the parcel post in distributing these products direct to the people, and show that the American Government has in its own agencies the means of meeting and mastering this task which now confronts it. [Applause.]

Mr. GRAHAM of Illinois. Mr. Speaker, I reserved a point of order on this amendment, and I now make the point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. GRAHAM of Illinois. That the amendment is not germane to this resolution.

Mr. KELLY of Pennsylvania. I would like to be heard on that.

Mr. GRAHAM of Illinois. The original resolution is a simple expression of the judgment of the House, and reads as follows:

That the Secretary of War be, and he is hereby, requested to place on sale, without delay, the surplus food products in the hands or under the control of the War Department now stored in the United States, under such plan as will safeguard the interests of the Government and insure an opportunity to the people of the United States to purchase the same directly from the Government.

The resolution is simply an expression of judgment and leaves entirely to the executive officer the way in which it shall be executed. However, the amendment is as follows:

And such plans shall include utilizing the Parcel Post Service.

It thereby says to the Secretary of War that our opinion is that he should do so and so, but if he does it he must do it in this way, directing a particular method of execution. I do not believe that can be done; I do not believe that that sort of appendix can be attached to a resolution that simply expresses an opinion and does not mark out any way of executing it.

I call the Speaker's attention to section 5804 of Hinds' Precedents, volume 5:

On February 14, 1882, Mr. Godlove S. Orth, of Indiana, from the Committee on Foreign Affairs, reported adversely this resolution:

"Resolved, That the President of the United States, if not incompatible with the public service, be requested to communicate to this House all correspondence with the British Government on file in the State Department with reference to the case of D. H. O'Connor, a citizen of the United States, now imprisoned in Ireland."

Mr. Orth's motion to lay this resolution on the table having been decided in the negative, Mr. S. S. Cox, of New York, submitted the following amendment in the nature of a substitute:

"That the President be, and he is hereby, requested to obtain for D. H. O'Connor and other American citizens now imprisoned under a suspension of the habeas corpus by the British Government in Ireland, without trial, conviction, or sentence, a speedy and fair trial or a prompt release."

After debate, the Speaker said:

"The Chair is not called upon to decide that question, and only refers to it incidentally in determining whether this amendment is in order to a resolution of inquiry which has certain privileges under the rules of the House. The amendment proposed is to change the whole character of the pending resolution, which is a simple resolution of inquiry, and makes it a resolution of instruction to the President of the United States. The Chair thinks it is not germane and not in order."

That is not strictly in point, but I think it indicates the line of argument that is followed in these matters. I do not believe that if this House proceeds to instruct the Secretary of War how he shall execute this order in part at least, that it is a proper amendment to a resolution that simply expresses the opinion of the House upon the subject.

Mr. KELLY of Pennsylvania rose.

The SPEAKER. The Chair is ready to rule. The original resolution provides:

That the Secretary of War is requested to place on sale under such plans as will safeguard the interests of the Government—

And so forth.

The gentleman from Pennsylvania offers to amend by adding—and such plans shall include utilizing the parcels post.

The original resolution provides a general plan, and the amendment of the gentleman from Pennsylvania adds or includes a specific plan. It is a rule that a general proposition can be amended by a specific one, and the Chair thinks that this amendment is clearly in order.

The question is on agreeing to the amendment offered by the gentleman from Pennsylvania.

Mr. HULINGS. Mr. Speaker, I rise to speak to the amendment. I have listened now for a whole day to these political speeches going back and forth, and here comes a proposition now that really has some sense in it. [Laughter.]

Mr. ASWELL. Mr. Speaker, will the gentleman yield?

Mr. HULINGS. I yield to the gentleman for a question.

Mr. ASWELL. Why not include aeroplane transportation in this amendment?

Mr. HULINGS. I do not understand the question. Mr. Speaker, the gentleman from Pennsylvania [Mr. KELLY] has very clearly shown that the Government already has a fine method by which the distribution of the foodstuffs can be carried out, and that is simply by taking up the Postal Department, which is already in operation. I am quite sure that the Chair is entirely correct in this ruling, and I believe it proper to suggest to the Secretary of War that he formulate a plan which shall include the parcel-post method of distribution. It is appropriate indeed for us to suggest that he include the plan that is presented by the gentleman from Pennsylvania. I believe that if the House will consider the amendment for a moment they will adopt it.

All the machinery for handling millions of parcels is already in operation, covering more than 50,000 post offices, and could, with very little trouble and expense be arranged so that the purchaser could give his order and his money to the postmaster, who could forward the order, and by return mail the buyer would get his goods.

Mr. Speaker, whether this amendment carries or not, the real purpose of the amendment—its only purpose—is to bring to the attention of the country the fact that the Secretary of War has withheld these food products in the interest of the packers and refiners. The packers understand. When eggs are scarce the price is high. In the plentiful season the surplus goes into cold storage and prices remain high. Smart dealers destroy the surplus potato crop rather than break the price by putting them on the market. And if the great stores of foodstuffs can be kept in Government warehouses until they rot it will be all the easier to maintain high prices and sweat the public.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania.

The question was taken, and Mr. KELLY of Pennsylvania demanded a division.

Mr. GARRETT (while the House was dividing). Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Tennessee demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 155, nays 130, not voting 145, as follows:

YEAS—155.

Ackerman	Black	Buchanan	Costello
Alexander	Blackmon	Burke	Crago
Almon	Bland, Mo.	Byrns, Tenn.	Crisp
Ashbrook	Bland, Va.	Caraway	Dallinger
Aswell	Blanton	Cars	Davey
Ayres	Booher	Carter	Davis, Tenn.
Baer	Box	Clark, Mo.	Dickinson, Mo.
Bankhead	Brand	Cleary	Donovan
Barbour	Briggs	Coady	Doremus
Bell	Brinson	Collier	Drane

Dunbar	James	Moore, Ohio	Saunders, Va.
Dupré	Johnson, Miss.	Moore, Va.	Scott
Eagan	Jones, Tex.	Mott	Sears
Edmonds	Keller	Nelson, Mo.	Siegel
Esch	Kelly, Pa.	Newton, Mo.	Sinclair
Ferris	Kiess	Nichols, Mich.	Small
Fields	Kitchin	O'Connell	Smith, Mich.
Fisher	Kleczka	Oldfield	Smithwick
Flood	Lampert	Oliver	Steagall
Gandy	Lanham	Overstreet	Stevenson
Gard	Lankford	Padgett	Strong, Kans.
Garner	Larsen	Park	Summers, Tex.
Garrett	Lazaro	Parrish	Taylor, Colo.
Goodwin, Ark.	Lea, Calif.	Phelan	Thomas
Hardy, Tex.	Lonergan	Porter	Tillman
Harrison	Luce	Pou	Upshaw
Hastings	Lufkin	Quin	Vinson
Hayden	McAndrews	Rainey, H. T.	Voigt
Hefflin	McGlennon	Rainey, J. W.	Walters
Hersman	McKeown	Raker	Watkins
Holland	McLane	Randall, Calif.	Watson, Va.
Howard	McLaughlin, Mich.	Randall, Wis.	Welling
Huddleston	Major	Rayburn	Wilson, La.
Hudspeth	Mansfield	Rhodes	Wingo
Hullings	Mapes	Ricketts	Wise
Hull, Tenn.	Martin	Robison, Ky.	Woods, Va.
Humphreys	Michener	Rogers	Wright
Igoe	Montague	Romjue	Young, Tex.
Jacoway	Moon	Rubey	

NAYS—130.

Anderson	Freeman	McCulloch	Sinnott
Andrews, Md.	French	McFadden	Smith, Idaho
Andrews, Nebr.	Garland	McKenzie	Snell
Bacharach	Good	McLaughlin, Nebr.	Steenerson
Begg	Goodykoontz	MacCrates	Stephens, Ohio
Benham	Graham, Ill.	MacGregor	Stiness
Boies	Green, Iowa	Madden	Strong, Pa.
Bowers	Greene, Mass.	Magee	Sweet
Brooks, Ill.	Greene, Vt.	Monahan, Wis.	Taylor, Tenn.
Brooks, Pa.	Grest	Mondell	Temple
Brownning	Hadley	Moore, Pa.	Thompson, Ohio
Campbell, Kans.	Haugen	Moore, Ind.	Tilson
Cannon	Hays	Morgan	Timberlake
Chindblom	Hernandez	Morin	Tincher
Cole	Hersey	Murphy	Vale
Curry, Calif.	Hickey	Nelson, Wis.	Vestal
Dale	Hoch	Newton, Minn.	Volstead
Darrow	Houghton	Ogden	Walsh
Davis, Minn.	Hull, Iowa	Parker	Wason
Denison	Hutchinson	Peters	Watson, Pa.
Dickinson, Iowa	Ireland	Platt	Webster
Dominick	Jeffries	Radcliffe	Wheeler
Dowell	Johnson, Wash.	Ramsey	White, Kans.
Dunn	Juul	Ramseyer	White, Me.
Elliott	Kendall	Reavis	Williams
Elston	Kennedy, Iowa	Reber	Wilson, Ill.
Evans, Nebr.	Kinkaid	Reed, W. Va.	Winslow
Evans, Nev.	Knutson	Rodenberg	Wood, Ind.
Fess	LaGuardia	Rose	Woodard
Focht	Layton	Rowe	Young, N. Dak.
Fordney	Lehbach	Sanders, Ind.	Zihlman
Foster	Little	Sells	
Frear	Luhring	Shreve	

NOT VOTING—145.

Anthony	Ellsworth	Kreider	Rowan
Babka	Emerson	Langley	Rucker
Barkley	Evans, Mont.	Lee, Ga.	Sabath
Bee	Fairfield	Lesher	Sanders, La.
Benson	Fitzgerald	Lever	Sanders, N. Y.
Bland, Ind.	Fuller, Ill.	Linthicum	Sanford
Britten	Fuller, Mass.	Longworth	Schall
Browne	Gallagher	McArthur	Scully
Brumbaugh	Gallivan	McClintic	Sherwood
Burdick	Ganly	McDuffie	Sims
Burroughs	Glynn	McKinley	Sisson
Butler	Godwin, N. C.	McKinley	Slemp
Byrnes, S. C.	Goldfogle	McPherson	Smith, Ill.
Caldwell	Goodall	Maher	Smith, N. Y.
Campbell, Pa.	Gould	Mann	Snyder
Candler	Graham, Pa.	Mason	Stedman
Cantrill	Griffin	Mays	Steele
Carew	Hamill	Mead	Stephens, Miss.
Casey	Hamilton	Merritt	Sullivan
Christopherson	Hardy, Colo.	Miller	Summers, Wash.
Clark, Fla.	Haskell	Minahan, N. J.	Taylor, Ark.
Classon	Hawley	Mooney	Thompson, Okla.
Connally	Hicks	Mudd	Tinkham
Cooper	Hill	Neely	Towner
Copley	Husted	Nicholls, S. C.	Treadaway
Cramton	Johnson, Ky.	Nolan	Vare
Crowther	Johnson, S. Dak.	O'Connor	Venable
Cullen	Johnson, N. Y.	Olney	Ward
Currie, Mich.	Jones, Pa.	Osborne	Weaver
Dempsey	Kahn	Paige	Webb
Dent	Kearns	Pell	Welty
Dewalt	Kelley, Mich.	Purnell	Whaley
Dooling	Kennedy, R. I.	Reed, N. Y.	Wilson, Pa.
Doughton	Kettner	Riddick	Yates
Dyer	Kincheloe	Riordan	
Eagle	King	Robinson, N. C.	
Echols	Kraus	Rouse	

So the amendment was agreed to.

The Clerk announced the following additional pairs:

Mr. BLAND of Indiana with Mr. CANDLER.

Mr. BURROUGHS with Mr. CONNALLY.

Mr. GOULD with Mr. EAGLE.

Mr. HUSTED with Mr. MCKINIRY.

Mr. MUDD with Mr. O'CONNOR.

Mr. SANDERS of New York with Mr. SIMS.

Mr. TINKHAM with Mr. TAYLOR of Arkansas.

Mr. TREADWAY with Mr. WELTY.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the resolution.

Mr. GRAHAM of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 265, nays 4, answered “present” 7, not voting 154, as follows:

YEAS—265.

Ackerman	Evans, Nev.	Lea, Calif.	Reed, W. Va.
Alexander	Ferris	Little	Rhodes
Almon	Fess	Lonergan	Ricketts
Anderson	FIELDS	Luce	Riddick
Andrews, Md.	Fisher	Lufkin	Robison, Ky.
Andrews, Nebr.	Flood	Luhring	Rodenberg
Ashbrook	Focht	McAndrews	Rogers
Aswell	Fordney	McCulloch	Romjue
Ayres	Foster	McDuffie	Rose
Bacharach	Frear	McFadden	Rowe
Baer	Freeman	McGlenon	Rubey
Bankhead	French	McKenzie	Sanders, Ind.
Begg	Gandy	McKeown	Saunders, Va.
Bell	Gard	McLane	Scott
Benham	Garland	McLaughlin, Mich.	Sears
Black	Good	McLaughlin, Nebr.	Sells
Blackmon	Goodwin, Ark.	McPherson	Shreve
Bland, Va.	Goodykoontz	MacCrate	Siegel
Blanton	Graham, Ill.	MacGregor	Sinclair
Boies	Green, Iowa	Madden	Sinnott
Booher	Greene, Mass.	Magee	Small
Bowers	Greene, Vt.	Major	Smith, Idaho
Box	Hadley	Mansfield	Smith, Mich.
Briggs	Harrison	Mapes	Smithwick
Brinson	Hastings	Martin	Snell
Brooks, Ill.	Haugen	Merritt	Steagall
Brooks, Pa.	Hayden	Michener	Stevenson
Browning	Hays	Monahan, Wis.	Stiness
Buchanan	Heflin	Mondell	Strong, Pa.
Burke	Hernandez	Montague	Summers, Tex.
Burns, Tenn.	Hershey	Moon	Sweet
Campbell, Kans.	Hersman	Moore, Ohio	Taylor, Tenn.
Cannon	Hickey	Moore, Pa.	Temple
Caraway	Hoch	Moore, Va.	Thomas
Carss	Holland	Moore, Ind.	Thompson, Ohio
Carter	Houghton	Morgan	Tillman
Childblom	Huddleston	Morin	Timberlake
Clark, Mo.	Hudspeth	Mott	Tincher
Drane	Hulings	Murphy	Treadway
Dunn	Hull, Iowa	Nelson, Mo.	Upshaw
Durant	Hull, Tenn.	Nelson, Wis.	Vaile
Dowell	Hutchinson	Newton, Minn.	Vestal
Egoe	Newton, Mo.	Newton, Mo.	Vinson
Costello	Ireland	Nichols, Mich.	Voigt
Crago	Jacoway	O'Connell	Volstead
Curry, Calif.	James	Odgen	Walsh
Dale	Jeffries	Oldfield	Walters
Dallinger	Johnson, Miss.	Oliver	Watson, Pa.
Darrow	Johnson, Wash.	Overstreet	Webster
Davey	Juul	Padgett	Welling
Davis, Minn.	Keller	Park	Wheeler
Davis, Tenn.	Kelly, Pa.	Parker	White, Kans.
Denison	Kendall	Parrish	White, Me.
Dickinson, Mo.	Kennedy, Iowa	Peters	Williams
Dickinson, Iowa	Kiess	Phelan	Wilson, Ill.
Donovan	Kinkaid	Platt	Wilson, La.
Doremus	Kitchin	Porter	Wingo
Dowell	Kleckza	Quinn	Winslow
Drane	Knutson	Rainey, H. T.	Wood, Ind.
Dunn	LaGuardia	Rainey, J. W.	Woods, Va.
Dupré	Lampert	Raker	Woodyard
Eagan	Langley	Ramsey	Young, N. Dak.
Edmonds	Lanham	Ramseyer	Young, Tex.
Elliott	Lankford	Randall, Calif.	Zihlman
Elston	Larsen	Randall, Wis.	
Esch	Layton	Rayburn	
Evans, Nebr.	Lazaro	Reavis	

NAYS—4.

ANSWERED “PRESENT”—7.

Hawley	Radcliffe	Steenerson	Wason
Lehbach	Reber	Tilson	

Anthony	Christopherson	Fairfield	Howard
Babka	Clark, Fla.	Fitzgerald	Husted
Barbour	Classon	Fuller, Ill.	Johnson, Ky.
Bee	Cooper	Fuller, Mass.	Johnson, S. Dak.
Benson	Cramton	Gallagher	Johnston, N. Y.
Bland, Ind.	Crisp	Ganly	Jones, Pa.
Britten	Crowther	Glynn	Jones, Tex.
Browne	Cullen	Kahn	Kearns
Burdick	Currie, Mich.	Kearns	Kelley, Mich.
Dewalt	Dempsey	Goodall	Kennedy, R. L.
Butler	Dent	Gould	Kettner
Byrnes, S. C.	Dooling	Griffith	Kincheloe
Caldwell	Griffin	Kraus	King
Campbell, Pa.	Hardy, Colo.	Kreider	Kraus
Candler	Hardy, Tex.	Lee, Ga.	Kreider
Cantrill	Ellsworth	Haskell	Levitt
Carew	Emerson	Hicks	Linthicum
Casey	Evans, Mont.	Hill	Longworth

McClintic	Osborne	Sherwood	Tinkham
McKinney	Paige	Sims	Towner
McKinney	Pell	Sisson	Vare
Maher	Pou	Slemp	Venable
Mann	Purnell	Smith, Ill.	Ward
Mason	Reed, N. Y.	Smith, N. Y.	Watkins
Mays	Riordan	Snyder	Watson, Va.
Mead	Robinson, N. C.	Stedman	Weaver
Miller	Rouse	Steele	Webb
Minahan, N. J.	Rowan	Stephens, Miss.	Welty
Mooney	Rucker	Stephens, Ohio	Whaley
Mudd	Sabath	Strong, Kans.	Wilson, Pa.
Neely	Sanders, La.	Sullivan	Wise
Nicholls, S. C.	Sanders, N. Y.	Summers, Wash.	Wright
Nolan	Sanford	Taylor, Ark.	Yates
O'Connor	Schall	Taylor, Colo.	
Olney	Scully	Thompson, Okla.	

So the resolution was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. CRAMTON (for resolution) with Mr. DEWALT (against).

Until further notice:

Mr. MERRITT with Mr. BRAND.

Mr. REED of New York with Mr. WISE.

Mr. KEARNS with Mr. JONES of Texas.

Mr. KREIDER with Mr. BLAND of Missouri.

Mr. STRONG of Kansas with Mr. HOWARD.

Mr. BARBOUR with Mr. WATSON.

Mr. DUNBAR with Mr. CRISP.

Mr. LANGLEY. Mr. Speaker, I have a general pair with my colleague, Mr. CANTRILL, but I am sure he would vote "yea" if he were present. Therefore I let my vote stand.

The result of the vote was announced as above recorded.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent to extend my remarks by printing a short letter from the assistant director of sales on this bill.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks in the Record by printing a letter on the subject referred to. Is there objection? [After a pause.] The Chair hears none.

Mr. ASWELL. Mr. Speaker, the following reveals clearly the outrageous demagogic politics of the Republicans of this House in offering this useless resolution:

WAR DEPARTMENT,
July 23, 1919.

Hon. JAMES B. ASWELL,
House of Representatives, Washington, D. C.

MY DEAR SIR: Replying to your communication of June 28, delay in replying thereto has been occasioned by necessity of awaiting receipt of bids and abstracts thereof from all zones on letting of vegetables June 30.

Fifteen hundred and seventy-two bids were received from all parts of the country, which has caused considerable delay in making abstracts analyzing same, and preparing recommendations for awards.

Abstracts of bids show that probably a considerable quantity of the canned vegetables will be awarded at satisfactory prices, but that there will be a considerable surplus of practically all items left.

For your information we attach hereto copy of publicity statement regarding sale of these canned meats and vegetables to municipalities.

We might further state that sales to State and charitable institutions can be made along the same lines.

I will be very glad to receive your suggestions regarding the disposal of these commodities.

Just as soon as awards are approved and definite information regarding balance left on hand is ascertained you will be advised thereof.

Yours, very truly,

C. W. HARE,
Director of Sales.
By E. C. MORSE,
First Assistant Director of Sales.

JULY 11, 1919.

The War Department authorizes publication of the following statement from the office of the director of sales.

The director of sales announces the prices at which the surplus stocks of canned and cured meats held by the War Department are offered to municipalities throughout the country to be retailed to the general public through markets controlled by municipalities. The canned vegetables available to towns and cities will be sold to the municipalities at their invoice cost to the Government. Since these goods were produced by hundreds of different canners at varying prices, the prices which will be quoted to municipalities may vary slightly in the several zones. Quotations on the vegetables may be obtained from the surplus-property officer at each of the 13 zone supply offices.

The prices for the canned and cured meats, which are approximately 20 per cent below the cost of these commodities to the Government, are uniform throughout the 13 zones in which the surplus stocks of meats are located. They are as follows:

Beef, corned:		per dozen	\$3.60
No. 1 cans	do	do	6.96
No. 2 cans	do	do	24.00
6-pound cans	do	do	
Beef, roast:		do	3.48
No. 1 cans	do	do	4.92
1-pound cans	do	do	7.92
2-pound cans	do	do	26.40
6-pound cans	do	do	
Hash, corned beef:		do	2.76
1-pound cans	do	do	4.80
2-pound cans	do	do	
Bacon:		per pound	.34
In crates	do	do	.36
In 12-pound tins	do	do	

As has been announced, this subsistence is offered to municipalities in not less than carload lots, but at those warehouses at which stocks of vegetables and meats are stored a municipality will be permitted to purchase a mixed carload of either vegetables or meats, or both vegetables and meats. The prices quoted are f. o. b. location. The War Department can not pay freight charges or transport the goods. The responsibility for such detail must be assumed by the municipality.

To make these food supplies as accessible as possible to the general public, the War Department will permit municipalities to purchase the surplus stocks and defer payment until they shall have been disposed of, provided this extension of credit shall not exceed a period of 10 days after the goods shall actually have been delivered to the municipality.

The War Department will negotiate only with a properly accredited official of a municipality for the sale of this subsistence. It will not concern itself with the manner in which the municipality, having obtained the goods, shall offer it to the public, further than to stipulate that the municipality shall sell at cost. The municipal government is at liberty to conduct the sale of the foodstuffs under the direction of municipal officials or civic bodies to whom it may delegate authority.

Municipalities desiring to take advantage of the War Department's offer are requested to negotiate directly with the surplus property officer at the nearest of the zone supply offices, which are located in the following cities: Boston, New York, Philadelphia, Baltimore, New- port News, Atlanta, Chicago, St. Louis, New Orleans, Fort Sam Houston, El Paso, Omaha, and San Francisco. These surplus property offices have been instructed by the War Department to make sales to municipalities under the conditions prescribed by the War Department, and are supplied with complete information concerning the commodities available in each of the zones and the actual prices at which they may be disposed of.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 40 minutes p. m.) the House adjourned until Wednesday, July 30, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury transmitting supplemental estimate of appropriations for contingent expenses of the War Department, 1920 (H. Doc. 167); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury transmitting supplemental estimate of appropriation required by the Bureau of Fisheries for reconstruction of the fish hatchery at Baker Lake, Wash., recently damaged by fire (H. Doc. 168); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury transmitting a proposed paragraph of legislation for the Bureau of Engraving and Printing (H. Doc. 169); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury transmitting supplemental estimate of appropriation required by the Secret Service Division of the Treasury for suppressing counterfeiting and other crimes, fiscal year 1920 (H. Doc. 170); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SIEGEL, from the Committee on Immigration and Naturalization, to which was referred the bill (H. R. 7930) to provide for the treatment in hospital of diseased alien seamen, reported the same without amendment, accompanied by a report (No. 173), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TILLMAN, from the Committee on the Public Lands, to which was referred the bill (H. R. 3175) authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation, reported the same with amendment, accompanied by a report (No. 174), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LAGUARDIA, from the Committee on Military Affairs, to which was referred the resolution (H. Res. 190) directing the Secretary of War to furnish the House of Representatives certain information, reported the same without amendment, accompanied by a report (No. 175), which said bill and report were referred to the House Calendar.

Mr. HARRISON, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 161) authorizing the Secretary of War to expend certain sums appropriated for the support of the Army for the fiscal years ending June 30, 1919, and June 30, 1920, at Camp A. A. Humphreys, Va., reported the same without amendment, accompanied by a report

(No. 176), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HADLEY, from the Committee on Ways and Means, to which was referred the bill (H. R. 5218) to provide revenue for the Government and to establish and maintain the production of magnesite ores and manufactures thereof in the United States, reported the same with amendment, accompanied by a report (No. 177), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GANDY, from the Committee on the Public Lands, to which was referred the bill (S. 2100) authorizing the Union Pacific Railroad Co., or its successors, to convey for public-road purposes certain parts of its right of way, reported the same without amendment, accompanied by a report (No. 178), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. PLATT, from the Committee on Banking and Currency, to which was referred the bill (H. R. 7478) to amend section 5200 of the Revised Statutes of the United States by acts of June 22, 1906, and September 24, 1918, reported the same with amendment, accompanied by a report (No. 179), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. VAILE, from the Committee on the Public Lands, to which was referred the bill (H. R. 1024) authorizing the Secretary of the Interior to issue a patent to John Zimmerman for certain lands in the Colorado National Forest upon the surrender of other lands of an equal acreage also located in the Colorado National Forest, Colo., reported the same without amendment, accompanied by a report (No. 180), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 2824) granting an increase of pension to Elizabeth Walsh, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HUTCHINSON: A bill (H. R. 7970) to provide revenue and for the regulation and supervision of cold-storage warehouses and the conservation, storage, sale, and distribution of food and food products; to the Committee on Agriculture.

By Mr. RAKER: A bill (H. R. 7971) to accept the cession by the State of California of exclusive jurisdiction over the lands embraced within the Yosemite National Park, Sequoia National Park, and the General Grant National Park, respectively, and for other purposes; to the Committee on the Public Lands.

By Mr. KALANIANAOLE: A bill (H. R. 7972) to improve the administration of the Postal Service in the Territory of Hawaii; to the Committee on the Post Office and Post Roads.

By Mr. WELTY: A bill (H. R. 7973) to raise revenue by taxing certain articles of food held in cold storage; to the Committee on Ways and Means.

By Mr. STEDMAN: A bill (H. R. 7974) to provide for the purchase of a site and the erection of a public building at Mount Airy, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7975) to provide for the purchase of a site and the erection of a public building at Greensboro, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. GREEN of Iowa (by request): A bill (H. R. 7976) to amend section 151 of the tariff act of October 3, 1913, in respect to the tariff on snap fasteners; to the Committee on Ways and Means.

By Mr. BLAND of Indiana: A bill (H. R. 7977) to authorize the acquisition of a site and the erection of a Federal building at Sullivan, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. NOLAN: A bill (H. R. 7978) 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 Education.

By Mr. HASTINGS: A bill (H. R. 7979) to define the status of and to remove the restrictions from certain members of the

Five Civilized Tribes, and for other purposes; to the Committee on Indian Affairs.

By Mr. HAYS: A bill (H. R. 7980) to provide for the purchase of a site and for the erection of a public building thereon at Kennett, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. VAILE: A bill (H. R. 7981) validating locations of deposits of gold or iron ore heretofore made in good faith under the placer-mining laws of the United States; to the Committee on Mines and Mining.

By Mr. RICKETTS: A bill (H. R. 7982) to regulate commerce among the States in live stock, meats, and other products derived from live stock, or the slaughtering of live stock, or in commodities other than live stock, and to regulate transportation, storage, and marketing facilities thereof, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MAPES (by request): A bill (H. R. 7983) to amend an act approved June 8, 1906, entitled "An act to amend section 1 of an act entitled 'An act relating to the Metropolitan police of the District of Columbia,' approved February 28, 1901"; to the Committee on the District of Columbia.

By Mr. BROOKS of Pennsylvania: A bill (H. R. 7984) authorizing the Secretary of War to place upon the Gettysburg National Park, at Gettysburg, Pa., 10 German cannon or field-pieces, with carriages, with suitable number of shells; to the Committee on Military Affairs.

By Mr. WOOD of Indiana: Resolution (H. Res. 207) to provide for the national security and defense, etc.; to the Committee on Agriculture.

By Mr. IRELAND: Resolution (H. Res. 209) to provide for the expenses of the select committee appointed under the authority contained in House resolution 171; to the Committee on Accounts.

By Mr. DALE: Resolution (H. Res. 210) granting authority to the Committee on Expenditures in the Treasury Department; to the Committee on Rules.

Also, resolution (H. Res. 211) granting authority to the Committee on Expenditures in the Treasury Department; to the Committee on Accounts.

By Mr. JAMES: Joint resolution (H. J. Res. 166) for amendment to the Constitution forbidding Congress to conscript armies to serve outside the United States to execute the orders of any international body or tribunal; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 7985) granting a pension to William A. Harper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7986) granting a pension to Cynthia A. Miller; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 7987) granting an increase of pension to Haywood W. Weathington; to the Committee on Invalid Pensions.

By Mr. BOWERS: A bill (H. R. 7988) granting an increase of pension to Inez Plum; to the Committee on Invalid Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 7989) to correct the military record of William C. Wilson; to the Committee on Military Affairs.

Also, a bill (H. R. 7990) granting a pension to George A. De Voe; to the Committee on Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 7991) granting a pension to Sarah McCallister; to the Committee on Invalid Pensions.

By Mr. EDMONDS: A bill (H. R. 7992) for the relief of the estate of Thomas F. McGee; to the Committee on Claims.

By Mr. FESS: A bill (H. R. 7993) granting an increase of pension to Henry A. Pearce; to the Committee on Invalid Pensions.

By Mr. HULINGS: A bill (H. R. 7994) authorizing the Commissioner of Internal Revenue to redeem and pay to Nathan Rosenblum the value of certain revenue stamps destroyed; to the Committee on Claims.

By Mr. KAHN: A bill (H. R. 7995) granting an increase of pension to James Wardwell Newton; to the Committee on Invalid Pensions.

By Mr. KLECZKA: A bill (H. R. 7996) granting an increase of pension to John Feilzen; to the Committee on Pensions.

Also, a bill (H. R. 7997) granting an increase of pension to William H. Roberts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7998) granting an increase of pension to Hyram Colwell; to the Committee on Pensions.

Also, a bill (H. R. 7999) granting an increase of pension to John Swift; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8000) granting a pension to Julius Jenson; to the Committee on Pensions.

Also, a bill (H. R. 8001) granting a pension to Albert Beiro; to the Committee on Pensions.

Also, a bill (H. R. 8002) granting a pension to Adolph S. Szydłowski; to the Committee on Pensions.

Also, a bill (H. R. 8003) for the relief of the heirs of Oscar Chrysler; to the Committee on Claims.

By Mr. MAPES: A bill (H. R. 8004) granting a pension to Ellen Kennon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8005) to reimburse Lieut. Col. E. D. Kremers, Medical Corps, United States Army, for rent of quarters at Honolulu, Hawaii; to the Committee on Claims.

By Mr. PHELAN: A bill (H. R. 8006) for the relief of Ellen B. Monahan; to the Committee on Claims.

By Mr. HENRY T. RAINY: A bill (H. R. 8007) granting an increase of pension to James H. Rayhill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8008) granting an increase of pension to Frances T. Denton; to the Committee on Pensions.

Also, a bill (H. R. 8009) granting a pension to Nancy A. E. Shanklin; to the Committee on Invalid Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 8010) granting an increase of pension to Leo V. Burchett; to the Committee on Pensions.

Also, a bill (H. R. 8011) granting an increase of pension to Anderson B. Curtis; to the Committee on Pensions.

Also, a bill (H. R. 8012) granting an increase of pension to S. Dailey; to the Committee on Invalid Pensions.

By Mr. ROMJUE: A bill (H. R. 8013) granting an increase of pension to Sibba Miller; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 8014) granting an increase of pension to Jacob R. Warner; to the Committee on Invalid Pensions.

By Mr. WATSON of Pennsylvania: A bill (H. R. 8015) for the relief of the Sanitary Co. of America; to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 8016) granting a pension to David Akridge; to the Committee on Pensions.

Also, a bill (H. R. 8017) granting a pension to James K. Vance; to the Committee on Pensions.

Also, a bill (H. R. 8018) granting a pension to Permelia Reeves; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8019) granting an increase of pension to Lawson F. Myers; to the Committee on Invalid Pensions.

By Mr. WALSH: A bill (H. R. 8020) granting an increase of pension to Minard Wood; to the Committee on Pensions.

Also, a bill (H. R. 8021) granting an increase of pension to Charles H. Poole; to the Committee on Invalid Pensions.

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 Jacob Schwartz and Daniel Greek, of New Haven, Conn., favoring the complete independence of the Ukrainian peoples republic; to the Committee on Foreign Affairs.

Also (by request), petition of Springfield Division 198, Order of Railway Conductors, of Springfield, Mass., in favor of a league of nations; to the Committee on Foreign Affairs.

Also (by request), petition of Philadelphia Board of Trade, by William M. Coates, president, relating to Senate bill 810, to establish an interstate marketing system; to the Committee on Agriculture.

By Mr. BOOHEIR: Petition of 4,000 citizens of Buchanan County, Mo., protesting against the passage of the Lever, Kenyon, and Kendrick bills; to the Committee on Agriculture.

By Mr. CAMPBELL of Pennsylvania: Petition of sundry citizens of Pittsburgh, Pa., in regard to reducing the high cost of living; to the Committee on the Judiciary.

By Mr. CULLEN: Petition of W. B. Day, of Chicago, Ill., favoring House bills 44 and 212; to the Committee on Ways and Means.

Also, petition of Lamont, Corliss & Co. and Peter Cailler Kohler Swiss Chocolates Co. (Inc.), both of New York, for the repeal of the tax on candy, etc.; to the Committee on Ways and Means.

By Mr. ESCH: Petition of the United National Association of Post Office Clerks, of Washington, D. C., favoring House joint resolution No. 151, introduced by Mr. Madden, of Illinois; to the Committee on the Post Office and Post Roads.

By Mr. FITZGERALD: Petition of Maldep Central Labor Union, Malden, Mass., relating to the needless high prices; to the Committee on Ways and Means.

By Mr. GREENE of Vermont: Petition of William Ring and others of the first congressional district of Vermont urging the repeal of tax on soda water and ice cream; to the Committee on Ways and Means.

Also, petition of National Graphite Co., of San Francisco, Calif., protesting against House bill 5941; to the Committee on Ways and Means.

By Mr. HUDSPETH: Papers to accompany House bill 7945, for the relief of A. C. Russell; to the Committee on Claims.

Also, petition of El Paso Chamber of Commerce, of El Paso, Tex., indorsing Kendrick and Kenyon bills; to the Committee on Agriculture.

By Mr. KIESS: Evidence in support of House bill 7680, for the relief of Jessie Byerly; to the Committee on Invalid Pensions.

By Mr. MOON: Papers to accompany House bill 7953, to increase the pension of J. M. McKenzie, of Meigs County, Tenn.; to the Committee on Pensions.

By Mr. O'CONNELL: Petition of National Tuberculosis Association of New York City against the repeal of the so-called daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, petition of Philadelphia Board of Trade, by William M. Coates, president, relating to Senate bill 810, to establish an interstate marketing system; to the Committee on Agriculture.

By Mr. HENRY T. RAINY: Petition of Robert Smith and 300 other citizens of Jacksonville, Ill., favoring the repeal of the tax on medicines, etc.; to the Committee on Ways and Means.

Also, petition of executive committee of Farm Bureau, Virginia, Ill., for repeal of daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, petition of Local Cigarmakers' Union No. 365, Havana, Ill., expressing disapproval of war-time prohibition; to the Committee on the Judiciary.

Also, petition of Mount Sterling Christian Church, for enforcement of prohibition laws and against the repeal of wartime prohibition; to the Committee on the Judiciary.

By Mr. ROWAN: Petition of Philadelphia Board of Trade, by William M. Coates, president, relating to Senate bill 810, to establish an interstate marketing system; to the Committee on Agriculture.

Also, petition of W. B. Day, of Chicago, Ill., favoring House bills 44 and 212; to the Committee on Education.

Also, petition of Lewis B. Bainton, of New York City, favoring House bill 6377; to the Committee on Ways and Means.

Also, petition of William Kelly, of New York, favoring House bills 6577 and 6659; to the Committee on Ways and Means.

Also, petition of Harold R. Young and 260 other citizens of New York, asking the repeal of section 904 of the revenue act of 1918; to the Committee on Ways and Means.

By Mr. STRONG of Pennsylvania: Petition of citizens of Clarion County, Pa., protesting against a tariff on potash; to the Committee on Ways and Means.

By Mr. TAYLOR of Tennessee: Petition of Little River Lumber Co., by W. B. Townsend, of Townsend, Tenn., protesting against the Dyer resolution relating to the use of steel railway ties instead of wooden ties; to the Committee on Interstate and Foreign Commerce.

By Mr. TILSON: Petition of Patrick F. O'Meara and 8,000 others of New Haven, Conn., urging the repeal of war-time prohibition; to the Committee on the Judiciary.

By Mr. YATES: Petition of Frank H. Blackmore, Bickett Coal & Coke Co., and J. H. Willard, all of Chicago, Ill., protesting against the Kendrick bill (S. 2199) concerning the packing industry; to the Committee on Agriculture.

Also, petition of C. H. Besley & Co., of Chicago, Ill., urging enforcement of prohibition; to the Committee on the Judiciary.

Also, petition of C. G. Steele, J. B. Rogers, and others, of Chicago, Ill., protesting against the Kendrick bill (S. 2199); to the Committee on Agriculture.

Also, petition of the Western Glass Co., of Streator, and Acme Steel Goods Co., and American Wire Fabrics Co., of Chicago, all in the State of Illinois, protesting against joint resolution authorizing the President to call a conference for the consideration of industrial problems; to the Committee on the Judiciary.

Also, petition of B. W. Brown, of Berlin, Sangamon County, Ill., urging that the cattle-breeding industry will be injured by the passage of the Kendrick bill (S. 2202); to the Committee on Agriculture.

Also, petition of Effingham County Farm Bureau, of Effingham, Ill., favoring repeal of daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, petition of Fred J. Blackburn, county agent, Salem, Ill., urging repeal of daylight-saving law, notwithstanding the veto; to the Committee on Interstate and Foreign Commerce.

Also, petition of Hunt-Helm-Ferris Co., Harvard, Ill., containing protest against House joint resolution 121 and Senate joint resolution 57 concerning differences between capital and labor; to the Committee on Labor.

Also, petition of A. T. Davis, of Blue Island, Ill., containing protest against the Kendrick bill because of increasing high cost of living; to the Committee on Agriculture.

Also, petition of Thomson & Taylor Spice Co., of Chicago, Ill., urging provision in prohibition law to permit the legitimate manufacture of flavoring extract for food purposes—no known way of manufacturing practical substitute; to the Committee on the Judiciary.

Also, petition of Inderrieden Canning Co., of Chicago, Ill., containing protest against Kenyon bill as being pure confiscation of packing properties; to the Committee on Agriculture.

Also, petition of Phoenix Hermetic Co., of Chicago, Ill., containing approval of House joint resolution 151, increasing postal salaries; to the Committee on the Post Office and Post Roads.

Also, petition of W. A. Patterson, of Chicago, Ill., containing protest against Kenyon and Kendrick bills; to the Committee on Agriculture.

Also, petition of C. J. Van Zandt, of Chicago, Ill., opposing passage of Senate bill 2202, introduced by Senator Kenyon; to the Committee on Agriculture.

Mr. MOORE of Pennsylvania. Reserving the right to object, Mr. Speaker, I do not want to indulge in general debate, but I may want 10 or 15 minutes during the progress of the bill.

Mr. JOHNSON of Washington. I will try to provide that, I will say to the House generally that this bill is short and carries eight amendments, and in the consideration of those amendments I think all the debate necessary can be had.

Mr. MOORE of Pennsylvania. The policy will be liberal?

Mr. JOHNSON of Washington. Yes.

Mr. CLARK of Missouri. What is this bill about?

Mr. JOHNSON of Washington. It is a bill to deport certain undesirable aliens. It is well understood that out of 7,000 aliens taken up under Federal warrants about 4,000 were interned.

Mr. CLARK of Missouri. Where?

Mr. JOHNSON of Washington. At Fort Oglethorpe, Ga., and in the internment camp in Utah. Out of that 4,000, 2,000 have been permitted to return to their own homes and about 1,500 are under parole, and there now remain 500 alien enemies to be set free or to be deported if legislation therefor is provided.

Mr. CLARK of Missouri. I will ask the gentleman if he does not think it will be better for him to take up 30 minutes in general debate to explain this bill before we tackle the amendments, and give somebody else 30 minutes?

Mr. JOHNSON of Washington. I will be glad to do that, but I thought if we had an understanding in the House that we would not use two hours in general debate, I would then be very glad to permit enough debate in the consideration of the amendments to enable everybody to understand the bill.

Mr. CLARK of Missouri. The gentleman understands as well as I do or anybody else who knows what happens in this House, that some gentleman starts in on five minutes and he can not finish in five minutes and wants five minutes more, and some other gentleman who has gotten in bad humor about something or other objects, and it seems to me it would be better to take 30 minutes on each side for general debate and cut out the other hour.

The SPEAKER. Does the gentleman from Washington ask that the debate be limited to 30 minutes to a side?

Mr. JOHNSON of Washington. Yes.

Mr. RAKER. One-half of the time to be controlled by the gentleman from Washington and one-half by this side?

Mr. JOHNSON of Washington. Yes.

Mr. WINGO. I suggest that if they do not need it, it need not be used.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Iowa [Mr. TOWNER] will take the chair.

Thereupon the House resolved the House into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6750, with Mr. TOWNER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6750, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 6750) to deport certain undesirable aliens and to deny readmission to those deported.

Be it enacted, etc. That aliens of the following classes, in addition to those for whose expulsion from the United States provision is made in the existing law, shall, upon the warrant of the Secretary of Labor, be taken into his custody and deported in the manner provided in sections 19 and 20 of the act of February 5, 1917, entitled "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States," to wit:

(1) All aliens who are now or may hereafter be interned under section 4067 of the Revised Statutes of the United States and the proclamations issued by the President in pursuance of said section under date of April 6, 1917, November 16, 1917, December 11, 1917, and April 19, 1918, respectively, the fact of whose internment shall be certified by the Attorney General to the Secretary of Labor, and who shall be held by the Secretary of Labor to be undesirable residents of the United States.

(2) All aliens who since August 1, 1914, have been or may hereafter be convicted of any offense committed against any of the following laws of the United States, the judgment on such conviction having become final, namely:

(a) An act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, or the amendment thereof approved May 16, 1918;

(b) An act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes," approved October 6, 1917;

(c) An act entitled "An act to prevent in time of war departure from and entry into the United States contrary to the public safety," approved May 22, 1918;

(d) An act entitled "An act to punish the willful injury or destruction of war material or of war premises or utilities used in connection with war material, and for other purposes," approved April 20, 1918;

HOUSE OF REPRESENTATIVES.

WEDNESDAY, July 30, 1919.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, our Father in heaven, for the men of vision, whom Thou hast, from time to time, raised up in the world's history, took the initiative in their own hands, inaugurated great reforms, bringing order out of chaos, making life a thing of joy.

Hence our hearts go out in gratitude to-day for the wise and sane men of Virginia, who 300 years ago established on this continent the first legislative body ever assembled, and laid the foundation of a government of the people, by the people, for the people; and we thank Thee that this legislative body will honor itself by signal notice of the House of Burgesses from which sprang great reforms and laid the foundation of the United States of America, which we pray may live and be an inspiration to all the world for free and independent governments; and glory and praise be Thine, in the name of Him who died that truth might live. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALENDAR WEDNESDAY.

Mr. RAKER rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. RAKER. By direction of the Committee on the Public Lands—

The SPEAKER. To-day is Calendar Wednesday, and the Chair can not recognize the gentleman. The Clerk will call the roll of committees.

The Clerk proceeded to call the roll of committees.

Mr. JOHNSON of Washington (when the Committee on Immigration and Naturalization was called). Mr. Speaker, I desire to call up bills on the calendar from the Committee on Immigration and Naturalization.

The SPEAKER. The gentleman from Washington calls up a bill, which the Clerk will report.

DEPORTATION OF UNDESIRABLE ALIENS.

Mr. JOHNSON of Washington. I desire to call up the bill H. R. 6750, to deport certain undesirable aliens and deny readmission to those deported; and prior to the House resolving itself into Committee of the Whole House on the state of the Union, I desire to ask unanimous consent that general debate be dispensed with.

The SPEAKER. The gentleman from Washington asks unanimous consent that, in the consideration of the bill that he calls up, general debate allowed under the rule be dispensed with. Is there objection?