

Also, a bill (H. R. 10185) for the purchase of a post-office site at St. Matthews, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10186) for the purchase of a post-office site at Batesburg, S. C.; to the Committee on Public Buildings and Grounds.

By Mr. FULLER of Illinois: A bill (H. R. 10187) to change the place of holding the United States district court for the western division, northern district of Illinois, and for maintaining the clerk's office therein; to the Committee on the Judiciary.

By Mr. SCOTT: A bill (H. R. 10188) authorizing the Ottawa and Chippewa Tribes of Indians of Michigan to submit claims to the Court of Claims; to the Committee on Indian Affairs.

By Mr. ALMON: A bill (H. R. 10189) to authorize the enlargement, extension, and remodeling the Federal building at Huntsville, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. GARLAND: Joint resolution (H. J. Res. 241) to suspend the requirements of annual assessment work on mining claims during the year 1919; to the Committee on Mines and Mining.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOOHER: A bill (H. R. 10190) granting an increase of pension to William Ralston; to the Committee on Invalid Pensions.

By Mr. DENISON: A bill (H. R. 10191) granting a pension to Philip White; to the Committee on Pensions.

By Mr. HAYS: A bill (H. R. 10192) granting a pension to Samuel Baker; to the Committee on Invalid Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 10193) granting an increase of pension to Emma M. Johnson; to the Committee on Invalid Pensions.

By Mr. LEA of California: A bill (H. R. 10194) granting a pension to Lizzie C. Lefavor; to the Committee on Pensions.

By Mr. LONERGAN: A bill (H. R. 10195) for the relief of John G. Barnard; to the Committee on Military Affairs.

Also, a bill (H. R. 10196) granting a pension to Robert Heron; to the Committee on Pensions.

Also, a bill (H. R. 10197) granting a pension to Margaret Steele; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10198) granting a pension to Fanny Stewart; to the Committee on Invalid Pensions.

By Mr. MANN of Illinois: A bill (H. R. 10199) granting a pension to George Crago; to the Committee on Pensions.

By Mr. RAMSEYER: A bill (H. R. 10200) for the relief of Sanford Kirkpatrick; to the Committee on Claims.

By Mr. SANDERS of Indiana: A bill (H. R. 10201) granting a pension to Alvina Sanders; to the Committee on Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 10202) granting a pension to Calvers T. Biddle; to the Committee on Pensions.

Also, a bill (H. R. 10203) granting an increase of pension to Lazarus W. Johnson; to the Committee on Invalid Pensions.

By Mr. WILSON of Pennsylvania: A bill (H. R. 10204) for the relief of John Baker; to the Committee on Military Affairs.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ESCH: Petition of Ukrainian National Committee of United States Branch, of Philadelphia, praying that the troops of Poland, Roumania, and any other power foreign to Ukraine be ordered withdrawn immediately from all Ukrainian territories; to the Committee on Foreign Affairs.

Also, petition of J. L. Sturtevant, of Milwaukee, Wis., favoring the establishment of an independent and adequate news service across the Pacific with a low word rate; to the Committee on Interstate and Foreign Commerce.

Also, petition of Montana State Press Association, of Great Falls, Mont., protesting against the repeal of the zone system of postage on newspapers and periodicals; to the Committee on Ways and Means.

By Mr. FULLER of Illinois: Petition of Chicago Wheel & Manufacturing Co. and Cotta Transmission Co., of Rockford, Ill., favoring the passage of House bills 5011, 5012, and 7010; to the Committee on Patents.

By Mr. GALLIVAN: Petition of Boston Chapter, Knights of Columbus, protesting against the ruling made by the Secretary of War relative to the chaplains who served during the recent war; to the Committee on Military Affairs.

By Mr. MACGREGOR: Petition of Board of Supervisors of Erie County, Buffalo, N. Y., favoring the passage of the bill introduced by Representative DALLINGER, of Massachusetts; to the Committee on Interstate and Foreign Commerce.

By Mr. MEAD: Petition of Board of Supervisors of Erie County, Buffalo, N. Y., favoring the passage of the bill introduced by Representative DALLINGER, of Massachusetts, in re sugar embargo; to the Committee on Interstate and Foreign Commerce.

By Mr. ROWAN: Petition of David Metzger, of New York, urging the importance of providing adequate transportation facilities and uninterrupted transportation for the public; to the Committee on Interstate and Foreign Commerce.

Also, petition of J. H. Bleistein (Inc.), of New York, favoring the passage of House bill 9778; to the Committee on Ways and Means.

Also, petition of G. W. Berry, of New York, favoring the passage of House bill 9694; to the Committee on Naval Affairs.

Also, petition of Daniel T. O'Connell and Anne Kearns, of New York, urging that the Congress of the United States by resolution ask the President of the United States to recognize the Republic of Ireland as a member of the nations of the world; to the Committee on Foreign Affairs.

By Mr. TINKHAM: Petition of sundry citizens of Boston, Mass., protesting against sending of troops of the United States Army to Europe; to the Committee on Foreign Affairs.

#### SENATE.

MONDAY, October 27, 1919.

(Legislative day of Wednesday, October 22, 1919.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll. The Secretary called the roll, and the following Senators answered to their names:

Ball	Harding	McKellar	Sherman
Bankhead	Harris	McLean	Simmons
Borah	Harrison	McNary	Smith, Ariz.
Brandeggee	Henderson	Moses	Smith, Ga.
Capper	Hitchcock	Myers	Smith, Md.
Chamberlain	Johnson, Cal.	Nelson	Smoot
Coit	Jones, N. Mex.	New	Spencer
Culberson	Jones, Wash.	Newberry	Stealing
Cummins	Kellogg	Norris	Sutherland
Curtis	Kenyon	Nugent	Thomas
Dial	Keyes	Overman	Townsend
Dillingham	King	Page	Trammell
Edge	Kirby	Penrose	Underwood
France	Knox	Phipps	Wadsworth
Frelinghuysen	La Follette	Poindexter	Walsh, Mass.
Gay	Lenroot	Pomerene	Walsh, Mont.
Gerry	Lodge	Ransdell	Warren
Gronna	McCormick	Robinson	Watson
Hale	McCumter	Sheppard	Williams

Mr. KING. I desire to announce that the senior Senator from Delaware [Mr. Wolcott] is absent on official business. I ask that this announcement may stand for the day.

I wish also to announce that the Senator from Missouri [Mr. REED] is detained from the Senate by illness.

Mr. TRAMMELL. The senior Senator from Florida [Mr. FLETCHER], the Senator from Oklahoma [Mr. GORE], the Senator from Wyoming [Mr. KENDRICK], the Senator from California [Mr. PHELAN], the Senator from Tennessee [Mr. SHIELDS], and the junior Senator from Arizona [Mr. ASHURST] are absent on official business.

Mr. GERRY. The Senator from South Dakota [Mr. JOHNSON] and the Senator from South Carolina [Mr. SMITH] are detained by illness in their families. The senior Senator from Kentucky [Mr. BECKHAM], the junior Senator from Kentucky [Mr. STANLEY], and the Senator from Oklahoma [Mr. OWEN] are detained from the Senate on public business.

The VICE PRESIDENT. Seventy-six Senators have answered to the roll call. There is a quorum present.

#### TREATY OF PEACE WITH GERMANY.

The Senate, as in Committee of the Whole, and in open executive session, resumed the consideration of the treaty of peace with Germany.

Mr. LODGE. The pending question is upon the first amendment proposed by the Committee on Foreign Relations.

The VICE PRESIDENT. That is the pending question.

## GEORGIA RESOLUTION OF 1852.

Mr. SMITH of Georgia. Mr. President, I have here a resolution passed in 1852 by the Legislature of the State of Georgia. It is a little old, but there are some suggestions in it that some of us may consider wise. I bring it to the attention of the Senate particularly on account of the fact that it was approved by Howell Cobb, who was then governor of Georgia, and who had been Speaker of the House of Representatives, and was afterwards Secretary of the Treasury. It was presented to the House of Representatives by Alexander H. Stephens, afterwards Vice President of the Confederacy. Gov. Howell Cobb and Alexander H. Stephens were two of Georgia's greatest sons. Although I do not claim that the resolution is entirely applicable, and although I do not myself profess to attempt to follow it entirely, yet it does carry a line of thought that may be valuable to us even in these progressive days, and I desire to have it read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

"Alexander H. Stephens, a Representative from Georgia, March 9, 1852, presented joint resolutions of the Georgia Legislature, approved by Gov. Howell Cobb, to wit:

"It has been the policy of the American Government from its earliest existence to maintain friendly relations with all but entangling alliances with none. Our true mission is not to propagate our opinions or impose upon other countries our form of government, by artifice or by force, but to show by our success, moderation, and justice the blessings of self-government and the advantages of free institutions. Let every people choose for themselves, and make and alter their political institutions to suit their own condition and circumstances. In proclaiming and adhering to the doctrine of neutrality and non-intervention the United States have not followed the lead of other civilized nations, but have taken the lead and been followed by others. These great principles proclaimed in the days of Washington and Jefferson are the great American principles upon which our Government has ever stood. The fame and distinction to which we have attained as a people, the great blessings which we have dispensed to the world in affording an asylum for the oppressed everywhere, forbid that we should for a moment cherish the idea of abandoning those principles. We sympathize with the oppressed, we tender them a home, but never will we join with the ambitious or the revengeful in a crusade against other nations, whatever may be their domestic policy.

"A departure from this safe and correct rule would involve our Government in endless disputes and endless wars, the result of which the wisest statesmanship can not foresee. Our policy should be to observe good faith and justice toward all nations, cultivate peace and harmony with all. Against the insidious wiles of foreign influence the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of a republican government. In extending our commercial relations we should have as little political connection as possible with foreign nations. Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?"

## THREATENED STRIKE OF COAL MINERS.

Mr. THOMAS. Mr. President, on Saturday last I introduced a joint resolution (S. J. Res. 120) assuring the national administration of the unqualified support of the Congress in dealing with the impending strike of coal miners in the United States, and I at that time announced that I would call it up and submit some remarks to the Senate in support of it this morning. In the interval the President has issued a very heartening, commendable, unmistakable, and patriotic announcement committing the administration to the preservation of law and order and to the enforcement of the right of every man in the country to enjoy the privileges and rights of citizenship. Hence I do not think that any discussion is necessary. I ask unanimous consent, however, to call up the joint resolution for passage.

Mr. LODGE. I will be very glad to have the joint resolution taken up and acted on at once, if it involves no debate.

Mr. THOMAS. I assure the Senator that if it does involve discussion I will withdraw it.

Mr. BORAH. May I ask to have the joint resolution read?

Mr. LODGE. I reserve the right to object.

The VICE PRESIDENT. The joint resolution will be read.

The Secretary read the joint resolution, as follows:

Whereas the officers of the United Mine Workers of America have ordered all miners in the bituminous coal mines of the United States to strike on Saturday, the 1st day of November next, notwithstanding efforts of the Secretary of Labor to secure some basis of negotiation suspending or preventing same; and

Whereas the representatives of said organization have arbitrarily rejected the President's earnest counsel for compromise; and  
Whereas strikes in other fields of industry heretofore ordered and still unsettled threaten to continue indefinitely; and  
Whereas demands for increased wages and shorter hours, accompanied by expressed or implied determination to enforce such demands, if necessary, by strikes in other fields of industry, have been and are being made; and

Whereas the threatened strike of the bituminous coal miners will, if carried into effect, interfere with, injure, or suspend nearly all the national pursuits and industries, inflict continued and incredible hardship and suffering upon all the people of the United States and provoke disorder, violence, bloodshed, and insurrection throughout the land; and

Whereas the enforcement of the law and the maintenance of order for the security of life and property and the protection of the individual citizen in the exercise of his constitutional rights is the first and paramount duty of the Government and must be at all times vigorously and effectively safeguarded by the use of every means essential to that end: Therefore be it

Resolved, etc., That we hereby give the national administration and all others in authority the assurance of our constant, continuous, and unqualified support in the great emergency confronting us, and call upon them to vindicate the majesty and power of the Government in enforcing obedience to and respect for the Constitution and the laws, and in fully protecting every citizen in the maintenance and exercise of his lawful rights and the observance of his lawful obligations.

Mr. BORAH. Mr. President, I do not know what the program of the administration is. With the statement of the general principles which are embodied in the resolution which has just been read for the maintenance of law and order, of course, we all agree; but as to how that shall be effectuated is a very serious proposition. I repeat, I do not know what the program is; neither do I understand that the administration has put out any program. I do not want to indorse a program until I know what it is.

Mr. THOMAS. Mr. President—

Mr. BORAH. If the Senator from Colorado will state what he understands the program to be, I might entirely agree with him.

Mr. THOMAS. I am not concerned with programs so much as I am with the protection of the people of the United States, the preservation of order, and the enforcement of law. The Senator from Idaho has read the President's statement, I have no doubt.

Mr. BORAH. Yes, I have; and, as a general statement, I agree with it.

Mr. THOMAS. The joint resolution was introduced prior to the appearance of that statement. The purpose which I had in mind was to give assurance to those in authority whose duty it is to execute the law that the Congress of the United States was behind them in such action. If the Senator from Idaho desires to offer any suggestion by way of amendment or change in phraseology, I shall gladly accept that. I care nothing for phraseology so long as it outlines what I have in mind and accomplishes the purpose intended, that purpose being to place behind those in authority the moral support, and, if necessary, the actual support of the Congress of the United States in this emergency, which I regard as quite as serious as any which ever confronted us. That is my purpose.

Mr. BORAH. Of course, this is a Government of law and order; we are all in favor of maintaining law and preserving order; and, so far as that general proposition is concerned, I presume there can be no difference of opinion in this Chamber. If the time arrives when violence is used or disorder is relied upon by the labor forces to accomplish their ends, we shall certainly be a unit; but the program as to how this difficulty should be settled is a program which has not yet been divulged, so far as I have seen; and I am thoroughly out of harmony with the program which has been announced by Mr. Gary and his friends. When a gentleman who represents the highest form of organized capital in the world refuses even to meet with organized labor, I am not in sympathy with him. I do not believe that either labor or capital can take the position of refusing to meet the representatives of the other.

Mr. THOMAS. Mr. President, I do not care, as I stated, to take up the time of the Senate if any discussion is to be had of the joint resolution upon the floor. I have twice criticized and condemned the attitude of Mr. Gary in the strike to which the Senator from Idaho refers; I wish his position had been otherwise; but, Mr. President, we have got beyond that, and we are now confronting a situation which makes a consideration of the causes which produced it secondary to the need for providing against it. We can, of course, wait until there are a number of overt acts; but prevention is better than cure; indeed, an ounce of prevention is said to be worth more than a pound of cure; and I had hoped that the moral effect of a positive declaration by Congress upon this question might be deterrent, and by that means prevent the occurrence of conditions which I



gravely apprehend will develop in the next few days. That was my purpose.

Mr. BORAH. Well, Mr. President, how does the Senator from Colorado understand that the administration is going to effectuate the protection of citizens?

Mr. THOMAS. I do not know, Mr. President.

Mr. BORAH. I want to know before I indorse the program.

Mr. THOMAS. Neither do I know how tumults, disorder, insurrection, the assaults on nonstriking workmen, the infliction of cold and hunger upon the people are going to be effectuated; I do not know what the details are going to be; but I feel that we are confronted with that situation; and that it is the duty of the American Congress to take an American stand upon the subject.

Mr. BORAH. If I knew what the stand was, I might agree that it was an American stand; but I do not know what the program is; I do not know how it is intended to do this. If it is intended simply to call out the militia and to start in at once to decimate the people with whom there is a controversy, I am opposed to it. If there is a program on hand under which we are to bring the forces together and undertake to arrange the matter upon a basis of settlement which is just and fair to all, of course, I am in favor of it; but I do not know what the program is. It is stated this morning that the Attorney General has a program which has not yet been announced. It may be entirely in accord with my views; but the pending resolution indorses a program as yet unknown.

Mr. THOMAS. Mr. President, the resolution indorses whatever the authorities whom the people have placed in charge of this Government have determined to do.

Mr. BORAH. I will not indorse that kind of a program.

Mr. THOMAS. They do not propose to decimate any portion of the public; we know that. We have the history of America before us; we know what the constitutional prerogatives of men are; we know what the constitutional limitations of the Government are. Surely the Senator from Idaho does not for a moment assume that any program of decimation is going to be instituted either by way of anticipation or otherwise; but a program of protection is essential. If the Government fails, as I now believe it will not fail, it is an essential program in this emergency. Of course, if the Senator desires to have the matter go over, my promise to the chairman of the Committee on Foreign Relations stands good, and I will withdraw the request for unanimous consent.

Mr. MYERS. Mr. President, on Saturday I introduced a Senate resolution with relation to the abduction of Mr. William O. Jenkins, American consular agent at Puebla, Mexico.

Mr. THOMAS. Mr. President, may I say a word?

Mr. MYERS. I yield.

Mr. THOMAS. I shall endeavor to secure favorable consideration of the joint resolution to-morrow morning.

Mr. POMERENE. Mr. President, if the Senator from Montana will yield to me, I assume under the circumstances the joint resolution of the Senator from Colorado will lie on the table?

Mr. THOMAS. I so understand.

WILLIAM O. JENKINS.

Mr. MYERS. Mr. President, I repeat that on Saturday last I introduced Senate resolution No. 220, with reference to the abduction of William O. Jenkins, American consular agent at Puebla, Mexico, and I announced that I should ask for action on the resolution to-day. However, inasmuch as there is to be no morning hour to-day, and in view of the fact that it is reported in a morning newspaper of this city to-day that Mr. Jenkins has been restored to his freedom, I will not at this time ask for action on the resolution. I will wait until I learn if the report of Mr. Jenkins's rescue is true. I hope it may be true; and, if true, of course, there would be no need for action on my resolution at any time.

Mr. POINDEXTER. Mr. President, I should like to ask the Senator from Montana if in withdrawing his resolution—

Mr. MYERS. I am not withdrawing the resolution; I am merely saying that I will not ask for action on it to-day. I could not do so in any event, because there is to be no morning hour to-day.

Mr. POINDEXTER. Then, in passing over his resolution for the time being, I should like to ask the Senator whether it would not be a good idea to amend the resolution by making it a joint resolution of Congress, appropriating a sum of money to constitute a fund out of which from time to time ransoms may be paid for United States citizens and officials who are captured and held for tribute in Mexico?

Mr. MYERS. No; I am not in favor of that. The Senator apparently has not read my resolution. My resolution is of directly an opposite character. I suggest simply that the resolu-

tion lie on the table for further developments, and I may or may not at some time in the future call it up, according to what the developments may be. I will not, however, call it up to-day.

#### EXEMPTION OF LABOR ORGANIZATIONS UNDER ANTITRUST ACT.

Mr. EDGE. Mr. President, I should like to ask unanimous consent to insert in the Record, without reading, a short statement upon the labor situation. I do not care to take the time of the Senate to read it, but would like to have unanimous consent to insert it in the Record.

Mr. LODGE. I have no objection.

Mr. President, I wish to go on with the subject before us and I shall be forced to object to ordinary morning business.

Mr. JONES of Washington. Mr. President, I wish to ask what is the nature of the statement presented by the Senator from New Jersey.

Mr. EDGE. It is a statement of my own, prepared by me, giving a notice of an intention to introduce a bill later.

Mr. JONES of Washington. It is against the universal practice of the Senate to print such a statement in the Record without reading.

Mr. EDGE. I merely made the request that it be inserted in the Record in order to save time.

Mr. LODGE. Mr. President, I supposed that it was a statement from the outside. Under the rules of the Senate the Senator can not introduce into the Record a statement or a speech written by himself without reading it.

Mr. EDGE. If I had the floor, I could read the statement, I presume.

Mr. LODGE. Certainly.

Mr. EDGE. My only object was to save the time of the Senate.

The VICE PRESIDENT. The Senate is not a time-saving institution.

Mr. LODGE. We can not save time in that way. I am afraid the Senator will have to read the statement when he addresses the Senate.

Mr. EDGE. I bow to the rule.

Mr. LODGE. Under the rules of the House the printing of addresses and speeches by Members without reading is allowed, but it has never been permitted in the Senate.

Mr. EDGE. But when a Senator gets the floor at any time he may read such a statement?

Mr. LODGE. Unquestionably; but it is not possible under the rules of the Senate to print such a statement without reading. That is one of their defects, perhaps.

Mr. EDGE. If the Senator objects—

Mr. LODGE. I do not object to its being read on the floor. Of course, I could not avail anything by such an objection, even if I desired to object.

Mr. EDGE. It will take only about three minutes to read the statement.

Mr. NORRIS. It would not do any good for any Senator to object.

Mr. LODGE. Of course it would not do any good to object.

Mr. FRELINGHUYSEN. Mr. President, I understood that my colleague was recognized, and that he presented a statement and was given permission to print it in the Record without objection.

Mr. LODGE. I did not know, and I do not think anybody knew, that it was a statement of his own; I supposed it was a statement prepared by outside parties.

The VICE PRESIDENT. The Chair could not permit it to go into the Record at any event. There is a rule of the Senate that a Senator can not print his remarks in the Record without reading. He must read them or deliver them from the floor of the Senate. That is all there is to it.

Mr. EDGE. Mr. President, if I can get the floor—

The VICE PRESIDENT. The Senator can speak on the pending amendment of the treaty. That would be in perfect order.

Mr. EDGE. Then I desire to take about three minutes speaking on the amendment now pending.

Mr. President, a few days ago the Senate, with scarcely more than a majority present, and with little debate and apparently still less consideration as to its effect, defeated by the close vote of 28 to 31 a proposed amendment to a pending appropriation bill, which amendment would have prevented the exemption of labor union and agricultural organizations from prosecution even on evidence or indication that such organizations were violating the provisions of the Clayton or antitrust laws.

Since that action the conference participated in by representatives of the public, of labor, and of the employers has broken up through their inability to agree on a form of so-called collective bargaining. A natural result of this unfortunate disagreement would seem to indicate further combat between at

least two of these groups, the seriousness of which hardly can be estimated.

To the rank and file of the people, I believe, it will at least seem strange that at the very time when labor was squaring off—in some cases, I fear, taking the law into its own hands—the United States Senate should pass legislation exempting it from punishment if it violate the antitrust law or any statutes prohibiting combinations “in restraint of trade.” Of course, I appreciate that it can be said that labor is not exempt if it actually violate any law; but the mere exemption from prosecution, even though to some extent qualified, is, in my judgment, a very dangerous indication of the Senate’s willingness that labor or any other class or group should be practically immune from the provisions of this act. Of course, it can not be gainsaid that combinations in restraint of trade are just as possible on the part of one class as on the part of another.

And right here it may be well to emphasize the fact, of which both labor and capital seem ignorant or intolerant, that labor is not the employee of capital but of the people at large, of the whole United States, and that the people are the employer of capital also. The people pay capital for the use of its money and its services; they pay labor for its manual work and its time. When labor imposes unwarranted wages on capital through threats or coercion, it does not wring such wages from capital, but from the ultimate consumer—the people. To such an extreme did capital once go that State and national legislation was enacted to restrain it from oppression. Especially in these times it seems to me that the other employee of the people also should be held within reasonable bounds.

It is no argument to advance that the antitrust law has been disregarded in other directions. I do not doubt that this is true. But, Mr. President, two wrongs do not make a right, and when Congress deliberately legislates that a special class shall be exempt from the law or any investigation of possible infractions of the law, then it seems to me that Congress directly infers that the classes so exempted are to be beyond control by legislation and immune from investigation or prosecution and deliberately invites a disregard of the law. Certainly the very terms of the section in the appropriation bill which is providing a fund for just such investigation justify this view.

Of course there are many combinations of farmers and laboring men which in no way trespass on the antitrust act; if they do not, then they have nothing to fear; but if they do, they certainly should not be exempt. Surely, at this critical time above all others, even to state by inference that they are to an extent beyond the purview of investigation furnishes that much official encouragement for those who are not impressed with the law to become just that much bolder.

Under the circumstances it has appealed to me as being of such tremendous importance, with the miners threatening to strike, with shipping tied up, the steel men out, the railroad men restless, and the labor conference disrupted by disagreement, that surely the people of this country deserve from their representatives in Congress more positive help and affirmative cooperation than such an act would seem to give. I therefore give notice that at the proper time, unless some better method be devised, I shall introduce a bill to repeal that section of the deficiency appropriation bill, if it becomes a law, which would recognize any class as having a special privilege through an act of Congress.

I was very much impressed with the exposé of related conditions as recently portrayed by my colleague from New Jersey [Mr. FRELINGHUYSEN], and I trust through the deliberations of the special committee of which he is chairman a still more permanent solution may be effected.

#### THE LEAGUE OF NATIONS.

Mr. SMITH of Georgia. Mr. President, I had intended, in connection with the resolution which I presented, to call attention also to quite an interesting cablegram from Paris that has appeared in the press within the last few days. It is from Louis Edgar Browne. It is a description of the condition of affairs in Arabia, and calls attention to the fact that Ebin Sooud has gathered around him three-quarters of the Arabian tribes and is moving with military power through the Provinces of Yemen and Aser; but the important, the material part of the cablegram, is the fact that he has invaded Hedjaz, that he has overrun the northern part of Hedjaz, and is threatening the holy city of Mecca.

I call attention to this fact and ask that the cablegram be printed in the RECORD in order that we may clearly understand by this illustration the attitude we would occupy under article 10 of the treaty and the covenant of the league were adopted without reservation. If we were in the league with no reservation as to article 10, the moral obligation would be upon us to

take action at once to help preserve the territory and political independence of Hedjaz, for Hedjaz is one of the countries included in the league, and under the covenant we would at once send our men to Arabia to help protect Hedjaz from these Arabian forces.

It may be that we all wish to do so. It may be that the American people are in favor of it, but as we move along I only thought it well that we should know of this event, brought to our attention through the press, as it helps to make us appreciate just what we are about to do if we adopt the covenant of the league without reservations.

Mr. BORAH. I suppose the Senator will agree that it is fortunate that the disturbance takes place before the league is adopted, rather than afterwards.

Mr. SMITH of Georgia. I am not discussing that. I am asking the public generally to think about it, and to see how they feel about it. Will not the people of this country prefer to avoid a committal in advance to enter war, and, understanding the situation, will they not prefer for Congress to be left, without prior moral obligation to enter war, but free to act as each trouble arises?

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

#### BRITAIN'S PROGRAM FOR ISLAM UPSET—PLANS FOR DOMINATING INTELLECTUAL ELEMENTS DISJOINTED BY PURITAN ARAB.

[By Louis Edgar Browne.]

PARIS, FRANCE, October 22.

British plans for dominating the intellectual elements of the Mohammedan world through the shifting of the moral forces of Islam from the Ottoman caliph to the shérif of Mecca have been rudely disjoined by a virile religious revival led by a Puritan Arab, Ebin Sooud, to whom three-quarters of the Arabian Tribes have already sworn allegiance. It is reported that his military forces, largely armed by the Turks, have swept through various oases of the Arabian desert and conquered and obtained the allegiance of the Provinces of Yemen and Aser, as well as the northern half of Hedjaz. It also is said that the city of Mecca itself is about to be besieged.

#### HUSSEIN SUPPORTED BY BRITISH.

Sherif Hussein was supported in his movement to break away from Constantinople by the British. The independence of the Kingdom of Hedjaz, of which he is temporal and spiritual head, was strongly aided by certain British colonial pioneers, who undoubtedly saw in the maneuver a possibility of controlling the Mohammedans of the world, as well as protecting the Suez Canal and the route to India. Though it was the British who brought Emir Feisal, son of Sherif Hussein, to Paris to make his plea before the peace conference for an Arabian confederation in the Ottoman Empire, certain Arab and Turkish intellectuals believe that Great Britain's policy regarding Arabia was created to offset trouble among the separatists in British Mohammedan colonies.

For a long time the world has known that England has been having trouble with her 60,000,000 Mohammedans in India and the millions of Mohammedans in Egypt. Certain Arabs and Turks say the British charge that this trouble is not due to misrule, but to machinations of the Ottoman Sultan, the committee of union and progress, and, in general, the new Persian movement. They declare that to destroy this spiritual influence over the unruly Mohammedans in the British colonies the English foreign policy has sought to discredit, ridicule, and destroy the power of the Turkish caliph and to upbuild in its place the caliph of Mecca, over which Great Britain herself could hold virtual power of dictation.

#### METHODS ADOPTED BY EBIN SOOUD.

While Ebin Sooud is not allied or subservient to the Turkish Government—as a matter of fact, he is hostile to it—he has made this argument to discredit throughout the Arabian Peninsula, England and Sherif Hussein simultaneously. Millions of proclamations have been printed and distributed alleging the above supposition to be a fact. These proclamations accuse Hussein of being nothing more nor less than a hireling, a British agent, a scoundrel, and a traitor, who sold his country for a certain stipulated quantity of British gold per month.

Whether the assertions of Ebin Sooud regarding the British-Arabian intrigue are true or not, it makes little difference, because the accusations have been published broadcast. Many Arabians believe them to be true, and consequently the number of adherents to Ebin Sooud's movement is increasing by leaps and bounds.

#### ADVOCATES RELIGIOUS REFORM.

In addition to the patriotic appeal to his country to save Arabia from becoming a vassal State of England, Ebin Sooud had adopted a formula of religious reform. Turks and Arabs with whom I have talked in the Orient say that his movement corresponds largely to the early Protestant movements in Christianity. These Turks and Arabs alike hope that the movement will result in the purification and simplification of Islam, which will give it renewed life and vigor.

#### AMERICANIZATION OF ALIENS.

Mr. KENYON. Mr. President, I should like to ask the Senator from Massachusetts a question. The Committee on Education and Labor have formulated a bill which is known as the Americanization bill as a substitute for the bill which is now before that committee. I am anxious to present the bill and the report, but in doing so I should like about 10 minutes to explain the purposes of the bill, and to make a few remarks. I could present the report, if the Senator would consent, at this time, and later submit my remarks, or, if the Senator is going to object, I will refrain until he is out of the Chamber, and then ask permission to make the report.

Mr. LODGE. Mr. President, I have objected to morning business. The object of taking a recess is to avoid the delays caused



by morning business. If we are to press this treaty, which I desire to do, I am obliged to object to the introduction of morning business. In fairness, if I object to one, I must object to all. Of course I can put no restraint on what the Senator may choose to say on any subject, whether I am in the Chamber or out, so long as he is addressing himself to the amendment now pending.

Mr. KENYON. I should certainly address myself to that amendment, but I was anxious that what I might say should be coupled up with the bill and with the report, so I will wait a while longer, until the Senator leaves the Chamber.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9782) to regulate further the entry of aliens into the United States.

The message also announced that the House had passed a bill (H. R. 8272) to restore Harry Graham, captain of Infantry, to his former position on lineal list of captains of Infantry, in which it requested the concurrence of the Senate.

#### ENROLLED BILL AND JOINT RESOLUTION SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the Vice President:

H. R. 7138. An act granting a franking privilege to Edith Carow Roosevelt; and

H. J. Res. 151. Joint resolution to provide additional compensation for employees of the Postal Service and making an appropriation therefor.

#### HOUSE BILL REFERRED.

H. R. 8272. An act to restore Harry Graham, captain of Infantry, to his former position on lineal list of captains of Infantry, was read twice by its title and referred to the Committee on Military Affairs.

#### PETITIONS AND MEMORIALS.

Mr. LODGE presented a memorial of the Forest Park and Union Course Taxpayers' Association of Woodhaven, N. Y., remonstrating against the ratification of the proposed league of nations treaty, which was ordered to lie on the table.

Mr. MOSES presented a petition of the Educational Council of New Hampshire, praying for the establishment of a Department of Education, which was referred to the Committee on Education and Labor.

He also presented a memorial of the Women's Republican Club of New York City, N. Y., remonstrating against the ratification of the proposed league of nations treaty, which was ordered to lie on the table.

He also presented a petition of the Technical Association of the Pulp and Paper Industry, of Chicago, Ill., praying for an appropriation for a special investigation into the decay of pulpwood and woodpulp, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Women's Republican Club of New York City, N. Y., and a memorial of the Cook County Ladies' Auxiliary, Ancient Order of Hibernians, of Chicago, Ill., remonstrating against the ratification of the proposed league of nations treaty, which were ordered to lie on the table.

#### REPORTS OF COMMITTEES.

Mr. McLEAN, from the Committee on Banking and Currency, to which was referred the bill (H. R. 9065) to amend sections 3, 8, 10, 12, 20, and 21 of the act approved July 17, 1916, known as the Federal farm-loan act, reported it with amendments and submitted a report (No. 277) thereon.

Mr. WARREN, from the Committee on Appropriations, to which was referred the bill (S. 2912) to appropriate funds for the immigration inspection of the Department of Labor, asked to be discharged from its further consideration and that it be referred to the Committee on Immigration, which was agreed to.

#### BILLS INTRODUCED.

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

By Mr. MOSES:

A bill (S. 3309) to correct the military record of William N. Buck (with accompanying paper); to the Committee on Military Affairs.

A bill (S. 3310) granting an increase of pension to Fanny M. Jones (with accompanying papers); to the Committee on Pensions.

By Mr. UNDERWOOD:

A bill (S. 3311) to authorize the construction of a bridge across the Tennessee River at or near the city of Decatur, Ala.; to the Committee on Commerce.

By Mr. RANDELL:

A bill (S. 3312) to carry into effect the findings of the Court of Claims in the matter of the claim of the heirs of Isabella Ann Fluker; to the Committee on Claims.

By Mr. HALE:

A bill (S. 3313) granting a pension to William A. Moore (with accompanying papers); to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 3314) for the relief of Robert C. Wilcox (with accompanying paper); to the Committee on Military Affairs.

By Mr. SUTHERLAND:

A bill (S. 3318) for the relief of Willis B. Cross; to the Committee on Military Affairs.

#### PAY OF OFFICERS AND ENLISTED MEN.

Mr. THOMAS. I desire to introduce, as in legislative session, the bill which I send to the desk, and ask that it be read and referred to the Committee on Military Affairs. It is very short.

The bill (S. 3316) to provide for the pay of officers and enlisted men of the Army when engaged in work essential to the continuance of the facilities of interstate or foreign commerce, and for other purposes, was read the first time by its title, the second time at length, and referred to the Committee on Military Affairs, as follows:

A bill (S. 3316) to provide for the pay of officers and enlisted men of the Army when engaged in work essential to the continuance of the facilities of interstate or foreign commerce, and for other purposes.

*Be it enacted, etc.,* That section 35 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, is hereby amended to read as follows:

"Sec. 35. Enlisted men prohibited from civil employment: Hereafter no enlisted man in the active service of the United States, in the Army, Navy, and Marine Corps, respectively, whether a noncommissioned officer, musician, or private, shall be detailed, ordered, or permitted to leave his post to engage in any pursuit, business, or performance in civil life, for emolument, hire, or otherwise, when the same shall interfere with the customary employment and regular engagement of local civilians in the respective arts, trades, or professions; but the President may assign or detail officers or enlisted men to perform work or labor essential to the continued operation of the facilities or instrumentalities of interstate or foreign commerce which has been abandoned, or substantially obstructed, prevented, or interfered with, as the result of a strike, lockout, or other labor disturbance. An officer or enlisted man so detailed or assigned, under rules and regulations to be prescribed by the Secretary of War, shall, in addition to his usual pay and allowances, be entitled to and may receive from the person, association, or corporation for whose direct benefit such work or labor is performed the prevailing rate of wages in the locality for the same or similar work."

#### PUNISHMENT OF SEDITION.

Mr. STERLING. As in legislative session, I ask unanimous consent to introduce a bill from the Committee on the Judiciary. I ask that the bill may be read twice and referred to the Committee on the Judiciary, after which reference I ask leave to make a further report.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The bill (S. 3317) to prohibit and punish certain seditious acts against the Government of the United States and to prohibit the use of the mails for the purpose of promoting such acts, was read twice by its title and referred to the Committee on the Judiciary.

Mr. STERLING. I am directed by the Committee on the Judiciary to make a favorable report on the bill just referred to it, and I ask that the bill go to the calendar.

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

#### ENTRY OF ALIENS—CONFERENCE REPORT.

Mr. LODGE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9782) to regulate further the entry of aliens into the United States, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, as follows: In lieu of the matter stricken out by said amendment insert the following: "and shall continue in force and effect until and including the 4th day of March, 1921"; and the Senate agree to the same.

H. C. LODGE,

G. M. HITCHCOCK,

P. J. McCUMBER,

*Managers on the part of the Senate.*

JOHN JACOB ROGERS,

H. D. FLOOD,

*Managers on the part of the House.*

The report was agreed to.

## FIRST DEFICIENCY APPROPRIATION—CONFERENCE REPORT (S. DOC. NO. 144).

Mr. WARREN. I submit the conference report on the first deficiency appropriation bill, and ask that it be printed and lie on the table.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9205) "making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 10, 12, 28, 31, 34, 35, 40, 42, 43, 44, 45, 46, 55, 62, 63, 64, 72, and 73.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 5, 7, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 32, 36, 37, 38, 39, 48, 49, 50, 51, 52, 53, 54, 57, 58, 66, 67, 68, 69, 70, 71, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, and 86, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"COMMITTEE ON PUBLIC INFORMATION.

"Authority is hereby granted the director of the Council of National Defense to expend during the fiscal year 1920 the sum of \$32,000 from the funds now to the credit of the committee on public information for necessary expenses incurred therefor since July 1, 1919, and for the expenses of auditing and closing the accounts and affairs of said committee. All unexpended balances of appropriations for and allotments to the committee on public information shall remain available for payment under the direction of the director of the Council of National Defense of such liabilities as were actually and necessarily incurred by the committee prior to June 30, 1919: *Provided*, That \$1,000,000 of such appropriations and allotments shall be covered into the Treasury immediately upon the passage of this act."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In line 2 of the matter inserted by said amendment strike out the word "continuing" and insert in lieu thereof the word "completing"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In line 4 of the matter inserted by said amendment strike out the word "ten" and insert in lieu thereof the word "five," and in line 6 strike out "\$1,600" and insert in lieu thereof "\$800"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: Strike out all of the matter inserted by said amendment after line 15; and the Senate agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$200,000"; and the House agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$4,863,176"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows:

"ORDNANCE DEPARTMENT.

"Ordnance reservation civilian schools: Authority is granted for the expenditure during the fiscal year 1920 of not to exceed \$45,000 from appropriations heretofore made for the 'purchase, manufacture, and test of ammunition for mountain, field, and siege cannon,' for the operation and maintenance on ordnance reservations at Amatol and Mays Landing, N. J., Nitro, W. Va., Jacksonville, Tenn., Penniman, Va., Sheffield and Muscle Shoals, Ala., and Tullytown, Pa., of schools for children of persons employed thereon, where public schools are not conveniently available for such children, including salaries, supplies, stationery, and industrial work, replacement and repair of books and equip-

ment, and all incidental and necessary expenses in connection therewith."

And on page 11 of the bill, in line 10, strike out "1919" and insert in lieu thereof "1910."

And the Senate agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 47, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"NAVY DEPARTMENT.

"RENT.

"For rental of additional quarters for the Navy Department, fiscal year 1919, \$175."

And the House agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$6,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In line 3 of the matter inserted by said amendment strike out "\$1,000" and insert in lieu thereof "\$500," and in line 4 strike out "\$666.67" and insert in lieu thereof "\$333.34"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In line 3 of the matter inserted by said amendment, strike out "\$1,000" and insert in lieu thereof "\$600," and, in line 5, strike out "\$666.67" and insert in lieu thereof "\$400"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment, strike out "\$1,000" and insert in lieu thereof "\$600," and, in line 3, strike out "\$666.67" and insert in lieu thereof "\$400"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 65 and agree to the same with an amendment as follows: In lieu of the sum proposed insert: "\$45,000"; and the Senate agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 74, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"INTERNATIONAL CONFERENCE OF LABOR.

"For salaries and expenses of the international conference of labor, as follows:

"United States Government executive staff: For two and one-half months, at monthly compensation as follows: assistant to the secretary, \$450; first assistant, \$300; three executive assistants, at \$200 each; two assistants at hotels, at \$200 each; private secretary, \$200; two stenographers, at \$150 each; typist, \$125; and two messengers, at \$75 each; in all, \$6,312.50.

"Conference staff, for two months, at monthly compensation as follows: Two stenographers, at \$150 each; two deputy secretaries, at \$300 each; four subsecretaries (for commissions), at \$200 each; four interpreters, at \$200 each; three English-French translators, at \$200 each; three French-English translators, at \$200 each; six French stenographers, at \$83.33 each; six English stenographers, at \$150 each; chief messenger, \$125; eight messengers, at \$75 each; expenses, at not exceeding \$10 per diem for each person, \$12,000; in all, \$23,649.96.

"Chief clerk's office, for two months, at monthly compensation, as follows: Chief clerk, \$200; assistant chief clerk, \$150; and stenographer, \$150; in all, \$1,000.

"Expenses: For reporting proceedings, \$20,000; printing proceedings, \$10,000; paper, \$2,500; contingent expenses, \$1,000; in all, \$33,500.

"Total, international conference of labor, \$64,462.46: *Provided*, That all accounting in connection with the conference shall be done by the disbursing officer of the Department of Labor: *Provided further*, That no part of the money herein appropriated for the international conference of labor shall be available for the payment of an allowance for per diem expenses in lieu of subsistence to any person residing in the District of Columbia: *Provided further*, That this sum shall not be supplemented by expenditures from any other appropriation nor shall any part of this or any other appropriation be used for telegraphing or cabling the proceedings of the said conference."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 75, and agree to the same with an



amendment as follows: In lieu of the sum named in said amendment insert "\$1,075"; and the House agree to the same.

F. E. WARREN,  
CHARLES CURTIS,  
O. W. UNDERWOOD,

*Managers on the part of the Senate.*

J. W. GOOD,  
J. G. CANNON,  
J. F. BYRNES,

*Managers on the part of the House.*

#### TREATY OF PEACE WITH GERMANY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty of peace with Germany.

Mr. McCUMBER. Mr. President, to those who believe in the efficacy of a counterirritant as a remedy for any affliction, I would suggest that those who are suffering from a case of acute and chronic indignation at the bargain that Japan has struck with China should also read, in connection with it, the very strong and equally dictatorial treaty that was made between the United States and China and other nations in 1901.

I use the word "treaty." It was hardly a treaty. It was a protocol signed by the representatives of all of the nations who were engaged in putting down the Boxer rebellion and was never submitted to the Senate for ratification. The Senators, of course, all well remember that the Boxer rebellion grew out of the treaty of 1898 between China and Germany, whereby Germany obtained her Chinese concessions and Chinese leasehold; and the action of military Germany, and the treatment by that great nation of the Chinese people in general, acting upon the Chinese mind, brought about this sentiment of hatred toward all foreigners in China which resulted in the Boxer rebellion.

At the close of the Boxer rebellion the United States agreed with other nations what punishment ought to be inflicted upon China for the offense of attempting to rid herself of all of the foreign elements and foreign influence in China.

Mr. BORAH. Mr. President, will the Senator permit me an interruption?

Mr. McCUMBER. Certainly.

Mr. BORAH. The Senator does not contend that it was the German aggression alone which led to the Boxer uprising, does he?

Mr. McCUMBER. I think it was practically the German aggression. In other words, that was the last straw that broke the camel's back.

Mr. BORAH. No, Mr. President.

Mr. McCUMBER. That was the cause of the acute indignation of the Chinese people against all foreign interference.

Mr. BORAH. The Senator may have refreshed his recollection about it since I have; but my remembrance is that the uprising occurred because the German aggression was followed by aggression upon the part of England and France in taking a part of the Chinese Empire, and then finally the demand of Italy, which never was allowed, but which nevertheless was made. It was the combined action of all of these powers which led China to believe that they had combined for the purpose of dismembering the Chinese Empire. So far as the German aggression was concerned, of course it had its responsibility, because it was the first step taken; but it was not until after these other nations had participated and undertaken to join with Germany in dismembering China that the Boxer uprising took place.

Mr. McCUMBER. Others of these nations, Mr. President, had seized and held Chinese territory long before that, and still there was no uprising. There had been no uprising particularly against the holding of the Shanghai Provinces and control of that section by Great Britain; but I agree with the Senator that it was one after another of these seizures of Chinese territory that so influenced the Chinese mind that they organized their Sinn Fein societies in China to oust the foreigners, and created an intense feeling against them which culminated in the Boxer Rebellion.

Before I proceed to quote from this protocol, I want to call attention to the fact that the United States never objected in the slightest degree to the German aggression and the German treaty. All that the United States did at all was to ask Germany what her purposes were, and whether or not she intended to continue the "open-door" policy. We very abjectly made the inquiry of her, and Germany replied that she would not interfere with that policy of trade with other nations; and then we thanked Germany for being so kind to us and to the Chinese

people as to allow us to trade with the Chinese, and that was the extent of any protest upon our part.

Mr. BORAH. The open-door policy had not been established at the time Germany seized Tsingtau.

Mr. McCUMBER. I understand, but it had been agreed upon long before that. No one had attempted to close the door.

Mr. BORAH. I beg the Senator's pardon, the open-door policy was established by John Hay, and John Hay was not Secretary of State until after the treaty between Germany and China had been closed more than six months.

Mr. McCUMBER. The Senator will find that the only note we sent in reference to the German leasehold interest and claim was a request to know what that was, and also whether it interfered with our trade in China, and Germany replied that it did not, and also replied that she claimed no sovereign rights over the territory.

But, Mr. President, I want to quote the protocol entered into with China and the several other countries that were engaged in putting down the Chinese revolt. This was entered into on the 7th day of September, 1901, and, first, I want to read article 2. I will read two or three of these articles upon the Shantung question, because I think they ought to go into the Record:

ART. 2. Imperial edicts of the 13th and 21st days of February, 1901 (Annexes Nos. 4, 5, and 6), inflicted the following punishments on the principal authors of the outrages and crimes committed against the foreign Governments and their nationals:

Tsai-I Prince Tuan and Tsai Lan Duke Fu-Kuo were sentenced to be brought before the autumnal court of assize for execution, and it was agreed that if the Emperor saw fit to grant them their lives they should be exiled to Turkestan and there imprisoned for life, without the possibility of commutation of these punishments.

Tsai Hsin Prince Chung, Ying Nien, president of the court of censors, and Chao Shu-Chiao, president of the board of punishments, were condemned to commit suicide.

In other words, the United States envoy signed a protocol and an agreement whereby it was agreed with all these powers that two of these men should proceed forthwith to commit suicide because they organized societies of Chinese to expel the foreigners; and the others were to be brought before the assizes and there publicly executed.

Yu Hsien, governor of Shanhsui, Chi Hsin, president of the board of rites, and Hsu Cheng-yu, formerly senior vice president of the board of punishments, were condemned to death.

That was not all. They still seemed to believe in the efficacy of degrading the dead, and so the United States became a party to an agreement which reads as follows:

Posthumous degradation was inflicted on Kang Yi, assistant grand secretary, president of the board of works; Hsu Tung, grand secretary; and Li Ping-heng, formerly governor general of Szu-chuan.

An imperial edict of February 13, 1901 (Annex No. 7), rehabilitated the memories of Hsu Yung-yi, president of the board of war; Li Shaon, president of the board of works; Hsu Ching-cheng, senior vice president of the board of works; Lien Yuan, vice chancellor of the grand council; and Yuan Chang, vice president of the court of sacrifices, who had been put to death for having protested against the outrageous breaches of international law of last year.

Prince Chuang committed suicide the 21st day of February, 1901, Ying Nien and Chao Shu-chiao the 24th, Yu Hsien was executed the 22d, Chi Hsin and Hsu Cheng-yu on the 26th. Tung Fu-hsiang, general in Kan-su, has been deprived of his office by imperial edict of the 13th of February, 1901, pending the determination of the final punishment to be inflicted on him.

Imperial edicts dated the 29th of April and 19th of August, 1901, have inflicted various punishments on the provincial officials convicted of crimes and outrages of last summer.

This article, Mr. President, deals with the punishments that were inflicted upon those who, of course, had committed, according to the view of the foreign nations, crimes against the western nations.

Mr. BORAH. Mr. President, do I understand that the Senator thinks the punishments were too severe?

Mr. McCUMBER. Mr. President, the matter of compelling people to commit suicide is a little novel, at least to western ideas.

Mr. BORAH. I understand. I had some sympathy with the Boxer uprising. I think they had a perfect right to throw those people out of their country, and I am still in favor of keeping those people out of their country.

Mr. McCUMBER. Mr. President, I think we agree upon two things; first, that they had no business to go in there against the wishes and desires of the Chinese people; and, secondly, that if we can not get them out, we will prevent them from getting in any farther. How we are to accomplish that result is a matter on which, perhaps, the Senator and myself may differ; but I do not think we differ at all as to what ought to be done.

Mr. BORAH. No; I think not.

Mr. McCUMBER. Now I come, Mr. President, to article 5, and I want Senators to think of it a moment:

ART. V. China has agreed to prohibit the importation into its territory of arms and ammunition, as well as of materials exclusively used for the manufacture of arms and ammunition.

An imperial edict has been issued on the 25th of August, 1901 (Annex No. 11), forbidding said importation for a term of two years. New edicts may be issued subsequently extending this by other successive terms of two years in case of necessity recognized by the powers.

In other words, the powers determined not only that they would execute those who were instrumental in this uprising against foreign aggression in China, but to make it certain that Germany and every other country that had a foothold in China should not be interfered with in the future, they proceeded to prevent the importation of any arms or ammunition into China which would enable her people to make a war for the independence of that country; and this country was a party to that agreement.

Again:

ART. VI. By an imperial edict dated the 29th day of May, 1901 (Annex No. 12), His Majesty the Emperor of China agreed to pay the powers an indemnity of 450,000,000 Halkwan taels. This sum represents the total amount of the indemnities for States, companies, or societies, private individuals, and Chinese referred to in article 6 of the note of December 22, 1900.

I believe that a tael amounts to somewhere about 76 cents. But it was an enormous sum to be levied against that poor, decrepit country, that has made the only fight she knew how to make to defend herself, without having armies and without having munition plants.

Here is another beautiful article:

ART. VII. The Chinese Government has agreed that the quarter occupied by the legations shall be considered as one specially reserved for their use and placed under their exclusive control, in which Chinese shall not have the right to reside, and which may be made defensible.

We are now going into spasms, Mr. President, because Japan, in her treaty with China, makes the demand that she shall be given a concession where Japanese may settle and carry on their business. We forget that the United States entered into an agreement with all of these other powers whereby they compelled China to grant concessions of certain quarters where no Chinaman could live in that section of China, and which would be entirely under the control of foreign countries.

Mr. BORAH. The United States did not claim any concessions for herself.

Mr. McCUMBER. Yes; she claimed the same concession. I must say here that it related to those sections in which the diplomats of the several countries were to reside, and the section where the United States diplomats resided, wherever it was, would be under the control of the United States, and no Chinaman could live there if we saw fit to enforce this provision.

Mr. BORAH. We undertook to protect our embassy, but we did not ask for such concessions as Germany and Great Britain and France were attempting to secure. We did not seek any concessions of that kind.

Mr. McCUMBER. No, Mr. President; I stated that this related to those sections that were occupied by the several embassies, and may have been thought necessary in order to protect the embassies. But I am sure that if any foreign country—Great Britain, for instance—were to claim that inasmuch as she had an embassy in Washington she should control Washington, and that no American should live in Washington, there would be some complaint that would be made by this country; or if she were given a portion of Washington to be occupied by her embassy, she should control whatever section she thought it was necessary to include for diplomatic purposes.

Mr. BORAH. I recall that when we had the prohibition bill up there was an attempt to exclude the British Embassy from the operation of the prohibition law.

Mr. McCUMBER. I have an idea that inasmuch as the embassies are practically considered as under the control of the foreign countries, they can bring the wines of France to the French Embassy and can possibly bring the ales of Great Britain to the British Embassy. But that is hardly applicable to this protocol.

That is not all. It reads further:

The Chinese Government has consented to raze the forts of Taku and those which might impede free communication between Peking and the sea; steps have been taken for carrying this out.

Peking being some distance from the sea, it was necessary that these foreign powers, in order that they might cope with any kind of Chinese uprising, should have the channel of the river deepened and forts should be razed so that we could reach the interior of China and make war upon China. There is no offense in that. That was by the United States of America. But if Japan suggests the idea that she might have a controlling influence or an equal influence with China, if she furnishes the money to build a railway in China, we immediately say that there is some purpose on the part of China to hold and control the Chinese Government, which becomes criminal, but if we do the same thing with all the powers joining us, it is not even a proper subject for discussion.

Now I want to read article 9:

The Chinese Government has conceded the right to the powers in the protocol annexed to the letter of the 16th of January, 1901, to occupy certain points, to be determined by agreement between them, for the maintenance of open communication between the capital and the sea.

That is a concession, Mr. President, exactly the same as Japan was asking of China in her treaty.

The points occupied by the powers are, I believe, 10 in number.

They are not satisfied with 1, but they name some 10 different points that will be occupied by them.

Now we come to article 10:

ART. 10. The Chinese Government has agreed to post and to have published during two years in all district cities the following imperial edicts:

(a) Edict of the 1st of February (annex number 15), prohibiting forever, under pain of death, membership in any antiforeign society.

How does that sit upon the stomach of the Senator from Idaho or the Senator from California? Let me read it again—

Mr. BORAH. I will state to the Senator, before he reads it, that I was not here when that thing happened, and I am not one of those who believe that four wrongs make a right. I think that the action of Great Britain and France and Germany with reference to China was based upon immoral principles, and I do not think the action of Germany rests alone upon immoral principles.

Mr. McCUMBER. Nor do I.

Mr. BORAH. Although she includes with her Great Britain and France.

Mr. McCUMBER. I have included them all.

Mr. BORAH. I know the Senator includes them all. The only place where the Senator from North Dakota and the Senator from Idaho differ is as to whether or not we shall stop that program. I do not hesitate to say that Japan, upon the precedents of the past, has a perfect right to make her demand. She is not asking anything except what Great Britain asked for and what France asked for. I concede that proposition, but I do not want myself to be a party to a program to continue that kind of a wrong.

Mr. McCUMBER. And, Mr. President, I want myself to be a party to a program that will stop it.

Mr. BORAH. I agree with the Senator.

Mr. McCUMBER. How we are to stop it is the only question. I think, on which the Senator and I disagree. But what I wanted to point out to the Senator was that we entered into an agreement whereby we made it mighty hard for the Sinn Feiner to exist in China, because we provided that if he organized a society in China for the purpose of protecting the Chinese nationality he was forthwith to be executed.

Mr. BORAH. If there was anything in the agreement that was against the Sinn Feiners, I would be against the agreement.

Mr. McCUMBER. I am certain the Senator would be; and I will ask him if he does not think that this really was against them?

Edict of the 1st of February, \* \* \* prohibiting forever, under pain of death, membership in any antiforeign society.

In other words, if there is a society formed in China for the purpose of creating a solidarity of sentiment on the part of the Chinese people against the aggressions of Germany or Great Britain or Japan or any other country, the United States has compelled the Chinese people to proceed forthwith to execute every man engaged in creating that sentiment, and the United States was a party to that agreement. The United States came in and upheld the arm of Germany by entering into an agreement that no Chinaman could live who would dare raise his voice against this aggression; and now, 20 years afterwards, we find that it is a heinous crime for any other country even to suggest that it should have a concession where its own nationals might live, and have an agreement that Germany had, that if Japanese people furnished the money to build a certain railway they, together with China, should join in the operation of that railway.

Mr. BORAH. All these things of which the Senator is speaking—

Mr. McCUMBER. I am not holding the Senator responsible for the protocol. I want the Senator to understand that. I do not mean that he should come to his own defense in any way on it. I am certain he is earnestly opposed to it, as I am.

Mr. BORAH. But permit me to say that the things which the Senator is now speaking of were the things which led John Hay to adopt the policy which was intended to stop all these things and which it was believed would do so. At the time that John Hay introduced his policy with reference to China the dismemberment of China was proceeding at a rapid pace. Would the Senator object to my reading a statement from the Life of John Hay, by William Roscoe Thayer, with reference to the matter he is discussing?



Mr. McCUMBER. Is it long or short?

Mr. BORAH. It is only a paragraph.

Mr. McCUMBER. The Senator may read it. I think it will conform to both our views.

Mr. BORAH. I think it does. The Senator is pointing out something here which I do not defend; but what I do say is that John Hay stopped that program, and in so far as it was stopped the honor is due to the United States. The paragraph which I read is as follows:

The Boxer upheaval interrupted and made more difficult Hay's endeavor to preserve the Chinese Empire. After the Japanese defeated the Chinese in 1894 China lay like a stranded whale apparently dead or dying, and the chief powers of Europe came, like fishermen after blubber, and took here a Province and there a harbor, and were callous to the fact that their victim was not dead. They not only seized territory but forced from the Chinese concessions for mines, railways, commercial privileges, and spheres of influence. From the time that Hay became Secretary he strove to keep intact the political integrity of China and to persuade all the powers to maintain there the policy of the "open door."

So Hay saw the wrong and the evil which the Senator is portraying and, in so far as was possible for him to do so, he put a check upon the program. What I want to do is to follow up that program as nearly as I can to protect the integrity of China.

Mr. McCUMBER. Mr. President, I say there is no disagreement at all between the Senator and myself upon what we ought to do. I want to stop the dismemberment of China. The German concessions did not stop the dismemberment. We did not protest against that seizure. All on earth that we did was to ask Germany whether she would allow us to trade in that territory, and Germany very magnanimously said yes, and we very modestly said thank you, and that was the end of the correspondence, and that is all the protest there was against it.

That is not all. When Germany got her control Great Britain saw that she would have to look out for her interests a little more, and so she seized another section of the country, and we did not make any protest against that. Neither John Hay nor anyone else opposed it.

There was no protest on the part of the American people against any of these seizures, but on the contrary, years after those seizures, and in 1901, we entered into an agreement with the other nations whereby we compelled China, of her own volition, to inflict a penalty of death upon any one of her citizens who would have the audacity to attempt to create a public sentiment against foreigners for the purpose of protecting China. I say, after having done that, that we are not in a very good position to cry "thief" at Japan.

Mr. BORAH. Does not the Senator believe there is a place for repentance?

Mr. McCUMBER. Yes, Mr. President, I do.

Mr. BORAH. The Senator is here and the rest of us are here now, and we disagree with that program of the past. Why not inaugurate a new program and put our seal of disapproval upon the further dismemberment of China?

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

Mr. McCUMBER. Certainly.

Mr. ROBINSON. I desire to ask the Senator from Idaho a question. When he talks about repentance, does he propose to make restitution and require France and Russia and Great Britain to restore to China what they took from her with our consent?

Mr. BORAH. No; I would not enter upon that task, but I would do this: I would not permit the United States to put itself in a position where it will guarantee the continuance of those holdings in China, which we are doing under the league of nations.

Mr. McCUMBER. I say I must disagree with that proposition that we are doing this under the league of nations. On the contrary, I hold that we are doing just exactly the opposite of that. On the contrary, I hold that Japan has an agreement with China whereby she agrees to return whatever Germany had in Shantung, at least, subject to the conditions that I have enumerated heretofore. The Senator would not have the United States go to war for the purpose of wresting Chinese territory from Great Britain or from France or from Japan.

Mr. ROBINSON. Will the Senator yield again?

Mr. McCUMBER. Certainly.

Mr. ROBINSON. If the Senator from Idaho encourages China to hold out and refuse to carry out her alleged treaty with Japan, made in 1915, by which Japan is obligated—that is, by the note accompanying it—to return the leased territory, then he might leave China worse off than she is now. He might deprive her of the opportunity of securing a return of the leased territory and prompt Japan to rely upon what she regards as her claim of conquest; and having prompted China

to violate her treaty with Japan and thus encourage Japan to rely upon her conquest, he might find China compelled to go to war with Japan, and then leave the United States in the attitude of having encouraged the war and of being unwilling to assist China.

Mr. BORAH. The Senator is in error as to the position which the Senator from Idaho occupies. I am not seeking to have China disregard her treaty of 1915—

Mr. ROBINSON. But the—

Mr. BORAH. Just wait a minute. I am opposed to the United States underwriting that treaty and maintaining it and upholding it. I think that treaty was absolutely void on its face; but if China wants to perform the treaty, so far as I am concerned as a citizen of the United States I am not going to object to her doing it. But what I do object to is the United States guaranteeing, confirming, and underwriting that treaty, and that is what we are doing in this league of nations.

Mr. ROBINSON. I disagree with the Senator from Idaho. That is exactly what we are not doing.

Mr. LENROOT. Mr. President, this discussion has nothing to do with the pending amendment.

Mr. McCUMBER. It has not; that is true.

Mr. LENROOT. I wish to say to the Senator from North Dakota that unless the discussion is confined to the pending amendment, I shall object to his yielding for speeches by others.

Mr. McCUMBER. All right. I did not know but the Senator was going to change the rules of the Senate.

Mr. BORAH. As I have got to go, I do not object to that.

Mr. ROBINSON. Mr. President, I had no objection to the Senator from North Dakota yielding to the Senator from Wisconsin [Mr. LENROOT], who has just availed himself of the same privilege of which the Senator from Idaho [Mr. BORAH] and I have availed ourselves.

Mr. McCUMBER. Mr. President, I quoted the protocol not for the purpose of justifying anything in the Japanese-Chinese treaty, but as throwing some light upon the attitude of the United States, and the very changed attitude at the present time, if we are to assume the attitude advocated by those in favor of this amendment is to be taken as the present purpose of the United States, I am not going again into the arguments which have been made relative to Shantung further than to restate in a single sentence the view that I have with reference to the effect of bringing both China and Japan into the league.

The Senator says that if we adopt this treaty we have got to underwrite whatever rights Japan has secured. Mr. President, we underwrite nothing. Japan secures no territory, she secures no sovereignty, because the German treaty itself declared that Germany renounced any claim of sovereignty over this territory, and whatever the Japanese received they received from Germany. Therefore, inasmuch as article 10 could not, even if adopted in its present form, cover anything but territorial rights, instead of underwriting Japan, the effect of article 10 would be to underwrite the claim of China, because China can present her claim to the council or league of nations that Japan, contrary to her agreement, is attempting to hold Chinese territory. Then the efficacy of the league of nations will be put to the test, and the test will be whether or not the league of nations will protect Chinese territory. Mr. President, they will have to protect it if they do not dishonor themselves, and each and every one of them, under the terms of the league of nations.

So in determining the best method by which we shall secure the result which the Senator from Idaho, as well as myself, wishes to secure, we are forced to the conclusion that the only way absolutely to protect Chinese territory from future aggression is to bring Japan and all countries which are inclined to seize territory into a league where all of them not only agree that they will cease their predatory habits, but, in addition, that they will protect the territorial interests of any country against whom any other nation attempts to make a war of aggression.

As suggested by the Senator from Arkansas, Japan can stand upon one of two rights—either upon her treaty with China or upon her right of conquest. If we take her into the league, if we bind her by the terms of the league, then we bind her to return to China whatever she seized from Germany. If we do not bind her by the league, if we throw her out of the league, then she holds by virtue of her right of conquest, and that right we will never attempt to gainsay.

So I repeat, Mr. President, that it might be a good thing for those who are so affected by what Japan has done in her treaty with China to refer back to article 10 of the protocol to which I have referred and there read what the United States has done

not in protection of China but in protecting every country that has attempted to dismember China, including the German Shantung leasehold interests.

Mr. KENYON. Mr. President, if we could vote right now on the pending amendment, I should not take the floor; but if we are to go on everlastingly in the discussion of propositions that have been disposed of, I shall take a little time to speak on another subject.

Mr. HITCHCOCK. Will the Senator from Iowa ask unanimous consent that we shall vote on the amendment, say before 1.30 o'clock?

Mr. KENYON. I do not want to ask unanimous consent for a vote; I am only going to take about 10 minutes; but if we can vote upon the pending amendment now, I shall not take a minute.

Mr. HITCHCOCK. Will the Senator permit me to make the request?

Mr. KENYON. I will.

Mr. HITCHCOCK. Mr. President, I ask unanimous consent that the Senate may agree to proceed to a vote on the two pending amendments to-day not later than 1.30 o'clock.

Mr. LODGE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ball	Gronna	McCormick	Sherman
Bankhead	Hale	McCumber	Simmons
Borah	Harding	McKellar	Smith, Md.
Brandeggee	Harris	McLean	Smoot
Capper	Harrison	McNary	Spencer
Chamberlain	Henderson	Moses	Sterling
Colt	Hitchcock	Nelson	Sutherland
Culberson	Johnson, Calif.	New	Swanson
Cummins	Jones, N. Mex.	Newberry	Thomas
Curtis	Jones, Wash.	Norris	Townsend
Dial	Kellogg	Overman	Trammell
Dillingham	Kenyon	Page	Underwood
Edge	Keyes	Penrose	Wadsworth
Fall	King	Phipps	Walsh, Mont.
France	Kirby	Polindexter	Warren
Frelinghuysen	Knox	Pomerene	Watson
Gay	Lenroot	Robinson	Williams
Gerry	Lodge	Sheppard	

Mr. GERRY. I wish to announce that the Senator from Delaware [Mr. WOLCOTT] is detained from the Senate by illness in his family.

The VICE PRESIDENT. Seventy-one Senators have answered to the roll call. There is a quorum present.

Mr. LODGE. Mr. President, I see no occasion for fixing an hour. I see no reason why we should not vote at once, so far as I am aware.

The VICE PRESIDENT. The question is on the amendment of the committee, which will be stated.

The SECRETARY. On page 19, insert the following proviso at the end of article 3:

(1): *Provided*, That when any member of the league has or possesses self-governing dominions or colonies or parts of empire, which are also members of the league, the United States shall have votes in the assembly or council of the league numerically equal to the aggregate vote of such member of the league and its self-governing dominions and colonies and parts of empire in the council or assembly of the league.

Mr. UNDERWOOD. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. EDGE (when his name was called). I have a general pair with the Senator from Oklahoma [Mr. OWEN]. I understand, however, that if he were present he would vote as I shall vote. So I am at liberty to vote. I vote "nay."

Mr. HARRIS (when his name was called). I have a pair with the Senator from New York [Mr. CALDER]. I transfer that pair to the Senator from Nevada [Mr. PITTMAN] and vote "nay."

Mr. SWANSON (when Mr. MARTIN's name was called). I desire to announce that my colleague [Mr. MARTIN] is detained from the Senate on account of sickness. He is paired with the junior Senator from West Virginia [Mr. ELKINS]. If my colleague were present and at liberty to vote, he would vote "nay."

Mr. MOSES (when his name was called). On this question I have a pair with the senior Senator from Virginia [Mr. MARTIN]. I transfer that pair to the junior Senator from West Virginia [Mr. ELKINS] and vote "yea."

Mr. DIAL (when the name of Mr. SMITH of South Carolina was called). I desire to announce that my colleague, the senior Senator from South Carolina [Mr. SMITH], is absent on account of sickness in his family. He is paired with the Senator from South Dakota [Mr. STERLING]. If my colleague were present and at liberty to vote, he would vote "nay."

Mr. STERLING (when his name was called). As announced by the Senator from South Carolina [Mr. DIAL], I have a general pair with his colleague. On the statement of the Senator from South Carolina I am at liberty to vote. I therefore vote "nay."

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. I transfer that pair to the senior Senator from Missouri [Mr. REED], who is ill and unable to be present and vote. I vote "yea."

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. WOLCOTT], who is detained on official business. In his absence I withhold my vote. If at liberty to vote, I should vote "yea."

The roll call was concluded.

Mr. CURTIS. I desire to announce the absence of the Senator from New York [Mr. CALDER]. He is paired with the Senator from Georgia [Mr. HARRIS]. If the Senator from New York were present, he would vote "yea."

I wish also to announce the absence of the Senator from Maine [Mr. FERNALD]. He is paired with the Senator from South Dakota [Mr. JOHNSON]. If the Senator from Maine were present, he would vote "yea."

Mr. WALSH of Massachusetts (after having voted in the affirmative). Owing to illness in my home, I found it necessary last week to make a pair on this question in case of my unavoidable absence when the vote should be reached. I find that the junior Senator from Kentucky [Mr. STANLEY], who was to pair with me in case of my absence, has been called to his home, and requested me to pair with him, as he would have done for me had I been necessarily absent. Therefore I announce that on this question I am paired with the junior Senator from Kentucky [Mr. STANLEY]. If he were present, he would vote "nay" and I would vote "yea." I therefore withdraw my vote.

Mr. GERRY. The Senator from South Dakota [Mr. JOHNSON], the Senator from Delaware [Mr. WOLCOTT], and the Senator from South Dakota [Mr. SMITH] are detained from the Senate by illness in their families. If present, these Senators would vote "nay." The Senator from Wyoming [Mr. KENDRICK], the Senator from Oklahoma [Mr. OWEN], the senior Senator from Kentucky [Mr. BECKHAM], and the junior Senator from Kentucky [Mr. STANLEY] are absent on public business. If present, these Senators would vote "nay."

The result was announced—yeas 38, nays 40, as follows:

#### YEAS—38.

Ball	Gore	McCormick	Sherman
Borah	Gronna	McLean	Shields
Brandeggee	Harding	Moses	Smoot
Capper	Johnson, Calif.	New	Spencer
Cummins	Jones, Wash.	Newberry	Sutherland
Curtis	Kenyon	Norris	Townsend
Dillingham	Knox	Page	Wadsworth
Fall	La Follette	Penrose	Warren
France	Lenroot	Phipps	
Frelinghuysen	Lodge	Polindexter	

#### NAYS—40.

Bankhead	Harris	McKellar	Simmons
Chamberlain	Harrison	McNary	Smith, Ariz.
Colt	Henderson	Myers	Smith, Md.
Culberson	Hitchcock	Nelson	Sterling
Dial	Jones, N. Mex.	Nugent	Swanson
Edge	Kellogg	Overman	Thomas
Fletcher	Keyes	Pomerene	Trammell
Gay	King	Ransdell	Underwood
Gerry	Kirby	Robinson	Walsh, Mont.
Hale	McCumber	Sheppard	Williams

#### NOT VOTING—18.

Ashurst	Johnson, S. Dak.	Pittman	Walsh, Mass.
Beckham	Kendrick	Reed	Watson
Calder	Martin	Smith, Ga.	Wolcott
Elkins	Owen	Smith, S. C.	
Fernald	Phelan	Stanley	

So the amendment of the committee was rejected.

Mr. SMITH of Georgia subsequently said: Mr. President, just before 12 o'clock I went down to Keith's Theater to attend the Roosevelt memorial service. The service was not alone to pay tribute to a great American but also had in view raising funds to purchase in Georgia the home in which President Roosevelt's mother was born and the dedication of that home to use as a school for mountain boys. I was away about half an hour and had no idea a vote would take place at this time. Had I been present, I should have voted against the amendment of the Senator from California [Mr. JOHNSON].

Mr. ASHURST. Mr. President, I was assured that there would be no vote during this hour. So I went to the Interior Department with some gentlemen from Arizona who desired to be introduced there. To my surprise I was informed upon reaching the department that, notwithstanding the assurance



that came to me that there would be no vote, a vote was taken on the Johnson amendment. I wish to state that if I could have been present I would have voted "nay." I ask unanimous consent to be recorded as voting "nay."

Mr. FALL. Mr. President, I do not like to object to a request of that kind from a Senator, but if the request is granted the same courtesy should be accorded to any Senator who telegraphs here under similar circumstances. The Senator from Arizona has made his statement and made his record.

Mr. ASHURST. I withdraw the request.

Mr. PHELAN. Mr. President, it seems that during my absence on official business, in common with several of my colleagues, the unexpected happened. I have no one to blame but myself, however, but I plead that I have been diligently waiting for this event. However, I desire to have it recorded, as long as the tally sheet can not be changed, that if present I would have voted "nay" upon the Johnson amendment. I desire also to state that I am thoroughly in sympathy with the purpose which the Johnson amendment sought to attain, but that I did not believe it would accomplish the very worthy purpose which was in the mind of my colleague. I think that a reservation, without disrupting the league, can very properly be devised by which substantially the same purpose can be attained, and therefore I will support such a reservation.

Mr. LODGE. Mr. President, I have had, for many years, a general pair with the Senator from Georgia [Mr. SMITH], but I thought it was understood between us that on questions relating to the treaty the pair was off, and therefore I voted. If there should be the slightest sort of misunderstanding about it, or if the Senator thought the pair was still holding, I can only say that, if I had the power, I should withdraw my vote.

Mr. JOHNSON of California. Mr. President, I offer the amendment which I send to the desk.

Mr. LODGE. If the Senator will allow me one moment, there is one more committee amendment to be disposed of.

The VICE PRESIDENT. There is one more committee amendment.

Mr. JOHNSON of California. May I be permitted to offer this amendment and have it read?

Mr. LODGE. Certainly. I only wanted to conclude the consideration of the committee amendments in order.

Mr. JOHNSON of California. Then, subsequently, with the disposition of the other committee amendments—

Mr. LODGE. Then it will be in order.

The VICE PRESIDENT. Does the Senator from California desire his amendment to go in at the same place where this amendment was just rejected?

Mr. JOHNSON of California. Yes, sir.

The VICE PRESIDENT. It does not so state on the amendment. The Secretary will state the amendment for the information of the Senate.

The SECRETARY. On page 19, after line 17, it is proposed to insert the following:

When any member of the league has or possesses self-governing dominions or colonies or parts of empire, which are also members of the league, the United States shall have representatives in the council or assembly or any organization of labor or labor conference under the league numerically equal to the aggregate number of representatives of such member of the league and its self-governing dominions and colonies and parts of empire in the council or assembly of the league or organization of labor or labor conference under the league, and such representatives of the United States shall have the same powers and rights as the representatives of said member and its self-governing dominions or colonies or parts of empire, and upon all matters whatsoever the United States shall have votes in the council and assembly and any organization of labor or labor conference under the league numerically equal to the aggregate vote cast or registered by any such member of the league and its self-governing dominions and colonies and parts of empire. The intent and purpose of this amendment is to give to the United States representation upon council or assembly and in any labor organization or labor conference under the league, a voting power in every respect and upon all questions equal to the aggregate representation and voting power of any member of the league and such member's self-governing dominions and colonies and parts of empire, and this amendment shall be literally applied and construed to effectuate fully said intent.

Whenever the case referred to the assembly involves a dispute between one member of the league and another member whose self-governing dominions or colonies or parts of empire are also represented in the assembly, neither the disputant members nor any of their said dominions, colonies, or parts of empire shall have a vote upon any phase of the question.

Mr. LODGE. Mr. President, I now ask that the Senate proceed to consider amendment No. 2, the last of the committee amendments, after which this amendment will, of course, be at once in order.

Mr. HITCHCOCK. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ball	Gronna	McCumber	Sherman
Bankhead	Hale	McKellar	Shields
Borah	Harding	McLean	Simmons
Brandegee	Harris	McNary	Smith, Ariz.
Capper	Harrison	Moses	Smith, Md.
Chamberlain	Henderson	Myers	Smoot
Colt	Hitchcock	Nelson	Spencer
Culberson	Johnson, Calif.	New	Sterling
Cummins	Jones, N. Mex.	Newberry	Sutherland
Curtis	Jones, Wash.	Norris	Swanson
Dial	Kellogg	Nugent	Thomas
Dillingham	Kenyon	Overman	Townsend
Edge	Keyes	Page	Trammell
Fall	King	Penrose	Underwood
Fletcher	Kirby	Phipps	Wadsworth
France	Knox	Poinceter	Walsh, Mass.
Frelinghuysen	La Follette	Pomerene	Walsh, Mont.
Gay	Lenroot	Ransdell	Warren
Gerry	Lodge	Robinson	Watson
Gore	McCormick	Sheppard	Williams

Mr. GERRY. I wish to announce that the Senator from Delaware [Mr. WOLCOTT] is detained from the Senate by illness in his family.

Mr. MYERS. Mr. President, I understand the Senator from Arizona [Mr. ASHURST] is necessarily detained from the Senate.

The VICE PRESIDENT. Eighty Senators have answered to the roll call. There is a quorum present. The question is on the second committee amendment.

The next amendment of the Committee on Foreign Relations was, in article 8, on page 31, after line 8, to insert:

(2) Whenever the case referred to the assembly involves a dispute between one member of the league and another member whose self-governing dominions or colonies or parts of empire are also represented in the assembly, neither the disputant members nor any of their said dominions, colonies, or parts of empire shall have a vote upon any phase of the question.

Mr. LODGE. Mr. President, I am going to take no time on this amendment. This is the amendment which provides that where Great Britain or one of her colonies or parts of empire is a disputant the other self-governing dominions, parts of empire, or colonies, or Great Britain herself, shall be excluded, so that she shall not herself have five votes when she is engaged in a dispute. On that question I ask the yeas and nays.

Mr. McCUMBER. Mr. President, it ought to be stated, in reference to this amendment, that there is no question but what we are in accord with the principle. It agrees entirely with proposed reservations, and I do not think there will be a vote against its equivalent as a reservation. The only question is whether that declaration should be put in as an amendment or as a reservation. I shall vote against it as an amendment, because I am certain that with probably not a dissenting vote something very similar will go in as a reservation.

Mr. SHIELDS. Mr. President, I offer a substitute for the amendment, and I ask to have it read.

The VICE PRESIDENT. The Secretary will read.

The Secretary read as follows:

In lieu of the words proposed to be inserted by the committee, on page 31, after line 8, insert: "Provided further, That when imperial and federal governments and their self-governing dominions, colonies, or states are members of the league, as originally organized or hereafter admitted, the empire or federal government and the dominions, colonies, or states shall, collectively, have only one membership, one delegate, and one vote in the council and only three delegates and one vote in the assembly."

Mr. SHIELDS. Mr. President, I wish to say only a few words upon this amendment.

The amendment offered by the Senator from California [Mr. JOHNSON], and just voted upon, provided that the United States should have six votes in the assembly, so as to equalize it with the six votes which the British Empire and its five self-governing dominions and colonies are allowed in that body. The Senator from Wisconsin [Mr. LENROOT] has announced that he would offer a reservation to take the place of the Johnson amendment providing that in disputes between the British Empire or any of its dominions and colonies and the United States the empire and its dependencies should have but one vote, thus equalizing the voting power of the British Empire and the United States where the United States is interested.

The amendment I offer applies to all nations and places them upon the equality to which they under well-recognized principles of international law are entitled.

The objection to the Johnson amendment is that it gives the United States the same undue representation and power allowed the British Government as against all other nations, and the Lenroot reservation merely corrects the inequality between the British Empire and the United States in the decision of disputes between them and does not meet the objection that the British Empire is given precedence over the United States and is an affront to the dignity of the national honor, and, further, that it does not correct the preponderance in influence and power that the British Empire will have in disputes between any two other nations of the world over that of the United States,

and which would, of course, induce all other nations to favor the British Empire in disputes in order to get a return of support upon any question that might come up between them and the United States.

Mr. BORAH. Mr. President, the substitute offered by the Senator from Tennessee [Mr. SHIELDS] covers a wider question, as I understand it, than the amendment on which we were about to vote. The amendment upon which we were about to vote covers the proposition where there is a dispute directly between the British Empire and the United States. As I understand the substitute offered by the Senator from Tennessee, it goes further and reduces the vote of the British Empire under all circumstances and in all instances to the same vote as the United States; that is, it reduces it to one. I should like very much to vote for both of them. I do not desire to suggest to the Senator what he shall do with his proposition, but I should be glad if he would offer it not as a substitute but as an amendment to the pending amendment or else withhold it until we dispose of the pending amendment and give us an opportunity to vote on it separately.

Mr. MOSES. Mr. President, the Senator from Idaho is slightly in error in his construction of the application of this amendment. It is an amendment offered by me in committee and appearing with the other committee amendments and is designed to equalize the voting strength among disputants in all cases, whether the dispute should be between the British Empire and the United States or between the British Empire and any other disputant. In any such case the British Empire would be deprived of the right to enjoy the votes of its five colonies, dependencies, or parts of empire, in the same way that a single member of the league would be deprived of its single vote.

I have no especial hope, in view of the vote just taken, that the amendment will be agreed to. The tender susceptibilities of Great Britain, of course, must be preserved upon the floor of the Senate, but I wish to point out before the vote is taken that even those Senators who are willing that Great Britain should have six votes in the assembly to the one vote of the United States might find in my amendment an opportunity to equalize the chances between the United States and the British Empire in case of dispute between us.

Mr. JONES of Washington. I wish to ask the Senator, if the substitute of the Senator from Tennessee [Mr. SHIELDS] should be adopted, would not that make absolutely unnecessary the amendment offered by the Senator from New Hampshire?

Mr. MOSES. I think the substitute offered by the Senator from Tennessee goes further than my amendment. I think that it covers substantially the matter contained in my amendment, together with the matter covered by the amendment just disposed of, and I think a much more satisfactory method of dealing with the substitute offered by the Senator from Tennessee would be to make it an amendment to the amendment. Then we would be certain that all phases of the subject had been covered. However, every phase of the subject has been covered in the admirably drawn amendment which the Senator from California [Mr. JOHNSON] has presented and which will presently come before us for discussion. So, I suppose all the questions, my amendment, that of the Senator from Tennessee, and that of the Senator from California can be discussed simultaneously.

Mr. JONES of Washington. May I make this suggestion to the Senator? As I understand the substitute of the Senator from Tennessee, it reduces the vote of the British Empire to one; in other words, it puts it upon an equality with every other member of the league.

Mr. MOSES. Certainly.

Mr. JONES of Washington. If it were adopted, then this other situation could not possibly arise.

Mr. MOSES. Certainly; and I think that covers the matter.

Mr. JONES of Washington. So, if we adopt the substitute of the Senator from Tennessee, it covers the whole proposition.

Mr. MOSES. It could be readily disposed of, I assume, if the Senator in charge of the treaty were to accept the proposal of the Senator from Tennessee as a substitute for the amendment offered by the committee. Unhappily, I am not in that position and can not make the acceptance; but I would much prefer to have a vote on it.

Mr. SHIELDS. Mr. President, I think the substitute which I offer covers the whole situation, and if it is adopted there will be no cases to which the amendment proposed by the Senator from New Hampshire can apply, and therefore its provisions will be wholly unnecessary. That amendment does not meet the whole case like the one which I have submitted, which goes to the very root of the proposed inequality of representation of the several nations in the council and assembly of the league.

Mr. LODGE. Mr. President, I do not feel warranted in accepting the amendment without some action by the committee, which I have not had, and without an opportunity to consult them. I have not had that opportunity. Personally, I should prefer the method proposed by the Senator from Idaho [Mr. BORAH] of voting on them separately, but I am perfectly willing to vote upon them in any form.

Mr. MOSES. It is perfectly evident, in view of the vote already taken, that we shall vote on them separately. Undoubtedly we shall vote upon the proposal of the Senator from Tennessee as a substitute for the amendment presented by the committee, and we shall then have an opportunity to vote upon the committee amendment.

Mr. HITCHCOCK. Mr. President, I shall vote against the substitute offered by the Senator from Tennessee [Mr. SHIELDS] and I shall, of course, vote against the committee amendment now before the Senate. The substitute offered by the Senator from Tennessee practically disqualifies, and bars from useful membership in the league, the great Dominion of Canada to the north of us. It also bars Australia, another great self-governing dominion, made a member of the league and a member of the assembly, as many other lesser countries are. It bars the Union of South Africa. It bars every self-governing dominion of the British Empire. It is a radical, drastic, and destructive amendment of the league of nations, and if it should be adopted, either as a substitute for the amendment offered by the Senator from New Hampshire, or as an independent amendment, it would practically destroy the treaty.

Mr. President, I am unable to understand why it is that Senators view the membership of these great self-governing dominions of the British Empire with so much misgiving and so much opposition. Senators have stood here upon the floor and declared that Great Britain had six votes. They have stood here and declared that the British Empire had six votes. It is not possible that intelligent people should believe either statement. Great Britain is not a member of the league. The British Empire is specifically given one vote for the council and one vote for the assembly. To say that the British Empire has six votes is to say that the fight which Canada, Australia, New Zealand, and the Union of South Africa have made for independent recognition and independent representation in the assembly is a farce. Each has secured a vote for itself because it is not willing to be represented by the Empire.

We all know that these great self-governing dominions of the British Empire have been slowly but steadily progressing toward independence. Everyone knows that these great self-governing dominions have sometimes chafed at the idea of not being independently represented in international affairs. I can not doubt that people also know that when votes were given to these self-governing dominions, it was not at the request of London, it was not at the desire of the Imperial British Government, but it was at the insistence of Canada, New Zealand, South Africa, and Australia. It was a part of their settled purpose to increase still more their independent position in the world. It is a part of the policy which they have pursued for many years toward having complete independence. It was due to the fact that they were not willing to be represented by the Imperial Government that they refused to have the Imperial Government speak for them and bind them in the assembly. Now, why should the United States view such an attitude on their part with apprehension?

Mr. President, here is Canada to the north of us, a great democracy, a sister nation. Canada does more business with us than with any nation in the world, many times over. Canada's population, virtually already American, comes into the United States, and constitutes a large percentage of the population of Maine, New Hampshire, Vermont, and Massachusetts. Are we jealous of Canada, a great Anglo-Saxon nation, having the same traditions and aspirations that we have and having progressed so far toward independent government? Can not we trust them to be members of the assembly and vote for the representation of their interests and their rights?

Mr. President, we all know that there are radical differences between the Imperial British Government and the Government of Canada, Australia, New Zealand, and South Africa. We all know that Canada will not admit to her borders the immigration of British citizens natives of India. We know that South Africa has enacted rigid legislation against immigrants from India, although citizens of the British Empire; has refused to permit those British citizens to come into the Union of South Africa to carry on business except on license from the Government of South Africa. Even within the last few years the Union of South Africa has enforced still more rigidly legisla-



tion and regulation against the people of India, British citizens, coming into the South African Union.

Mr. MOSES. Mr. President—

Mr. HITCHCOCK. We know that Canada will not permit, as I say, immigration either from India or from Japan or from China, and that in that respect Canada sympathizes much more closely with the United States than with the imperial Government of Great Britain.

Mr. President, I say that I can not see why there should be any honest sentiment in America against having Canada cast a vote in the assembly of the league of nations. I am not saying that it would not be proper to exclude Canada and the other dominions of the British Empire from a vote in case an interest exists. I am not saying that it might not be proper, and I believe in fact it is the correct interpretation of the league of nations that neither Canada nor the dominions nor any part of the British Empire should vote in any case in which the empire is interested as a whole, but I do say, Mr. President, that it is entirely out of harmony with American institutions that we in the United States should be jealous of Canada or Australia, or even of the Union of South Africa or of New Zealand.

Mr. MOSES. May I ask the Senator a question?

Mr. HITCHCOCK. They are a part of the great Anglo-Saxon race like ourselves, and if France does not object and Italy does not object and Japan does not object, and the neutral nations of Europe that are to become members of the league do not object, why in heaven's name should we, closely related to them in brotherhood, sympathy, and tradition, as well as in interest and aspiration, object to these great self-governing dominions being represented in the league of nations?

Mr. MOSES. Mr. President, I regret that the Senator from Nebraska [Mr. HITCHCOCK] closed his splendid panegyric upon the people of Canada, whom I think I know better than he does, inasmuch as no less than 28 per cent of the population of my State are of Canadian origin and among the best citizens of New England—I regret that he closed his panegyric upon that portion of the population of the British Empire which rightfully, I will say, have representation in the league of nations, without pausing to pass an equal encomium upon the subject people of the Indian empire, who are not citizens, as he has stated, but a subject race, and who equally have a vote in the assembly of the league of nations with Canada, a situation to which I object.

Mr. SHERMAN. Mr. President, I, too, am surprised at the Senator from Nebraska. The floor of the Senate is the only place in the civilized world where such an interpretation as that contended for by the Senator from Nebraska prevails. It does not prevail in Canada; it does not prevail in New Zealand; neither does it prevail in Australia and South Africa. What they may think of it in India I do not know; but India is a member of the league, although, as the Senator from New Hampshire [Mr. MOSES] has stated, it is a subject race. There is no more self-government in most of the districts of India than there is in Japan. The greater part of the inhabitants of the British East Indies are a subject race, even those of ancient lineage, the Brahmins, and the priests of the primeval temples. They were a powerful race of people and were civilized before Christ came on earth, even long before the Anglo-Saxon was known in human history. Their fathers and their gods are not as ours, but they are more ancient than any other nation in the world save the Chinese. When the seers and prophets of ancient Israel made known the law to their people India was civilized and was known in written history; yet, Mr. President, it is a subject race. There is not an educated Hindu of the Brahmin class who ever traveled, lectured, or conversed with an American citizen in the United States who did not regard himself as a subject, and one without a voice in the regulation of his own local affairs, and a subject of the Kingdom of Great Britain.

When it comes to Canada, Mr. President, it is peculiarly unfortunate that Sir Robert Borden in a recent article takes issue with the Senators who claim that there is no numerical excess in the vote of the British Empire over that of the United States. Sir Robert Borden, in an article of October 7, 1919—not yet three weeks ago—takes violent issue with the Senator from Nebraska. It would not be contended that Sir Robert Borden does not represent Canada; it would not be insisted by the most zealous advocate of the league in its present form that he does not understand the status of the Dominion of Canada or its relation to the United Kingdom of Great Britain. I do not hope to convert any Senator on the minority side of the Chamber, least of all the Senator from Nebraska; but in order that it may remain as a part of the permanent record of this discussion, let me read some of the opinions expressed by Sir Robert Borden.

First, in the second paragraph of an article published in the New York Sun of the date I have given, he delivers this opinion on the status of the Dominion of Canada:

Early in December preliminary conversations on the making of peace took place in London between representatives of the British Empire, of France, and of Italy, and the proposal which I had already put forward was accepted in principle. The preliminary peace conference began at Paris on January 12, 1919, and the question of procedure, including that of representation, was immediately taken up by the representatives of the principal allied and associated powers, afterwards commonly known as the Council of Ten.

At first strong objection was made to the proposed representation of the British dominions. Subsequently there was a full discussion in the British Empire delegation at which a firm protest was made against any recession from the proposal adopted in London. In the end that proposal was accepted.

I should like to have the Senator from Nebraska—although he is absent now from his seat—answer Sir Robert Borden, the premier of the Dominion of Canada. This matter is not new. In several debates that have occurred, especially those participated in by the Senator from California [Mr. JOHNSON], and in matter incorporated in the CONGRESSIONAL RECORD some days ago, by my colleague [Mr. MCCORMICK], the position referred to has been fully outlined. It has not been adverted to by the Senator from Nebraska or by any of those who insist that the laws of mathematics from time immemorial have been repealed. It has not been discussed by the senior Senator from North Dakota [Mr. MCCUMBER]. Their arguments are equal to some other mathematical efforts in politics. We were once regaled with a long discussion of 16 to 1, and we now have it in the form of 6 to 1. Since the Arabic system of notation was invented every time anybody undertakes to prove that the integer or unit, which is simply a multiplication when larger numbers are involved, is equal to any larger number of units combined, profound philosophical discussion is required. The casuists of the Middle Ages have been rivaled in this Chamber by those who have sought to draw fine distinctions between the British Empire, the United Kingdom of Great Britain, and her colonial possessions; but, after all, their contentions, when reduced to the final analysis, regardless of the interpretation of authorities in Canada, New Zealand, Australia, and South Africa, are all summed up in the assertion that 6 must be equal only to 1 in the government ordained by the league of nations. But no answer has been made to the statement of Sir Robert Borden.

It is argued, Mr. President, that the amendment offered by the Senator from California [Mr. JOHNSON] and defeated a few moments ago in its original form would not accomplish the desired purpose. The motive, however, is there. I shall not argue that question, because that amendment has been disposed of. It is possible that the idea embodied in the reservation offered by the Senator from Wisconsin [Mr. LENROOT] will reach the desired end or that the substitute offered by the Senator from Tennessee [Mr. SHIELDS] for the amendment of the Senator from New Hampshire [Mr. MOSES] will reach it. What I wish particularly to refer to is that neither the Senator from Nebraska, the Senator from North Dakota, nor any other Senator has answered the statements made by those in authority in the Dominion of Canada or any of the other colonial possessions of Great Britain. Neither have eminent English and French authorities been answered.

It is assumed, I presume, that the Senators who adopt this view know more about the relations of the colonial possessions of Great Britain to the parent country than the parent country and those possessions themselves know. I will proceed with my reading from that article, or such portions of it as are material to this question. The council of 10 includes the British Empire, her five colonies that are signatory nations to the league, and four other nations. They constituted the council of 10 in the peace conference, and when the council of 10 is referred to in this article it should be so interpreted:

The adoption of the panel system gave the dominions a peculiarly effective position. At plenary sessions there were sometimes three Canadian plenipotentiary delegates, two as representatives of Canada and one as representative of the Empire. Moreover, throughout the proceedings of the conference the Dominion delegates, as members of the British Empire delegation, were thoroughly in touch with all the proceedings of the conference and had access to all the papers recording its proceedings.

Mr. President, I should like to remind the Senate that while the authorities of Canada have access to the papers recording the proceedings before the peace conference the Foreign Relations Committee of the Senate and no Member of the Senate have access to them. The contemporary documents and opinions of delegates to the peace conference that are material to the interpretation of the league covenant are not open to the Senate nor to the Foreign Relations Committee. In the history of our own country, and especially its constitutional history, all that was said at the Philadelphia Convention, the addresses made by those who favored the Federal plan as well as by

those who favored the league plan in the adoption of our present form of government, were preserved—the Madison Papers, all of the addresses of Hamilton, the debates before the several conventions or State legislatures of the thirteen original States are all preserved. Elliott's Debates contain at length the record of the proceedings, not only of the Federal convention but of the conventions or legislatures of the several States called on to ratify or reject the Constitution. The Supreme Court opinions are full of citations from these records of the early time in connection with the interpretation of paragraphs, of phrases, of articles, and of the preamble and purpose of the Constitution. The record of the remarks of the delegates to the convention have for more than 130 years been a part of the imperishable heritage of this country in the construction of constitutional provisions. Why is it that in this crisis of our country we are denied access to the archives giving the information as to the different sections of the league covenant and furnishing the reasons why they were adopted? These records, which in this crisis of our country would be invaluable in the interpretation of these articles, are not forthcoming. When the Committee on Foreign Relations sought some of the papers, such as the different drafts of the league of nations that were offered by the representatives of various countries, they could not be had. When they asked for the records of the discussions had, for the use of the Foreign Relations Committee—not necessarily for publication, if it should be deemed incompatible with the public interest—those records were not produced. The reply was made that unless by consent of the other 23 nations represented at the peace conference those records could not be given to the Foreign Relations Committee, or made accessible to the Senate, even if in executive session. So we are without them; but I apprehend from the reading of this paragraph in Sir Robert Borden's article, referred to, that all those records are known to him and to the representatives of the British Empire or her several colonial possessions.

At plenary sessions there were sometimes three Canadian plenipotentiary delegates, two as representatives of Canada and one as representative of the empire.

That refers particularly to the representation of Canada and the other colonial possessions.

Moreover, throughout the proceedings of the conference the Dominion delegates, as members of the British Empire delegation, were thoroughly in touch with all the proceedings of the conference and had access to all the papers recording its proceedings.

Why this mystery and silence? Why is it that that information is denied to the Senate or to the Foreign Relations Committee? Why have we not had access to all the records and the debates that would enlighten us upon the meaning of these several articles? Great Britain, both her representatives of the United Kingdom and the representatives of her five colonial possessions—I will make this statement, and I think I am justified in making it in view of some other evidence I have, which I do not care to quote at present—all of them have been thoroughly conversant with every step of the discussion, and every means afforded to enlighten themselves on why these articles were framed as they are or what led to the adoption of the league as a whole. We are denied the customary documents that go along with great constitutional creations. We are denied here all that might enlighten us and put us on an equality of knowledge with the Dominion of Canada or with Australia.

There is a purpose in this. There is hidden away in these records such indubitable evidence that Great Britain, when this league is in working order, will have five votes in her colonial possessions and one of her own; that it could not be even debated on the opposite side of this Chamber; it could not even be contended by the most subtle casuist, in all the forensic discussion that might be invented, that there was any question about what Great Britain understood in the practical operation of the league. I believe that is why those records are denied us.

Continuing:

This enabled them to watch and check those proceedings effectively in the interest of their respective dominions.

He is speaking now of the whole five of the colonial possessions; and he says it enabled them effectively, in the interest of their respective dominions, to watch and check any proceedings to change the program. I will further show in a minute that that program was to give each of these colonial possessions the status of an integral nation and to stand in the league with one vote representing their sovereignty.

Dominion ministers were nominated to and acted for the British Empire on the principal allied commissions appointed by the conference from time to time to consider and report upon special aspects of the conditions of peace.

On several occasions I was charged with the duty of attending as one of the British Empire representatives on the council of five. Mr.

Lloyd-George called upon me to put forward before the council of four the British Empire case in respect of the clauses on economic questions, on the international control of ports, waterways, and railways, and on submarine cables. During the last month of my stay in Paris I acted regularly as chairman of the British Empire delegations in the absence of the prime minister of the United Kingdom, whose duties as a member of the council of four constantly prevented his attendance.

It is desirable to note an important development in constitutional practice respecting the signature of the various treaties concluded at the conference. Hitherto it has been the practice to insert an article or reservation providing for the adhesion of the dominions. In view of the new position that had been secured, and of the part played by dominion representatives at the peace table, we thought this method inappropriate and undesirable in connection with the peace treaty. Accordingly, I proposed that the assent of the King as high contracting party to the various treaties should, in respect of the dominions, be signified by the signature of the dominion plenipotentiaries, and that the preamble and other formal parts of the treaty should be drafted accordingly.

Here is an express understanding that the five colonial nations, a part of the British Empire, shall be represented among the signatory nations by the delegates of these several colonies, and that their signatures shall represent the signature of their King. George V, therefore, as a colonial proxy signs the various documents connected with the peace treaty, with the league of nations, and any other treaties with the country, like that for the preservation of France in case of another attack, like the treaty with Poland, or the treaty with Italy. The signature of the delegate from Canada represents George V. Lloyd-George and the British Parliament evidently made no objection to that procedure. Having been carried out in that way, the British Crown's signature to a public document represents the Dominion of Canada, and the other four as well by their consent. That is a sovereign act.

No objection being made, no criticism by any authority in the United Kingdom of Great Britain to that method adopted by her several colonies to represent themselves, I am justified in the conclusion I draw that that was the method adopted by these different nations for each to receive the status of an independent sovereign power.

Now, let me read from the league:

These powers—

After enumerating them—

being described in the present treaty as the principal allied and associated powers.

They are the United States of America, the British Empire, France, Italy, and Japan.

Then, again, the remainder of the 32 signatory nations are recited below in the same paragraph or article, and it is defined further that these latter powers constitute, "with the principal powers mentioned above, the allied and associated powers."

Mr. President, at the end of Part I, which is the league of nations, we find in the annex these descriptive words:

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

United States of America.

Belgium.

Bolivia.

Brazil.

British Empire.

Then follow, after the signature "British Empire," on page 43 of the treaty:

Canada.

Australia.

South Africa.

New Zealand.

India.

Does any other country so sign? Down below a short way I come to the signature of France, one of the principal allied and associated powers. There does not follow after the signature of France Algiers, any part of the Franco-African settlement, any of the territorial possessions of the French Republic anywhere in the world. Why, after the signature of Great Britain, do her five colonies follow? It seems to me that there is a purpose in attaching their names in the annex to the treaty. It must be for the purpose of fitting in with the interpretation of Sir Robert Borden that Canada has the status of a foreign nation, that the signature of its delegate, or when attached in the name of the British King, is to be considered as the signature of Canada, and no objection is made anywhere, either by the United Kingdom or by any of its authorities.

I can not see, Mr. President, why the signatures of these five nations are had in the league. Neither can I understand why they are included as 5 of the 32 signatory nations. To me, and to any other Senator who is disposed to exercise his thinking apparatus; there is no answer for it. If the thinking is done upon the White House hill, if we are mere Executive echoes, I can understand how six is equal to one, and why these signatures to the league of nations—five of them—are of no avail. They are alleged to be mere formalities.



It seems to me, however, that on the face of the league of nations there is evidence of bad faith, evidence of furtive interpretation. There is abundant reason to believe that the articles of the league, when interpreted, will bear the provision for six-to-one voting strength upon all questions affecting the British Empire.

Why not leave that out? Why does the Dominion of Canada insist upon being considered one of the 32 signatory nations if there will be no vote upon any vital question after the league shall become operative?

I continue now, reading from the Borden article:

This proposal was adopted in the form of a memorandum by all the Dominion prime ministers at a meeting which I summoned and was put forward by me on their behalf to the British Empire delegation, by whom it was accepted.

That is referring to the status of Canada as an independent nation in the league.

The proposal was subsequently adopted by the conference and the various treaties have been drawn up accordingly, so that the dominions appear therein as signatories and their concurrence in the treaties is thus given in the same manner as that of other nations.

If their concurrence is given "in the same manner as that of other nations," to use the language of Mr. Borden, then their power in the league, and their voting strength, regardless of the specious interpretations put upon it in this Chamber, continue in the league, and will upon proper occasions be exercised.

This important constitutional development involved the issuance by the King, as high contracting party, of full powers to the various Dominion plenipotentiary delegates. In order that such powers issued to the Canadian plenipotentiaries might be based upon formal action of the Canadian Government, an order in council was passed on April 10, 1919, granting the necessary authority. Accordingly I addressed a communication to the prime minister of the United Kingdom requesting that necessary and appropriate steps should be taken to establish the connection between this order in council and the issuance of the full powers by His Majesty, so that it might formally appear of record that they were issued on the responsibility of the Government of Canada.

#### CANADA AND THE LEAGUE.

The new and definite status of the dominions at the peace conference is further manifested in the constitution of the league of nations. Since they had enjoyed the same status at the peace conference as that of minor powers, we took the ground that the dominions should be similarly accepted in the future international relationship contemplated by the league.

I would very much like to have Senators, especially the Senator from Nebraska [Mr. HITCHCOCK] and the Senator from North Dakota [Mr. McCUMBER], explain this portion of Sir Robert Borden's article. It is only carrying out what was said in debate in the Canadian Parliament, read into the Record by the Senator from California [Mr. JOHNSON], and referred to in discussion here by other Senators. It is only in substance saying that the status of those colonies is that of any other nation in the league. Are other nations denied powers of voting? Are they disfranchised because they are members or connected with some colony? These colonies are claiming the independent, sovereign powers of other nations. I wish to find out, Mr. President, whether in the ballot box in this league six ballots for a candidate will be equal to one for some other candidate. Not in American politics or in the science of American Government will that be so. They do not vote that way in the stockyards. They do not vote that way in Delaware or Rhode Island. They will not vote that way in the Mississippi Valley from that river's source in Minnesota to the Delta in the Gulf.

Senators will not be so facetious in any State where there is a reasonably close political fight. In those where there is nothing after the nomination no fears need be entertained. But in every State in the Union outside of those where free self-government does not exist and where government is not by oligarchy, Mr. President, it will not be so much a matter of idle comment or of political comedy as it appears now.

The new and definite status of the Dominion at the peace conference, it is said, is manifested by the league of nations—manifested by the signatures on page 43. Treaties are not signed by subject powers. Treaties are signed by sovereigns. There is no such thing as a treaty among subject powers. Treaty making is a sovereign act. Of itself it imports sovereignty. It requires no interpretation when a treaty is signed to say that the signatures represent sovereignties and not subjects. Therefore when it is said, in referring to the league of nations here, that it is significant, I turn to the 5 signatures of these 32 signatory nations and find already there Great Britain's colonial possessions. All the interpretation, all the specious reasoning, all the casuistry, I repeat, if you went back to the days when it was an exact science, can not interpret the signatures of these powers, except as independent, sovereign powers, entitled to all the rights to vote upon vital questions that every other nation has.

Under the rules and regulations they will have that power except when they are parties to the dispute, and thereby excluded by the express terms of the league itself. The statement continues:

The league of nations' commission—

As near as I can understand, I think that was the subcommittee, if we might so phrase it, having in charge the preparation in due form of the league to present to the full conference—

The league of nations' commission, while inclined to accept this in principle, did not at the outset accept all its implications, as was apparent in the first draft of the covenant. This document, however, was professedly tentative. The dominions' case was pressed, and in the final form as amended and incorporated in the treaty of peace with Germany the status of the dominions—

That is, speaking of all of them—

the status of the dominions as to membership and representation in the assembly and council was fully recognized.

They are to become members as signatories of the treaty, and the terms of the document make no distinction between them and other signatory members.

The prime minister of Canada so interprets it. It remains for Senators in this Chamber to interpret it otherwise. It does not require any vivid imagination to foresee that when Great Britain and Canada interpret this question or this power they will interpret it as Canada's prime minister suggests. What will we do? We will come in with a reservation, certainly, and say that a reservation gave as our interpretation only one vote to the British Empire. Of what avail will that be after we are in?

Although neither of the Senators from Virginia is here, one being unfortunately ill, I want to talk a moment about the State of Virginia, not in any sense of criticism but to refer historically to the ratification of the Federal Constitution by the State of Virginia nearly 132 years ago.

The Old Dominion, as the State was called then, attached a reservation to their ratification of the Federal Constitution. It was at that time the first State in the Union in population. In commercial importance it excelled even New York. It was greater in its statesmanship at that time than any of the other States of the Union. Of the whole thirteen it was the leader.

When the Constitution was presented to be ratified they attached a reservation. Jefferson Davis referred to that many times in his public life. The reservation made by Virginia was referred to many times during "the war between the States," as they called it. In Pollard's History of the Lost Cause it is commented on. Alexander H. Stephens quoted it in his debate on the right of a State to withdraw from the Union. In the many arguments upon that question it was said that that was an implied right and required no reservation, but Virginia expressly reserved it. That was a reserved interpretation put upon the document itself.

When the ordinances of secession were passed and when Virginia passed her ordinance, did that save her? Did that keep her from being regarded as an enemy of the Federal Government? Did that reservation save her from having the Army and Navy of the United States employed against her and taking the field against the armies of the State that were put in operation against the powers of the Union? Nobody paid any attention to it in the clash of arms. The day of argument had passed, and when the Civil War was over the right to withdraw from the Union, however it might have been a matter of forensic discussion, ceased in all parliamentary bodies in this country to be a subject of sober discussion. Whatever might have been the force of it as a reservation, it has been condemned both by the Supreme Court and in arguments in every parliamentary body outside of those concerned in withdrawing from the Union; it has been put to rest finally by force of arms and by the onward march of events.

As far as a reservation in a constitutional document or anything of its character, like the league of nations, is concerned, when once you are in the reservations adopted are of no consequence, and none of the members are bound to observe them. It will be our interpretation. The only way it will be of value to us will be to free us from the imputation of bad faith. When we go in, like Virginia, we will have our interpretation attached to the ratification, making it a part of our approval of the league and the treaty. If we are afterwards asked, through Congress or the Executive, to act otherwise than in accordance with our reservations we can reply that we became members on those conditions. It will free us from any imputation of bad faith, from any charge of a breach of our obligations. It will enable us to pursue our course nationally, but if the force of arms is applied it will be no answer to us if the league of nations of the world send their armies and navies to our shores.

I shall vote for the reservations in order to free us of any charge of breaking faith in the event our interpretations become material in our foreign relations. Upon our domestic questions, it can accomplish nothing. Our domestic affairs will move on without regard to the league of nations. Whatever the resolution of ratification may amount to in the Senate; whatever any Executive order published may be, there is a greater power than the Senate; there is a superior governmental power to that of the Executive. It will be the sober second thought of the American people; it will act along the established channels of peaceable, orderly government. But they will make themselves felt when we resolve ourselves into the good Samaritan of the world, to give of our wealth and of our blood, and, all without money and without price, only to be thanked and called the easiest power to approach in the world and get something for nothing. When we are asked to continue this course, after awhile the American people will be heard.

A similar question arose—

Continues Mr. Borden—

In respect of the constitution of the international labor organization. Corresponding to the council of the league, there is a labor governing body consisting of delegates nominated by a limited number of governments. The original form of the labor convention did not adequately recognize the status of the dominions, and at the plenary session of April 11, 1919, when a resolution was proposed that the peace conference approve of the draft convention, I moved that the resolution be amended by adding a provision which authorized the drafting committee to make such amendments as were necessary to have the convention conform to the league of nations in the character of its membership and in the method of adherence. As a result the labor convention was finally amended so that the dominions—

"The dominions," speaking of all of them—

were placed on the same footing as other members of the international labor organization, becoming eligible like others to nominate their government delegates to the governing body.

The recognition and status accorded to the British dominions at the peace conference were not won without constant effort and firm insistence. In all these efforts the dominions had the strong and unwavering support of the British prime minister and his colleagues.

For the first time, in anything we have been able to ascertain in any document submitted to us, we learn that the British prime minister and his colleagues favored unwaveringly the separate sovereign representation of the dominions, and until the letter that has been quoted many times was read on the floor of this Chamber we had nothing to indicate what the prime minister and his colleagues thought of this power. But here Canada, speaking through its prime minister, informs us in matter that is corroborative of the letter of Lloyd-George, Clemenceau, and others. So we are gradually gathering the circumstantial evidence that gives to Great Britain six votes on all vital questions that may arise under the league.

I read again:

The constitutional structure of the British Empire is imperfectly understood by other nations, even by a nation so close in kinship, in language, and in the character of its institutions as the United States of America.

There has been but one lucid statement of the constitution of the British Empire and the relations of self-governing colonies of the United Kingdom, and that was made last week by the Senator from Tennessee [Mr. SHIELDS], where he stated in unanswerable terms the conditions under which the British Empire holds its various colonies and their relations to the home Government in London.

It is said here in a patronizing sort of way that we do not understand the structure of the British Empire. That may be so. That may be the cause of much criticism that has been made by visiting Englishmen. Some of the Englishmen who are here now, in a superior sort of way, say that America does not understand the principles of colonial empire; that the United States does not understand the great principles of constitutional government; that England has had 700 years of experience in constitutional government, while we have only had 132 years. We appear to be uninformed, callow, local, and subject to criticism by English authorities.

I am reminded that there is a gentleman in Washington who represents a newspaper of London who has in letters said that Senators were guilty of treason in opposing the orders issued by the Executive of this country to ratify the treaty and the league out of hand as sent to them and make no sacrilegious criticism; that it is a species of legislative blasphemy to question anything the Executive demands to be done in this Chamber.

That same newspaper man has been in the country for 20 or 25 years. Of course he keeps his allegiance intact to Great Britain, or to the United Kingdom rather, because of his persistent crusade in this country for the superiority of everything English in character, and of the crudeness and unfitness of this country to govern itself without help from London. During the administration of a former President he asked the President to

intervene with the King of England that he might have an order of knighthood conferred upon him for his distinguished services here. The gentleman is still in Washington. I see him sometimes in the press gallery of the Senate. He has all the privileges there of any other newspaper correspondent, but he has arrogated to himself the privilege of writing down Senators as guilty of treason in this body for not obeying Executive orders in this country.

I only refer to this supercilious snob to show to what advanced lengths our British cousins have now gone in telling us how to govern ourselves and how to ratify treaties in the Senate. It is not by the advice of such as he, or any of his kind that come to this country, that we are an independent power to-day.

I have said many times that I have great respect for the Kingdom of Great Britain. The United Kingdom is one of the greatest countries in the world. Any country with 46,000,000 population that can govern around the world, that can make ill-concealed criticisms and covert sarcasm and thrusts at this country, and then have the sublime assurance, through the house of J. P. Morgan & Co., to carry an advertisement in to-day's paper urging the taking of a loan of \$250,000,000 at 5½ per cent—any country that has the supreme arrogance to do this, certainly, if her nerve is her asset, exceeds in resources that of any other country in the world. I say I respect them, but I do not follow their advice. If such as he or his kind are to give us advice and we follow it, it would be vastly better that we were a colonial possession of Great Britain yet. It is only because of the Declaration of Independence, of George Washington, and of George III, who was not an English King, who was of German blood, as Oliver Wendell Holmes said, a snuffy old drone from the German hive, with the usual obstinacy that goes with his kind, with his stupid vacillating ministry, and against the protest of Edmund Burke and the elder Pitt, regarding not at all their statements of the justice of the claims of these colonies—we can thank those agencies that we are independent. We might otherwise have been like Canada and Australia.

Why, even New Zealand and Australia come across to us with advice, and by the daily papers that are controlled by the international bankers of New York, Chicago, and Philadelphia we are regaled nearly every Sunday with long articles about what a beautiful country Australia is, what a great territorial dominion it is, nearly equal in the island alone to the whole area of the United States, and with about six and one-half or seven million population. They tell us about their great resources, of their methods of government, superior to those of any other country in the world.

One of my friends of English descent, a neighbor of mine, was talking to me about it. He is always quoting what New Zealand and Canada are doing, and that we ought to take their advice on the league of nations, because they are so much wiser, both of them, than we are. I dispose of Australia in one sentence, that Australia might be superior, but all of the first families of Australia were descended from the convicts that left their country for their country's good. Of course, when they arrived there was plenty of fresh air and liberty, and they were free from temptation. It was originally a convict colony. I do not mean that all of them are now descended from convicts. It has had, since it developed, a very great immigration from that and other countries, but I still decline to take advice from Australia. I prefer to follow the traditions of my own country.

Let me read the rest of this:

The constitutional structure—

They say—

of the British Empire is imperfectly understood by other nations—

I repeat that—

even by a Nation so closely allied in kinship, in language, and in the character of its institutions as the United States of America. Such lack of comprehension need excite no surprise, because the association between the mother country and the great self-governing dominions has been for years in a condition of development, and that development is not yet complete.

The British North America act of 1867, referred to by the Senator from Tennessee [Mr. SHIELDS] on last Friday, set forth at some length the relations between the United Kingdom of Great Britain and her colonies. That, following the acts of 1915 and 1916, of the fifth, sixth, and seventh years of the reign of George V, further defining the relations between the United Kingdom of Great Britain and certain of her colonies, especially Canada, a kind of Canadian settlement act, very definitely established the sovereignty of these colonies. They became independent nations, with full right of home rule, and only in the foreign relations of peace and war, in matters of diplomacy with foreign countries, are they bound to consult the mother country.



The future relationship of the nations of the empire must be determined in accordance with the will of the mother country and of each Dominion in a constitutional conference to be summoned in the not distant future. Undoubtedly it will be based upon equality of nationhood. Each nation must preserve unimpaired its absolute autonomy, but it must likewise have its voice as to those external relations which involve the issue of peace or of war. So that the Britannic commonwealth is in itself a community or league of nations which may serve as an exemplar to that world-wide league of nations which was founded on the 28th of last June.

On behalf of my country, I stood firmly upon this solid ground: That in this, the greatest of all wars, in which the world's liberty, the world's justice—in short, the world's future destiny—were at stake, Canada had led the democracies of both the American continents. Her resolve had given inspiration, her sacrifices had been conspicuous, her effort was unabated to the end. The same indomitable spirit which made her capable of that effort and sacrifice made her equally incapable—

And the closing words are most significant—

of accepting at the peace conference, in the league of nations or elsewhere, a status inferior to that accorded to nations less advanced in their development, less amply endowed in wealth, resources, and population, no more complete in their sovereignty and far less conspicuous in their sacrifice.

I now ask, Mr. President, to insert the whole of this article by Sir Robert Borden, taken from the New York Sun of October 7, 1919, in the CONGRESSIONAL RECORD without reading.

The PRESIDING OFFICER (Mr. GRONNA in the chair). Without objection, it is so ordered.

The article referred to is as follows:

[From the New York Sun, Oct. 7, 1919.]

CANADA'S STATUS AS A NATION WITHIN THE BRITISH EMPIRE TOLD BY PREMIER—SIR ROBERT BORDEN EXPLAINS DIPLOMATIC POSITION ACHIEVED BY DOMINION AT THE PEACE CONFERENCE—TELLS OF ITS RELATION, AS A SELF-GOVERNING BRITANNIC COUNTRY, TO THE TREATY. (By the Right Hon. Sir Robert Laird Borden, G. C. M. G., P. C.)

The status of the Dominions at the peace conference was the subject of long and earnest discussion. Various methods, which it is not necessary to explain, were suggested. In the end I proposed that there should be a distinctive representation for each Dominion similar to that accorded to the smaller allied powers, and, in addition, that the British Empire representation of five delegates should be selected from day to day from a panel made up of representatives of the United Kingdom and the Dominions. This proposal was adopted by the Imperial war cabinet.

Early in December preliminary conversations on the making of peace took place in London between representatives of the British Empire, of France, and of Italy, and the proposal which I had already put forward was accepted in principle. The preliminary peace conference began at Paris on January 12, 1919, and the question of procedure, including that of representation, was immediately taken up by the representatives of the principal allied and associated powers, afterwards commonly known as the council of ten. At first strong objection was made to the proposed representation of the British Dominions. Subsequently there was a full discussion in the British Empire delegation, at which a firm protest was made against any recession from the proposal adopted in London. In the end that proposal was accepted.

#### CANADA'S REPRESENTATION.

The adoption of the panel system gave to the Dominions a peculiarly effective position. At plenary sessions there were sometimes three Canadian plenipotentiary delegates, two as representatives of Canada and one as representative of the Empire. Moreover, throughout the proceedings of the conference, the Dominion delegates, as members of the British Empire delegation, were thoroughly in touch with all the proceedings of the conference and had access to all the papers recording its proceedings.

This enabled them to watch and check those proceedings effectively in the interest of their respective Dominions and placed them in a position of decided advantage. Dominion ministers were nominated to and acted for the British Empire on the principal allied commissions appointed by the conference from time to time to consider and report upon special aspects of the conditions of peace.

On several occasions I was charged with the duty of attending as one of the British Empire representatives on the council of five. Mr. Lloyd-George called upon me to put forward before the council of four the British Empire case in respect of the clauses on economic questions, on the international control of ports, waterways, and railways, and on submarine cables. During the last month of my stay in Paris I acted regularly as chairman of the British Empire delegations in the absence of the prime minister of the United Kingdom, whose duties as a member of the council of four constantly prevented his attendance.

#### A STEP FORWARD.

It is desirable to note an important development in constitutional practice respecting the signature of the various treaties concluded at the conference. Hitherto it has been the practice to insert an article or reservation providing for the adhesion of the dominions. In view of the new position that had been secured, and of the part played by dominion representatives at the peace table, we thought this method inappropriate and undesirable in connection with the peace treaty. Accordingly, I proposed that the assent of the King as high contracting party to the various treaties should in respect of the dominions be signified by the signature of the dominion plenipotentiaries, and that the preamble and other formal parts of the treaties should be drafted accordingly. This proposal was adopted in the form of a memorandum by all the dominion prime ministers at a meeting which I summoned, and was put forward by me on their behalf to the British Empire delegation, by whom it was accepted. The proposal was subsequently adopted by the conference and the various treaties have been drawn up accordingly, so that the dominions appear therein as signatories and their concurrence in the treaties is thus given in the same manner as that of other nations.

This important constitutional development involved the issuance by the King, as high contracting party, of full powers to the various dominion plenipotentiary delegates. In order that such powers issued to

the Canadian plenipotentiaries might be based upon formal action of the Canadian Government, an order in council was passed on April 10, 1919, granting the necessary authority. Accordingly I addressed a communication to the prime minister of the United Kingdom requesting that necessary and appropriate steps should be taken to establish the connection between this order in council and the issuance of the full powers by His Majesty so that it might formally appear of record that they were issued on the responsibility of the Government of Canada.

#### CANADA AND THE LEAGUE.

The new and definite status of the dominions at the peace conference is further manifested in the constitution of the league of nations. Since they had enjoyed the same status at the peace conference as that of minor powers, we took the ground that the dominions should be similarly accepted in the future international relationship contemplated by the league. The league of nations' commission, while inclined to accept this in principle, did not at the outset accept all its implications, as was apparent in the first draft of the covenant. This document, however, was professedly tentative. The dominions' case was pressed, and in the final form as amended and incorporated in the treaty of peace with Germany the status of the dominions as to membership and representation in the assembly and council was fully recognized.

They are to become members as signatories of the treaty, and the terms of the document make no distinction between them and other signatory members. An official statement as to the true intent and meaning of the provisions of the covenant in that regard was secured by me, and is of record in the archives of the peace conference.

A similar question arose in respect of the constitution of the international labor organization. Corresponding to the council of the league, there is a labor-governing body consisting of delegates nominated by a limited number of Governments. The original form of the labor convention did not adequately recognize the status of the dominions, and at the plenary session of April 11, 1919, when a resolution was proposed that the peace conference approve of the draft convention I moved that the resolution be amended by adding a provision which authorized the drafting committee to make such amendments as were necessary to have the convention conform to the league of nations in the character of its membership and in the method of adherence. As a result the labor convention was finally amended so that the dominions were placed on the same footing as other members of the international labor organization, becoming eligible like others to nominate their Government delegates to the governing body.

The recognition and status accorded to the British dominions at the peace conference were not won without constant effort and firm insistence. In all these efforts the dominions had the strong and unwavering support of the British Prime Minister and his colleagues. The constitutional structure of the British Empire is imperfectly understood by other nations, even by a nation so closely allied in kinship, in language, and in the character of its institutions as the United States of America. Such lack of comprehension need excite no surprise, because the association between the mother country and the great self-governing dominions had been for years in a condition of development, and that development is not yet complete.

#### FUTURE RELATIONS.

The future relationship of the nations of the empire must be determined in accordance with the will of the mother country and of each Dominion in a constitutional conference to be summoned in the not distant future. Undoubtedly it will be based upon equality of nationhood. Each nation must preserve unimpaired its absolute autonomy, but it must likewise have its voice as to those external relations which involve the issue of peace or of war. So that the Britannic commonwealth is in itself a community or league of nations which may serve as an exemplar to that world-wide league of nations which was founded on the 28th of last June.

On behalf of my country I stood firmly upon this solid ground: That in this, the greatest of all wars, in which the world's liberty, the world's justice—in short, the world's future destiny—were at stake, Canada had led the democracies of both the American Continents. Her resolve had given inspiration, her sacrifices had been conspicuous, her effort was unabated to the end. The same indomitable spirit which made her capable of that effort and sacrifice made her equally incapable of accepting at the peace conference, in the league of nations or elsewhere, a status inferior to that accorded to nations less advanced in their development, less amply endowed in wealth, resources, and population, no more complete in their sovereignty, and far less conspicuous in their sacrifice.

Mr. SHERMAN. I now come, Mr. President, to interpretations put upon the membership in the league of the five British colonies. On the 26th day of May, 1919, during an address by the senior Senator from Missouri [Mr. REED], a colloquy took place between the Senator from Missouri and the Senator from Nebraska [Mr. HITCHCOCK]. The Senator from Nebraska, interrupting the Senator from Missouri, used the following language, partly in the form of a statement and partly as an interrogatory:

My judgment is that if Great Britain and France do not object to these small nations, that are practically under the protection of the United States, being financed by the United States, and largely controlled by the United States, coming into the league, it is not likely that we will suffer very much from them.

This is found on page 238 of the CONGRESSIONAL RECORD of that date. The Senator from Missouri said:

I am asking the Senator if he is willing to consent to the proposition? Can we not have a categorical answer? Is the Senator willing to put these 50,000 negroes—

Speaking of Liberia—

up as the equals of the 110,000,000 people of the United States?

Each having an equal vote in the league.

Mr. HITCHCOCK. I should like to ask the Senator whether he has named any country that is not practically under the protection of the United States?

Not long ago the President of the Republic of Liberia was in Washington. Was he here in order to discover some method of reclaiming the cannibals and the voodoo worshipers in the back country of Liberia? Was he here for purposes of consultation, to ascertain if some method could be devised to bring about greater progress in his country than he or his agents are making at the present time? He was here for the purpose of obtaining the balance of a loan made available under taxes levied and bond issues raised from American taxpayers. Liberia has not exhausted herself in war. She may occasionally have some trouble with the snake charmers in the back country; it is barely possible that some of the barbarian dances indulged in by the voodoo worshipers require a little discipline at times; but beyond that matter of domestic administration and the restraining the conduct of some of his constituents toward missionaries—beyond a few domestic questions of that kind, no great overpowering necessity for funds has descended upon the Liberian Republic. But still we are loaning Liberia money, and the President of Liberia came here to collect the last installment of the loan. When that had been properly provided for he took his departure to that distant land of the free and the home of a great variety.

Further on the Senator from Nebraska asked:

Will the Senator explain what they—

Referring to the smaller nations—

can vote on? I think that would be interesting.

The Senator from Missouri replied:

On anything that America can vote on in the league of nations.

Mr. HITCHCOCK. The Senator is entirely mistaken.

Mr. REED. Ah, does the Senator claim that the league of nations has nothing to do? Let us have it out. Does it have nothing to do, or does it have something to do?

Mr. HITCHCOCK. The league has very little to do.

Mr. REED. Then the league is a fake, is it not?

Mr. HITCHCOCK. Practically all of its powers, as the Senator well knows if he has studied the constitution of the proposed league, are in the hands of the executive council, and the only five permanent members of that executive council are the United States, Great Britain, France, Italy, and Japan.

Later on the Senator from Nebraska said:

He has stated—

Referring to the Senator from Missouri—

that the small nations which he has named will have as great a vote as the United States, when he knows as a matter of fact that no nation, not one of the five permanent members of the executive council, can have as much vote, influence, and power as the five members named on the executive council permanently; he knows that.

Now, let me read further from another colloquy in the same speech as a foundation for some subsequent comment at length. I read from page 243. The senior Senator from California [Mr. PHELAN] said:

Mr. President, I did not raise the question for the purpose of discussing the merits of the people of Siam, but the hereditary monarch and the ruling classes, according to their form of government, are educated and well-informed persons, like the Senator from Missouri. I think, therefore, that, representing their Government, they can speak with intelligence and knowledge of the world. But that he is a monarch does not interest me, nor should it interest us in the effort to create a league of nations. We must accept the nations as they are, and possibly under the inspiration of the league there will be a broader democracy in the future.

Further, he said:

In so far as they are members of the league they will vote. I do not know how far it will affect the destinies of the United States; but very little, I imagine. They are civilized.

There is no question of equality involved in the organization of the league, so far as control is concerned, because the larger nations, four or five of them, are established permanently in control.

I have read these quotations from the remarks of Senators who are now active in supporting the league as presented to us in its original form without reservation or amendment in order to comment upon a peculiar feature presented by their statements.

It has been said here repeatedly that under the form of the league it is not a league of nations; it is a mere alliance of some of the principal powers of the world. The senior Senator from New York [Mr. WADSWORTH] in a very able address made some time ago on the league and treaty reminded us of one vital defect in the league. He showed by reference to its various articles that it is a league of men; that, so far as it becomes operative as a government or as a restraining influence upon sovereign powers, it is a government of men and not a government of principles or of law. It does not lay down any great international code; it declares no great principles to regulate the nations in their relations with each other; it simply undertakes to create instrumentalities, and then to say what the instrumentalities through their human agencies may do. It is vastly inferior to either of The Hague conventions, especially the lat-

ter one of 1907. That convention declared the great international principles that should govern nations at peace and during war. It laid down new and humanizing doctrines; it prohibited brutal practices even in the stress of war; it regulated the conduct of nations and their navies on the high seas; it prohibited the inhuman acts that were ushered in by the submarine warfare of the Germans. The pending league covenant lays down no such great code of principles. It provides a government purely of men.

I now return to the statements made by the Senators to whom I have referred that it is an alliance of nations, a combination of large powers in which 5 out of the 32 original signatory nations are the controlling powers; or, to use the language of one Senator, "Four or five of them are established permanently in control." The permanent control, therefore, according to the interpretation of the league by some Senators, is limited to five of the great powers, of which the United States is one. Such a league, such an alliance, such a congress composed of five powers, two of which have taken vast areas of territory from the defeated enemy, can not be more than any other alliance or congress of nations; it can not be a league to guarantee permanent peace.

Further, when we speak of the six votes of the British Empire as opposed to the one vote of the United States, the Senator from Nebraska interprets it, and limits that fatal ratio of six to one by saying that the United States will vote such nations as Liberia and others over whom we exercise influence.

Liberia is practically in receivership by the United States now. Haiti and San Domingo are in receivership. We exercise what is practically not a British protectorate, but a preserving protectorate, both for the preservation of domestic peace and of security against external aggression by other countries, over Cuba under the five points in the Platt amendment adopted in this Chamber some years ago. In all the Caribbean Basin, in Central and South America, it is presumed by the inferences of this argument that we will exercise a large influence over all of the Republics, members of the league, in the Western Hemisphere.

It is sought to mitigate the fatal ratio by calling attention to the great number of member nations of the league that will vote, and by the intimation that by going out and gathering in those amenable to our influence we will vote as many or more nations than Great Britain. Great Britain will vote His Majesty the Sultan of Hedjaz; she will vote Persia; she will vote Siam; she will vote Tibet; she probably will vote every other separate principality or power in Asia and Africa, outside of those influenced by whatever government Germany may finally adopt. It will then become a question of influence over other member nations of the league.

I remember in years past the criticisms of many reformers. I have heard it from both sides of various conventions where both parties have been represented. They came along and told us that the bad political boss had to go. He had become persona non grata in public affairs. You know, the habit was charged to be, with various political authorities, that they went out in the counties and districts and States and gathered a great number of delegates. If the delegate did not come himself, if his mother-in-law was ill, or he wanted to go to a baseball game worse than he did to a convention, he just wrote out his proxy and gave it to the political authority who came to him, especially if there was some inducement offered. We all know about it. We have all been guilty. We only raised a tremendous hullabaloo when the other fellow beat us to it.

But magazine writers and various moralists and university professors animadverted at great length on the sinfulness of such practices, and so in time public opinion began to gather strength, and the political boss was denounced as a vicious influence in politics because he went out and gathered a whole State, or a majority, in proxies.

Then there was another practice that was often criticized. It was that the State committee would get together, and sometimes other committees, and they would pass a resolution, and they would frame up as many delegates as they needed to tide over a crisis in their affairs, 5 or 6 in a county, 8 or 10 in another county, and they would all be gathered in, and after a while the bad man would have a majority in the convention. That was creating new proxies when he did not have enough of the crop already in existence. I never had any particular criticism to make of that myself, because I have done as much of it as my enemy has; but public opinion changed, and the reformer came along, and we all decided that there would be no more of it.

Mr. McCORMICK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to his colleague?

Mr. SHERMAN. Yes, sir.



Mr. McCORMICK. Does my colleague mean to insinuate that somebody might get a proxy from the Hedjaz?

Mr. SHERMAN. I fear that my colleague anticipates my argument. I do mean to insinuate that very thing.

Mr. McCORMICK. I apprehended something of the sort, for I was a novice when my colleague was a priest in the temple of politics.

Mr. SHERMAN. I thank the Senator for the allusion. The Sultan of Hedjaz may be a novice, but the British authorities are no novices in gathering proxies. They are old hands in the proceeding. They began as far back as the time of Warren Hastings, the first governor general of British India, and they have been at it ever since. Once in a while they send a gatherer of proxies to the penitentiary, but seldom. For all the plunder of Warren Hastings, who exercised for the British East India Co. for many years vast governmental as well as commercial powers, upon a great historic occasion, upon a theatrical presentation of the articles of impeachment, upon the six weeks' speech of Edmund Burke, there resulted at last no punishment save that of publicity of this great gatherer of proxies.

They have had more useful experience in it than we have, Mr. President. We can not for a moment suppose that we can go out in the world-wide procedure and gather proxies in competition with the British Empire. What I am interested in, though, is to know that the reformers at last had their way. The day of direct primaries came. Through many national conventions and much dispute the change came. Why, I remember quite well, in 1908, the time when the distinguished ex-President, Mr. Taft, was nominated. I think so great a man as the then President of the United States was not only vigilant but well informed on how to gather proxies in a national convention. I remember that Speaker CANNON at that time offered an amendment to the rules of the national convention. The amendment would have reduced the representation of delegates from the Southern States to conform to the actual votes cast in those States instead of the census returns every 10 years. It provided, further, that when delegates were selected under the primary laws of the States the returns so made from those primaries, properly certified by the State authorities, should be the credentials entitling the delegates to sit in the convention. The President then, controlling at that time the national committee, voted down those amendments, because the seating of delegates from the Southern States in the Republican convention and the unseating of certain other delegates in Northern and Western States, held under primaries or under no primary at all, gave additional delegates in the convention, and all those delegates were needed to nominate Taft as the candidate upon the dictation of the then President of the United States.

In 1912 the same rules were still in force. The same political forces gathered proxies in the same way that they did in 1908. That was contrary to the aroused public sentiment of the age. It caused a great schism in the Republican Party. I think they were wrong both times, in 1908 and in 1912. The change has been made under the rules of the national convention by amendment made in 1914 or 1915, or prior to the convention of 1916. The rules ought to have been changed in 1908. They were not. They ought to have been changed in 1912. They were not. The punishment came in 1912 for a failure to meet the situation either in 1908 or in 1912. The sentiment had been aroused, through the various agencies I have enumerated, until the political boss was no longer tolerated in his harvesting of proxies to control conventions and consequently control nominations. He was to be exterminated by direct primaries. But he rises serene and triumphant amid the sea of ballots gathering majorities and placing his candidates on the ticket. The reformers go down, as usual.

See how we progress, how history repeats itself; how we come along now, and what we are doing in this progressive age, when we are framing a league of nations that shall prevent war perpetually, a reign of universal peace!

This is not a league of nations; it is a league of proxies. It is not a league of sovereign powers; it is a league of international bosses. It is not a progressive movement in its practical operation. As Senators admit on the floor of this Chamber, it is not progressive, but it is reactionary in the deepest sense.

Mr. McCORMICK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to his colleague?

Mr. SHERMAN. I do.

Mr. McCORMICK. There is one phase of it which makes for efficiency, which I would not have my colleague overlook. My friend Sir Eric Drummond—a sort of corporation soul, a wise, prudent, and fair-minded Scotchman—himself, and him-

self alone, constitutes the credentials committee of the league of nations, for he is the chief of the secretariat. That is an improvement on anything which has been devised at home.

Mr. SHERMAN. That is so. I thank my colleague for the timely reminder of the progressive character of the document in actual operation. It is progressive in the sense that everything of this character, when it once begins to operate, always works out its natural result. It is intended to be that way. It is intended to be a corporation soul. It is admitted by Senators who support the league in its original, sacred, unadulterated form that five great nations will control the league.

Sir Eric Drummond, to whom my colleague opportunely referred, is a subject of the United Kingdom of Great Britain. He is now named as the secretary of the secretariat. It is the permanent body which never adjourns; it is always in existence; and Sir Eric is always present where he can function upon every needed occasion. My colleague calls attention to the progressive character of vesting such vast powers in one official. Even evil, Mr. President, is progressive in character. It is like the principle of good. There is no evil where the principle is intrinsically vicious that is ever content with its original damage inflicted upon the public or upon people. The longer an evil principle once set in operation continues in operation the more vicious it becomes. It works out with heroic fidelity to the logical conclusion of the principle in practice. It is seldom in the history of nations that such vicious principles appear in their extreme forms so early. My colleague and myself want to congratulate the Senate that it appears at this time before we have even taken a vote upon the ratification of this treaty.

Sir Eric Drummond is the most concentrated inhabitant known to history. I remember one time in "Roughing It," Mark Twain found a concentrated inhabitant out on the slope of the Rocky Mountains. He held 10 or 12 offices. He was the one inhabitant of the village who amounted to anything. Besides being blacksmith, agent of an express company, and everything else, he was justice of the peace, notary public, sheriff of the county, and other things which he went on to enumerate. He was the concentrated inhabitant of that whole Rocky Mountain country.

There was the genesis of the league of nations. Sir Eric Drummond is the concentrated inhabitant of the world. With the five principal nations controlling the league of nations, as the Senator from Nebraska [Mr. HITCHCOCK] says they will, and the league of nations controlling the world, and Sir Eric Drummond functioning for the league of nations, the circle is complete, and we have reached the age of benevolent despotism in world government.

So we have gotten to the point where, in the control within the league of nations itself, it will be a question of gathering proxy nations. We will go down in the Caribbean Sea. Naturally we would expect Cuba to vote with us. She is one of the 32 original signatories to this treaty. Outside of some of the nations of South America that do not feel kindly toward us, because of our refusal to pay money upon various claims they have made against us, we would expect a large number of those Republics to vote with us. In Central America more than likely we would vote the greater part, it is assumed. Mexico very likely would vote with Japan and England. It is not too much to say that we could not claim Mexico as one of our proxies. Our usefulness to Mexico is to furnish our citizens to be kidnapped for ransom. But outside of that country and Colombia, and one or two others, we possibly have a fair chance of having proxies out of all the other nations of the New World, except the Dominion of Canada. Then in Europe, Asia, and Africa the plot will grow interesting when the United Kingdom of Great Britain starts after proxy nations. She already has her five colonial dependencies with local self-government. But she will want more.

Jamaica in the Caribbean Basin is a very promising subject for future exploitation in the league. Next to Costa Rica it is the great banana belt of the world. Probably they will get many of us on the banana proposition, and start a domestic schism in the United States upon that question.

Jamaica can soon be elevated into a self-governing dominion. Take away the bananas that come from Costa Rica from the world's market, and Jamaica dominates one-third the banana market and Great Britain controls.

Why can we not take Cyprus and Malta and Gibraltar in the Mediterranean Basin? It would be a great historical completion of affairs if we were to take Gibraltar as a separate government. It cost Great Britain as much as the independence of these colonies cost us. When she fortified it, when she drilled into the everlasting rock of Gibraltar the places for lodging



food and ammunition and planted herself as solidly as the "Rock of Ages" to stay, she spent money, and to-day she holds the British grip as tightly on Gibraltar as any other of her possessions in the world. It has great tactical advantages. Historically how inspiring it would be to say that the Pillars of Hercules, known in classical history, have become a self-governing dominion, and were admitted to the league of nations and had a vote—another proxy for the home country.

The Isthmus of Suez is cut across, and the two cities at either terminus of the canal are the most cosmopolitan places in the world. An old-time classmate of mine, who is a sailor and goes through the canal at Suez on his round-trip voyages to and from a Scottish port, is always telling of the cosmopolitan character of Port Said. It cost a world of money, and these two cities, with this great improvement that connects the oriental waters with the Mediterranean, could well be taken as a self-governing colony. Great Britain will interpret and will settle that question. Her influence will be enough. Of course it takes a vote of the league, a majority or two-thirds of it, I do not recall now which; but the majority or two-thirds, as the case may be, will be within the grasp of Great Britain on admitting new members. There is no reason why the colonies in East Africa, taken from the Germans, that become a part of the Cape-to-Cairo Railroad, may not be admitted. A protectorate over Egypt is now exercised, and has been from the days of Chinese Gordon. No reason appears why Egypt ought not be admitted as one of the colonies of Great Britain, that nation exercising a protectorate over her after she becomes a member of the league.

I will not pursue the subject further. It is enough to say that if this interpretation is right, Mr. President, then it becomes a struggle in the internal affairs of the league to gather proxy nations and vote them, when any controversy arises, especially between this country and Great Britain.

Our own country, Mr. President, ought to concern us somewhat. It has become fashionable to lose sight of our own country. We have become the good Samaritan of the world. We are sending food and money and soldiers every place. We are exhausting our resources, we are attempting to settle the disputes of every country in the world that appeals to us, and finally we will be in the condition that our own house will no longer be in order, and then we will be of no value to anybody else.

I have heard it said here, Mr. President, speaking of unanimous consent, that nothing can be done except by unanimous consent; that no disarmament can be had except by unanimous consent; that no action under article 10 can be had except by unanimous consent; that nothing can be referred to the league of nations that affects the peace of the world, under article 11, except by unanimous consent; that under article 16, the ipso facto declaration of war by the action of any covenant-breaking State requiring the league, through its council, to recommend steps to be taken against the covenant-breaking State, can only be by unanimous consent; that if war be declared under article 10 and external aggression against the territorial boundaries of any member nation be had, any action to repel the threatened invasion or to protect the nation member of the league can only be had by unanimous consent. The political independence of any country can only be protected by unanimous consent of the council; that in the league, except where otherwise specified, certain majorities shall be had, and that in those matters of vital concern, when they are examined, action can only be had by unanimous consent.

Mr. President, if you analyze it with an eye single to that feature, then it is a government of the world by unanimous consent. You can not govern the United States by unanimous consent. You can not govern the first ward in Chicago by unanimous consent, although it is as near a unanimous-consent government as any I know, represented by Mr. Coughlin and by Mr. Michael Kenna, it is nearly unanimous. But there are always some foolish reformers who insist on running somebody against them for aldermen in the first ward in the loop.

In my home town, where a similar element gathers in a certain ward, you would think it would be by unanimous consent, and still vain and impractical men, some of them preachers, some moralists, some merely decent citizens, insisted all the time we had ward government on running somebody in that ward.

In the supposed happiest conditions of mankind I know, even in the days when this prohibition Sahara had not smitten us; in the days when in many places there were wet oases, where the weary pilgrim might have rest and refreshment; in those days when saloons were upon every doorstep, where for block upon block every thirsty soul could find stimulants fitting his requirements; in those days when the saloons named everything in the ward—in Peoria, in Chicago, in Springfield, Quincy,

and elsewhere; in those days when to be a dry disciple was to invite destruction politically, even in their own wards and their own cities, you could not govern them by unanimous consent, because there was always somebody who claimed that the reign of the antisaloon folks ought to begin, and they always persisted in running somebody against a saloonkeeper for alderman in his ward.

I remember one time, the only time I was ever defeated at the polls in a political experience of 31 years, just as a protest, after they had had a race riot in Springfield in 1908, I was a candidate for mayor in 1909. I had no ambition to be mayor, the Lord knows. I would just as lief be constable out in a village alongside of the Sangamon River. But we had had a riot extending for four or five blocks, there had been 17 people killed in the riot, and I saw an unnaturalized alien leading a mob of white men in Springfield. A Russian, a riotous creature known to local fame, not to be forgotten, led a mob over across the street in southwestern Springfield, took an old negro cobbler 74 years of age out of his house and hung him to a tree in front of an American schoolhouse across on the other block, as inoffensive an old negro as ever lived in the world. They hung him upon the limb of a tree and shot him full of revolver bullets for no reason under Heaven except that he was a negro living in Springfield, and his lifeless bullet-riddled body lay under the tree in front of an American schoolhouse in Springfield, Ill., in sight of the tomb of Abraham Lincoln, whose mortal hand wrote the emancipation proclamation that gave this murdered man his freedom. When I saw it I said, "If you men of Springfield," and I had only lived there at that time three years, "do not protest against this I will."

I ran for mayor and was beaten by 132 votes by the 215 saloons of Springfield. We could not have unanimous-consent government in Springfield with 215 saloons, and still my distinguished friends want to have unanimous-consent government of the world with not only many nations all over the world but some practicing polygamy and a variety of customs alien to us.

Government by unanimous consent? I remember that a very large saloon keeper came out on the curbstone during that campaign, when they were talking about a dry government. They had governed Springfield for many years. He took me by the lapel of the coat and said, "I want to know, if you are elected mayor of Springfield, what you will do to the saloons of Springfield." I said, "I can enlighten you, my dear sir. As long as Springfield, under the local-option law, votes wet, you can sell liquor under the statutes and the ordinances of the State and the city. If it votes dry, you will sell none. If it remains wet and you do not sell under the laws and ordinances, I will revoke your license, and you will never get it back again while I am mayor." He said, "You are dry. You can never be elected."

That is what beat the saloon keepers of the United States. Whenever you did not give them license to violate every statute and every ordinance, and go scot free over and above the laws of the land, they put you down as a hated dry.

Whenever anybody talks about collective bargaining, whenever a union comes along and says, "Are you in favor of collective bargaining? And you say, "Under proper restrictions and application; yes." "Are you in favor of the open or the closed shop?" "I am in favor of the open shop." "Then you are against organized union labor." I therefore say that collective bargaining, used now in the late industrial conference or in those to come, is an alias for the closed shop. Whenever union labor say, as they say now, that they will not obey an act of Congress if it is passed, and the brotherhoods and their spokesmen say they will not obey, and Mr. Gompers says he will not obey, and will not advise those affiliated with the American Federation of Labor to obey an act of Congress if it becomes the law of the land, they are placing themselves just where the saloon keeper of America placed himself, and they are destined to the same melancholy, but justifiable end.

There is nobody superior to the law of the land, and the brewers and the distillers and saloon keepers found it out, and the labor unions and their leaders, who pervert their sentiments and their leadership, will find it out in this country that there are some hundred millions of people in this country who are not members of the labor unions; that out of nearly 30,000,000 engaged in occupations for pecuniary gain no more than 5,000,000 are members of unionized labor, and they are destined to the same restrictive legislation that came to other men who have declined to obey the laws of the land.

I refer to these two particular instances, Mr. President, because men say we can govern the world by unanimous consent. Some men are savages. The Bedouin Arab does not follow our code. He does not think as we think or act as we act. Even the Turkish Government may become a member of the league of



nations. I can think that if the delegate representing the United States should be Bishop Fallows, of the Methodist Church, sitting in a conference, in a council, or the league assembly, and somebody from Constantinople having a harem of 42 wives—as I was reading the other night one has—were representing Turkey and a question came up of international morals, of polygamy or otherwise, how the good bishop would be shocked and with what effort he might endeavor to adjust his ideas of the marital relations in accordance with the plurality practiced by the Sultan and Sultanas of Turkey. It would be indeed a great strain upon the morality of the Christians represented through the bishop.

If, again, property rights represented in the international conference of labor should be attacked, how would they be defended? If the administration of justice in labor controversies should be under attack, how would it be explained? The method of administering justice in the Latin races is very different from that of the Anglo-Saxon races. The process-verbal of the French court and police forces of Paris and the other principal cities of the French Republic, their process of trial, their methods and laws of evidence are so widely different that it is next to impossible in a labor conference, when the customs of administering justice in controversies of a national or international character is involved, to come together with any degree of unanimity.

And still we are expected, Mr. President, to govern the world by unanimous consent.

I have only the opportunity here, and in a very friendly spirit I make the comment upon my friend in Chicago who was chairman of the purchasing committee and the service of supply in the rear, rendering an invaluable service. He said unanimous consent among purchasing agents of the principal powers, the allied and associated powers, was obtained in the buying of supplies for the Army and supplies of all kinds. He said it was possible to avoid duplicating service and going out in the market outside of the military area and competing among the several nations in the purchases. That is true, but that is under the overpowering necessity of war. Unanimous action must be had in the face of an advancing enemy and with the great powers that faced the allied nations and the United States, it was indispensable that prompt action be had and that it be made effective to meet the emergency presented. Unanimous consent, however, in time of peace is a vastly different subject. We can remember the commission form of government, to illustrate further, for municipalities, when some great calamity—a fire, a flood, an earthquake—visited some city, and men of public spirit have organized themselves and framed a temporary government to meet the emergency. Out of that grew the commission form of government, with three or five men substituted for the city council. Many cities have tried it. They thought because it worked in a great emergency, it would work all the time. But the truth is, Mr. President, we tried it in many cities in Illinois, we tried it in my home city and various other of the municipalities, and it drifts back finally, in times of peace, with no great emergency, to the same old political status, the same old political combination that we have had under the aldermanic form of government, with a numerous city council.

Therefore, what works in a great emergency will not work in the ordinary times of peace. It is said here that unanimous action is a guaranty against any abuse. It will only be during peace in the most formal things that unanimous action can be had.

In all the great events that are vital to the progress or advance of nations, in the development of their national life, in all of those actions where there is the sharp shock of discussion and difference, there is no more possibility of government by unanimous consent than there is in the private affairs of men or in the domestic affairs of nations.

Mr. President, there is another thing that I think is extremely unjust in this overrepresentation. Let me give, off-hand, just one illustration: Porto Rico has a population of 1,119,000. New Zealand has a population of 1,099,000. The population of Porto Rico is 732,000 white population and the balance of various other races. The population of Porto Rico is as ancient as that of New Zealand, if not more so. It dates back to the days of the Spanish occupation and during the period of voyage and discovery and subsequently of colonial exploitation. It is a colonial possession of this Government, so far as the United States has one. It is administered as a territorial area, similar to the country before the various States were admitted into the Union after the original thirteen States. There is no more reason why a self-governing colony like Porto Rico should not have its name signed to the league

of nations as an original signatory and be entitled to one vote than New Zealand itself should have a separate and distinct vote.

Leaving, now, the question of population, let me read the estimates of the wealth of the various countries of Europe, Asia, and the New World:

The United States is estimated, July 30, 1919, by the Bureau of Statistics, to have \$250,000,000,000 of private taxable wealth. The British Empire—Great Britain—which comprises the United Kingdom, composed of England, Ireland, Scotland, and Wales, has a total of \$85,000,000,000, barely more than one-third of that of the United States. Canada has \$19,000,000,000; Australia has \$7,700,000,000—about \$112,000,000,000 altogether for the entire Empire of Great Britain, not taking into account British India, whose estimated private taxable wealth can not be ascertained with any degree of accuracy even by British authority. We have, therefore, more than twice the private taxable wealth of the whole British Empire, not including British India; and still six votes are to be given to British representation to our one vote.

In governmental matters, and especially in times of war, as I have several times remarked in this Chamber, the two great factors were the number of men and the ability to pay taxes or to borrow money. The British Empire, outside of British India, with a population of 315,000,000, does not run to more than two-thirds of the population of the United States.

Therefore the military man power of the United States in time of war, either volunteer or draft service, exceeds 33½ per cent that of the British Empire, outside of British India. We, therefore, have more private taxable wealth and more potential strength for war than Great Britain and all her colonies, with the exception named.

France has private taxable wealth of \$65,000,000,000; Germany of \$85,000,000,000; Russia, \$60,000,000,000; and Austria-Hungary, \$40,000,000,000. That of other nations I will not stop to read. The total for the various nations I have tabulated amounts to \$731,000,000,000 of private taxable wealth, of which the United States has more than one-third of all the aggregated wealth of Europe, Asia, and Africa. Still we are asked to go into such a league upon an arrangement of this kind.

When it comes to population, Mr. President, Australia has a population, in round figures, of 5,000,000; she has an area of about 3,000,000 square miles; New Zealand has an area of 163,581 square miles and 1,099,000 population. The Union of South Africa has an area of 473,096 square miles and a population, in round numbers, of 6,000,000. Canada has 3,603,000 square miles and 7,200,000 population. India has 1,802,000 square miles and 315,000,000 population, being the most densely populated of all the British Colonies. The United Kingdom of Great Britain has 121,300 square miles—just about double the area of my own State—and has 45,516,000 population. Those are the areas and the populations, and from them it is easy to estimate the potential military strength.

It is a mistake, Mr. President, that we have 48 States leagued in a single Federal Government at this crisis in our affairs. If the sympathy of the British politicians from 1861 to 1865 had been executed and the war between the States had succeeded, we would have had at least two American powers instead of one. If we had not been so shortsighted in 1787 as to create a Republic with a Federal Government under the present Constitution, we would have had 48 powers or governments instead of one, and we could then well afford to engage in a contest with Great Britain in gathering proxies, for instead of one vote we could have had from 40 to 50 votes. As it is, New York, with 11,000,000 population—twice the population of Australia—has no vote; Pennsylvania, with between seven and eight million population, has no vote; Illinois, with 6,000,000 population, has no vote; while New Zealand, with 1,000,000 population, has a vote in the league. As for the Sultan of Hejaz, nobody knows, for they have not taken the census of his Arabs yet, what the population of his country is, or what his potential military strength may be; but he has one vote. Persia has one vote; the smaller nationalities all have one. Canada, with 7,200,000 population, has a vote, as its prime minister, Sir Robert Borden, exhaustively and conclusively argues from the record of the peace conference and from his own deductions of the relations of the Canadian Dominion to the United Kingdom of Great Britain. So, therefore, we made a mistake in having but a single Government.

I now ask, Mr. President, to have inserted in the RECORD, without reading, the tabulated list which I hold in my hand, showing the taxable private wealth of various countries in the New and Old Worlds.

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Without objection, permission to do so is granted.

The list referred to is as follows:

*Estimated wealth of various countries.*

United States <sup>1</sup>	\$250,000,000,000
British Empire <sup>2</sup>	130,000,000,000
Great Britain <sup>3</sup>	\$85,000,000,000
Canada <sup>4</sup>	19,002,788,128
Australia <sup>5</sup>	7,786,400,000
France <sup>6</sup>	65,000,000,000
Germany <sup>6</sup>	85,000,000,000
Russia <sup>6</sup>	60,000,000,000
Austria-Hungary <sup>6</sup>	40,000,000,000
Belgium <sup>6</sup>	9,000,000,000
China <sup>2</sup>	10,000,000,000
Italy <sup>6</sup>	30,000,000,000
Japan <sup>2</sup>	15,000,000,000
Portugal <sup>2</sup>	2,500,000,000
Roumania <sup>2</sup>	1,000,000,000
Serbia <sup>2</sup>	15,000,000,000
Brazil <sup>2</sup>	3,000,000,000
Turkey <sup>2</sup>	3,000,000,000
Bulgaria <sup>2</sup>	13,865,000,000
Argentina <sup>7</sup>	2,000,000,000
Denmark <sup>7</sup>	
Total	731,365,000,000

Mr. SHERMAN. I wish to read, Mr. President, from the proceedings of the House of Commons. Lloyd-George was speaking before the House of Commons. He used the language which I shall read in reference to the league of nations. Preceding it, he used this language—and I only interpolate this to explain his remarks:

The Allies have unanimously decided—

This was on the 4th day of July—

unanimously decided that the German Kaiser shall be tried by an international tribunal which shall sit in London.

Some irreverent members of the House of Commons on the labor benches said:

So the Kaiser is going to get to London after all!

There was a rattle of laughter from the benches; that was all.

Lloyd-George then proceeded to speak of the league of nations in the following language:

I beg no one in Great Britain to sneer at the league of nations. I look on it as a great and a hopeful experiment. I beg that this country may give it a fair and honest trial. Let us try it. It will not stop all trouble. It may stop some.

Undoubtedly it will stop some trouble for Great Britain under article 10 if it remains unimpaired. If the military strength and the taxing power of 110,000,000 people in the United States are understood to be back of Great Britain and her colonial possessions, there is no country in the world but will hesitate a long time to attack her or her dominions if they understand that we are to stand under article 10 as the guarantor in time of war to protect the boundaries and the territorial limits of Great Britain.

Mr. President, there are many other observations I should like to submit on China; but I have already been heard on Shantung. I should like to make some comment in reply to the Senator from North Dakota [Mr. McCUMBER], but I will reserve that for another occasion.

Mr. McCORMICK. Mr. President, herewith I offer certain of Theodore Roosevelt's utterances as appropriate to be incorporated in our proceedings to-day, the anniversary of his birth.

The PRESIDING OFFICER. Without objection, the matter referred to will be inserted in the RECORD.

Mr. McCORMICK. At the time when the country is threatened with disorders—aye, when already it has suffered from outbreaks of lawless violence engendered by wild doctrines voiced by mellifluous philosophers—it is wholesome to recall the blunt and homely sentences which fell from his lips:

"Whenever I have the power," he said in Memphis, in 1907, "I will use every resource of this Nation to stamp out murderous and lawless violence of the kind that breeds the anarchy of which you, Gov. Patterson, spoke. And I shall no more stay my hand if the wrongdoer masquerades as a labor leader than I shall stay my hand if he masquerades as a captain of industry. I have expressed myself once definitely on the subject of undesirable citizens, and I stand by what I said—alike when the undesirable citizen is a great capitalist who wins a fortune by chicanery and wrongdoing to the hurt of his fellows and the damage of the public conscience, and when he is a man who,

under the guise of standing for labor, preaches and encourages violence and murder. I think that my position has at least the merit of being easily understood."

And on another occasion, "The triumph of the mob is just as evil a thing as the triumph of the plutocracy, and to have escaped one danger avails nothing whatever if we succumb to the other. Fundamentally they are alike in their selfish disregard of the rights of others; and it is natural that they should join in opposition to any movement of which the aim is fearlessly to do exact and even justice to all."

Contrast with these, the dizzy phrases and distraught sentences calculated to show that now is the hour when the people—or, more exactly, certain elements of the people—are to climb in the saddle to override the very governments chosen by themselves. We Americans are not yet ready to agree to the surrender of representative government to a dictator or to submit to the will of any organized minority, whether of capital or of labor. There was a time when certain barons of the plutocracy would have had us believe that the railroads made the sun to shine and the rain to fall; that it was to them and not to Providence that we owed our plenty, and that to them therefore we should make obeisance. Roosevelt broke their growing domination of public life.

Now another minority threatens the vast majority of the people. Nay, since expediency and panic combined to enact the Adamson law the American people have been threatened with the tyranny of any minority organized and ruthless, ready to raid the country. Thus the coal miners have their program and the international bankers want article 10 of the league covenant.

The plain people, workmen; men and women in the liberal professions, small business men, and the farmers—the farmers of America, Mr. President, are going to save her from the tyranny of the minority as they did under Theodore Roosevelt's leadership. I would to God that he were with us in this hour of peril to the Republic—peril to all that was dear to him. You sow the wind and reap the whirlwind. The Adamson law epitomized the surrender of the Government of all the people to a minority of the people. We are reaping its fruit to-day. Now, we have hearkened to the wild cant that the mooted compact between the nations is greater than the Government of the Constitution. Herein were the auguries of lawlessness and sovietism—unnatural monsters to be born in America. Whites and blacks in mob hysteria have murdered one another. Since we celebrated the birth of Jesus, the Christ, last December, 50 persons, black and white, have been lynched in America—some of them burned at the stake. This madness must end. It will end. The American people will end it.

Mr. President, we know that democracies may err. We know that from time to time majorities decide wrongly. But a people long schooled in the government of its own affairs has a profound consciousness of elemental measures necessary for its own protection. We speak of ours as a government of law. But it is more than that. It is a government of custom, of tradition, of men, a few of them great and many of them devoted to the health and safety of the Commonwealth. Law! You have law in Mexico! You have law and dictatorial oppression and revolution. What is the skeleton of the law unless it be clothed with the flesh of the people among whom it has grown through the ages and unless it be animated by their spirit? That which we have to-day is not perfect. Justice is not so sure, so cheap, and so swift as we would have it. Public administration manifests abuses of waste and favoritism which we condemn and which we would cure. But who would change it, at its worst anywhere in America, for the socialist theory of Karl Marx as applied in Russia by the dictator, Nicholas Lenin?

At the moment when certain conspicuous figures in the world are engendering schemes for a fantastic internationalism, America breathes the spirit of a more fervent and pure nationalism than ever before in her life.

It must needs be so, for it is the history of great peoples, as it is of men, that they come to their full spiritual stature only through pain and effort. America to-day is not merely a vast settlement of mankind upon a new continent, governed upon the legal maxims of democratic doctrinaires. We have strained, tried, tested our theory of the state as have no other democratic people. In six score years the Union has grown from 3,000,000 to over 100,000,000 souls. During the last years before the outbreak of the Great War nearly a million people from the four corners of Europe settled upon our shores every year, in the belief that they and their children were to become bone of our bone and flesh of our flesh, to be animated by the spirit of our fathers. In this newest of great countries we have the oldest Constitution in the modern world. We have conserved our inheritance unhurt and undiminished. We live in a Federal Republic, within our continental frontiers secure from the

<sup>1</sup> United States Treasury Department, in Official Bulletin for July 30, 1919.

<sup>2</sup> Theodore H. Price, editor and proprietor of Commerce and Finance, in New York Outlook, May 2, 1917, p. 26.

<sup>3</sup> Leonard P. Ayres, colonel, General Staff and Chief of Statistics Branch of General Staff, in The War with Germany, p. 148.

<sup>4</sup> Business Digest and Investment Weekly, p. 825.

<sup>5</sup> Statesman's Yearbook for 1919, p. 344.

<sup>6</sup> Mechanics and Metals National Bank, New York City. The Cost of the War, Feb. 4, 1918, p. 43.

<sup>7</sup> World Almanac, 1919, p. 449; statistics compiled by Prof. E. L. Bogart for the Carnegie Endowment for International Peace.



turmoil of Europe and from the dangers of Asia, unless we bring them down upon ourselves. We know that what we are, we know that the institutions which we uphold, are the gifts of devoted men and of great men now dead; above all of them stand Washington, the Father of his Country; Lincoln, its savior; and Theodore Roosevelt, the foremost American of our own day.

America lived and breathed and spoke through the lips of each. They were the fruit of her womb. Her simple virtues and perhaps her rude defects were found in them. Washington was reviled, Lincoln was despised, Roosevelt was hated, each in his own time. Long since America has acclaimed Washington and Lincoln as the greatest among her sons. Now there can be but few envenomed critics of Theodore Roosevelt who would not cry out in protest if by a miracle he could be snatched from America and his genius and manhood awarded to any of the old northlands of Europe from which his forbears came.

I shrink from naming that one proponent of the covenant who publicly has thanked God that Roosevelt is no longer here to join in the debate upon the league of nations.

Beside this corpse, that bears for winding sheet  
The Stars and Stripes he lived to rear anew,  
Between the mourners at his head and feet,  
Say, scurrie jester, is there room for you?

How did Theodore Roosevelt speak upon our foreign policy before he died? I heard him say that we must never submit the control of immigration to international arbitrament. I heard him say that by no equivocation must we abandon our exclusive determination of the Monroe doctrine. A few days later he died. We have the lines, almost prophetic, which he wrote as he neared his end:

"There is not a young man in this country who has fought, or an old man who has seen these dear to him fight, who does not wish to minimize the chance of future war.

"But there is not a man of sense who does not know that in any such movement if too much is attempted the result is either failure or worse than failure.

"Let each nation reserve to itself and for its own decision, and let it clearly set forth, questions which are nonjustifiable.

"Let nothing be done that will interfere with our preparing for our own defense by introducing a system of universal obligatory military training, modeled on the Swiss plan.

"Finally, make it perfectly clear that we do not intend to take a position of an international Meddlesome Matty. The American people do not wish to go into an overseas war unless for a very great cause and where the issue is absolutely plain.

"Therefore we do not wish to undertake the responsibility of sending our gallant young men to die in obscure fights in the Balkans or in Central Europe or in a war we do not approve of.

"Let us put our trust neither in rhetoric nor hypocrisy," said he. "Let us be honest with ourselves. Let us look the truth in the face. \* \* \* Let us trust for our salvation to a sound and intense American nationalism.

"No paper scheme designed to secure peace without effort and safety without service and sacrifice will either make this country safe or enable it to do its international duty toward others."

Here spoke the patriot—eager to defend peace, more eager to defend the honor of his country. He was ready to join the other powers to take measures against war and he was opposed to the creation of a superstate. He had spoken for the conscience and courage of America when others faltered or were dumb.

Silent in death, still he calls us who followed him to follow in the way along which he had led in life.

#### APPENDIX.

[From an address on "The trusts and the tariff," delivered in the Music Hall, Cincinnati, Ohio, Sept. 20, 1902.]

"Therefore I personally feel that ultimately the Nation will have to assume the responsibility of regulating these very large corporations which do an interstate business. The States must combine to meet the way in which capital has combined, and the way in which the States can combine is through the National Government. But I firmly believe that all these obstacles can be met if only we face them, both with the determination to overcome them, and with the further determination to overcome them in ways which shall not do damage to the country as a whole, which, on the contrary, shall further our industrial development and shall help instead of hindering all corporations which work out their success by means that are just and fair toward all men."

[From an address on "What the Government can do for the wage-earners," delivered at Sioux Falls, S. Dak., Apr. 6, 1903.]

"Very much of our effort in reference to labor matters should be by every device and expedient to try to secure a constantly better understanding between employer and employee. Every-

thing possible should be done to increase the sympathy and fellow feeling between them and every chance taken to allow each to look at all questions, especially at questions in dispute, somewhat through the other's eyes. If met with a sincere desire to act fairly by one another, and if there is, furthermore, power by each to appreciate the other's standpoint, the chance for trouble is minimized. I suppose every thinking man rejoices when by mediation or arbitration it proves possible to settle troubles in time to avert the suffering and bitterness caused by strikes.

"Moreover, a conciliation committee can do best work when the trouble is in its beginning, or, at least, has not come to a head. When the break has actually occurred, damage has been done, and each side feels sore and angry; and it is difficult to get them together, difficult to make either forget its own wrongs and remember the rights of the other. If possible, the effort at conciliation or mediation or arbitration should be made in the earlier stages, and should be marked by the wish on the part of both sides to try to come to a common agreement which each shall think in the interests of the other as well as of itself."

[From an address on "The coal-strike commission," delivered in Omaha, Nebr., Apr. 27, 1903.]

"Any man who tries to excite class hatred, sectional hate, hate of creeds, any kind of hatred in our community, though he may affect to do it in the interest of the class he is addressing, is, in the long run, with absolute certainty, that class's own worst enemy."

[From an address on "Class government," delivered at the State fair in Syracuse, N. Y., Sept. 7, 1903.]

"There is no worse enemy of the wageworker than the man who condones mob violence in any shape or who preaches class hatred; and surely the slightest acquaintance with our industrial history should teach even the most shortsighted that the times of most suffering for our people as a whole, the times when business is stagnant and capital suffers from shrinkage and gets no return from its investments are exactly the times of hardship and want and grim disaster among the poor. If all the existing instrumentalities of wealth could be abolished, the first and severest suffering would come among those of us who are least well off at present. The wageworker is well off only when the rest of the country is well off, and he can best contribute to this general well-being by showing sanity and a firm purpose to do justice to others."

[From an address on "The use of violence in labor troubles," delivered to a strike committee of the Teamsters' Association, presenting a petition in regard to a dispute with the Employers' Association and the suggested calling out of Federal troops in Chicago, May 10, 1905.]

"In upholding law and order, in doing what he is able to do to suppress mob violence in any shape or way, the mayor of Chicago, Mayor Dunne, has my hearty support. I am glad to be able to say this to you gentlemen before I say it to any other body. Now, let me repeat that I know nothing of the facts of the situation. I know nothing of the rights or wrongs of the points at issue. What I have to say is based purely upon what I regard as the unfortunate phrasing of a letter presented to the President of the United States. I have not been called upon to interfere in any way, but you must not misunderstand my attitude. In every effort of Mayor Dunne to prevent violence by mobs or individuals, to see that the laws are obeyed, and that order is preserved he has the hearty support of the President of the United States, and, in my judgment, he should have that of every good citizen of the United States.

"The PRESIDENT. Mr. Shea, I can only repeat what I have said. I am a believer in unions. I am an honorary member of one union. But the union must obey the law just as the corporation must obey the law; just as every man, rich or poor, must obey the law. As yet no action whatever has been called for by me, and most certainly if action is called for by me I shall try to do exact justice under the law to every man, so far as I have power. But the first essential is the preservation of law and order, the suppression of violence by mobs or individuals."

[From President Roosevelt's message at the opening of the Fifty-ninth Congress, first session, Dec. 5, 1905.]

"The question of securing a healthy, self-respecting, and mutually sympathetic attitude as between employer and employee, capitalist and wageworker, is a difficult one. All phases of the labor problem prove difficult when approached. But the underlying principles, the root principles, in accordance with which the problem must be solved are entirely simple. We can get justice and right dealing only if we put as of paramount importance the principle of treating a man on his worth as a man

rather than with reference to his social position, his occupation, or the class to which he belongs. There are selfish and brutal men in all ranks of life. If they are capitalists, their selfishness and brutality may take the form of hard indifference to suffering, greedily disregard of every moral restraint which interferes with the accumulation of wealth, and cold-blooded exploitation of the weak; or, if they are laborers, the form of laziness, of sullen envy of the more fortunate, and of willingness to perform deeds of murderous violence. Such conduct is just as reprehensible in one case as in the other, and all honest and far-seeing men should join in warring against it wherever it becomes manifest. Individual capitalist and individual wageworker, corporation and union, are alike entitled to the protection of the law, and must alike obey the law. Moreover, in addition to mere obedience to the law, each man, if he be really a good citizen, must show broad sympathy for his neighbor and genuine desire to look at any question arising between them from the standpoint of that neighbor no less than from his own; and to this end it is essential that capitalist and wageworker should consult freely one with the other, should each strive to bring closer the day when both shall realize that they are properly partners and not enemies. To approach the questions which inevitably arise between them solely from the standpoint which treats each side in the mass as the enemy of the other side in the mass is both wicked and foolish. In the past the most direful among the influences which have brought about the downfall of republics has ever been the growth of the class spirit, the growth of the spirit which tends to make a man subordinate the welfare of the public as a whole to the welfare of the particular class to which he belongs, the substitution of loyalty to a class for loyalty to the Nation. This inevitably brings about a tendency to treat each man not on his merits as an individual but on his position as belonging to a certain class in the community. If such a spirit grows up in this Republic, it will ultimately prove fatal to us, as in the past it has proved fatal to every community in which it has become dominant. Unless we continue to keep a quick and lively sense of the great fundamental truth that our concern is with the individual worth of the individual man, this Government can not permanently hold the place which it has achieved among the nations. The vital lines of cleavage among our people do not correspond, and, indeed, run at right angles, to the lines of cleavage which divide occupation from occupation, which divide wageworkers from capitalists, farmers from bankers, men of small means from men of large means, men who live in the towns from men who live in the country; for the vital line of cleavage is the line which divides the honest man who tries to do well by his neighbor from the dishonest man who does ill by his neighbor. In other words, the standard we should establish is the standard of conduct, not the standard of occupation, of means, or of social position. It is the man's moral quality, his attitude toward the great questions which concern all humanity, his cleanliness of life, his power to do his duty toward himself and toward others, which really count; and if we substitute for the standard of personal judgment which treats each man according to his merits, another standard in accordance with which all men of one class are favored and all men of another class discriminated against, we shall do irreparable damage to the body politic. I believe that our people are too sane, too self-respecting, too fit for self-government, ever to adopt such an attitude. This Government is not and never shall be government by a plutocracy. This Government is not and never shall be government by a mob. It shall continue to be in the future what it has been in the past, a government based on the theory that each man, rich or poor, is to be treated simply and solely on his worth as a man; that all his personal and property rights are to be safeguarded; and that he is neither to wrong others nor to suffer wrong from others.

"The noblest of all forms of government is self-government; but it is also the most difficult. We who possess this priceless boon, and who desire to hand it on to our children and our children's children, should ever bear in mind the thought so finely expressed by Burke:

"Men are qualified for civil liberty in exact proportion to their disposition to put moral chains upon their own appetites; in proportion as they are disposed to listen to the counsels of the wise and good in preference to the flattery of knaves. Society can not exist unless a controlling power upon will and appetite be placed somewhere, and the less of it there be within the more there must be without. It is ordained in the eternal constitution of things that men of intemperate minds can not be free. Their passions forge their fetters."

[From an address on "Division of State and Federal Powers," delivered Oct. 4, 1906, at the dedication ceremonies of the new State capitol of Pennsylvania, in Harrisburg.]

"In the exercise of their profession and in the service of their clients these astute lawyers strive to prevent the passage

of efficient laws and strive to secure judicial determinations of those that pass which shall emasculate them. They do not invoke the Constitution in order to compel the due observance of law alike by rich and poor, by great and small; on the contrary they are ceaselessly on the watch to cry out that the Constitution is violated whenever any effort is made to invoke the aid of the National Government, whether for the efficient regulation of railroads, for the efficient supervision of great corporations, or for efficiently securing obedience to such a law as the national eight-hour law and similar so-called 'labor statutes.'

"The doctrine they preach would make the Constitution merely the shield of incompetence and the excuse for governmental paralysis; they treat it as a justification for refusing to attempt the remedy of evil, instead of as the source of vital power necessary for the existence of a mighty and ever-growing nation."

[From an address on "Preachers of Discontent and Class Hatred," from the message of the President, read at the opening of the second session of the Fifty-ninth Congress, Dec. 3, 1906.]

"The triumph of the mob is just as evil a thing as the triumph of the plutocracy, and to have escaped one danger avails nothing whatever if we succumb to the other. In the end the honest man, whether rich or poor, who earns his own living and tries to deal justly by his fellows, has as much to fear from the insincere and unworthy demagogue, promising much and performing nothing. \* \* \* There are at this moment wealthy reactionaries of such obtuse morality that they regard the public servant who prosecutes them when they violate the law, or who seeks to make them bear their proper share of the public burdens, as being even more objectionable than the violent agitator who hounds on the mob to plunder the rich. There is nothing to choose between such a reactionary and such an agitator; fundamentally they are alike in their selfish disregard of the rights of others; and it is natural that they should join in opposition to any movement of which the aim is fearlessly to do exact and even justice to all."

[From an address delivered at Milwaukee, Wis., October 14, 1912.]  
PROGRESSIVE CAUSE GREATER THAN ANY INDIVIDUAL.

Just before entering the auditorium at Milwaukee an attempt was made on Col. Roosevelt's life. The speech which follows is from a stenographic report, differing considerably from the prepared manuscript:

"Friends, I shall ask you to be as quiet as possible. I don't know whether you fully understand that I have just been shot, but it takes more than that to kill a Bull Moose. But fortunately I had my manuscript, so you see I was going to make a long speech, and there is a bullet—there is where the bullet went through—and it probably saved me from it going into my heart. The bullet is in me now, so that I can not make a very long speech, but I will try my best.

"And now, friends, I want to take advantage of this incident and say a word of solemn warning to my fellow countrymen. First of all, I want to say this about myself: I have altogether too important things to think of to feel any concern over my own death; and now I can not speak to you insincerely within five minutes of being shot. I am telling you the literal truth when I say that my concern is for many other things. It is not in the least for my own life. I want you to understand that I am ahead of the game anyway. No man has had a happier life than I have led; a happier life in every way. I have been able to do certain things that I greatly wished to do, and I am interested in doing other things. I can tell you with absolute truthfulness that I am very much uninterested in whether I am shot or not. It was just as when I was colonel of my regiment. I always felt that a private was to be excused for feeling at times some pangs of anxiety about his personal safety, but I can not understand a man fit to be a colonel who can pay any heed to his personal safety when he is occupied as he ought to be occupied with the absorbing desire to do his duty.

"I am in this cause with my whole heart and soul. I believe that the Progressive movement is for making life a little easier for all our people; a movement to try to take the burdens off the men and especially the women and children of this country. I am absorbed in the success of that movement.

"Friends, I ask you now this evening to accept what I am saying as absolutely true, when I tell you I am not thinking of my own success. I am not thinking of my life or of anything connected with me personally. I am thinking of the movement. I say this by way of introduction, because I want to say something very serious to our people and especially to the newspapers. I don't know anything about who the man was who shot me tonight. He was seized at once by one of the stenographers in



my party, Mr. Martin, and I suppose is now in the hands of the police. He shot to kill. He shot—the shot, the bullet went in here—I will show you.

"I am going to ask you to be as quiet as possible, for I am not able to give the challenge of the bull moose quite as loudly. Now, I do not know who he was or what party he represented. He was a coward. He stood in the darkness in the crowd around the automobile, and when they cheered me, and I got up to bow, he stepped forward and shot me in the darkness.

"Now, friends, of course, I do not know, as I say, anything about him; but it is a very natural thing that weak and vicious minds should be inflamed to acts of violence by the kind of awful mendacity and abuse that have been heaped upon me for the last three months by the papers in the interest of not only Mr. Debs but of Mr. Wilson and Mr. Taft.

"Friends, I will disown and repudiate any man of my party who attacks with such foul slander and abuse any opponent of any other party; and now I wish to say seriously to all the daily newspapers, to the Republican, the Democratic, and the Socialist Parties, that they can not, month in and month out and year in and year out, make the kind of untruthful, of bitter assault that they have made and not expect that brutal, violent natures, or brutal and violent characters, especially when the brutality is accompanied by a not very strong mind; they can not expect that such natures will be unaffected by it.

"Now, friends, I am not speaking for myself at all. I give you my word, I do not care a rap about being shot; not a rap.

"I have had a good many experiences in my time, and this is one of them. What I care for is my country. I wish I were able to impress upon my people—our people—the duty to feel strongly but to speak the truth of their opponents. I say now, I have never said one word against any opponent that I can not—on the stump—that I can not defend. I have said nothing that I could not substantiate and nothing that I ought not to have said—nothing that I—nothing that, looking back at, I would not say again.

"Now, friends, it ought not to be too much to ask that our opponents [speaking to some one on the stage]—I am not sick at all; I am all right—I can not tell you of what infinitesimal importance I regard this incident as compared with the great issues at stake in this campaign, and I ask it not for my sake, not the least in the world, but for the sake of our common country, that they make up their minds to speak only the truth, and not to use the kind of slander and mendacity which if taken seriously must incite weak and violent natures to crimes of violence. Don't you make any mistake. Don't you pity me. I am all right. I am all right, and you can not escape listening to the speech either.

"And now, friends, this incident that has just occurred—this effort to assassinate me—emphasizes to a peculiar degree the need of this Progressive movement. Friends, every good citizen ought to do everything in his or her power to prevent the coming of the day when we shall see in this country two recognized creeds fighting one another, when we shall see the creed of the 'Havenots' arraigned against the creed of the 'Haves.' When that day comes, then, such incidents as this to-night will be commonplace in our history. When you make poor men—when you permit the conditions to grow such that the poor man as such will be swayed by his sense of injury against the men who try to hold what they improperly have won, when that day comes, the most awful passions will be let loose and it will be an ill day for our country.

"Now, friends, what we who are in this movement are endeavoring to do is to forestall any such movement by making this a movement for justice now—a movement in which we ask all just men of generous hearts to join with the men who feel in their souls that lift upward which bids them refuse to be satisfied themselves while their countrymen and countrywomen suffer from avoidable misery. Now, friends, what we Progressives are trying to do is to enroll rich or poor, whatever their social or industrial position, to stand together for the most elementary rights of good citizenship, those elementary rights which are the foundation of good citizenship in this great Republic of ours.

"My friends are a little more nervous than I am. Don't you waste any sympathy on me. I have had an A-1 time in life, and I am having it now.

"I never in my life was in any movement in which I was able to serve with such whole-hearted devotion as in this; in which I was able to feel as I do in this that common weal. I have fought for the good of our common country.

"And now, friends, I shall have to cut short much of the speech that I meant to give you, but I want to touch on just two or three of the points.

"In the first place, speaking to you here in Milwaukee, I wish to say that the Progressive Party is making its appeal to all our

fellow citizens without any regard to their creed or to their birthplace. We do not regard as essential the way in which a man worships his God or as being affected by where he was born. We regard it as a matter of spirit and purpose. In New York, while I was police commissioner, the two men from whom I got the most assistance were Jacob Riis, who was born in Denmark, and Oliver Van Briesen, who was born in Germany—both of them as fine examples of the best and highest American citizenship as you could find in any part of this country.

"I have just been introduced by one of your own men here—Henry Cochems. His grandfathers, his father, and that father's seven brothers all served in the United States Army, and they entered it four years after they had come to this country from Germany. Two of them left their lives, spent their lives, on the field of battle. I am all right; I am a little sore. Anybody has a right to be sore with a bullet in him. You would find that if I was in battle now I would be leading my men just the same. Just the same way I am going to make this speech.

"At one time I promoted five men for gallantry on the field of battle. Afterwards in making some inquiries about them I found it happened that two of them were Protestants, two Catholics, and one a Jew. One Protestant came from Germany and one was born in Ireland. I did not promote them because of their religion. It just happened that way. If all five of them had been Jews I would have promoted them, or if all five had been Protestants I would have promoted them, or if they had been Catholics. In that regiment I had a man born in Italy who distinguished himself by gallantry. There was a young fellow, a son of Polish parents, and another who came here when he was a child from Bohemia, who likewise distinguished themselves; and friends, I assure you, that I was incapable of considering any question whatever but the worth of each individual as a fighting man. If he was a good fighting man, then I saw that Uncle Sam got the benefit from it. That is all.

"I make the same appeal in our citizenship. I ask in our civic life that we in the same way pay heed only to the man's quality of citizenship, to repudiate as the worst enemy that we can have whoever tries to get us to discriminate for or against any man because of his creed or his birthplace.

"Now, friends, in the same way I want our people to stand by one another without regard to differences of class or occupation. I have always stood by the labor unions. I am going to make one omission to-night. I have prepared my speech because Mr. Wilson had seen fit to attack me by showing up his record in comparison with mine. But I am not going to do that to-night. I am going to simply speak of what I myself have done and of what I think ought to be done in this country of ours.

"It is essential that there should be organizations of labor. This is an era of organization. Capital organizes and therefore labor must organize.

"My appeal for organized labor is twofold; to the outsider and the capitalist I make my appeal to treat the laborer fairly, to recognize the fact that he must organize, that there must be such organization, that the laboring man must organize for his own protection, and that it is the duty of the rest of us to help him and not hinder him in organizing. That is one-half of the appeal that I make.

"Now, the other half is to the labor man himself. My appeal to him is to remember that as he wants justice, so he must do justice. I want every labor man, every labor leader, every organized union man, to take the lead in denouncing crime or violence. I want them to take the lead in denouncing disorder and in denouncing the inciting of riot; that in this country we shall proceed under the protection of our laws and with all respect to the laws, and I want the labor men to feel in their turn that exactly as justice must be done them so they must do justice; that they must bear their duty as citizens, their duty to this great country of ours; and that they must not rest content unless they do that duty to the fullest degree.

"I know these doctors, when they get hold of me, they will never let me go back, and there are just a few things more that I want to say to you.

"And here I have got to make one comparison between Mr. Wilson and myself, simply because he has invited it and I can not shrink from it.

"Mr. Wilson has seen fit to attack me, to say that I did not do much against the trusts when I was President. I have got two answers to make to that. In the first place, what I did, and then I want to compare what I did while I was President and what Mr. Wilson did not do while he was governor.

"When I took office the antitrust law was practically a dead letter and the interstate-commerce law in as poor a condition. I had to revive both laws. I did. I enforced both. It will be easy enough to do now what I did then, but the reason that it is easy now is because I did it when it was hard.

"Nobody was doing anything. I found speedily that the interstate-commerce law, by being made more perfect, could be made a most useful instrument for helping solve some of our industrial problems. So with the antitrust law. I speedily found that almost the only positive good achieved by such a successful lawsuit as the Northern Securities suit, for instance, was in establishing the principle that the Government was supreme over the big corporation, but that by itself that law did not accomplish any of the things that we ought to have accomplished; and so I began to fight for the amendment of the law along the lines of the interstate-commerce law, and now we propose—we Progressives—to establish an interstate commission having the same power over industrial concerns that the Interstate Commerce Commission has over railroads, so that whenever there is in the future a decision rendered in such important matters as the recent suits against the Standard Oil, the sugar—no, not that—tobacco—Tobacco Trust—we will have a commission which will see that the decree of the court is really made effective; that it is not made a merely nominal decree.

"Our opponents have said that we intend to legalize monopoly. Nonsense. They have legalized monopoly. At this moment the Standard Oil and Tobacco Trust monopolies are legalized; they are being carried on under the decree of the Supreme Court.

"Our proposal is really to break up monopoly. Our proposal is to put in the law—to lay down certain requirements, and then require the commerce commission—the industrial commission—to see that the trusts live up to those requirements. Our opponents have spoken as if we were going to let the commission declare what the requirements should be. Not at all. We are going to put the requirements in the law and then see that the commission requires them to obey that law. \* \* \*

"I ask you to look at our declaration and hear and read our platform about social and industrial justice, and then, friends, vote for the Progressive ticket without regard to me, without regard to my personality, for only by voting for that platform can you be true to the cause of progress throughout this Union."

[A speech made before the Illinois Bar Association at Chicago, April 29, 1916.]

#### NATIONAL DUTY AND INTERNATIONAL IDEALS.

"A year and three-quarters have passed since the opening of the Great War. At the outset our people were stunned by the vastness and terror of the crisis. We had been assured by many complacent persons that the day of great wars had ended, that the reign of violence was over, that the enlightened public opinion of the world would prevent the oppression of weak nations. To be sure, there was ample proof that none of these assurances were true, and far-seeing men did not believe them. But there was good excuse for the mass of the people being misled. Now, however, there is none. War has been waged on a more colossal scale than ever before in the world's history; and cynical indifference to international morality and willingness to trample on inoffensive, peace-loving people who are also helpless or timid have been shown on a greater scale than since the close of the Napoleonic wars over a century ago. Alone of the great powers we have not been drawn into this struggle.

"A twofold duty was imposed upon us by the fact of our prosperity and by the fact of our momentary immunity from danger. This twofold duty was, first, to make our voice felt for the weak who had been wronged by the strong, and for international humanity and honor, and for peace on terms of justice for all concerned; and, second, immediately and in thoroughgoing fashion to prepare ourselves so that there might not befall us on an even greater scale such a disaster as befell Belgium. We have signally failed in both duties. Incredible to relate, we are not in any substantial respect stronger at this moment in soldiers or rifles, in seamen or ships, because of any governmental action taken in consequence of this war; and moreover we have seen every device and provision designed by humanitarians to protect international rights against international wrongdoings torn into shreds, and have not so much as ventured to speak effectively one word of protest.

"The result is that every nation in the world now realizes our weakness, and that no nation in the world believes in either our disinterestedness or our manliness. The effort to placate outside nations by being neutral between right and wrong, and to gain good will along professional pacifist lines by remaining helpless for self-defense, has resulted, after two fatuous years, in so shaping affairs that the nations either already feel, or are rapidly growing to feel, for us not only dislike but contempt.

"This is not a pleasant truth, but it is the truth; and as a people we will do well to remember Emerson's saying that in the long run the most unpleasant truth is a safer traveling companion than the pleasantest falsehood. Our duty is to face

the facts, and then to take the thoroughgoing action necessary in order to meet the situation that these facts disclose.

"Our prime duty, infinitely our most important duty, is the duty of preparedness. Unless we prepare in advance we can not when the crisis comes be true to ourselves. If we can not be true to ourselves, it is absolutely certain that we shall be false to everyone else. If we are not able to safeguard our own national honor and interest, we shall make ourselves an object of scorn and derision if we try to stand up for the rights of others. We have been sinking into the position of the China of the Occident, and we will do well to remember that China—pacifist China—has not only been helpless to keep its own territory from spoliation and its own people from subjugation but has also been helpless to exert even the most minute degree of influence on behalf of right dealing among other nations.

"There are persons in this country who openly advocate our taking the position that China holds, the position from which the best and wisest Chinamen are now painfully trying to raise their land. Nothing that I can say will influence the men and women who take this view. The holding of such a view is entirely incompatible with the right to exercise the privileges of self-government in a democracy, for self-government can not permanently exist among people incapable of self-defense.

"But I believe that the great majority of my fellow countrymen, when they finally take the trouble to think on the problem at all, will refuse to consent to or acquiesce in the Chinafication of this country. I believe that they will refuse to follow those who would make right helpless before might, who would put a pigtail on Uncle Sam and turn the Goddess of Liberty into a pacifist female huckster, clutching a bag of dollars which she has not the courage to guard against aggression. It is to these men and women that I speak. I speak to the mass of my fellow countrymen. I speak to all men and women who are loyal to the principles of those who in the Revolutionary War made us a Nation and who have in their souls the high qualities possessed by the men who in the iron days of the Civil War followed the banners of Grant and of Lee, and of the mothers and wives of these men. My appeal may not be heeded; if so, then either our people will pay heed in time to the appeal of some other man, able to speak more strongly and more convincingly, or else they will when it is too late learn the lesson from some terrible gospel in which it is written by an alien conqueror in letters of steel and of flame.

"The first necessity is that we shall in good faith and without reservation undertake to be a nation, and not merely to call ourselves a nation. I make my especial appeal to the national spirit here in Chicago, here in the great Middle West, here in the territory stretching from the Alleghenies to the Rockies. The prophets of gloom have said that the West, prosperous and indifferent, secure in her fancied safety because she is in the middle of the continent, cares nothing for the dangers that might befall the cities on the Atlantic or the Pacific coast, cares nothing for what has befallen the dwellers along the Mexican boundary, and is as indifferent to what befalls elsewhere, as Peking once was to what befell its outlying Chinese Provinces—to the ultimate ruin of Peking, by the way. This I do not for one moment believe. If I did I should despair of the Republic. This is to a peculiar degree the democratic, the intensely and characteristically American, section of our land. The West produced for the service of the whole Nation Abraham Lincoln and Andrew Jackson, and I know that their spirit is still the spirit of her sons.

"I appeal to the men of the West to take the lead in the movement for the genuine nationalization of our people. If the Republic founded by Washington and saved by Lincoln is to be turned into a mere polyglot boarding house, where dollar hunters of 20 different nationalities scramble for gain, each nationality bearing no real allegiance except to the land from which it originally came, then we may as well make up our minds that the great experiment of democratic government on this continent will have failed. No less will it have failed if each section thinks only of the welfare of that section, and with crass blindness believes that disaster to some other section will not affect it. And the failure will be the greatest of all if foolish men are persuaded by wicked men that one caste or class is the prime enemy of some other class or caste. I appeal to the men of the East to prepare so that the men of the Pacific slope shall be free from all menace of danger. I appeal to the men of the West to prepare so that the men of the Atlantic coast shall be free from all danger. I appeal to the North, South, West, and East alike to hold the life of every man and the honor of every woman on the most remote ranch on the Mexican border as a sacred trust to be guaranteed by the might of our entire Nation—and the life of every man, woman, and child who should



be protected by the United States on the high seas likewise. I appeal to every good American, whether farmer or merchant, business man or professional man, whether he works with brain or hand. Anything of disgrace or dishonor that befalls our people anywhere is of vital moment to all of us wherever we live; and any deed that reflects credit on the American name is a subject of congratulation for every American of every section of this country.

"I speak of the United States as a whole. Surely it ought to be unnecessary to say that it spells as absolute ruin to permit divisions among our people along the lines of creed or of national origin as it does to permit division by geographical section. We must not stand merely for America first. We must stand for America first and last; and for no other nation second—except as we stand for fair play for all nations. There can be no divided loyalty in this country. The man who tries to be loyal to this country and also to some other country is certain in the end to put his loyalty to the other country ahead of his loyalty to this. The politico-racial hyphen is the breeder of moral treason. We are a new nation, by blood akin to but different from all the nations of Europe. In the veins of our people runs the blood of German, Englishman, and Irishman, of Scandinavian, Slav, and Latin. Any one of these people can bring something of value to our common national life. Each can contribute social and cultural traditions and customs of value; and all must join in cordial mutuality of respect for whatever is valuable that each brings; but each must put the contribution at the service of our common and unified citizenship, and by utilizing all that is thus contributed, and by adapting and developing it so that it shall meet and express our common needs, we shall build our own distinctive national culture. \* \* \*

"No form of government will survive unless it can justify its existence. Boasting about democracy won't make democracy succeed. We are the greatest democratic Republic and we are false not only to our own country but to democracy everywhere if we do not seriously endeavor to show, by our actions and success, that with us the many men can make a nation as efficient as elsewhere nations have been made efficient by a few men. We must make America efficient within its own borders, efficient to repel attack from beyond its own borders, and yet a friend and not a menace to other peoples. We must make ourselves serviceable to democracy, to the cause of popular rights and popular duties in national and also in international matters. A happy-go-lucky belief that we can become serviceable by combining sentimental speeches with selfish actions will bring us to futility. Serviceableness comes only through preparedness, and both the training and the service—through economic, social, and military efficiency—imply courage, sustained effort, clear vision, and the power for self-sacrifice.

"I speak for military preparedness. I speak for industrial preparedness. I speak for the performance of international duty, which can only come when we fit ourselves to do our duty to ourselves, and when we have made up our minds never to make a promise to any other nation which can not be kept, which ought not to be kept, and which will not be kept. I speak of all this in the interest of national unity and manhood, of international peace, and of the service of our country and of the world at large. It is our duty to secure justice and well-being at home; but we live in a fool's paradise if we think that we shall be permitted to secure such justice and well-being, as the world now is, unless we are prepared to hold our own against all alien enemies. I appeal to the men of the West; I appeal to Americans everywhere to stand against the crass materialism which can show itself just as much in peace as in war. I appeal to our people to prepare in advance so that there shall be no hideous emergency which renders it necessary to submit to inordinate profit making by the few simply because, when the emergency comes, we must improvise at whatever cost the things that for our sins we have failed to provide beforehand. We can not afford to leave this democracy of ours inefficient. If we do it will assuredly some day go down in ruin. We can not afford to tolerate with cynical indifference the pork-barrel theories of government so dear to the hearts of politicians of the baser sort. With a wealth of billions of dollars, and a population of 100,000,000, we can not afford to be in a condition of utterly unstable social and industrial equilibrium, nor to see our sons grow up steeped in a spirit of mere selfish individualism, without self-control or discipline or sense of cooperation, or firmness of purpose. We have great individual capacity. This we must keep. But we must train it so that we shall have great collective capacity, so that there may be that collective democratic power and discipline without which no great modern democracy can permanently subsist.

"We must not only do away with sectionalism, but we must see that our land really is a melting pot of citizenship and that

all peoples who come here become Americans and nothing else. We have equally to dread the sleek, well-fed materialist whose be-all and end-all in life are ease and comfort; and the base, selfish man who thinks only of his individual aggrandizement; and the foolish, boastful, wordy, sentimentalist who with amazing ignorance fancies that Americans armed only with words can successfully oppose strong and brutal men with rifles.

"Our national character is in the balance. Americanism is on trial. If we produce merely the self-seeking, ease-loving, duty-shirking man, whether he be a mere materialist or a mere silly sentimentalist; if we produce only the Americanism of the grafter and the mollicoddle and the safety-first, get-rich-quick, peace-at-any-price man, we will have produced an American faithful only to the spirit of the Tories of 1776 and the Copperheads of 1861, and fit only to vanish from the earth."

[From newer Roosevelt messages on "Fear God and take your own part," June, 1917.]

"Peace is not the end. Righteousness is the end. When the Savior saw the money changers in the temple He broke the peace by driving them out. At that moment peace could have been obtained readily enough by the simple process of keeping quiet in the presence of wrong. But instead of preserving peace at the expense of righteousness, the Savior armed Himself with a scourge of cords and drove the money changers from the temple. Righteousness is the end, and peace a means to the end, and sometimes it is not peace, but war which is the proper means to achieve the end. Righteousness should breed valor and strength. When it does breed them, it is triumphant; and when triumphant, it necessarily brings peace. But peace does not necessarily bring righteousness. \* \* \*

"Let this Nation fear God and take its own part. Let it scorn to do wrong to great or small. Let it exercise patience and charity toward all other peoples, and yet at whatever cost unflinchingly stand for the right when the right is menaced by the might which backs wrong. Let it furthermore remember that the only way in which successfully to oppose wrong which is backed by might is to put over against it right which is backed by might. Wanton or unjust war is an abhorrent evil. But there are even worse evils. Until, as a Nation, we learn to put honor and duty above safety, and to encounter any hazard with stern joy rather than fail in our obligations to ourselves and others, it is mere folly to talk of entering into leagues for world peace or into any other movement of like character. The only kind of peace worth having is the peace of righteousness and justice; the only nation that can serve other nations is the strong and valiant nation; and the only great international policies worth considering are those whose upholders believe in them strongly enough to fight for them. The Monroe doctrine is as strong as the United States Navy, and no stronger. A nation is utterly contemptible if it will not fight in its own defense. A nation is not wholly admirable unless in time of stress it will go to war for a great ideal wholly unconnected with its immediate material interest.

"Let us prepare not merely in military matters, but in our social and industrial life. There can be no sound relationship toward other nations unless there is also sound relationship among our own citizens within our own ranks. Let us insist on the thorough Americanization of the newcomers to our shores, and let us also insist on the thorough Americanization of ourselves. Let us encourage the fullest industrial activity, and give the amplest industrial reward to those whose activities are most important for securing industrial success, and at the same time let us see that justice is done and wisdom shown in securing the welfare of every man, woman, and child within our borders. Finally, let us remember that we can do nothing to help other peoples, and nothing permanently to secure material well-being and social justice within our own borders, unless we feel with all our hearts devotion to this country, unless we are Americans and nothing else, and unless in time of peace by universal military training, by insistence upon the obligations of every man and every woman to serve the Commonwealth both in peace and war, and, above all, by a high and fine preparedness of soul and spirit we fit ourselves to hold our own against all possible aggression from without.

"We are the citizens of a mighty Republic consecrated to the service of God above, through the service of man on this earth. We are the heirs of a great heritage bequeathed to us by statesmen who saw with the eyes of the seer and the prophet. We must not prove false to the memories of the Nation's past. We must not prove false to the fathers from whose loins we sprang, and to their fathers, the stern men who dared greatly and risked all things that freedom should hold aloft an undimmed torch in this wide land. They held their worldly well-being as dust in the balance then weighed against their sense

of high duty, their fealty to lofty ideals. Let us show ourselves worthy to be their sons. Let us care, as is right for the things of the body; but let us show that we care even more for the things of the soul. Stout of heart, and pledged to the valor of righteousness, let us stand foursquare to the winds of destiny, from whatever corner of the world they blow. Let us keep untarnished, unstained, the honor of the flag our fathers bore aloft in the teeth of the wildest storm, the flag that shall float above the solid files of a united people, a people sworn to the great cause of liberty and of justice for themselves and for all the sons and daughters of men."

[From sayings of Theodore Roosevelt.]

"There is a homely old adage which runs: 'Speak softly and carry a big stick; you will go far.' If the American Nation will speak softly, and yet build, and keep at a pitch of the highest training a thoroughly efficient Navy, the Monroe doctrine will go far." (From addresses and messages.)

WHAT HE SAID IN EUROPE.

"The deadening effect on any race of the adoption of a logical and extreme socialistic system could not be overstated; it would spell sheer destruction; it would produce grosser wrong and outrage, fouler immorality, than any existing system. But this does not mean that we may not with great advantage adopt certain of the principles proposed by some given set of men who happen to call themselves Socialists; to be afraid to do so would be to make a mark of weakness on our part." (From the Sorbonne address, April 23, 1910.)

"If you think that the people of the United States want universal peace arbitration I suggest that you go to California and investigate conditions. I have no use for liars—national, international, or those found in private life." (From a speech in Arlington Cemetery, May 31, 1911.)

"During the last half of the nineteenth century the leaders of reaction in the United States, political and financial alike, gradually grew to recognize in the judiciary their most powerful potential ally. There was very little actual corruption on the bench; on the contrary, our judges have been, on the whole, both able and upright public servants, standing on a level probably higher than that of any other civil servants of the Government. But their whole training and the aloofness of their position on the bench prevent their having, as a rule, any real knowledge of, or understanding sympathy with, the lives and needs of the ordinary hard-working toiler." (From a speech at Santiago, Chile, November 22, 1913.)

"It seems to me that we should realize with the keenest gratitude how much we owe to the fact that by steady application of the Monroe doctrine this country has succeeded in preventing the colonization of this continent by the great military Old World powers. If it had not been for the existence of that doctrine and its support by this Government under Presidents of all shades of political belief, the great military nations of the Old World would unquestionably long ere this have possessed masses of territory in the Western Hemisphere. In such case nothing under heaven could have prevented our being involved in European struggles like the present. We would also in such case be under the crushing burden of immense armaments in time of peace, a burden the bearing of which has grown more enormous year by year in Europe. Well-meaning and amiable but shortsighted persons have from time to time protested against the Monroe doctrine and said it was outworn. I wish these good persons would seriously consider the present contest and realize that if it had not been for the Monroe doctrine in the past, and if the Monroe doctrine were at this moment abandoned, the United States would, in all probability, have been drawn into the present dreadful struggle." (From a speech at Hartford, Conn., August 15, 1914.)

"It is the country's duty to put itself into such shape that it will be able to defend its rights if they are invaded. I myself have seen the plans of at least two empires now involved in the war to capture our great cities and hold them for ransom because our standing Army is too weak to protect them. I have seen plans prepared deliberately to take both San Francisco and New York and hold them for ransom that would cripple our country and give funds to the enemy for carrying on the war." (From a speech at Trenton, N. J., October 30, 1914.)

ROOSEVELT EXPOUNDS NEW NATIONALISM—SPEECH AT OSSAWATOMIE TAKEN BY MANY TO BE PLATFORM OF NEW PARTY—SOME SAY "SOCIALISM"—EX-PRESIDENT'S PRONOUNCEMENT DELIGHTS AUDIENCE OF 15,000 PERSONS AT JOHN BROWN BATTLE FIELD.

THE EX-PRESIDENT'S SPEECH.

Mr. Roosevelt's speech follows:

"There have been two great crises in our country's history—first, when it was formed, and then again when it was perpetuated. The formative period included not merely the Revolutionary War, but the creation and adoption of the Constitution and the first dozen years of work under it. Then came 60 years during which we spread across the continent—years of vital growth, but of growth without rather than growth within.

"Then came the time of stress and strain, which culminated in the Civil War, the period of terrible struggle, upon the issue of which depended the justification of all that we had done earlier, and which marked the second great period of growth and development within. The name of John Brown will be forever associated with this second period of the Nation's history, and Kansas was the theater upon which the first act of the second of our great national life dramas was played. It was the result of the struggle in Kansas which determined that our country should be in deed as well as in name devoted to both union and freedom, that the great experiment of democratic government on a national scale should succeed and not fail.

"It was a heroic struggle and, as is inevitable with all such struggles, it had also a dark and terrible side. Very much was done of good and much also of evil; and, as was inevitable in such a period of revolution, often the same man did both good and evil. For our great good fortune as a Nation we, the people of the United States as a whole, can now afford to forget the evil, or at least to remember it without bitterness, and to fix our eyes with pride on the good that was accomplished.

"Even in ordinary times there are very few of us who do not see the problems of life as through a glass, darkly; and when the glass is clouded by the murk of furious popular passion the vision of the best and the bravest is dimmed. Looking back, we are all of us now able to do justice to the valor and the disinterestedness and the love of the right, as to each it was given to see the right, shown both by the men of the North and the men of the South in that contest which was finally decided by the attitude of the West.

"DEBT TO THE VETERANS.

"We can admire the heroic valor, the sincerity, the self-devotion shown alike by the men who wore the blue and the men who wore the gray; and our sadness that such men should have had to fight one another is tempered by the glad knowledge that ever hereafter their descendants shall be found fighting side by side, struggling in peace as well as in war for the uplift of their common country, all alike resolute to raise to the highest pitch of honor and usefulness the Nation to which they all belong. As for the veterans of the Grand Army of the Republic, they deserve honor and recognition such as is paid to no other citizens of the Republic, for to them the Republic owes its all, for to them it owes its very existence.

"I do not speak of this struggle of the past merely from the historic standpoint. Our interest is primarily in the application to-day of the lessons taught by the contest of half a century ago. It is of little use for us to pay lip loyalty to the mighty men of the past unless we sincerely endeavor to apply to the problems of the present precisely the qualities which in other crises enabled the men of that day to meet those crises. It is half melancholy and half amusing to see the way in which well-meaning people gather to do honor to the men who, in company with John Brown, and under the lead of Abraham Lincoln, faced and solved the great problems of the nineteenth century, while at the same time these same good people nervously shrink from or frantically denounce those who are trying to meet the problems of the twentieth in the spirit which was accountable for the successful solution of the problems of Lincoln's time.

"Of that generation of men, to whom we owe so much, the man to whom we owe the most is, of course, Lincoln. Part of our debt to him is because he forecast our present struggle and saw the way out. He said:

"I hold that while man exists it is his duty to improve not only his own condition, but to assist in ameliorating mankind. And again, 'Labor is prior to and independent of capital; capital is only the fruit of labor, and could never have existed but for labor. Labor is the superior of capital and deserves much the higher consideration. Capital has its rights which are as worthy of protection as any other rights. \* \* \* Nor should this lead to a war upon the owners of property. Property is the fruit of labor; property is desirable; is a positive good in the world. Let not him who is houseless pull down the house



of another, but let him work diligently and build one for himself, thus by example showing that his own shall be safe from violence when built."

"DESTROY SPECIAL PRIVILEGE."

"It seems to me that in these words Lincoln took substantially the attitude that we ought to take; he showed the proper sense of proportion in his relative estimates of capital and labor, of human rights and property rights. Above all in this speech, as in many others, he taught a lesson in wise kindness and charity; an indispensable lesson to us of to-day. But this wise kindness and charity never weakened his arm or numbed his heart. We can not afford weakly to blind ourselves to the actual conflict which faces us to-day. The issue is joined, and we must fight or fall.

"In every wise struggle for human betterment one of the main objects, and often the only object, has been to achieve in larger measure the quality of opportunity. In the struggle for this great end, nations rise from barbarism to civilization, and through it people press forward from one stage of enlightenment to the next. One of the chief factors in progress is the destruction of special privilege. The essence of any struggle for healthy liberty has always been and must always be to take from some one man or class of men the right to enjoy power, or wealth, or position, or immunity, which has not been earned by service to his or their fellows.

"Practical equality of opportunity for all citizens, when we achieve it, will have two great results. First, every man will have a fair chance to make of himself all that in him lies, to reach the highest point to which his capacities, unassisted by special privilege of his own and unhampered by the special privileges of others, can carry him, and to get for himself and his family substantially what he has earned. Second, equality of opportunity means that the Commonwealth will get from every citizen the highest service of which he is capable. No man who carries the burden of special privileges of another can give to the Commonwealth that service to which it is fairly entitled.

"I stand for the square deal. But when I say that I am for the square deal I mean not merely that I stand for fair play under the present rules of the game, but that I stand for having those rules changed so as to work for a more substantial equality of opportunity, and of reward for equally good service.

"This means that our Governments—National and State—must be freed from the sinister influence or control of special interests. Exactly as the special interests of cotton and slavery threatened our political integrity before the Civil War, so now the great special business interests too often control and corrupt the men and methods of government for their own profit. We must drive the special interests out of politics. That is one of our tasks to-day. Every special interest is entitled to justice—full, fair, and complete. Now, mind you, if there were any attempt by mob violence or in any other way to plunder and work harm to the special interests, whatever it may be that I most dislike, to the wealthy man, whomsoever he may be, for whom I have the greatest contempt, I would fight for him, and so would you, if you are worth your salt. He should have justice. Every special interest is entitled to justice. But not one is entitled to a vote in Congress, a voice on the bench, or to representation in any public office. The Constitution guarantees protection to property, and we must make that promise good. But it does not give the right of suffrage to any corporation.

"MUST CURB CORPORATIONS."

"There can be no effective control of corporations while their political activity remains. To put an end to it will be neither a short nor an easy task, but it can be done.

"We must have complete and effective publicity of corporate affairs, so that the people may know beyond peradventure whether the corporations obey the law and whether their management entitles them to the confidence of the public. It is necessary that laws should be passed to prohibit the use of corporate funds directly or indirectly for political purposes; it is still more necessary that such laws should be thoroughly enforced. Corporate expenditures for political purposes, and especially such expenditures by public-service corporations, have supplied one of the principal sources of corruption in our political affairs.

"It has become entirely clear that we must have Government supervision of the capitalization not only of public-service corporations, including particularly railways, but of all corporations doing an interstate business. I do not wish to see the Nation forced into ownership of the railways if it can possibly be avoided, and the only alternative is thoroughgoing and effective regulation, which shall be based on a full knowledge of all the facts, including a physical valuation of the property. This physical valuation is not needed, or at least is very rarely

needed, for fixing rates; but it is needed as the basis of honest capitalization.

"We have come to recognize that franchises should never be granted except for a limited time, and never without proper provision for compensation to the public. It is my personal belief that the same kind and degree of control and supervision which should be exercised over public-service corporations should be extended also to combinations which control necessities of life, such as meat, oil, and coal, or which deal in them on an important scale.

"I believe that the officers, and especially the directors, of corporations should be held personally responsible when corporations break the law.

"COMBINATIONS INEVITABLE."

"Combinations in industry are the result of an imperative economic law which can not be repealed by political legislation. The effort at prohibiting all combination has substantially failed. The only way out lies not in attempting to prevent such combinations, but in completely controlling them in the interest of the public welfare. For that purpose the Federal Bureau of Corporations is an agency of the first importance. Its power, and therefore its efficiency, as well as that of the Interstate Commerce Commission, should be largely increased. We should be as sure of the proper conduct of interstate railways and the proper management of interstate business as we are now sure of the conduct and management of the national banks.

"There is a widespread belief among our people that under the methods of making tariffs which have hitherto obtained the special interests are too influential. Probably this is true of both the big interests and the little interests. These methods have put a premium on selfishness, and naturally the selfish big interests have got more than the selfish small interests.

"The duty of Congress is to provide a method by which the interest of the whole people shall be all that receives consideration. To this end there must be an expert tariff commission, wholly removed from the possibility of political pressure or of improper business influence. Such a commission can find out the real difference between cost of production, which is mainly the difference of labor costs here and abroad. As fast as its recommendations are made I believe in revising one schedule at a time. A general revision of the tariff almost inevitably leads to log-rolling, and the subordination of the general public interest to local and special interests.

"The absence of effective State and especially National restraint upon unfair money getting has tended to create a small class of enormously wealthy and economically powerful men, whose chief object is to hold and increase their power. The prime need is to change the conditions which enabled these men to accumulate power which it is not for the general welfare that they should hold or exercise. We grudge no man a fortune which represents his own power and sagacity, when exercised with entire regard to the welfare of his fellows. But the fortune must be honorably obtained and well used. It is not even enough that it should have been gained without doing damage to the community. We should permit it to be gained only so long as the gaining represents benefit to the community. This, I know, implies a policy of a far more active governmental interference with social and economic conditions in this country than we have yet had, but I think we have got to face the fact that such an increase in governmental control is now necessary.

"FAVORS AN INCOME TAX."

"No man should receive a dollar unless that dollar has been fairly earned. Every dollar received should represent a dollar's worth of service rendered. The really big fortune, the swollen fortune, by the mere fact of its size acquires qualities which differentiate it in kind as well as in degree from what is possessed by men of relatively small means. Therefore I believe in a graduated income tax on big fortunes and in another tax, which is far more easily collected and far more effective, a graduated inheritance tax on big fortunes, properly safeguarded against evasion and increasing rapidly in amount with the size of the estate.

"The people of the United States suffer from periodical financial panics to a degree substantially unknown among the other nations which approach us in financial strength. There is no reason why we should suffer what they escape. It is of profound importance that our financial system should be promptly investigated, and so thoroughly and effectively revised as to make it certain that hereafter our currency will no longer fail at critical times to meet our needs.

"It is hardly necessary for me to repeat that I believe in an efficient Army and a Navy large enough to secure for us abroad that respect which is the surest guaranty of peace. Justice and fair dealing among nations rest on principles identical with

those which control justice and fair dealing among the individuals of which nations are composed, with the vital exception that each nation must do its own part in international police work. National friendships, like those between men, must be founded on respect as well as on liking, on forbearance as well as upon trust. In all this it is peculiarly the duty of the United States to set a good example.

"I have spoken elsewhere of the great task which lies before the farmers of the country to get for themselves and for their wives and children not only the benefits of better farming, but also those of better business methods and better conditions of life on the farm. The burden of this great task will fall, as it should, mainly upon the great organizations of the farmers themselves. I am glad it will, for I believe they are well able to handle it.

"In particular, there are strong reasons why the departments of agriculture of the various States, the United States Department of Agriculture, and the agricultural colleges and experiment stations should extend their work to cover all phases of life on the farm, instead of limiting themselves, as they have far too often limited themselves in the past, solely to the question of the production of crops.

#### "THE REGULATION OF WEALTH.

"Nothing is more true than that excess of every kind is followed by reaction; a fact which should be pondered by reformer and reactionary alike. We are face to face with new conceptions of the relations of property to human welfare, chiefly because certain advocates of the rights of property as against the rights of men have been pushing their claims too far. The man who wrongly holds that every human right is secondary to his profit must now give way to the advocate of human welfare, who rightfully maintains that every man holds his property subject to the general right of the community to regulate its use to whatever degree the public welfare may require it.

"But I think we may go still further. The right to regulate the use of wealth in the public interest is universally admitted. Let us admit also the right to regulate the terms and conditions of labor, which is the chief element of wealth, directly in the interest of the common good. The fundamental thing to do for every man is to give him the chance to reach a place in which he will make the greatest possible contribution to the public welfare. No man can be a good citizen unless he has a wage more than sufficient to cover the bare cost of living, and hours of labor short enough so that after his day's work is done he will have time and energy to bear his share in the management of the community to help in carrying the general load.

"We keep countless men from being good citizens by the conditions of life with which we surround them. We need comprehensive workmen's compensation acts, both State and National laws to regulate child labor and the work of women, and especially we need in our common schools not merely education in book learning, but also practical training for daily life and work. We need to enforce better sanitary conditions for our workers and to extend the use of safety appliances in industry and commerce, both within and between the States.

"Also, friends, in the interest of the workingman himself we need to set our faces like flint against mob violence just as against corporate greed; against violence and injustice and lawlessness by wage workers just as much as against lawless cunning and greed and selfish arrogance of employers.

"I do not ask for overcentralization, but I do ask that we work in a spirit of broad and far-reaching nationalism when we work for what concerns our people as a whole. We are all Americans. Our common interests are as broad as the continent. I speak to you here in Kansas exactly as I would speak in New York or Georgia, for the most vital problems are those which affect us all alike.

"The National Government belongs to the whole American people, and where the whole American people are interested that interest can be guarded effectively only by the National Government. The betterment which we seek must be accomplished, I believe, mainly through the National Government.

#### "NATIONALISM DEMANDED.

"The American people are right in demanding that new nationalism without which we can not hope to deal with new problems. The new nationalism puts the national need before sectional or personal advantage. It is impatient of the utter confusion that results from local legislatures attempting to treat national issues as local issues. It is still more impatient of the impotence which springs from the overdivision of Government powers, the impotence which makes it possible for local selfishness or for legal cunning, hired by wealthy special interests, to bring national activities to a deadlock. This new nationalism regards the executive power as the steward of the public wel-

fare. It demands of the judiciary that it shall be interested primarily in human welfare rather than in property, just as it demands that the representative body shall represent all the people rather than any one class or section of the people.

"I believe in shaping the ends of government to protect property as well as human welfare. Normally, and in the long run, the ends are the same, but whenever the alternative must be faced I am for men and not for property.

#### "NEED OF DIRECT PRIMARY.

"If our political institutions were perfect, they would absolutely prevent the political domination of money in any part of our affairs. We need to make our political representatives more quickly and sensitively responsive to the people whose servants they are. More direct action by the people in their own affairs under proper safeguards is vitally necessary.

"The direct primary is a step in this direction if it is associated with a corrupt-practices act effective enough to prevent the advantage of the man willing recklessly and unscrupulously to spend money over his more honest competitor.

"It is particularly important that all moneys received or expended for campaign purposes should be publicly accounted for, not only after election but before election as well. Political action must be made simpler, easier, and freer from confusion for every citizen. I believe that the prompt removal of unfaithful or incompetent public servants should be made easy and sure in whatever way experience shall show to be most expedient in any given class of cases.

"One of the fundamental necessities in a representative government such as ours is to make certain that the men to whom the people delegate their power shall serve the people by whom they are elected, and not the special interests. I believe that every national officer, elected or appointed, should be forbidden to perform any service or receive any compensation directly or indirectly from interstate corporations, and a similar provision should not fail to be useful within the States.

"The object of government is the welfare of the people. The material progress and prosperity of a nation are desirable chiefly so far as they lead to the moral and material welfare of all good citizens. Just in proportion as the average man and woman are honest, capable of sound judgment and high ideals, active in public affairs—but first of all sound in their home life, and the father and mother of healthy children—just so far and no further we may count our civilization a success.

"We must have—I believe we have already—a genuine and permanent moral awakening, without which no wisdom of legislation or administration really means anything; and, on the other hand, we must try to secure the social and economic legislation without which any improvement due to purely moral agitation is necessarily evanescent. The prime problem of our Nation is to get the right type of good citizenship; and to get it we must have progress and all our people must be genuinely progressive."

#### AMERICANIZATION OF ALIENS.

As in legislative session,

Mr. KENYON. Mr. President, earlier in the day I sought to secure unanimous consent to introduce a report from the Committee on Education and Labor on the Americanization bill. I did it largely because of the sentiment of the day, as expressed by the Senator from Illinois [Mr. McCormick], and because of the well-known desire of the former President of the United States, Theodore Roosevelt, for some kind of a plan of Americanization.

This bill is reported by the Committee on Education and Labor unanimously, as a substitute for a number of bills pending before that committee on this subject. It seeks to deal with one of the most serious questions in our American life, illiteracy, and foreign-born aliens; and the problem as presented by this bill is to give every American resident and also alien a chance to learn the American language—I prefer to use the term "American language" instead of the term "English language," because it is the American language—and to make foreigners learn it if they desire to remain in this country; in other words, to Americanize America.

Mr. President, there are over 8,000,000 people in this country over 10 years of age who can neither read, write, nor speak the English language, and at least 55 per cent of them are native born. That is certainly a problem that challenges the attention of the American people.

Mr. WATSON. How many did the Senator say?

Mr. KENYON. Over 8,000,000.

Mr. Herbert Kaufman has been an assistant to Secretary Lane in this work for the last year, giving up his own business and serving the Government without price in order to formulate an organization which now is ready to act on this great proposition



all over this country. Mr. Kaufman is entitled to the thanks of all lovers of America.

Mr. WARREN. What does the Senator name as the percentage of foreigners born in this country who could not read or write?

Mr. KENYON. I put it conservatively at least 55 per cent of the total number.

Mr. WARREN. Are those young children, who will yet be educated?

Mr. KENYON. No; above 10 years of age. The figure of 8,000,000 is of those above 10 years of age.

Mr. WARREN. I can hardly conceive that to be in this country of schools. Perhaps the Senator will elucidate it further along.

Mr. KENYON. If the Senator had been with the committee in the Pittsburgh district and out among the mills, he would have been astounded, I think, at the facts which came to the attention of the committee.

In the town of Clarenton, where 150 men were gathered around Senator McKellar and myself, through interpreters we got the word that we wanted to get to them, and asked all of those who were American citizens to raise their hands. There were only three among the 150. A good many of them could speak the English language, but many of them could not.

Mr. WARREN. Those were adults?

Mr. KENYON. All adults. I wish an article written by Mr. Herbert Kaufman in the New York Tribune something over a week ago could be made into a public document. It is a wonderful article. It challenges the attention of the Nation to this problem. I read here and there from it. He says:

Discontent is mumbling and violence is ranting on all sides. America is on trial before 10,000 soap boxes; chaos is everywhere seeking recruits from the ranks of misunderstanding and illiteracy.

Again he says:

Illiteracy is a pick-and-shovel estate, a life sentence to meniality. Democracy may not have fixed classes and survive.

Again:

An outbreak of hoof and mouth disease would compel instant remedial laws and funds to contain the menace within bounds. It is even more incumbent upon us to defend healthy citizenship against civic incapables.

And again:

If a hundred million of us stand together, we must think together and that without foreign accent.

Mr. President, if the illiterates and the foreign born who can not speak our language should be reviewed from a stand in front of the White House, marching by two abreast, and marching 25 miles a day, it would take two months of solid marching for them to pass the reviewing stand.

Early in the war Mr. Samuel Gompers predicted, quoting his language:

An even greater misunderstanding between Government and labor than that which arose in England may arise in a more acute form because of the racial diversity of our working classes.

That prophecy seems about to be fulfilled.

Secretary Lane has said:

An uninformed democracy is not a democracy.

These startling facts will be presented to the Senate in due time. The purpose of this bill is to give these illiterates and give these aliens a chance to learn the American language and to become good Americans, and after having had that chance, if they will not do it, then the aliens ought to be compelled to leave this country.

Mr. President, this is the birthday of the man who was our supreme American. With him America—its thoughts, its purposes, its ideals—was a supreme passion. Never faltered he in devotion to his country. It is appropriate that an Americanization bill start on its journey through the Congress upon the birthday of this man, for every purpose, thought, action, inspiration of his life was for a greater, a better, and a more American America.

The old ship of state in this hour is floating on troublesome seas. Whitecaps of anarchy are battling its voyage, but—

We know what Master laid thy keel,  
What Workman wrought thy ribs of steel.

So we fear not the sudden sound and shock. We know the old ship will safely weather the storm—

In spite of rock and tempest roar,  
In spite of false lights on the shore.

There are misguided men in American to-day—thousands, and even millions, of them. They are to be pitied. They do not know the purposes of America, for they have had no opportunity to learn. They do not know that this is in fact the land of the poor boy; that men have given their lives that the doors of op-

portunity might ever be open to the children of to-morrow; that the opportunities for their children are the best of any nation of earth. Our country is to blame because the chance has not been presented for them to know. Many of them are eager to know America for themselves and for their children. If they can not read or speak or understand the American language, how can they know the wonderful stories of opportunity in this country? How can they understand the heights to which their children may attain in this land of freedom? To them the story of the humble, poor boy's pathway from the log cabin of Kentucky to the Presidency of the United States, the inspiration of the towpath followed by Garfield, the struggles of Theodore Roosevelt, the advancement to the Presidency of Woodrow Wilson from the humble Presbyterian parsonage are closed books. While they are in the Nation, they know not of the Nation. There would be no menace to the future of America from these men if they really knew what America meant. Boys of foreign birth have gone out to fight for the Nation just as loyally as those who were born in this country. The long rolls of honor of those who have been left on the fields of France contain the names of nearly every nationality on earth. There is good material here for Americanization. The melting pot can not boil unless there is fuel under it, and that fuel is education. The purpose of this bill is to help furnish the fuel for the great American melting pot. And out of it will come those who now are toiling mentally in the ignorance and superstition of past ages into the glorious sunlight of American intelligence. Is such a work worth while? Long may be the road, but it is time to start. There should be a rallying to the proposition of Americanization on the part of States, municipalities, governments, societies, and individuals, and I predict there will be such rallying and a tremendous wave of patriotism sweep this bill on to final success.

There are other spirits in this country trying to lead these deluded mortals—the spirits of darkness—determined to overthrow the best government that ever has existed under the sun, but they mistake the spirit and purpose of America also. America will not hesitate to deal with them with an iron hand; America will not tolerate anarchy. But America must awaken to the dangers and America must not falter or equivocate. An awakened nation of over 100,000,000 people does not propose that a few hundred thousand anarchists and Bolsheviks shall overthrow this nation of hope and this land of opportunity.

Americanization will not only mean getting rid of these impossible characters and bringing the light of intelligence to some of their blind followers, but Americanization will mean the development of more brotherly feeling, help to make impossible contests of capital and labor. The teaching of the American language is only a step in the plan of Americanization.

The man who cares for his fellow man only as he can use him as he would a piece of iron or coal, to increase his dividends, needs Americanization. He loves himself better than his country, and the problem of Americanization is to instill into the hearts of our people a love of their country above a love of themselves; it is time for every American to search his own heart and honestly ask himself what sacrifices he is making for this country and how much of self he is willing to give up for the good of his country. Give every resident alien a chance to become an American. Some of them have not had it. Give them the opportunity to be good citizens. Let them know that the great Republic is builded on the rock of justice. If they will not become good Americans, let them get out of the country. Let the anarchist understand that his doctrines have no more effect upon the structure of this Government than the waves lapping the rock of Gibraltar. But let him know that if he desires to advance those doctrines he will have to seek other shores. America is no place for him. Let him know that there is but one flag in this country, the Stars and Stripes, and there is no place for the red flag of anarchy.

It is no time to be pessimistic in all the turmoil through which we are passing. It is time to follow the doctrine of the beautiful Psalm of David:

I will lift up mine eyes unto the hills from whence cometh my help.

Upon the hills of America shines the vision of national perpetuity.

A nation that can produce a Theodore Roosevelt ought never to waver, be pessimistic, or cowardly. Never have we needed his spirit as we need it to-day. The spirit of Roosevelt is a conquering spirit over wrong, injustice, oppression, disloyalty. The spirit of Roosevelt makes for a courageous brotherhood of man, recognizing the rights and relationships of men to one another. That brotherhood shall yet conquer all the enemies of the Republic—a brotherhood that is kind, but that can be stern; a

brotherhood that rallies to the call of America, ready to do or die for the Republic.

America! America! God shed His grace on thee,  
And crown thy good with brotherhood from sea to shining sea.

The last public words of Roosevelt were a call for Americanization. He said:

I can not be with you, and so all I can do is to wish you Godspeed. There must be no sagging back in the fight for Americanism merely because the war is over. There are plenty of persons who have already made the assertion that they believe the American people have a short memory and that they intend to revive all the foreign associations which most directly interfere with the complete Americanization of our people. Our principle in this matter should be absolutely simple. In the first place, we should insist that if the immigrant who comes here does in good faith become an American and assimilates himself to us he shall be treated on an exact equality with everyone else, for it is an outrage to discriminate against any such man because of creed or birthplace or origin.

But this is predicated upon the man's becoming in very fact an American, and nothing but an American. If he tries to keep segregated with men of his own origin and separated from the rest of America, then he isn't doing his part as an American. There can be no divided allegiance here. Any man who says he is an American, but something else also, isn't an American at all.

We have room for but one flag, the American flag, and this excludes the red flag, which symbolizes all wars against liberty and civilization, just as much as it excludes any foreign flag of a nation to which we are hostile. We have room for but one language here, and that is the English language, for we intend to see that the crucible turns our people out as Americans, of American nationality, and not as dwellers in a polyglot boarding house; and we have room for but one soul loyalty, and that is loyalty to the American people.

Faithfully, yours,

T. ROOSEVELT.

God grant that the spirit of Theodore Roosevelt may inspire the citizenship of the great Republic in this hour of stress to be firm, yet just, and to make any sacrifice needed to maintain this as a government where law, order, and justice shall prevail.

I ask unanimous consent, Mr. President, to present the report of the Committee on Education and Labor with the bill as agreed upon by that committee.

The PRESIDING OFFICER. The Senator from Iowa asks unanimous consent, as in legislative session, to present the report of the Committee on Education and Labor. The Chair hears no objection, and the report will be received.

The bill (S. 3315) to promote Americanization by providing for cooperation with the several States in the education of non-English speaking persons and the assimilation of foreign-born residents, and for other purposes, was read twice by its title.

The PRESIDING OFFICER. The bill will be placed on the calendar and the report (Rept. No. 276) will be printed under the rule.

#### TREATY OF PEACE WITH GERMANY.

The Senate, as in Committee of the Whole and in open executive session, resumed consideration of the treaty of peace with Germany.

Mr. KNOX. Mr. President, I wish to express in a very few words the attitude that I entertain toward the pending amendment.

I will vote for the pending amendment giving the United States mutual equality with Great Britain in the league of nations because it gives me the opportunity to express my conviction that my country is as great and as good and is as much to be considered and reckoned with as any upon this earth if it is to be drawn into the maelstrom of world politics.

I will vote for the amendment because it gives me the opportunity to express my protest against Great Britain's willingness to assert for the British Empire a preponderance of influence in the counsels of the world as against the United States—a preponderance of 6 to 1 for the English-speaking peoples of British allegiance as against the English-speaking peoples of American allegiance, who are the more numerous of the two in the world, in the ratio, I suppose, of something like 10 to 7.

For the other branch of the English-speaking peoples to offer us, with a population of 10 to their 7, 1 vote to their 6 upon questions wherein they and we may be of different opinion is not calculated to foster salutary understanding between the heirs of Magna Charta and of a rich, common inheritance of law, language, and freedom. It is not by the assertion, but by the disavowal, of any such claim in case of difference of view between the Empire, or a part of the Empire, and the Republic, that the British Empire might advance good understanding with the American Nation.

In 1870 Great Britain failed to make the same sacrifices to check the growth of the German menace that we made in 1917. If in 1870 Britain had gone to the relief of France as we went to the relief of France and England in 1917, Bismarck's ambitions would have been thwarted and the German Empire would not have been created at Versailles, where 50 years later it was destroyed by the throwing of the weight of America's arms and resources into the scale against it.

If America is to be penalized for going to the rescue in 1917—and to the rescue of the British as well as the French—what

should have been the punishment of Britain for failing to do so in 1870? We did go to the rescue. I am proud that we did so for the right, and without the spur or the chain of entente or alliance or league. As I have said before, I believe we shall always do so in a world crisis, and without the need of any agreement or league whatsoever on the subject; and, as I have said before, I should favor a broad American doctrine in such sense. But I should expect in return generous consideration from the nations with which we should be expected to cooperate—very generous consideration, not 6 to 1 consideration.

I am unwilling to submit to the slightest implication or appearance of implication of inferiority or of inequality of voice between the divisions of the English-speaking people in questions upon which they may hold differing views. I shall be content with no face-saving device to give assurance that after all this inequality that may be asserted in the opposed vote of the two peoples amounts to but little.

I will vote for this amendment as an expression of my willingness to do directly, if need be, what it is proposed to do indirectly by reservations. I shall not be diverted from my purpose to vote for this amendment by the fallacious argument that to adopt it will send the treaty back to the peace conference and entail delay in bringing peace to the world.

The proponents of the league have talked so much about the necessity for the coming into force of this treaty, our relationship to such a situation, and the need for reconvening the peace conference in case the Senate does not obey the behest of the Executive and approve the ratification of this treaty without any change whatsoever, that a brief discussion of that proposition may be timely.

I have already in previous addresses called attention to the last clause of the preamble of the treaty of Versailles, which reads:

From the coming into force of the present treaty the state of war will terminate. From that moment and subject to the provisions of this treaty official relations with Germany, and with any of the German States, will be resumed by the allied and associated powers.

I have also noted that the later clauses of the last clause of the treaty provide:

A first procès-verbal of the deposit of ratifications will be drawn up as soon as the treaty has been ratified by Germany, on the one hand, and by three of the principal allied and associated powers on the other hand.

From the date of this first procès verbal the treaty will come into force between the high contracting parties who have ratified it. For the determination of all periods of time provided for in the present treaty this date will be the date of the coming into force of the treaty.

In all other respects—and, Mr. President, I call particular attention to those words—in all other respects the treaty will enter into force for each power at the date of the deposit of its ratification.

In the earlier stages of the discussion of this treaty the proponents of the league sought to lead the public to believe that the only way in which the status of war between ourselves and Germany could be terminated would be through our ratification of this treaty. They have, however, abandoned that position and now seemingly agree with those who are standing for ratification with changes in the contention that the status of hostilities between ourselves and Germany will terminate so soon as any three of the principal allied and associated powers have been deposited in Paris.

Driven thus from the position that we must ratify in order to get peace, they are now seeking to intrench themselves behind the argument that unless we ratify this treaty as it is drawn a reconvening of the peace conference is inevitable, with all the tedium, delay, and dangers attendant upon new negotiations.

So much is made of this argument that it is worth while carefully to trace to its end the exact situation which would arise in case we shall ratify this treaty with the fundamental and far-reaching reservations and amendments which have been proposed.

We must start with the fact always to be kept in mind and to which, seemingly, all are now agreed, that hostilities with Germany will terminate for all the world so soon as the treaty is ratified by Germany and three of the principal allied and associated powers.

As showing how fully it is designed that the deposit of the first procès verbal shall terminate hostilities, I shall refer to a few of the matters which are to take place within the time calculated from the date this first deposit is made and which go forward and are concluded under the treaty, and inevitably so, without any reference to further ratification by powers other than the three first ratifying powers. As will be apparent, most of these things I list not only contemplate the



termination of the state of war against Germany but they would be difficult, if not impossible, of fulfillment if there were between Germany and any other power even a legal status of war without any hostilities being actually conducted.

German troops and authorities are to be withdrawn from prescribed portions of east Prussia and from certain prescribed areas near the Nogat and the Vistula within 15 days from the coming into force of the present treaty, and within 10 days from the same date German troops and likewise workmen's and soldiers' councils are to retire from Schleswig. Furthermore, German military forces are to be demobilized and German armament, munitions, and materials are to be reduced to specified limits within two months from the coming into force of the treaty. The naval forces and personnel of the German Navy are to be reduced to a specified size within the same period. Within three months from the coming into force of the treaty certain named war-material manufactories are to be closed down and fortifications named are to be dismantled. The ownership of German surface warships not in German ports is renounced by Germany from the date of the coming into force of the treaty, and certain named warships are to be surrendered within two months of that date. German warships now under construction are to be broken up upon the coming into force of the treaty, and German submarines, docks, and salvaged vessels are to be surrendered at the expiration of one month from that time. Germany is to mine sweep, beginning with the date when the treaty comes into force, certain named areas. On the same date she is to surrender all military and naval aeronautical materials beyond amounts specified, and may not for a period of six months from the coming into force of the treaty import any aircraft materials.

The repatriation of prisoners of war and interned civilians takes place as soon as possible after the treaty comes into force. From the same date Germany may not send or accredit military or naval attachés to other governments and must prevent the enrollment of Germans in armies and navies of other powers. At the expiration of two months after the treaty comes into force stringent restrictions are made operative as to German military schools and other educational and like institutions.

The commissions for delimiting the boundaries of the free city of Danzig, for determining the boundary of the Saar Basin and of Schleswig, are to be appointed within 15 days from the date the treaty comes into force, and from the nature of their duties it is evident that the interallied commissions of control and the great reparation commission must be appointed at once. And so of other commissions I need not pause to name.

The citizenship of Alsace-Lorrainers will be settled within one year from the coming into force of the treaty and the citizenship of Germans in Poland within two years. German nationals ordinarily resident in the free city of Danzig lose their German nationality immediately upon the coming into force of this treaty, and German residents in adjacent territories have two years from that time to elect their citizenship.

As to treaties, certain designated treaties touching China are applicable from the coming into force of the treaty; designated articles of this treaty itself are operative merely for certain named periods beginning from the same date; certain enumerated multilateral treaties only are to be effective as between the powers and Germany from the coming into force of the treaty; and the allied and associated powers are to have advantage of certain other clauses of German treaties from the same date.

Without delay from the coming into force of the present treaty Germany undertakes to restore all articles, money, securities, and documents which have belonged to nationals of the allied and associated powers and which have been retained by German authorities, and all private securities of the allied and associated powers held in Germany must be delivered to such powers within six months from the coming into force of the present treaty.

Certain gold deposits in Germany are to be turned over to the principal allied and associated powers within one month from the coming into force of the treaty.

From the date of the coming into force of the treaty all the deposits of coal situated within the Saar Basin become the complete and absolute property of the French State. From the same date and for a period of 10 years German electrical supply works must furnish service to any establishment the working of which passes under this treaty permanently or temporarily to France.

Goods of specified origin are to be imported into Germany free from duty for specific periods, beginning on the date of the coming into force of the treaty; likewise goods have most-favored-nation treatment for periods beginning at the same date.

Property rights and interests claimed by the allied or associated powers against Germany on account of property located and dealt with in Germany must be satisfied, and industrial property rights are to be vindicated within one year from the coming into force of the treaty. Lastly, and almost primarily significant, German laws are to be harmonized with the provisions of this treaty within a period of three months from the same date.

Many of these matters are vital as affecting the very life and substance of the treaty itself; they will all become operative as against Germany upon the ratification of this treaty by any three of the great powers no matter what our action on the matter may be. For the language of the treaty is that \* \* \* "from the date of this first procès-verbal the treaty will come into force between the high contracting parties who have ratified it." That is, the treaty as it is written and ratified is operative as between the powers so ratifying wholly irrespective of the action which may be taken by any other power. The balance of the powers may ratify or not ratify; they may ratify unreservedly or with reservations; but whatever their action, it can have no effect whatever upon the treaty or its provisions as between and among Germany on the one hand and the three ratifying powers on the other. As to them the treaty stands as it is written.

Considering the great number of powers signatory to the treaty and their diverse interests therein, it was indispensable that a provision of this kind should be in the treaty in order that some power, seeking purely for further selfish ends, might not postpone peace to the world until the end sought was reached, to the consequent economic, social, and moral detriment of the whole world. Furthermore, if Germany is to meet the terms of the treaty as written she must enjoy profound peace within her borders. She can not carry on a war with any power with the resulting disarrangement of her industries and finances, which must all be brought to bear upon war indemnities. Moreover, a glance at the map will show that no power could engage in a war with Germany without threatening the peace of some other power, and in most cases a war would not be possible, except the belligerent power used the territory of a third power as a base from which to make an attack on Germany. This is conspicuously true in our own case. For we could hardly conduct a successful war against Germany save by continuing our stay in France, who obviously will not want us carrying on hostilities from her territories while she herself is at peace and desiring the German indemnity which peace alone can bring. Nor would she want the internal disarrangement which would come to her from such an enterprise on our part.

Therefore, when this treaty comes into force, through ratification by Germany and three allied and associated powers, it stands as between those ratifying powers in the precise form in which written.

The treaty furthermore provides that "in all other respects"—that is, all respects other than the termination of hostilities, and the resumption of official relations with Germany, and the determination of periods of time provided for in the treaty—"the treaty will enter into force for each power at the date of the deposit of its ratifications." Under this provision, if any power desires to secure the benefits other than the termination of hostilities and the resumption of official relations, conferred upon that power by this treaty, it must ratify the treaty in order to secure them.

But if any power to which advantage is to flow from this treaty desires to augment or alter those benefits, it would probably be necessary for such a power to gain the consent of all powers signatory to the treaty, and this action, whatever form it might take, would be virtually a new peace conference. But I ask what signatory power is there which could sanely entertain the slightest hope that a reconsideration of its claims as recognized in this treaty would result in augmenting them? The action of the French Chamber of Deputies is fairly indicative that France is convinced the treaty contains her maximum of advantage, and so of Great Britain; and even Italy, who has her Fiume difficulties, seems willing if not anxious to accept immediately what this treaty gives her. As for Japan, I have not heard that she was denied anything substantial for which she asked at the conference, and therefore it is not to be expected that she will decline ratification in order again to go to a peace table where our representative, if we sit at the table, would be already aware of the strength of opinion in this country against certain of the benefits granted to Japan by the present treaty.

So far as the smaller powers are concerned, those immediately concerned—Poland, Czechoslovakia, and the Serb-Croat-Slovene State—all owe their existence in whole or in part to this treaty; and it is scarcely to be thought that they would jeopardize

their very existence by inviting a new peace conference. Belgium asked for and deserved more than she got, yet I am sure that the wisdom of her statesmen would not care to subject her to the uncertainties of a new conference.

Thus it is difficult to see how any of the powers could hope to gain further advantages from a reconvening of the peace conference, and the most if not all of them would scarcely wish to jeopardize what they already have to the monumental uncertainties of a new negotiation.

But we are not among those who get benefits from the treaty; burdens are our sole treaty heritage. Moreover, these burdens we must believe were self-imposed, because it can not be that we found ourselves under the compulsion of our allies in these matters. We sat at the peace table as associated victors, not as cobelligerent vanquished. Moreover, there is no single burden or collection of burdens imposed upon us by this treaty which, if we disavow them, will in any way affect a due carrying out of the provisions of the document, save only in this one respect, that the treaty will lack the pledge, and the obligation inevitably flowing from our full participation, that we use our full military and material resources for the enforcement of the treaty provisions in their infinity of detail.

So that it is idle to speak of the necessity of reconvening the peace conference and blindly optimistic to speak of the possibility of doing so. Once this treaty is ratified by three of the great powers there will be no new negotiations, and I assure you it will be so ratified if our diplomacy shall not continue successfully to thrust itself into world politics, with a view to forcing this Senate willy-nilly to bow to an Executive fiat to advise and consent to the ratification of this treaty without amendment. And I doubt whether even our suave and herculean colonel could for long impede the aspirations or ambitions of our European allies. And why, sir, should the powers which have ratified and are satisfied with the treaty reconvene in conference and open up the whole negotiations merely to arrange for us to throw off our self-imposed obligations? For as to us, the prime if not the only thing over which the great powers are anxious is the power to command the assistance of our military and naval forces in case of difficulties in Europe, and since we are under no compulsion from them to render such assistance outside the undertakings we make in this treaty, it is self-evident that they will gladly accept whatever amount of such promises and undertakings we in our wisdom or unwisdom may see fit to assume. It is the veriest nonsense for us under these circumstances to speak of the necessity of reconvening the peace conference and reopening its negotiations merely to note that we are to curtail the voluntary and self-imposed obligations under the treaty which our negotiators ill-advisedly thought we would be willing to assume.

Inasmuch as the ratification of this treaty by three of the principal allied and associated powers and Germany brings a full peace status between Germany and the whole opposing world—and of this there can be no doubt, because the treaty distinctly says that "from that moment"—the coming into force of the treaty—"and subject to the provisions of this treaty official relations with Germany and with any of the German States will be resumed by the allied and associated powers"—that is, by all of them, not merely those who ratify the treaty—since this is the status, the situation left thereafter is similar to, if not, indeed, exactly like, that which obtained with reference to The Hague conventions, where each power signatory ratified with reservations and amendments such as it desired. If a power wished for the complete benefits of a Hague convention, it ratified the document as it stood. If it did not desire such advantages in toto, or if it were unwilling to accept the burdens imposed by the covenant, it ratified with reservations or amendments. In such case there was no talk or thought of reconvening The Hague conference in order that reservations or amendments might be made, and no necessity therefor existed, because it dealt with peace-time conditions.

Another analogous case that well illustrates the point I am making is that of the ratification of the general act for suppression of African slave trade, signed at Brussels on July 2, 1890, by the plenipotentiaries of 17 powers, including the United States. The protocol regarding the deposit of the American ratification sets forth the acceptance of a partial ratification, with various stipulations made by France and of ratification by the United States, with a disclaimer of interest and responsibility as to parts of the international engagements of the act in question. This well illustrates the lack of any necessity in such cases to reopen the whole of a negotiation.

Mr. President, if there be no objection, I shall insert as part of my remarks copies of the ratifications and protocols of those cases for the guidance of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOX. And so here with this document. The status of peace being created by ratification by three great powers, and those powers having the right, under the treaty they have thus ratified and put into force, to disarm Germany and obtain the commercial and other advantages which the treaty gives to them, they will be quite willing to let the rest of the world accept or reject the treaty benefits as they may wish. Indeed, if the other powers should forego the indemnities paid under the treaty, the great powers would have some advantages because it would leave the more German assets for them. Of course, as I have said, the great powers hope for the mighty strength of this Nation to enforce the indemnity—mellifluously termed "reparation" in the treaty—and will go any lengths to get it short of losing the treaty itself, for that, when the pinch comes, they will surely save.

Moreover, it is interesting to observe that even should we ratify this treaty with amendments and reservations and deposit our ratification in Paris, and even if we were the third power so to do, this would not necessarily mean that the treaty as written would not go into force. Indeed the chances are many to one that the treaty will go into force as written in spite of such a ratification by us or of any other action we might take, because if we ratified it with reservations and amendments before three other powers had unreservedly ratified, we should stand in a class by ourselves and all that need be done in order to put the treaty as written into effect between Germany and the great European powers would be for a third power, Italy, for example, to ratify it unconditionally, whereupon the treaty would then go into force as written and we would still stand on the outside without our amendments or reservations affecting the situation in any way whatsoever. And in this connection it is well to remember that our Executive is the only one whose heart will be broken if the league is touched; the powers are looking not at the league but at the rest of the treaty, and there is every reason to believe we may have our way about the league whatever that may be, if we will but put our military force and material resources behind the balance of the treaty.

Thus the status of peace being created by the ratification of the treaty by three great European powers, as it can and in all probability will be, no matter what we do, the question of any other power's accepting or rejecting its benefits or incurring its obligations is a matter in which that power is practically alone concerned.

That the foregoing is an accurate statement of the real situation is borne out to the fullest extent by the attitude which, according to the press, the Executive recently took through his personal and unofficial but all-powerful representative in Europe. The press then carried the information as to the President's colonel that "for the last four weeks in a quiet way he has been working to insure the league not starting without the United States as long as there was a chance that America could be the third power to ratify the Versailles treaty"; that he "has been working against considerable opposition to prevent the league plans from proceeding too rapidly"; and that he had induced Great Britain and France to bring pressure to bear upon Italy and Japan to the end that they should not ratify the treaty and thus put it into operation.

Mr. McCORMICK. Mr. President, to whom does the Senator refer?

Mr. KNOX. I supposed everybody knew who the President's colonel was—the silent House.

Mr. McCORMICK. The silent statesman from Texas?

Mr. KNOX. Exactly so. I accept the amendment. That is to say, the President's colonel has been deliberately intermeddling in this situation in order to force the Senate to ratify this treaty without amendment or reservation, by allowing the Executive to continue to hold over this body as a club a false public opinion of the country built up and sustained on the erroneous supposition that peace can not come to us without our ratification of the treaty and that ratification with amendments or reservations on our part would require the reassembling of a new peace conference, and therefore the indefinite delay of peace.

May I digress long enough to observe that we have here before our eyes an example of the way in which our domestic affairs may be operated when we join the league? Here are two great powers of Europe joining in a conspiracy with our own Executive and aiding and abetting him in his deliberate and avowed intention of imposing upon the American people the treaty burdens and obligations which a great part of them are unwilling to undertake and which a majority of this very body is unwilling to sanction. If coercion such as this can be brought to bear



before the league goes into effect, may we not pause, consider, and ask ourselves what may happen after the league is established?

We have also had pictured for us the sorry, even decrepit, figure we shall cut when "hat in hand" we humbly beseech Germany for her consent to modify this treaty in accordance with the reservations and amendments we may make. Assuming, as I feel I may and indeed as I must assume from the course events are taking, that three of the great powers will ratify this treaty as it is written without any changes whatsoever, and that, therefore, under the terms of the treaty it will thus go into effect, then what is there, I ask you, sir, that Germany can possibly consent to that will in any way, even the slightest, modify her obligations under this treaty? We can not by such a course change her indemnity, we can not change one important commission, we can not change one obligation which runs from Germany to the great powers under this treaty. And what obligation, pray—let but one be named—is there which runs from us to Germany to which her assent is needed for modification or to ameliorate which we need to approach as a suppliant either the German people or a German Government? It is certain, for example, that we can mitigate the provisions which run in our favor from Germany if we care to, but we probably should not have to crawl into the German presence upon our hands and knees, or even upright with "hat in hand," in order to get consent to this.

I repeat, it is not possible for us to force otherwise than by arms or by economic measures as potent as arms any change in this treaty as against either the allied powers or Germany, and it is not possible for any action which we take here to affect any of the obligations which run from Germany to the allied and associated powers if three of the powers ratify the treaty as written except in the one particular which I have already suggested in an earlier speech, namely, if we release in favor of Germany or of the powers the indemnities and the rights which Germany by this treaty has granted in our favor.

Why, then, this absurdity about reconvening the peace conference? Or can a majority of the people be fooled all the time?

In so far as the reestablishment of our commercial relations with Germany is concerned, I again advert to the fact that when this treaty goes into effect the status of war will be terminated and we shall be on a basis of peace with all its attendant rights and privileges. I also again call attention to the fact that so soon as the status of war is ended, "official relations with Germany and with any of the German States will be resumed by the allied and associated powers." All our consuls will reenter, our diplomatic representatives will be sent to Germany, and we shall be in the same position we were before the war, and this will happen when the treaty goes into effect, whether we ratify this treaty unamended, whether we ratify it with reservations and amendments, or whether we do not ratify it at all. Here again the people of the United States have been deliberately misled by the proponents of this league.

RESOLUTION OF RATIFICATION BY THE SENATE OF THE CONVENTION FOR THE SETTLEMENT OF INTERNATIONAL DISPUTES, SIGNED AT THE HAGUE, 1907.

APRIL 2, 1908.

*Resolved (two-thirds of the Senators present concurring therein),* That the Senate advise and consent to the ratification of a convention signed by the delegates of the United States to the second international peace conference held at The Hague from June 16 to October 18, 1907, for the pacific settlement of international disputes, subject to the declaration made by the delegates of the United States before signing said convention, namely:

"Nothing contained in this convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions of policy or internal administration of any foreign State; nor shall anything contained in the said convention be construed to imply a relinquishment by the United States of its traditional attitude toward purely American questions."

*Resolved further, as a part of this act of ratification,* That the United States approves this convention with the understanding that recourse to the permanent court for the settlement of differences can be had only by agreement thereto through general or special treaties of arbitration heretofore or hereafter concluded between the parties in dispute; and the United States now exercises the option contained in article 53 of said convention to exclude the formulation of the "compromis" by the permanent court and hereby excludes from the competence of the permanent court the power to frame the "compromis" required by the general or special treaties of arbitration concluded or hereafter to be concluded by the United States, and further expressly declares that the "compromis" required by any treaty of arbitration to which the United States may be a party shall be settled only by agreement between the contracting parties, unless such treaty shall expressly provide otherwise.

"SENATE RESOLUTION OF RATIFICATION.

"IN EXECUTIVE SESSION,  
"SENATE OF THE UNITED STATES,  
"January 11, 1892.

*Resolved (two-thirds of the Senators present concurring therein),* That the Senate advise and consent to the ratification of the general act signed at Brussels July 2, 1890, by the plenipotentiaries of the United States and other powers for the suppression of the African slave trade, and for other purposes.

*"Resolved further,* That the Senate advise and consent to the acceptance of the partial ratification of the said general act on the part of the French Republic and to the stipulations relative thereto as set forth in the protocol signed at Brussels January 2, 1892.

*"Resolved further, as a part of this act of ratification,* That the United States of America, having neither possessions nor protectorates in Africa, hereby disclaims any intention, in ratifying this treaty, to indicate any interest whatsoever in the possessions or protectorates established or claimed on that continent by the other powers, or any approval of the wisdom, expediency, or lawfulness thereof, and does not join in any expression in the said general act which might be construed as such a declaration or acknowledgment; and, for this reason, that it is desirable that a copy of this resolution be inserted in the protocol to be drawn up at the time of the exchange of the ratification of this treaty on the part of the United States.

"Attest:

"ANSON G. MCCOOK, Secretary.  
"By CHAS. W. JOHNSON, Chief Clerk."

DEPOSIT OF THE RATIFICATION BY THE UNITED STATES.

[Protocol—Translation.]

February 2, 1892, conformably to article 99 of the general act of July 2, 1890, and to the unanimous decision of the signatory powers which prorogued to February 2, 1892, for the United States the term provided for in the same article 99, the undersigned envoy extraordinary and minister plenipotentiary of the United States of America has deposited in the hands of the minister of foreign affairs of Belgium the ratifications of the President of the United States of the said general act.

At the request of his excellency, the following resolution, by which the Senate of the United States consented to the ratification of the President, has been inserted in the present protocol:

*"Resolved (two-thirds of the Senators present concurring therein),* That the Senate advise and consent to the ratification of the general act signed at Brussels July 2, 1890, by the plenipotentiaries of the United States and other powers, for the suppression of the African slave trade, and for other purposes.

*"Resolved further,* That the Senate advise and consent to the acceptance of the partial ratification of the said general act on the part of the French Republic and to the stipulations relative thereto, as set forth in the protocol signed at Brussels January 2, 1892.

*"Resolved further, as a part of this act of ratification,* That the United States of America, having neither possessions nor protectorates in Africa, hereby disclaims any intention, in ratifying this treaty, to indicate any interest whatsoever in the possessions or protectorates established or claimed on that continent by the other powers, or any approval of the wisdom, expediency, or lawfulness thereof, and does not join in any expressions in the said general act which might be construed as such a declaration or acknowledgment; and, for this reason, that it is desirable that a copy of this resolution be inserted in the protocol to be drawn up at the time of the exchange of the ratifications of this treaty on the part of the United States."

This resolution of the Senate of the United States having been preparatively and textually conveyed by the Government of His Majesty the King of the Belgians to the knowledge of all the signatory powers of the general act, the latter have given their assent to its insertion in the present protocol, which will remain annexed to the protocol of January 2, 1892.

Acknowledgment of this is given to the minister of the United States. The ratification of the President of the United States having been found in good and due form, acknowledgment of their deposit is equally given to his excellency Mr. Edwin H. Terrell; they will be preserved in the archives of the ministry of foreign affairs of Belgium.

At the moment of proceeding to the signature of the present protocol, the minister of foreign affairs of His Majesty the King of the Belgians made it known that the representative of Russia, in the note expressing the assent of his Government, expressed the opinion that it would have been desirable that a translation into the French language accompany in the protocol the English text of the resolutions of the Senate of the United States of America and that at all events the absence of this translation is not to form a precedent.

A certified copy of the present protocol will be addressed by the Belgian Government to the signatory powers of the general act.

Done at Brussels, February 2, 1892.

(Signed)

THE PRINCE DE CHIMAY,

The Minister of Foreign Affairs.

(Signed)

EDWIN H. TERRELL,

The Envoy Extraordinary and Minister Plenipotentiary,  
of the United States of America.

Copy certified conformable to the original.

[SEAL]

THE PRINCE DE CHIMAY,  
The Minister of Foreign Affairs.

Mr. WATSON. Mr. President, I am not much given to digging into the musty tomes of the CONGRESSIONAL RECORD for the purpose of proving inconsistency on the part of my fellow Senators or any other man in public life. I realize fully the strength of the old saw, "Consistency is for small minds," altogether too frequently invoked to prove wisdom on the part of those who constantly shift their position. But I am also aware of the fact that changing conditions bring changing minds; and therefore, except for the very remarkable shift in the mental attitude of my friend, the Senator from Nebraska [Mr. HITCHCOCK], with reference to equality of votes as between England and the United States, I would not advert to speeches made by him on the same subject upon a former occasion.

There is perhaps another reason which would make my remarks at this time peculiarly appropriate. The Senator has constantly maintained in speeches on the floor of the Senate that those of us who are opposed to this treaty as the President brought it back from France are animated solely by partisan reasons. The truth about it is that we have not believed that there was partisanship in this great question, and there was no reason why the Republican Party at any time should have sought to inject this question into politics or politics into this question. I have never seen a Republican in the United States



in my much traveling and much speaking who has not believed that the Republican Party had the next campaign already fought and the next victory won. I have never seen a Democrat with whom I have talked in private conversation but that admitted that his party was at least at a very great disadvantage in the approaching campaign. We believed that we had the victory already won—won upon the administration of the Democratic Party, won upon its railroad administration, upon its mismanagement of the telegraph and the telephone lines, upon its vast expenditures, and upon the general record, as we believed, of incompetency as displayed by the administration in Washington.

Therefore it was not essential in the mind of any Republican that any new issue should arise in order to enable the Republican Party to win, and it is wide of the mark to assert that the Republican Party insisted upon injecting this new question into the campaign in order that it might have a winning issue.

Upon the other hand, it might with far greater truthfulness be charged that the Democratic Party created a new issue; that they were seeking for some new light to be shed around them that might lead them out of the wilderness in which they have been wandering for the last three or four years. Why, Senators, we all recall that similar conditions existed in 1916, when we believed that on the economic problems presented the Democratic Party was destined to a sure defeat, and that a new issue was invoked which at that time enabled them to win the victory; and it might be charged that they are now seeking to adopt the same methods and pursue the same policy as brought them the administration in 1916; and yet, while we might with greater truthfulness charge that upon Members upon the other side, yet I never choose to attribute such motives to them. I believe that in proposing this course they have been guided by nothing but the highest and most patriotic impulses, and I ascribe to them no motives other or lower than those I claim for myself and for my associates.

Upon this side we have not had party harmony. There has been something of division, something of discord, something of dissent. Here there has been absolute independence of thought and of feeling and of action upon this problem, far more so than over upon the other side.

Therefore, so far as partisan politics is concerned, certainly it does not lie in the mouth of the Senator from Nebraska [Mr. HITCHCOCK] to charge that we are guilty of partisanship in the attitude we have assumed upon this question. So I think, although I do not directly charge it upon the Senator, that if any man can be said to be animated by partisan bias in this conflict, it is the Senator from Nebraska.

My reason for this assertion is that in 1911 there was brought here for ratification an arbitration treaty between Great Britain and the United States. That treaty was pending in this body from the 3d of August, 1911, until the 5th of March, 1912, or seven long months. This treaty has been here a scant four months, and yet we are charged with delay and with procrastination, and even with filibustering. That was simply a proposition to submit to arbitration future disputes between Great Britain and the United States, each side to select three for the purpose of establishing a tribunal to which controverted questions might be referred.

I call attention, in order to show the marked change that has come over the spirit of the dreams of my friend from Nebraska, to some of the provisions of that very modest treaty. Article 1 recites:

All differences hereafter arising between the high contracting parties, which it has not been possible to adjust by diplomacy, relating to international matters in which the high contracting parties are concerned by virtue of a claim of right made by one against the other under treaty or otherwise—

And mark this language—

and which are justiciable in their nature by reason of being susceptible of decision by the application of the principles of law or equity, shall be submitted to the permanent court of arbitration established at The Hague by convention of October 18, 1917—

It will be observed, Senators, that this provided for the submission of all justiciable questions. This left out altogether every question of national honor and all those other things that we have constantly held could not be arbitrated, because our national rights, our national honor, might be involved in the controversy. This omitted it, and the Senator from Pennsylvania [Mr. KNOX], who conducted the negotiations upon the part of the United States, he then being the Secretary of State in the Cabinet, has informed me that he purposely wrote those words in that treaty. So that, broadly considered, this treaty resolved itself into a proposition to appoint three men upon the part of Great Britain and three upon the part of the United States to act as a court of arbitration, to which might be referred all questions of dispute having no reference to national honor or to national life.

Now, let me proceed. The treaty continues:

or to some other arbitral tribunal, as shall (may) be decided in each case by special agreement, which special agreement shall provide for the organization of such tribunal if necessary, define the scope of the powers of the arbitrators, the question or questions at issue, and settle the terms of reference and the procedure thereunder.

The special agreement in each case shall be made on the part of the United States by the President of the United States, by and with the advice and consent of the Senate thereof, His Majesty's Government reserving the right before concluding a special agreement in any matter affecting the interests of a self-governing dominion of the British Empire to obtain the concurrence therein of the government of that dominion.

Such agreements shall be binding when confirmed by the two Governments by an exchange of notes.

#### ARTICLE 2.

The high contracting parties further agree to institute, as occasion arises and as hereinafter provided, a joint high commission of inquiry, to which, upon the request of either party, shall be referred for impartial and conscientious investigation any controversy between the parties within the scope of article 1 before such controversy has been submitted to arbitration, and also any other controversy hereafter arising between them, even if they are not agreed that it falls within the scope of article 1: *Provided, however*, That such reference may be postponed until the expiration of one year after the date of the formal request therefor, in order to afford an opportunity for diplomatic discussion and adjustment of the questions in controversy, if either party desires such postponement.

Whenever a question or matter of difference is referred to the joint high commission of inquiry, as herein provided, each of the high contracting parties shall designate three of its nationals to act as members of the commission of inquiry for the purposes of such reference; or the commission may be otherwise constituted in any particular case by the terms of reference, the membership of the commission and the terms of reference to be determined in each case by an exchange of notes.

#### ARTICLE 3.

The joint high commission of inquiry, instituted in each case as provided for in article 2, is authorized to examine into and report upon the particular questions or matters referred to it, for the purpose of facilitating the solution of disputes by elucidating the facts, and to define the issues presented by such questions, and also to include in its report such recommendations and conclusions as may be appropriate.

What power, then, had this joint high commission of inquiry? Listen to the definition as conferred by the terms of article 3:

The reports of the commission shall not be regarded as decisions of the questions or matters so submitted, either on the facts or on the law and shall in no way have the character of an arbitral award.

In other words, this was nothing more nor less, as the terms disclose, than a proposition to appoint a commission of three upon the part of England and three upon the part of the United States who should sit and listen to and inquire into disputed propositions between the two nations, with no power to determine and no authority to decide.

Yet, after my friend had made his speech, to which I shall refer, in which he expressed grave alarm as to the future dominance of Great Britain over the United States, they proposed and voted into this almost insipid agreement this safety clause.

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES.  
(Legislative day, Mar. 5, 1912; calendar day, Mar. 7, 1912.)

*Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of a treaty signed by the plenipotentiaries of the United States and Great Britain on August 3, 1911, extending the scope and obligation of the policy of arbitration adopted in the present arbitration treaty of April 4, 1908, between the two countries, so as to exclude certain exceptions contained in that treaty and to provide means for the peaceful solution of all questions of difference which it shall be found impossible in future to settle by diplomacy with the following amendments:*

I call my friend's attention to this as a remarkable reservation to preserve the independence and maintain the sovereignty of the United States, even as against a court of arbitration, with no power to decide and no authority to determine. Listen to it once more and see how nearly some of the reservations proposed to the pending treaty harmonize with it:

*Provided, That the Senate advises and consents to the ratification of the said treaty with the understanding, to be made part of such ratification, that the treaty does not authorize the submission to arbitration of any question which affects the admission of aliens into the United States, or the admission of aliens to the educational institutions of the several States, or the territorial integrity of the several States or of the United States, or concerning the question of the alleged indebtedness or moraled obligation of any State of the United States—*

Having reference to the bonds of Southern States—

or any question which depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions, commonly described as the Monroe doctrine, or other purely governmental policy.

So, even with that mild and pacific agreement, which provided nothing more than the selection of three upon each side, three upon the part of Great Britain and three upon the part of the United States, to which should be submitted all questions of dispute with no power to decide, the Senator announced that he would not vote for such a treaty because it would mean the domination of England over America without these very reservations, most of which we now seek to incorporate into this treaty.



Now, I want to call the attention of the Senate very briefly to some of the remarks made by my honorable friend, in order that I may compare them, I trust for the edification of the Senate, to the remarks made by the Senator to-day. He voted against the Johnson amendment, which was designed to give us as many votes as Great Britain and her colonies. He has announced that he would vote against these other amendments, one of which brings England's vote down to ours, the other of which gives us an equal vote with England and her colonies.

Now, bearing that in mind, I want to call attention to some remarks made by the Senator in his utterances at that time, as recently as March, 1912. At that time that treaty was under discussion, and the Senator used this language with reference to its inspiration:

I quoted from the speech of Sir Edward Grey in the House of Commons, in which he said that if the treaty should be ratified it would, in his opinion, probably be followed by other agreements between the United States and Great Britain, the effect of which would be that if Great Britain became embroiled in hostilities with another country having no such arbitration agreement the United States would go to the aid of Great Britain.

Because he thought there was involved in that treaty a possibility of the United States being compelled to go to the aid of Great Britain, he rose up to say that he would have none of it, and spewed it out of his mouth as an unworthy proposition. But let me proceed. He continued:

But my purpose to-day is to demonstrate to the Senate that the same purpose which Sir Edward Grey expressed as prevailing in Great Britain, that this treaty shall be only the first step toward an alliance between the two countries, exists in this country, existed in the initiation of the treaty. Moreover, I shall prove that it now dominates those who are attempting to influence the Senate of the United States by arousing the public opinion of the country in favor of the ratification of the treaty without the dotting of an "i" or the crossing of a "t."

The Senator waxed eloquent as to the danger that would come to the United States because the ominous shadow of Great Britain's greatness would be thrust across the coming pathway of the Republic. Then he proceeds:

So, Mr. President, I feel warranted in saying that the broadening language of this treaty is not what is sought by those who are pushing it. What they seek is the creation of the commission by which the Senate, representing the American people, shall lose in part, at least, its power to control the interpretation of the treaty.

Yet he would have none of it. That gnat he could not swallow. This present camel walks in with no impediment to its ingress.

He said further:

I might quote from some Americans who have openly declared themselves as in favor of an alliance with Great Britain; I might quote from our ambassador to Great Britain, who recently, in a banquet speech, has proclaimed his hope that there might be a unity of the English-speaking races, but I go by them. I say here, now, that the power behind the throne—

Here is the invidious force that my friend discovered:

the power which is forcing these treaties upon the Senate in their present form, which is arousing, or attempting to arouse, public sentiment for them, is the power of Andrew Carnegie's money.

There was the ominous power that thrust this combination, unholy in character, unpatriotic in nature, upon the Senate of the United States—Andrew Carnegie's money. He continued:

Not only has he created a board of trustees, consisting of some 27 members, and turned over to it \$10,000,000, but he has directly, through that organization, and also personally for himself, contributed to the support of all the leading organizations in the country which are at the present time, and have been for months, engaged in stirring up the people of the United States to petition the Senate to ratify these treaties—

Listen to this old language—

without dotting an "i" or crossing a "t."

Mr. McCORMICK. Stirred up the people to petition the Senate?

Mr. WATSON. To petition the Senate. What a monstrous proposition. And it called forth all the language of wrath of which my friend was capable, and he hunted the dictionary to find new adjectives in which to inveigh against the men who were seeking to influence the people to control the Senate of the United States, as I shall further show.

Then followed a description of the various institutions that had been organized in the United States and the various societies that had been incorporated for the purpose of stirring up public sentiment to control the Senate of the United States. Then he concluded by saying:

I say that it is brought to bear for this treaty, not because the treaty proposes arbitration—

Although that is all there was to it, I may say in passing—not because it broadens the scope of arbitration, because the Senator from Massachusetts said yesterday that, with all those desirable provisions, still the treaty would probably be rejected if the Senate were to cut out of it that provision which creates the joint high commission and permits it to supersede the Senate in the interpretation of the terms of the treaty itself. It is the joint high commission which is desired. It is the Carnegie idea to bring together the two Governments of the United States and Great Britain into one official body.

And so the Senator saw in the womb of the future this awful threat of a union of Great Britain and the United States, involved and wrapped up in the feeble terms of that mere arbitration treaty, that proposed, and I repeat because it is worthy of repetition, only three men from England and three men from the United States, to constitute a board of arbitration to which all questions of dispute might be submitted, save only questions of national honor and questions of national life. After they had fully determined upon it, what was their power? It was only to report, but with no authority to enforce their decree.

Mr. McCORMICK. Mr. President, will the Senator yield for a question?

Mr. WATSON. Certainly.

Mr. McCORMICK. Was it proposed at that time that the British members of the board should be 18, and 3 for the United States? I am seeking the real basis of the objection of the Senator from Nebraska. Perhaps the failure to make such a provision led to his opposition to the treaty.

Mr. WATSON. I think not. I think my friend from Illinois will conclude later on that even three to three aroused the Senator's alarm, lest Great Britain might overreach us by their diplomacy, as I shall show by a remark later on.

It is influences of this sort, influences due to the money of Mr. Andrew Carnegie, which inflict upon Senators such postal-card communications as I have here—

Evidently holding one up—

Something like a hundred received this week, within a few days, with my name printed upon the front of the postal card and a request upon the back of the postal card that I vote for these treaties.

Heaven spare the mark! Mr. President, I forbear from further comment, but the Senator himself has gotten up on the floor from time to time and read letters and presented newspaper articles and has read innumerable telegrams from the State of the Senator from California—what for?

With my name printed upon the front of the postal card and a request upon its back that I vote for this treaty.

So the Senator has seen fit to resort to the methods to force this treaty that he then so forcefully denounced and so bitterly characterized. He goes on further and says, after speaking of these various petitions that came to him from his constituency and from other parts of the Republic:

And I pay as much attention, when I receive a communication in the cramped, trembling hand of a farmer as I would to a communication dictated in the office of a banker or a business man; but I do not bow to a public opinion aroused in this artificial way, simply by the use of money, to carry out a purpose to make a false union a real alliance between the United States and Great Britain.

Let me go on, because if I get to commenting I will take too much time. So many things spring to one's mind when he reads a speech of that kind, and contrasts the remarks with those made by the Senator to-day and other remarks made by him upon the pending treaty in the days gone by, that language fails to draw the parallel or the imagination to compass the conversion of the Senator from Nebraska.

Then, in another speech, on the 14th, the Senator said:

This fear of an alliance between England and the United States is not my own fear. It was the interpretation placed upon these treaties by the secretary for foreign affairs of Great Britain, not in interviews, nor as a matter of rumor, but in a reported speech in the House of Commons, and I said that if Great Britain were entering into these treaties with that understanding of their ultimate result, it was something which we in the United States—

Listen to this—

It was something which we in the United States, who want no entangling alliance, should take into account very seriously.

He was speaking only of that mild arbitration treaty.

He said in a further speech:

There has been a good deal of a disposition on the part of orators who have appeared before various public meetings, and on behalf of writers who have put forth their printed arguments, to arrogate to themselves a monopoly of the particular custody of the dove of peace, a disposition to assume that they, and only they, favor the idea of the peaceful settlement of international differences. The people have been led to believe that unless they arouse themselves to influence the Senate of the United States to ratify these treaties in the exact form that they come from the State Department and the President, without the dotting of an "i" or the crossing of a "t," we would probably be involved in hostilities with Great Britain.

Think of it, Senators. Think of the fear that the fancy of my friend engendered, and think of the spooks and goblins with which his imagination peopled the air, if they ratified that simple treaty between Great Britain and the United States providing for a commission of three, and three simply to investigate, with no power to report with authority.

We are told that it is perfectly constitutional for the Senate of the United States to ratify this treaty, and thus abdicate for the future its right to pass upon the application and rule on the interpretation of the treaty. Mr. President, it may be constitutional, but I do not think it wise—

Listen to this—

Because I believe that it will involve us in future trouble. I do not believe it safe, because I believe it will embroil us in innumerable international difficulties in the future in the application of the treaty.

And yet the Senator takes this new treaty, the council with its power, the assembly with its authority, the league with its scope—takes it all, and not only that but insists that not to take it is unpatriotic. The Senator from Nebraska continued:

It certainly is not American. There is at the present time, and always has been, this radical difference between the treaty-making power of the monarchies of Europe and the treaty-making power of the United States. In the United States the President can not make a treaty and have it approved and executed by his Cabinet or appointees after the European fashion, but he is required, under the Constitution, to submit it to the Senate for its ratification. That—

Said the Senator—

is not the American idea.

And yet, my friends, when we stop to consider the manner in which this treaty was formulated and brought into the United States and contemplate the meekness—and I do not say it offensively—of the Senator in accepting it, we can not but believe his conversion between then and now is more astounding than that of Paul on his way to Damascus.

It is the American idea that the representatives of the people shall have a voice in the ratification of a treaty, but if this proposed clause of section 3 becomes a part of the treaty, that difference disappears as far as our relations with Great Britain are concerned. Hereafter the interpretation of that treaty and the application of it pass from the hands of the Senate into the control of the commission, whose American members are appointed by the President of the United States.

Then the Senator from Nebraska was not willing to submit these questions, wholly for debate, to a joint commission of inquiry where three men were appointed by the President of the United States; but now without a grimace swallows the proposition to submit to a council, where but one man represents the United States, all the mighty power conferred upon this league by article 10, article 12, article 15, and the other articles that bestow jurisdiction and confer authority.

Mr. FALL. Mr. President, will the Senator yield for a question?

Mr. WATSON. Certainly.

Mr. FALL. The Senator is quoting from a speech delivered to the Senate by the Senator from Nebraska on January 4, 1912, I think. I should like to ask the Senator if the Senator from Nebraska at that time did not refer to the fact that the then existing arbitration treaty guarded the vital interests and the national honor of the United States, and that there was nothing in the then pending treaty which he was discussing which did guard such interests, and did he not give that as one of his objections to it?

Mr. WATSON. He certainly did. Will the Senator kindly read that part of it?

Mr. FALL. The Senator from Nebraska said:

The existing treaty—

That was the Roosevelt-Root treaty—

left it for the President and the Senate to decide, on behalf of the United States, what were vital interests, what is involved in the term national honor, and what was meant by third parties. The pending treaty, however, does not leave the decision of what is justiciable difference to the President and the Senate. It creates a joint high commission and empowers this joint high commission of six members to decide what questions are justiciable and what are not justiciable.

I call the attention of the Senator to the language used at that time by the Senator from Nebraska, because the now pending treaty, which the Senator from Nebraska is so vigorously supporting, provides for a commission of nine, of whom the United States has one member, for the decision of questions in which the United States is interested.

Mr. WATSON. I thank the Senator for his interruption, because it throws additional light upon the very remarkable change of the Senator from Nebraska. But I call attention to one or two other quotations from his speech, and I am especially anxious that Senators may listen to this, because I think it is the very crux of his argument and goes to the very core of the question.

But, Mr. President, there is another objection to this particular clause of the treaty which creates this joint high commission. It will involve us in an entangling alliance with Great Britain.

I have already called attention to the very feeble character of the proposed commission and the fact that it possessed no power and exercised no authority, and have recited how all of the reservations I have read were proposed—reservations like unto those pending here now, which the Senator from Nebraska is fighting with might and main, and yet at that time he voted for those and vehemently declared that if they were rejected from that treaty he would not support it, because it would endanger the future of the country and establish an alliance with Great Britain. And then the Senator continued:

I have a great admiration, Mr. President, for the British people, but I am not in favor of departing from the old American idea of isolation.

I warmly commend my friend's words to him now.

I do not believe in an entangling alliance with any country, and I believe it is capable of demonstration that this treaty is regarded—in England, at least—as the first step toward an English-American alliance. \* \* \* Mr. President, that language is peculiarly significant—

Speaking of certain language to which he refers—

coming at a time when the relations between Great Britain and Germany were strained—as, to some extent, they still are strained—coming from the secretary of state for foreign affairs of Great Britain, and having particular reference to the treaty with the United States, can we put any other interpretation upon that language than to say that, in the opinion of Sir Edward Grey, if the treaty were made between Great Britain and the United States and Germany refused to enter into such a treaty of arbitration and had a quarrel with Great Britain the next natural step would be for the United States and Great Britain to join each other as against Germany? There is no other possible interpretation that can be placed upon the speech of Sir Edward Grey.

Mr. FALL. Will the Senator yield for a moment?

Mr. WATSON. Certainly.

Mr. FALL. Is that the same Sir Edward Grey who is now the ambassador of Great Britain to the United States of America?

Mr. WATSON. That is my understanding—the same Sir Edward Grey. Yet the Senator from Nebraska was not willing to accept the modest treaty then pending containing mild provisions and limited in power, because if there was trouble between Great Britain and Germany the United States, under its provisions, would be compelled in honor to fly to the succor of Great Britain; but now he is entirely willing to accept a treaty which compels the United States to guarantee the territorial integrity and the political independence of all the members of the league and places the burdens of the world upon the shoulders of the people of America. The Senator from Nebraska continued:

It is in accord with a widespread desire in Great Britain for an alliance between the United States and Great Britain. That this desire is harbored also by many people in the United States may be true, but it is certainly not the American idea and it is certainly not in accord with the traditions of this country. It is evident that this speech, so interpreted, affords ample ground for the belief that England, for her own purposes, desires this treaty as a basis for an alliance in the future with the United States. We certainly want no alliance with any country and must avoid becoming so involved.

How heartily I commend the language and the wisdom of my friend to him in this time of turmoil and doubt.

Mr. FALL. Mr. President, probably, as suggested by the Senator from Illinois, the difficulty was that under the proposed alliance which was then so vigorously denounced, England had only an equal vote with the United States, while now it is proposed that she shall have six votes to our one.

Mr. WATSON. Which the Senator from Nebraska favors. I quote further from the remarks of the Senator from Nebraska on the occasion referred to:

The distinguished Senator from Mississippi [Mr. WILLIAMS] has recently published a small document, which he has distributed undoubtedly to all Members of the Senate, in which he argues that while the joint high commission has the power, in the first place, to decide what questions are justiciable, yet the Senate can exercise a restraint over the joint high commission, and can modify or nullify its act by refusing to give consent to the agreement which must be made for each specific case before it is submitted to arbitration. That of itself is an argument against the creation of the commission. It involves a doubt. It is likely to place the Senate of the United States in a position where it must either recognize the authority of the joint high commission and accept its interpretation, however obnoxious, or it must repudiate the decision of the joint high commission, and leave us open to the charge of bad faith in entering into this treaty; in other words, the provision giving the joint high commission that power is either a danger or, as the Senator from Mississippi would argue, it is a humbug. In either case it is likely to involve us in future controversies as to its interpretation.

Mr. President, the simple language of that treaty the Senator could not accept because it involved a doubt; and yet all of the murky sentences, all of the involved phrases, and all of the doubtful constructions involved in the interpretation of every section of the pending treaty he accepts, and insists that it is unwise and unpatriotic to change even the dotting of an "i" or the crossing of a "t," to use his own language, to which I respectfully refer him.

Now, let me go on to the finality.

Mr. FALL. Mr. President, before the Senator from Indiana skips, as he has just suggested that he might do—

Mr. WATSON. I am skipping a great deal.

Mr. FALL. I ask him if he does not find the following language also, which, it strikes me, is very significant, coming from the tongue of the Senator from Nebraska:

Mr. President, anyone looking onto the future, I believe, must admit that if this treaty, as it comes to us, is ratified by the Senate and goes into effect Great Britain will have ten times the number of demands upon us for arbitration of questions in which she is interested as the proponent that we will have upon her. That is the natural course of



events. Her interests are such, her policies are such, that she will be constantly seeking to restrain us and interfere with the American policies of this country.

Mr. WATSON. I was about to read that, I will say to the Senator.

Mr. FALL. I beg the Senator's pardon.

Mr. WATSON. That is all right; go right on and finish the sentence.

Mr. FALL. The Senator from Nebraska continued:

For that reason I think this country would be unwise to put itself, by an ironclad and practically unlimited treaty, in the position of promising to submit everything to arbitration that is justiciable, and then leave the question of justiciability to a mixed commission whose three American members are appointed by the President and responsible only to him.

Mr. WATSON. "And responsible only to him."

Mr. FALL. The Senator from Nebraska continued:

The interests of the country will be safer in the care of the Senate, and its restraint on the President should be maintained as provided in the Constitution.

Mr. WATSON. Which is a very significant clause in the speech of the Senator from Nebraska. I think it might be well if Senators would to-morrow read the part of the speech of the Senator which the Senator from New Mexico has read into the Record, because it is peculiarly appropriate at this time. And, that the Senate may catch the full significance of these statements, I repeat them:

Any one looking into the future, I believe, must admit that if this treaty as it comes to us is ratified by the Senate and goes into effect Great Britain will have ten times the number of demands upon us for the arbitration of questions in which she is interested as the proponent that we will have upon her. That is the natural course of events. Her interests are such, her policies are such, that she will be constantly seeking to restrain us and interfere with the American policies of the country.

If that were true then, how much more true is it now? If it were simple then, how complex has it now become? If it were one thing then, how multiplied the danger that arises from the document which now demands our attention? But that does not in the slightest degree affect the complacency of our friend from Nebraska.

Mr. FALL. Mr. President, I should like to have the Senator from Indiana emphasize the fact that with all the dangers staring us in the face and which we must confront at that time Great Britain had only an equal number of votes with the United States.

Mr. WATSON. Certainly.

Mr. FALL. While now she has six to one.

Mr. WATSON. I think I have called attention, or tried to call attention, over and over again to the fact that the Senator from Nebraska saw all of those dangers and that ominous cloud upon the horizon threatening to swoop down upon us and paralyze us with its terror under a proposed treaty where England had but three votes and we had three, and yet he accepts without a tremor with perfect complacency and supreme self-confidence the proposition now before us under which England has six votes and we have but one.

To resume reading from the address of the Senator from Nebraska:

Mr. President, the question raised by the Senator from Maryland as to the interpretation of this particular clause gives added force to what I have said, that it is proposed here to adopt a treaty and to incorporate in it a new idea concerning which there must inevitably be differences of opinion. I will quote, however, in order to make my remarks understandable, the exact language of the treaty at this point.

Then occurred a colloquy between the Senator from Nebraska and the Senator from Maryland, following which the language of the treaty was quoted; but I hurry on.

Now, I wish to call the attention of the Senate to this language in the speech of the Senator from Nebraska which was his climax, and I will make it mine. The Senator said:

But, to resume, I think if we look over the history of the United States in recent years we will conclude that we are in more danger from the diplomats of Great Britain than we are from her dreadnoughts, and I object to any treaty which is likely further to complicate the relations between the countries and which is likely to open the door to further diplomatic concessions of an international nature.

I am in favor of the pending treaty, providing the last portion of article 3, which empowers the high joint commission to supersede the Senate of the United States in the interpretation of treaties, is stricken out; and I also favor some declaration in the resolution of ratification that we except specifically from further arbitration such questions as involve our permanent national policies or such questions as relate purely to matters of American government.

Senators, I have thought it worth while to go back into the CONGRESSIONAL RECORD and dig up the speeches made by the Senator from Nebraska when that mild treaty was pending before the Senate of the United States—and it was pending here for seven months—upon which the Senator from Nebraska made three different assaults, and for which he would not consent to vote unless it was so radically modified as to leave it absolutely

insipid. It must not be forgotten, for that is the main point of the controversy, that there were provided but three representatives of the British Empire and three representatives of the United States, constituting merely a court of arbitration, with no final power to decide and no ultimate authority to determine; and yet the Senator saw in that instrument an ominous danger to the institutions of the United States, because it was a document, no doubt, subject to future interpretation, and because in it might lurk the ultimate dominance of Great Britain over the United States, and because he saw in it the handiwork of British statesmen more direful and dangerous than her dreadnoughts. And now, in unbelievable contrast, he cheerfully—aye, gleefully—champions a proposition to place all the resources of the United States at the disposal of the same Great Britain to maintain her territorial integrity and her imperial unity throughout all coming time.

And now the Senator comes into the Senate every day and in language vehement and denunciatory assails those of us who are not willing to accept the pending proposition without—to use his favorite phraseology—the dotting of an "i" or the crossing of a "t." I stand with the Senator of 1912; I am against the Senator of 1919.

Mr. FALL. Mr. President—

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

Mr. WATSON. I yield.

Mr. FALL. There is so much good material and so much Americanism in the speech which the Senator from Indiana has been referring that naturally it is difficult for one Senator to select from the great abundance—

Mr. WATSON. Of rich material.

Mr. FALL. It is difficult to select those beautiful jewels of American thought which fell at that time with such eloquence from the lips of the Senator from Nebraska. For that reason I have been assisting the Senator in a slight degree.

Mr. WATSON. I thank the Senator very much.

Mr. FALL. However, before the Senator closes the quotation, I should like to call attention to these words:

Are we, under these circumstances, proposing to submit the interpretation of the treaty to three Americans, nominated by the President, and associated with three British commissioners, rather than to have it remain where it has remained for all time—in the Senate of the United States—and where the Constitution intended it should remain?

Mr. President, I might suggest that under the direct provision of the league covenant it is distinctly provided that among the subjects of which the council shall have cognizance are disputes concerning treaties. The Senator from Nebraska at that time, when arbitration was suggested, thought that no power except the Senate should speak upon such a question, and repudiated, with some degree of heat, I might say, the suggestion that even in a preliminary way the commissioners of the United States and three commissioners of Great Britain could pass upon it.

Mr. WATSON. Mr. President, there are so many nuggets of wisdom and patriotism in the three speeches of the Senator from Nebraska, from which I have taken certain excerpts, that I think they should be published connectedly, and I ask unanimous consent to insert in the RECORD those addresses as they have been compiled in the document from which I have read.

Mr. FALL. Mr. President, in connection with this subject, before the Senator closes, in view of the disposition shown by the Senator from Nebraska to question the good faith of the Senators who are opposed to the treaty, and rather to insist that they have been attempting to delay final action upon it, it might be pertinent to suggest that the pending treaty came into this body about three months ago, and that the treaty which the Senator was so vigorously opposing at that time was in course of ratification seven months.

Mr. WATSON. I will say to the Senator that I have already adverted to that fact.

Mr. FALL. I am glad the Senator did.

The PRESIDING OFFICER. Without objection the addresses referred to by the Senator from Indiana will be printed in the RECORD.

The matter referred to is as follows:

[CONGRESSIONAL RECORD, 62d Cong., 2d sess. (Feb. 15–Mar. 9, 1912), vol. 48, pt. 3, pp. 2943, etc.]

"IN THE UNITED STATES SENATE,  
March 7, 1912.

SPEECH OF SENATOR HITCHCOCK.

"Mr. HITCHCOCK. Mr. President, several weeks ago, speaking on the subject of the pending arbitration treaty with Great Britain, I undertook to show that in Great Britain the pending treaty was regarded as the first step toward an alliance between the United States and Great Britain. I quoted from the speech of Sir Edward Grey in the House of Commons, in which he said that if the treaty should be ratified it would, in his opinion, probably

be followed by other agreements between the United States and Great Britain the effect of which would be that if Great Britain became embroiled in hostilities with another country having no such arbitration agreement the United States would go to the aid of Great Britain. The speech of Sir Edward Grey had a peculiar significance at the time, because it was delivered when relations between Great Britain and Germany were strained to the breaking, and it had a peculiar significance also because Sir Edward Grey stood then and now stands at the head of the great department of foreign affairs of Great Britain. Not only that, but he had been one of those who had initiated the negotiations for the treaty.

"Mr. President, my purpose to-day is to demonstrate that there exists in the United States a similar purpose to that which Sir Edward Grey describes. If the Senator from New York [Mr. Root] is right in saying that the speech of Mr. Secretary Knox, delivered before a public meeting in an American city, shall be taken as a means of interpreting this treaty, how much more, from the British standpoint at least, shall we say that the speech of Sir Edward Grey, delivered in his official capacity in the House of Commons, has the same effect as placing the British interpretation upon that treaty?

"But my purpose to-day is to demonstrate to the Senate that the same purpose which Sir Edward Grey expressed as prevailing in Great Britain, that this treaty shall be only the first step toward an alliance between the two countries, exists in this country, existed in the initiation of the treaty. Moreover, I shall prove that it now dominates those who are attempting to influence the Senate of the United States by arousing the public opinion of the country in favor of the ratification of the treaty without the dotting of an "i" or the crossing of a "t."

"Mr. President, what is the importance of this treaty? Does it lie in the fact that the treaty does away with certain exceptions in the old treaty? The treaty which we have now provides that we shall arbitrate all questions with Great Britain that do not involve national honor, vital interests, or third parties. One might think that doing away with these exceptions would give us a new treaty to be hailed with delight by those who stand for universal arbitration; but we heard upon the floor of the Senate yesterday a statement made by the Senator from Massachusetts [Mr. Lodge] that, in his opinion, the treaty would fail and be rejected by Great Britain if the Senate of the United States should strike out a part of article 3, which gives to the commission the power to interpret the treaty; that is, that Great Britain would not want the treaty with all its broad provisions; would not want the treaty with its enlarged powers for the arbitrators; would not want the treaty with its broader scope of arbitration unless the Senate consented to have the joint high commission remain as the feature of the treaty—the commission, which able lawyers have asserted and which they to-day believe, will supersede the Senate of the United States in interpreting the treaty.

"So, Mr. President, I feel warranted in saying that the broadening language of this treaty is not what is sought by those who are pushing it. What they seek is the creation of the commission by which the Senate, representing the American people, shall lose in part, at least, its power to control the interpretation of the treaty.

"I might quote from some Americans who have openly declared themselves as in favor of an alliance with Great Britain; I might quote from our ambassador to Great Britain, who recently, in a banquet speech, has proclaimed his hope that there might be a unity of the English-speaking races; but I go by them. I say here now that the power behind the throne, the power which is forcing these treaties upon the Senate in their present form, which is arousing, or attempting to arouse, public sentiment for them, is the power of Andrew Carnegie's money. Not only has he created a board of trustees, consisting of some 27 members, and turned over to it \$10,000,000, but he has directly, through that organization, and also personally for himself, contributed to the support of all the leading organizations in the country which are at the present time, and have been for months, engaged in stirring up the people of the United States to petition the Senate to ratify these treaties without the dotting of an "i" or the crossing of a "t."

"We have, first, the American Peace Society, with its branches in all parts of the United States, a powerful body, and if it would devote its energies to the securing of international peace and the increase of the practice of arbitration, I would acclaim it a patriotic organization.

"There is, second, the Federal Council of the Churches of Christ in America, which is busily at work among the religious organizations, using Andrew Carnegie's money, arousing the people of the churches to take action, without even knowing

whether there is an existing arbitration treaty or not or what the terms are of the proposed new arbitration treaty.

"There is, third, the American Association for International Conciliation, a great organization, which boasts that it sent out at one time 250,000 copies of a document.

"Fourth, there is the American Peace Arbitration League of New York.

"Fifth, there is the National Committee to Celebrate the Peace Anniversary Between the United States and Great Britain.

"Referring to the last of these, I want to read some of the objects that are to be attained by this peace-celebration committee of which Andrew Carnegie was the chairman. One of them is:

"That an unlimited arbitration treaty between Great Britain and the United States shall be negotiated and signed, a project which bids fair to be accomplished before the anniversary.

"Another object is:

"That a special textbook devoted to the relations of the United States with Great Britain, and especially with Canada, for the last century, shall be prepared under the direction of competent historians in both countries and used in all schools where the English language is spoken during the period preceding the centennial anniversary of the signing of the treaty of Ghent, and that the schools shall then join in its celebration.

"A textbook to rewrite the history of relations between the United States and Great Britain as though history was not already correct, as though it must be censored and amended!

"Another of the objects of this association is:

"That Sulgrave Manor, in Northamptonshire, England, the home of George Washington's ancestors, shall be purchased by popular subscription in both countries as a visible monument to the cordial relations existing between the two great branches of the English-speaking peoples.

"I shall not stop to read all of the other purposes, many of which are foreign to the legitimate purpose of a celebration, but which have been brought in there as expressing the personal desires of Andrew Carnegie.

"But, now, Mr. President, I am going to read from an article written by Andrew Carnegie 20 years ago, when he was in his prime, which expresses, as is evident, the passionate desire of his heart that the United States shall again become an integral part of the British Empire. I read from the North American Review of 1893 the following most astonishing language. I had a faint recollection of it, but I was amazed recently on sending for the volume to read the exact language. I only quote certain paragraphs in the article.

"Mr. Carnegie says, in opening his article:

"Until a little more than a hundred years ago the English-speaking race dwelt together in unity, the American being as much a citizen of Britain as the Scotchman, Welshman, or Irishman. A difference, unhappily, arose under the British constitution, their common heritage, as to the right of the citizens of the older part of the State to tax their fellows in the newer part across the sea without their consent; but separation was not contemplated by Washington, Franklin, Adams, Jefferson, Jay, and other leaders. On the contrary, these great men never ceased to proclaim their loyalty to, and their desire to remain part of, Britain; and they disclaimed any idea of separation, which was indeed accepted at last, but only when forced upon them as a sad necessity from which there was no honorable escape if they were to maintain the rights they had acquired, not as American but as British citizens.

"Think of it! The author of the Declaration of Independence is pictured as never having ceased to proclaim his loyalty to, and desire to remain a part of, Britain! The great patriot at the head of our armies is described as always proclaiming his loyalty to Great Britain.

"I turn to page 690 of the same volume and find this:

"Both Briton and American being now fully agreed that those who made the attempt to tax without giving the right of representation were wrong, and that in resisting this the colonists vindicated their rights as British citizens, and, therefore, only did their duty, the question arises: Is a separation thus forced upon one of the parties, and now thus deeply regretted by the other, to be permanent? I can not think so, and I crave permission to adduce some considerations in support of my belief that the future is certainly to see a reunion of the separated parts and once again a common citizenship.

"I turn now to page 702 of the same volume. He had, prior to this, been discussing the various objections, which he proceeds to remove by a very careful argument of minute detail and particularity. He then gives this little review of a reunited empire:

"Numerous as would be the States comprising the reunited nation, each possessing equal rights, still Britain, as the home of the race, would ever retain precedence—first among equals. However great the number of the children who might sit around her in council, there could never be but one mother, and that mother Britain.

"I turn now to page 708 of the same volume:

"Let no man imagine that I write as a partisan in dealing with these questions. I know no party in this great argument, either in America or in Britain. Whatever obstructs reunion I oppose; whatever promotes reunion I favor. I judge all political questions from this standpoint. All party divisions sink into nothingness in my thoughts compared with the reunion of our race.



"And then I turn, in conclusion, to the last paragraph of the article:

"Let men say what they will, therefore; I say that as surely as the sun in the heavens once shone upon Britain and America united, so surely is it one morning to rise, shine upon, and greet again 'the reunited States'—the British-American union.

"Mr. President, I have read parts of that article by Andrew Carnegie in order to show his life's purpose. In a great Republic like the United States the opinion of an individual, however great, might not amount to much; the influence which he may exercise may not be great, but consider that this man, animated by this purpose, is the possessor of three or four hundred million dollars, wrung from the industry of the American people by the favor of law; that he is in a position to devote \$10,000,000 here and \$20,000,000 there to educational purposes; that this money can be used to influence churches, to hire orators, to organize press bureaus. To thus mold public opinion his wealth is sufficient to bring considerable influence to bear upon the Senate. I say that it is brought to bear for this treaty, not because the treaty proposes arbitration, not because it broadens the scope of arbitration, because the Senator from Massachusetts said yesterday that, with all those desirable provisions, still the treaty would probably be rejected if the Senate were to cut out of it that provision which creates the joint high commission and permits it to supersede the Senate in the interpretation of the terms of the treaty itself. It is the joint high commission which is desired. It is the Carnegie idea to bring together the two Governments of the United States and Great Britain into one official body.

"It is well, Mr. President, when we are on the eve of voting upon this treaty to take an account and to realize that all the so-called public opinion which has been brought to bear upon the Senate in favor of this treaty containing, as it does, that commission provision is not chiefly in the interest of arbitration. That is not the motive behind the mighty power which has aroused this public sentiment, so called. The motive behind that purpose is to bring about an alliance, at least, as Sir Edward Grey himself said, between the United States and Great Britain, and force the United States to abandon its position of isolation, friendly with all nations, but having no entangling alliances with any.

"It is influences of this sort, influences due to the money of Mr. Andrew Carnegie, which inflict upon Senators such postal-card communications as I have here—something like a hundred received this week, within a few days, with my name printed upon the front of the postal card and a request upon the back of the postal card that I vote for the treaties.

"I have a great respect, Mr. President, for the opinions of my constituents. I am perhaps more ready than the average Senator to recognize the power of public opinion when it is a real public opinion and the right of my constituents to command my vote to meet their views, and I pay as much attention when I receive a communication in the cramped, trembling hand of a farmer as I would to a communication dictated in the office of a banker or a business man; but I do not bow to a public opinion aroused in this artificial way, simply by the use of money, to carry out a purpose to make a false union, a real alliance between the United States and Great Britain."

[CONGRESSIONAL RECORD, 62d Cong., 2d sess. (Jan. 18-Feb. 14, 1912).]

"IN THE UNITED STATES SENATE,  
February 8, 1912.

NOTE.—Senator Works (California) having said that Senator Hitchcock is afraid that the arbitration treaties between England and the United States then pending before the United States might lead to an alliance between Great Britain, France, and the United States, Senator Hitchcock replied as follows:

"Mr. HITCHCOCK. I think if the Senator from California will recall what I said in that connection he will realize that I did not simply express my own fear that these treaties, if entered into, would lead to an alliance between Great Britain and the United States. What I did was to quote from the speech delivered by Sir Edward Grey, the minister for foreign affairs in Great Britain. In that speech Sir Edward Grey made the distinct declaration that these treaties, if entered into, would probably lead to such an arrangement between the United States and Great Britain that if either nation were attacked or brought into conflict with another power having no arbitration treaty, the other nation would support it.

"The interpretation I placed upon what Sir Edward Grey said was the very obvious interpretation that if these treaties were entered into and Great Britain should have the anticipated trouble with Germany, the United States would be expected, from the English point of view, to come to the assistance of Great Britain.

"That was not simply my own fear. It was the interpretation placed upon these treaties by the secretary for foreign affairs of Great Britain, not in an interview nor as a matter of rumor but in a reported speech in the House of Commons. And I said that if Great Britain were entering into these treaties with that understanding of their ultimate result, it was something which we in the United States, who want no entangling alliance, should take into account very seriously."

QUOTATIONS FROM THE SPEECH OF SENATOR HITCHCOCK ON THE  
ARBITRATION TREATY WITH GREAT BRITAIN.

[CONGRESSIONAL RECORD, vol. 48, pt. 1, p. 646, etc., Jan. 4, 1912.]

"Mr. HITCHCOCK. Mr. President, on yesterday I gave notice that I would claim the attention of the Senate to-day for some remarks on the pending arbitration treaty proposed to be ratified between Great Britain and the United States. Throughout the country for some time there has been a growing agitation which has enlisted the interest of many of the good people of the United States, but an agitation, Mr. President, which has apparently been carried on without much of an effort to enlighten the people as to the facts in the case. The sole object seems to be to create, artificially if necessary, a public sentiment in support of ratification.

"There has been a good deal of a disposition on the part of orators who have appeared before various public meetings, and on behalf of writers who have put forth their printed arguments, to arrogate to themselves a monopoly of the particular custody of the dove of peace, a disposition to assume that they, and only they, favor the idea of the peaceful settlement of international differences. The people have been led to believe that unless they aroused themselves to influence the Senate of the United States to ratify these treaties in the exact form that they come from the State Department and the President, without the dotting of an 'i' or the crossing of a 't,' we would probably be involved in hostilities with Great Britain."

[Mr. HITCHCOCK then goes on to say that the United States already has an arbitration treaty with England so broad that "both countries have agreed to arbitrate all differences which may arise between them, except those involving national honor, vital interests, or third parties. He explains that the then pending new arbitration treaty proposes to arbitrate all differences in the future that are justiciable, and that justiciable means those questions which may be settled by recognized principles of law or equity. He criticizes this in the following words:]

"The pending treaty, however, does not leave the decision of what is a justiciable difference to the President and the Senate. It creates a joint high commission and empowers this joint high commission of six members to decide what questions are justiciable and what are not justiciable. It provides that any five of the six members of that commission may decide the question. It authorizes three members appointed by the President to decide on the treaty's interpretations for the country, and that, to my mind, is the objectionable part of this treaty. That is the trap in the treaty. It is the open door to future troubles in the treaty.

"We are told that it is perfectly constitutional for the Senate of the United States to ratify this treaty, and thus abdicate for the future its right to pass upon the application and rule on the interpretation of the treaty. Mr. President, it may be constitutional, but I do not think it is wise, because I believe it will involve us in future trouble. I do not believe it safe, because I believe it will embroil us in innumerable international difficulties in the future in the application of the treaty.

"It certainly is not American. There is at the present time, and has always been, this radical difference between the treaty-making power of the monarchies of Europe and the treaty-making power of the United States: In the United States the President can not make a treaty and have it approved and executed by his Cabinet or appointees after the European fashion, but he is required, under the Constitution, to submit it to the Senate for its ratification. That is the American idea. It is the American idea that the representatives of the people shall have a voice in the ratification of a treaty; but if this proposed clause of section 3 becomes a part of this treaty that difference disappears, as far as our relations with Great Britain are concerned. Hereafter the interpretation of that treaty and the application of it pass from the hands of the Senate into the control of a commission, whose American members are appointed by the President of the United States. They can interpret the treaty; they can widen the treaty; they can apply the treaty; and, appointed as they are by the President, they will express, undoubtedly, the President's views without any restraint from the Senate of the United States. So, instead of having an American plan, a democratic plan, to control our international relations by representatives of the people, we will have a mon-



archical plan, under which the President will practically be able to treat directly with responsible ministers.

"But, Mr. President, there is another objection to this particular clause of the treaty which creates this joint high commission. It will involve us in an entangling alliance with Great Britain.

"I have a great admiration, Mr. President, for the British people, but I am not in favor of departing from the old American ideas of isolation. I do not believe in an entangling alliance with any country, and I believe it is capable of demonstration that this treaty is regarded in England, at least, as the first step toward an English-American alliance.

"Mr. RAYNER. Will it place us in an entangling alliance with France?

"Mr. HITCHCOCK. Well, Mr. President, I have purposely avoided the discussion of both of these treaties, for the reason that I feel that the initiative in this matter is in Great Britain; I feel that there would have been no treaty with France if it had not been preceded by a treaty with her close ally, Great Britain; and I am discussing only to-day the proposed treaty with Great Britain because I have made more of a study of its effects, its dangers, and its inspiration.

"Mr. President, I have made the statement that this is the first step in a possible entangling alliance of the United States in the policies of Great Britain. Possibly I have made that statement too strong; possibly I should merely allege what I can prove, which is that in Great Britain it is regarded as the first step in such an entangling alliance. To prove my assertion, let me read from a speech by Sir Edward Grey in the House of Commons, delivered last March. The President of the United States has recently quoted Sir Edward Grey as an authority in expounding British sentiment and British ideas on this question, and I think I may, therefore, well be excused if I also quote from a speech of Sir Edward Grey, the British secretary of state for foreign matters. Speaking on a proposition to reduce the English Navy and giving the reasons why the Government could not consent to it, he drifted into a comment upon the relations between the United States and Great Britain. After quoting with approval some statements of President Taft, he came to a consideration of the proposed arbitration treaty between the United States and Great Britain. In the course of his remarks he used this language:

"But supposing it took place, and two of the greatest nations in the world were to make it clear to the world that by agreement such as that, that in no circumstances were they going to war again, I venture to say that the effect on the world at large of the example would be one which would be bound to have beneficial consequences. It is true that the two nations who did that might still be exposed to attack from a third nation who had not entered into such agreement. I think it would probably lead to their following it up by an agreement that they would join with each other in any case in which one only had a quarrel with a third power by which arbitration was refused.

"Mr. President, that language is peculiarly significant. Coming at a time when the relations between Great Britain and Germany were strained—as, to some extent, they still are strained—coming from the secretary of state for foreign affairs of Great Britain, and having particular reference to the treaty with the United States, can we put any other interpretation upon that language than to say that, in the opinion of Sir Edward Grey, if the treaty were made between Great Britain and the United States, and Germany refused to enter into such a treaty of arbitration and had a quarrel with Great Britain, the next natural step would be for the United States and Great Britain to join each other against Germany? There is no other possible interpretation which can be placed upon the speech of Sir Edward Grey. It is in accord with a widespread desire in Great Britain for an alliance between the United States and Great Britain. That this desire is harbored also by many people in the United States may be true; but it is certainly not the American idea, and it is certainly not in accord with the traditions of this country. It is evident that this speech, so interpreted, affords ample ground for the belief that England, for her own purposes, desires this treaty as the basis for an alliance in the future with the United States. We certainly want no alliance with any country, and must avoid becoming so involved.

"Mr. President, it is evident also that this treaty, instead of guarding against differences between this country and Great Britain, is likely to lead to controversy. We have already heard in this country enough dispute on the interpretation of the clause creating the joint high commission to indicate that it is involved in doubt.

"The distinguished Senator from Mississippi [Mr. WILLIAMS] has recently published a small document, which he has distributed undoubtedly to all Members of the Senate, in which he argues that while the joint high commission has the power in the first place to decide what questions are justiciable, yet the Senate can exercise a restraint over the joint high commis-

sion and can modify or nullify its act by refusing to give consent to the agreement which must be made for each specific case before it is submitted to arbitration. That of itself is an argument against the creation of the commission. It involves a doubt. It is likely to place the Senate of the United States in a position where it must either recognize the authority of the joint high commission and accept its interpretation, however obnoxious, or it must repudiate the decision of the joint high commission and leave us open to the charge of bad faith in entering into this treaty; in other words, the provision giving the joint high commission that power is either a danger or, as the Senator from Mississippi would argue, it is a humbug. In either case it is likely to involve us in future controversies as to its interpretation.

"Mr. President, anyone looking into the future, I believe, must admit that if this treaty as it comes to us is ratified by the Senate and goes into effect, Great Britain will have ten times the number of demands upon us for arbitration of questions in which she is interested as the proponent that we will have upon her. That is the natural course of events. Her interests are such, her policies are such, that she will be constantly seeking to restrain us and interfere with the American policies of this country. For that reason I think this country would be unwise to put itself, by an ironclad and practically unlimited treaty, in the position of promising to submit everything to arbitration that is justiciable, and then to leave the question of justiciability to a mixed commission, whose three American members are appointed by the President and responsible only to him. The interests of the country will be safer in the care of the Senate, and its restraint on the President should be maintained as provided in the Constitution.

"Mr. RAYNER. This treaty does not leave everything that is justiciable to the commission. That is not the language of the treaty.

"Mr. HITCHCOCK. I think—

"Mr. BORAH. Then, Mr. President, what is the exception?

"Mr. RAYNER. The exception is found in the clause 'in accordance with the principles of law or equity'—justiciable in accordance with the principles of law or equity.

"Mr. BORAH. That is simply the definition of 'justiciable' as put in the treaty.

"Mr. RAYNER. Not at all. I disagree with the Senator from Idaho on that point. The language of the treaty is 'in accordance with the principles of law or equity.'

"Mr. BORAH. No; susceptible of settlement in accordance with those principles.

"Mr. RAYNER. No; the word 'settlement' is not used there, as I think the Senator will see if he will look at the treaty. To say 'everything that is susceptible of being treated according to the principles of law and equity' is one thing, and to say that 'a thing is justiciable' is another. Things may be justiciable but take a broader range than controversies that must be decided according to the principles of law or equity. The phraseology 'in accordance with the principles of law or equity' is a limitation upon the word 'justiciable' and does not enlarge it. I merely suggest that, if the Senator will permit me. That is one of the arguments I have made in my minority report, and I do not care to enlarge upon it.

"Mr. BORAH. Has the Senator got the treaty before him?

"Mr. HITCHCOCK. I have it here.

"Mr. President, the question raised by the Senator from Maryland as to the interpretation of this particular clause gives added force to what I have said, that it is proposed here to adopt a treaty and to incorporate in it a new idea concerning which there must inevitably be differences of opinion. I will quote, however, in order to make my remarks understandable, the exact language of the treaty at this point.

"Mr. RAYNER. Mr. President, before the Senator does that, let me say one word to get down to the particular point. My proposition is that neither the Monroe doctrine, nor the immigration laws, nor territorial integrity, nor the indebtedness of the States, for which the United States is in no way responsible under its Constitution, could come under any definition of equity that you could give. Those questions could not possibly arrange themselves under the definition of 'law or equity.' I thought I would take the liberty of stating that to the Senator, because that is my position in the minority report I have made to the Senate.

"Mr. HITCHCOCK. I have no doubt that is the position taken by the Senator from Maryland, whose views are generally clear and decided, and I have no doubt also that other gentlemen, perhaps equally eminent in the law, might differ from him.

"Mr. RAYNER. There is no doubt of that.

"Mr. HITCHCOCK. I think that difference presents one of the reasons why the creation of this proposed irresponsible com-



mission to decide these delicate and dubious points is a matter of bad policy for the United States. The safe plan is to leave their interpretation in the hands of the Senate, which represents the people of the United States, and not to intrust them to three unknown Americans, whom the President upon occasion might appoint. But to quote—

"Mr. BORAH. Mr. President—

"Mr. HITCHCOCK. I yield to the Senator from Idaho, if he desires.

"Mr. BORAH. I wish to quote the exact language of the treaty, if the Senator is not going to do so.

"Mr. HITCHCOCK. I had intended to do so, but I will be very glad to have the Senator from Idaho do it.

"Mr. BORAH. Article 1 reads:

"All differences hereafter arising between the high contracting parties, which it has not been possible to adjust by diplomacy, relating to international matters in which the high contracting parties are concerned by virtue of a claim of right made by one against the other under treaty or otherwise, and which are justiciable in their nature by reason of being susceptible of decision by the application of the principles of law or equity.

"The application of legal or equitable principles is the simple definition put in there of the word 'justiciable.'

"Mr. HITCHCOCK. I thank the Senator from Idaho for interjecting at this point the exact language of the treaty, which, I think, I gave in substance before.

"But to resume, I think if we look over the history of the United States in recent years we will conclude that we are in more danger from the diplomats of Great Britain than we are from her dreadnoughts, and I object to any treaty which is likely further to complicate the relations between the countries and which is likely to open the door to further diplomatic concessions of an international nature.

"We are now at work upon the great enterprise of constructing the Panama Canal. What was the greatest obstacle that we met in undertaking that enterprise? It was not of a physical character. Neither mountains nor rivers nor any other physical obstacles were our greatest obstacle. The great obstacle we encountered in that enterprise was the Clayton-Bulwer treaty of 1850, in which the United States had become entangled with Great Britain by concessions which should never have been made and which remained for years to plague us an obstacle to that great work.

"Even in the Hay-Pauncefote treaty, which succeeded the Clayton-Bulwer treaty and which was a great advance and a great improvement over it, we still find obstacles and difficulties of the present day which may well serve to warn us that British diplomacy has dangers which we may well avoid.

"We think we have a right to fix the tolls upon the vessels that go through the Panama Canal. Yet the reading of that treaty may well raise serious doubts on this side of the ocean, while upon the other side of the ocean to-day we know claims are made that we have not the right to fix those tolls so as to give a preference to our own vessels. We think we have a right to fortify the Panama Canal and the only restraint or limitation upon it is to be found in the terms of the Hay-Pauncefote treaty and found in still stronger language in the treaty which it superseded, made in 1850. Many serious questions involved in the future of the Panama Canal are bound to confront our country, and they will be presented to this country by Great Britain. Are we, under these circumstances, proposing to submit the interpretation of the treaty to three Americans, nominated by the President and associated with three British commissioners, rather than to have it remain where it has remained for all time—in the Senate of the United States—and where the Constitution intended it should remain?

"Mr. President, I have already consumed more time than I had intended. I desire to say, in conclusion, that I am in favor of arbitration. I am in favor of the peaceful settlement of disputes. I am in favor of the pending treaty, providing the last portion of article 3, which empowers the joint high commission to supersede the Senate of the United States in the interpretation of treaties, is stricken out; and I also favor some declaration in the resolution of ratification that we except specifically from future arbitration such questions as involve our permanent national policies or such questions as relate purely to matters of American government."

RECESS.

Mr. LODGE. Mr. President, I move that the Senate take a recess until 11 o'clock to-morrow morning.

Mr. HITCHCOCK. Mr. President, is it not possible to come to a vote to-night? Does not the Senator think we could take a vote to-night?

Mr. LODGE. I have no objection to taking a vote.

Mr. HITCHCOCK. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll. The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	McKellar	Smith, Ariz.
Bankhead	Harding	McNary	Smith, Ga.
Brandegee	Harris	Moses	Smith, Md.
Capper	Harrison	Nelson	Smoot
Chamberlain	Henderson	New	Spencer
Colt	Hitchcock	Newberry	Sterling
Cummins	Johnson, Calif.	Norris	Sutherland
Curtis	Jones, Wash.	Nugent	Swanson
Dial	Kellogg	Overman	Thomas
Dillingham	Kenyon	Owen	Townsend
Edge	Keyes	Penrose	Trammell
Fall	King	Phelan	Underwood
Fletcher	Kirby	Phipps	Wadsworth
France	Knox	Pomerene	Walsh, Mass.
Frelinghuysen	La Follette	Ransdell	Walsh, Mont.
Gay	Lenroot	Robinson	Warren
Gerry	Lodge	Sheppard	Watson
Gore	McCormick	Shields	Williams
Gronna	McCumber	Simmons	Wolcott

The PRESIDING OFFICER. Seventy-six Senators have answered to their names. There is a quorum present. The question is on the motion of the Senator from Massachusetts that the Senate take a recess until 11 o'clock to-morrow morning.

Mr. LODGE. Mr. President, the Senate has been in session now for something more than seven hours, devoted entirely to the treaty. There are some other Senators who wish to speak briefly on this amendment. It seems to me not unreasonable that we should take a recess at this time until 11 o'clock to-morrow.

The PRESIDING OFFICER (Mr. NEWBERRY in the chair). The question is on the motion of the Senator from Massachusetts.

Mr. HITCHCOCK. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BRANDEGEE (when his name was called). I am paired for the day with the senior Senator from Texas [Mr. CULBERSON]. I therefore withhold my vote. If at liberty to vote, I should vote "yea."

Mr. HARRIS (when his name was called). I am paired with the Senator from New York [Mr. CALDER]. In the absence of that Senator I withhold my vote.

Mr. MOSES (when his name was called). Until the disposition of the pending amendments I have a pair with the senior Senator from Virginia [Mr. MARTIN]. I transfer that pair to the junior Senator from West Virginia [Mr. ELKINS], and vote "yea."

Mr. DIAL (when the name of Mr. SMITH of South Carolina was called). I desire to announce the necessary absence of my colleague [Mr. SMITH of South Carolina]. He has a general pair with the Senator from South Dakota [Mr. STERLING]. If my colleague were here, he would vote "nay."

Mr. STERLING (when his name was called). I am paired with the senior Senator from South Carolina [Mr. SMITH] and therefore withhold my vote. If at liberty to vote, I would vote "yea."

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. I transfer that pair to the senior Senator from Missouri [Mr. REED] and vote "yea."

The roll call was concluded.

Mr. STERLING. I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Illinois [Mr. SHERMAN] and vote. I vote "yea."

Mr. BRANDEGEE. I announced that I was paired with the senior Senator from Texas [Mr. CULBERSON]. I desire to inquire whether the Senator from Vermont [Mr. PAGE] has voted?

The PRESIDING OFFICER. He has not.

Mr. BRANDEGEE. I transfer my pair to the Senator from Vermont [Mr. PAGE] and vote. I vote "yea."

Mr. FLETCHER (after having voted in the negative). I have a pair with the Senator from Delaware [Mr. BALL]. He has not voted, but I transfer my pair to the Senator from New Mexico [Mr. JONES] and let my vote stand.

Mr. MYERS. Has the Senator from Connecticut [Mr. McLEAN] voted?

The PRESIDING OFFICER. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. McLEAN] which I transfer to the Senator from Kentucky [Mr. STANLEY] and vote "nay."

Mr. GERRY. The Senator from Nevada [Mr. PITTMAN] and the Senator from New Mexico [Mr. JONES] are necessarily detained from the Senate. If present, they would vote "nay."

The Senator from South Dakota [Mr. JOHNSON] and the Senator from South Dakota [Mr. SMITH] are detained on account of illness in their families.

The senior Senator from Kentucky [Mr. BECKHAM] and the junior Senator from Kentucky [Mr. STANLEY] are absent on public business. The Senator from Missouri [Mr. REED] is detained on account of illness.

The result was announced—years 43, nays 36—as follows:

## YEAS—43.

Borah	Gronna	Lodge	Poindexter
Brandegee	Hale	McCormick	Shields
Capper	Harding	McCumber	Smoot
Colt	Johnson, Calif.	McNary	Spencer
Cummins	Jones, Wash.	Moses	Sterling
Curtis	Kellogg	Nelson	Sutherland
Dillingham	Kenyon	New	Townsend
Edge	Keyes	Newberry	Wadsworth
Fall	Knox	Norris	Warren
France	La Follette	Penrose	Watson
Frelinghuysen	Lenroot	Phipps	

## NAYS—36.

Aslurst	Harrison	Owen	Smith, Md.
Bankhead	Henderson	Phelan	Swanson
Chamberlain	Hitchcock	Pomerene	Thomas
Dial	King	Ransdell	Trammell
Fletcher	Kirby	Robinson	Underwood
Gay	McKellar	Sheppard	Walsh, Mass.
Gerry	Myers	Simmmons	Walsh, Mont.
Gore	Nugent	Smith, Ariz.	Williams
Harris	Overman	Smith, Ga.	Wolcott

## NOT VOTING—17.

Ball	Fernald	Martin	Smith, S. C.
Beckham	Johnson, S. Dak.	Page	Stanley
Calder	Jones, N. Mex.	Pittman	
Culberson	Kendrick	Reed	
Elkins	McLean	Sherman	

So the motion was agreed to; and (at 5 o'clock and 50 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, October 28, 1919, at 11 o'clock a. m.

## HOUSE OF REPRESENTATIVES.

MONDAY, October 27, 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, we rejoice with the high minded and patriotic American citizen that we are permitted to live under a Government of the people, by the people, for the people, which our fathers sacrificed their lives and fortunes to establish.

Now we are threatened with a crisis which defies our Government and would overthrow its sacred institutions, inaugurated by a few hundred thousand people and bring about untold misery, sorrow, grief, and even death, to the one hundred and ten millions involved in an unwarranted dispute between labor and capital.

Interpose we beseech Thee with all the strength of Thy holy influence and so move upon the minds and hearts of those engaged in the contest, that law and order may obtain and peace and happiness reign in our midst, through Him who lived and died that love might live in the hearts of men. Amen.

The Journal of the proceedings of Saturday, October 25, 1919, was read and approved.

## LEAVE TO ADDRESS THE HOUSE.

Mr. ASWELL rose.

The SPEAKER. The gentleman from Louisiana.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent that on Saturday morning next I may be permitted to address the House for 40 minutes.

The SPEAKER. The Chair did not recognize the gentleman for that purpose at this time.

Mr. BLAND of Missouri. Mr. Speaker, I ask unanimous consent to proceed for four or five minutes, to make an announcement concerning a liberty memorial erected to the memory of the American dead.

The SPEAKER. The gentleman from Missouri asks unanimous consent to proceed for five minutes. Is there objection?

Mr. MONDELL. On what subject does the gentleman desire to address the House?

Mr. BLAND of Missouri. It is relative to a memorial campaign which opens in Kansas City to-day and closes on November 1, to erect a monument and a building in which will be deposited war relics, and in which patriotic gatherings, such as the American Legion, the Sons of the American Revolution, the Daughters of the American Revolution, and others will be held to the memory of the 403 boys who died from Kansas City.

Mr. MONDELL. Well, Mr. Speaker, that sort of thing is being done all over the country. It is very commendable on the part of the people of Kansas City, and we wish them very great success in their patriotic efforts; but it seems to me we

can hardly pause every morning in our work to hear statements of that sort. The gentleman has made his statement, so that the country is now informed in regard to this splendid work.

Mr. BLAND of Missouri. I am sorry if the gentleman objects to such a holy purpose.

Mr. BLANTON. Regular order, Mr. Speaker!

The SPEAKER. Objection is made.

## ENTRY OF ALIENS INTO THE UNITED STATES—CONFERENCE REPORT.

Mr. ROGERS. Mr. Speaker, I call up conference report on the bill H. R. 9782.

The SPEAKER. The gentleman from Massachusetts calls up the conference report on the bill H. R. 9782, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 9782) to regulate further the entry of aliens into the United States.

The SPEAKER. Without objection, the conference report will be read.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9782) to regulate further the entry of aliens into the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "and shall continue in force and effect until and including the 4th day of March, 1921"; and the Senate agree to the same.

JOHN JACOB ROGERS,

H. D. FLOOD,

Managers on the part of the House.

H. C. LODGE,

G. M. HITCHCOCK,

P. J. McCUMBER,

Managers on the part of the Senate.

## STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9782) to regulate further the entry of aliens into the United States, submit the following written statement explaining the effect of the action agreed on:

The agreement fixes March 4, 1921, as the date when the law shall cease to be operative. The House proposal provided that it should continue in force for a period of one year after the date when the act of May 22, 1918, entitled "An act to prevent in time of war departure from and entry into the United States contrary to the public safety," should cease to be operative. The Senate proposal would have made the law permanent.

JOHN JACOB ROGERS,

H. D. FLOOD,

Managers on the part of the House.

Mr. ROGERS. Mr. Speaker, this conference report is on the passport-control bill, which passed the House about two weeks ago, and which passed the Senate last week.

In the form in which it passed the House, the law was to run for a period of one year after the promulgation of the treaty of peace with Germany, and was then automatically to die. The Senate struck out the limitation in time, so that the effect of the amendment was to make the law permanent legislation. The conferees have agreed to extend the law until March 4, 1921. In other words, instead of having the law run for just a year, as the House had originally proposed, the agreement reached probably means that it will run for a year and two or three months. The advantage in having the life of the law slightly longer than was proposed by the House is this, that it was at least possible that as the bill left the House the law would expire at a time when Congress was not in session. The agreement reached means that Congress will certainly be in session, because the date fixed is March 4, 1921. Furthermore, it gives a little more time for this Congress to work out its policy of permanent control over immigration coming to the United States.

Now, Mr. Speaker, if there are no questions—

Mr. CONNALLY. Mr. Speaker, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. CONNALLY. Other than that, there are no changes.

Mr. ROGERS. The Senate made only one amendment to the bill, and that, as I have stated, related to the element of time.



Mr. Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. ROGERS, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

#### LEAVE TO ADDRESS THE HOUSE.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to address the House for two minutes. Is there objection?

Mr. GARD. Reserving the right to object, Mr. Speaker, is it the purpose to adjourn the House on account of the anniversary of the death of former President Roosevelt in pursuance of the national movement throughout the country?

Mr. MONDELL. My own thought was that we would best honor the memory of the man who taught the doctrine of the strenuous life by remaining in session and performing our duty in the transaction of the business before the House. But I am asking these two minutes for the purpose of saying a few words relative to the life and character of this great American.

Mr. GARD. In pursuance of the general policy throughout the Nation, would it not be a proper tribute for this House to adjourn at this time?

Mr. MONDELL. I repeat what I said a moment ago. The very best tribute that can be made to the life, character, service, and teachings of Theodore Roosevelt is to work, to perform the duty that we have before us.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming to address the House for two minutes?

Mr. BLANTON. Under that statement, would it not be a reflection upon the working capacity of other loyal American citizens in whose memory and honor the House has heretofore seen fit to adjourn from time to time?

Mr. MONDELL. I do not think that is true.

Mr. BLANTON. Because many of the men in whose memory we have adjourned before have been hard working, industrious citizens.

Mr. MONDELL. I do not know of any recent case where we have adjourned for an entire day in memory of anyone.

Mr. ASWELL. Mr. Speaker, reserving the right to object, I should like to know why other gentlemen can not have unanimous consent to address the House as well as the gentleman from Wyoming?

Mr. MONDELL. Mr. Speaker, if the gentleman desires to object to my speaking for two minutes on the subject of Col. Roosevelt, he can do so.

Mr. ASWELL. I just want to ask the gentleman why it is that he can get unanimous consent and not others?

The SPEAKER. Is there objection?

Mr. ASWELL. I object.

#### PROJECTED COAL STRIKE.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to print in the RECORD the text of the statement issued Saturday evening by the President in regard to the threatened coal strike.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to print in the RECORD the letter of the President. Is there objection?

Mr. ASWELL. Mr. Speaker, reserving the right to object, I want to know if the gentleman from Wyoming indorses that statement of the President printed in Saturday's paper?

Mr. MONDELL. I do, most thoroughly and heartily.

Mr. BLANTON. And so does every other patriotic American.

The SPEAKER. Is there objection?

There was no objection.

The document referred to is as follows:

#### TEXT OF PRESIDENT'S STATEMENT WARNING OF FEDERAL ACTION.

President Wilson issued a formal statement last night with the approval of the full membership of his Cabinet, declaring the projected strike of bituminous-coal miners under present circumstances "not only unjustifiable; it is unlawful."

The statement said: "On September 23, 1919, the convention of the United Mine Workers of America at Cleveland, Ohio, adopted a proposal declaring that all contracts in the bituminous field shall be declared as having automatically expired November 1, 1919, and making various demands, including a 60 per cent increase in wages and the adoption of a six-hour work-day and a five-day week; and providing that, in the event a satisfactory wage agreement should not be secured for the central competitive field before November 1, 1919, the national officials should be authorized and instructed to call a general strike of all bituminous miners and mine workers throughout the United States, effective November 1, 1919."

#### "RECALLS THE WAR AGREEMENT."

"Pursuant to these instructions, the officers of the organization have issued a call to make the strike effective November 1. This is one of

the gravest steps ever proposed in this country, affecting the economic welfare and the domestic comfort and health of the people.

"It is proposed to abrogate an agreement as to wages which was made with the sanction of the United States Fuel Administration, and which was to run during the continuance of the war, but not beyond April 1, 1920. This strike is proposed at a time when the Government is making the most earnest effort to reduce the cost of living and has appealed with success to other classes of workers to postpone similar disputes until a reasonable opportunity has been afforded for dealing with the cost of living."

"It is recognized that the strike would practically shut off the country's supply of its principal fuel at a time when interference with that supply is calculated to create a disastrous fuel famine. All interests would be affected alike by a strike of this character, and its victims would be not the rich only, but the poor and the needy as well—those least able to provide in advance a fuel supply for domestic use."

"It would involve the shutting down of countless industries and the throwing out of employment of a large number of the workers of the country. It would involve stopping the operation of railroads, electric light and gas plants, street railway lines and other public utilities, and the shipping to and from this country, thus preventing our giving aid to the allied countries with supplies which they so seriously need."

"The country is confronted with this prospect at a time when the war itself is still a fact, when the world is still in suspense as to negotiations for peace, when our troops are still being transported, and when their means of transport is in urgent need of fuel."

#### "WITHOUT APPROVAL OF WORKERS."

"From whatever angle the subject may be viewed, it is apparent that such a strike in such circumstances would be the most far-reaching plan ever presented in this country to limit the facilities of production and distribution of a necessity of life and thus indirectly to restrict the production and distribution of all the necessities of life. A strike under these circumstances is not only unjustifiable; it is unlawful."

"The action proposed has apparently been taken without any vote upon the specific proposition by the individual members of the United Mine Workers of America throughout the United States, an almost unprecedented proceeding. I can not believe that any right of any American worker needs for its protection the taking of this extraordinary step, and I am convinced that when the time and money are considered it constitutes a fundamental attack, which is wrong, both morally and legally, upon the rights of society and upon the welfare of our country."

"I feel convinced that individual members of the United Mine Workers would not vote, upon full consideration, in favor of such a strike under these conditions."

#### "INTEREST OF PUBLIC PARAMOUNT."

"When a movement reaches a point where it appears to involve practically the entire productive capacity of the country with respect to one of the most vital necessities of daily domestic and industrial life, and when the movement is asserted in the circumstances I have stated, and at a time and in a manner calculated to involve the maximum of dangers in the public welfare in this critical hour of our country's life, the public interest becomes the paramount consideration."

"In these circumstances I solemnly request both the national and the local officers and also the individual members of the United Mine Workers of America to recall all orders looking to a strike on November 1, and to take whatever steps may be necessary to prevent any stoppage of work."

"It is time for plain speaking. These matters with which we now deal touch not only the welfare of a class but vitally concern the well-being, the comfort, and the very life of all the people."

"I feel it is my duty in the public interest to declare that any attempt to carry out the purpose of this strike and thus to paralyze the industry of the country, with the consequent suffering and distress of all our people, must be considered a grave moral and legal wrong against the Government and the people of the United States."

#### "LAWS ARE TO BE ENFORCED."

"I can do nothing else than to say that the law will be enforced, and the means will be found to protect the interests of the Nation in any emergency that may arise out of this unhappy business."

"I express no opinion on the merits of the controversy. I have already suggested a plan by which a settlement may be reached, and I hold myself in readiness at the request of either or both sides to appoint at once a tribunal to investigate all the facts with a view to aiding in the earliest possible orderly settlement of the questions at issue between the coal operators and the coal miners, to the end that the just rights, not only of those interests but also of the general public may be fully protected."

#### REQUEST TO ADDRESS THE HOUSE.

Mr. MONDELL. Now, Mr. Speaker, I renew my request that I may address the House for two minutes in memory of ex-President Roosevelt.

Mr. ASWELL. I object, Mr. Speaker.

#### FIRE DEPARTMENT OF THE DISTRICT OF COLUMBIA.

The SPEAKER. This is District of Columbia day.

Mr. MAPES. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 10137, the District of Columbia firemen's bill.

Mr. RAKER. Mr. Speaker, pending that will the gentleman yield for a question?

Mr. MAPES. Pending that, I should like to see if we can agree upon time for general debate.

Mr. RAKER. Before the gentleman takes that up, will he yield for a question?

Mr. MAPES. I will yield to the gentleman.

Mr. RAKER. Approximately how long will the District Committee operate to-day, and is it the intention to take up the oil-leasing bill following the disposition of this District of Columbia bill?

Mr. MAPES. We hope it will not take more than two hours to dispose of the firemen's bill. It is the intention to give way

to the Committee on the Public Lands as soon as this bill is disposed of.

Mr. RAKER. I will ask the gentleman from Oregon [Mr. SINNOTT] and the gentleman from Wyoming [Mr. MONDELL], the majority leader, if they intend to take up the oil-leasing bill following the District bill?

Mr. MAPES. I say we intend to yield to the Committee on the Public Lands, so that that committee can go ahead with the oil-leasing bill, as soon as we disposed of this one bill.

Mr. RAKER. Is that the intention of the gentleman from Oregon?

Mr. SINNOTT. The gentleman's statement is correct.

Mr. RAKER. It is intended to call up the oil-leasing bill?

Mr. SINNOTT. Yes.

Mr. MAPES. Mr. Speaker, if we can agree upon time for general debate, I shall be glad to do so.

Mr. WOODS of Virginia. Will the gentleman yield?

Mr. MAPES. I yield to the gentleman from Virginia.

Mr. WOODS of Virginia. The ranking Member on our side is unavoidably absent, but I think 20 minutes on this side will be all we want.

Mr. MAPES. The gentleman from Virginia [Mr. WOODS] is a member of the subcommittee which framed the bill. I have had some requests for time on this side, and I ask unanimous consent that the general debate run not to exceed 1 hour, 30 minutes to be controlled by the gentleman from Virginia [Mr. WOODS] and 30 minutes to be controlled by myself.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the general debate be limited to 1 hour, 30 minutes to be controlled by the gentleman from Virginia [Mr. WOODS] and 30 minutes by himself. Is there objection?

Mr. SEARS. Reserving the right to object, is the debate to be confined to the bill?

Mr. WALSH. The gentleman did not say so.

Mr. SEARS. Will the gentleman include that in his request?

Mr. MAPES. No; I do not include that.

Mr. SEARS. Then I object.

The SPEAKER. Objection is made. The question is on the motion of the gentleman from Michigan that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill mentioned.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 10137, to amend an act entitled "An act to classify the officers and members of the fire department of the District of Columbia, and for other purposes," approved June 20, 1906, and for other purposes, with Mr. TILSON in the chair.

Mr. MAPES. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. MAPES. Mr. Chairman, this is what is known as the firemen's salary bill. Some time ago, at the request of the Commissioners of the District of Columbia, as chairman of the District Committee I introduced a bill looking toward the increase of the salaries of the members of the fire department of the District of Columbia. The bill, which was recommended by the commissioners, was referred to a subcommittee, of which the gentleman from New York [Mr. GOULD] was chairman, and after holding hearings a bill proposed by the subcommittee was introduced by Mr. GOULD. That is the bill we are now considering.

This bill proposes to increase the salaries paid to the members of the fire department, and to classify the privates by dividing them into three classes, the same as policemen are divided. It gives the same pay to the privates as was given to the privates in the police department in the police bill, which passed the House a short time ago.

The firemen in the District of Columbia are very much underpaid under any conditions, and especially is that so under the conditions as they exist at the present time. The salary schedule under which they are being paid was fixed by law in 1906. Speaking generally, they have received no increase in pay since that time. Some may criticize this bill as reported by the Committee on the District of Columbia as being too liberal. But in the consideration of that question it must be kept in mind that Washington is the most expensive place in the United States in which to live. We believe the salaries fixed in this bill are none too high.

The firemen are a very high-grade class of men, and it is almost impossible for them to live on their present pay. In fact, a great many of them are obliged to supplement the pay which they receive as firemen by seeking outside employment when they are

off duty. Of course, they ought not to be obliged to do that. The Government ought to pay them enough on which to live. This bill seeks to give them enough on which to live and to bring up their families in a proper manner. The subcommittee considered the bill very carefully and reported it to the full committee unanimously, and I hope it will meet the approval of the House.

Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose, and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration H. R. 10137, the District of Columbia firemen's bill, had come to no resolution thereon.

Mr. MAPES. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of H. R. 10137, and pending that I ask unanimous consent that general debate be limited to one hour—one-half of that time to be controlled by the gentleman from Virginia [Mr. WOODS] and one-half by myself.

The SPEAKER. The gentleman from Michigan, pending his motion, asks unanimous consent that general debate on this bill be limited to one hour—half the time to be controlled by himself and half by the gentleman from Virginia [Mr. WOODS]. Is there objection?

Mr. BLANTON. Reserving the right to object, I would like to ask the gentleman from Michigan—

Mr. DYER. The regular order, Mr. Speaker.

Mr. BLANTON. I want to ask the gentleman from Virginia if I can have 5 minutes.

Mr. WOODS of Virginia. I have no doubt of it.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The motion was agreed to; accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. TILSON in the chair.

Mr. MAPES. Mr. Chairman, I yield 5 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, I think it fitting and appropriate that we should pause in our labors for a moment as an expression of our appreciation of the life, character, and public services of a great American, the anniversary of whose birth is being celebrated throughout the Nation this day.

Just at this period of the world's history and of the Nation's experience events and conditions emphasize the vital importance of certain principles and the absolute necessity of the practice of certain virtues which were peculiarly urged and exemplified in the life, the conduct, and the teachings of this great man.

The world and the Nation needs at this time, above all else, the stern virtues which he emphasized in word and deed. We need the practice of the virtues of the strenuous life, of devotion to duty, of self-sacrifice, and of uncompromising warfare against error in every form. [Applause.]

Above all else, we need that whole-hearted devotion to sound principles of justice and righteousness, and unrelenting warfare against political, social, and economic heresy which we have come to denominate as Americanism, which was so abundantly exemplified in the life, the teachings, and the character of Theodore Roosevelt. [Applause.]

Mr. Chairman, I ask to have read in my time a few extracts published in the Washington Post of this morning from the teachings of this great man.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent to have read the matter referred to. Is there objection?

There was no objection.

The Clerk read as follows:

SOME ROOSEVELT EXPRESSIONS WHICH HIS LIFE EXEMPLIFIED.

I wish to preach, not the doctrine of ignoble ease, but the doctrine of the strenuous life, the life of toil and effort, of labor and of strife; to preach that highest form of success which comes, not to the man who desires mere easy peace, but to the man who does not shrink from danger, from hardship, or from bitter toil, and who, out of these, wins the splendid ultimate triumph.

In peace and in war we must spend and be spent, in the endless battle for right against wrong; deeds, not words alone, shall save us.

No abundance of the milder virtues will save a nation that has lost the virile qualities.

In the really great man there must be both the heart of gold and the temper of steel.

Courage, hard work, self-mastery, and intelligent effort are all essentials to successful life.

Mr. MONDELL. Mr. Chairman, I yield back the balance of my time.

Mr. MAPES. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. GOULD].



Mr. GOULD. Mr. Chairman, the committee to-day has called up the bill H. R. 10137, which is a revision of H. R. 9626. The subcommittee appointed to investigate the question of the pay of the firemen in the District of Columbia held extensive hearings and received and filed in the committee report that is available to the Members of the House, as report 410, the basis which it recommends to the House for the pay of firemen. One or two changes in the present law have been made. At the present time privates serve in class 1 and class 2. Promotion is made from class 1 to class 2 under the present law only when a man in class 2 dies or resigns. The committee recommends a redivision of the members into class 1, class 2, and class 3 on the lines adopted for the police, with a probation of one year in class 1, two years in class 2, and automatically afterwards going to class 3 provided he has served efficiently and satisfactorily three years. The committee recommends that the pay of the firemen and the policemen be identical. This has practically been adopted to-day in most of the cities of the country, but in the committee report, Exhibit B, it shows that in six cities of the country the firemen of the highest grade and patrolmen of the highest grade are paid practically the same salary.

The committee in its report for the information of the House presents as Exhibit A the proposed increase over and above the present basic rates; and it shows the basis of the present personnel as authorized in the last bill of the appropriation for the District of Columbia; no increases in the personnel are provided, but the total additional expense would be \$315,940 over and above the present rates.

Were all salaries \$2,500 a year or less, the annual bonus in effect until June 30, 1920, of \$240 per year would apply.

There was one injustice done in regard to the inspectors, and the committee in this legislation corrects that injustice which is referred to in the hearings. The committee also recommends for the consideration of the House similar provisions as that covered by section 3, page 3, be included, which would provide that no member of the fire department should become a member of any organization which holds, claims, or exercises the right to demand of the members any obedience to strike or to cease work.

Mr. MADDEN. Will the gentleman yield?

Mr. GOULD. I will.

Mr. MADDEN. Will the gentleman be kind enough to tell the House why it is that the committee proposes to pay the firemen of the District of Columbia more than they do in Chicago or Detroit or Minneapolis or Boston or Philadelphia, and where they do not have any bonus?

Mr. GOULD. The gentleman in his remarks says that it was deemed the best policy by those in charge of municipal affairs to pay the firemen and policemen the same rates. They both take the same oath of office, and they both are subject to the same examination, both physical and mental, and it is deemed better for the personnel to have the salaries the same.

As to whether or not the District of Columbia shall be authorized to pay better salaries than are paid in Chicago and other cities, that is up to the House of Representatives and the Senate to determine.

Mr. EVANS of Nebraska. Will the gentleman yield?

Mr. GOULD. Certainly.

Mr. EVANS of Nebraska. Will it not be in effect if this bill is adopted in its present form that the highest paid firemen in the District of Columbia will during the next year receive \$240 more than any other city in the country?

Mr. GOULD. I do not think so, Mr. Chairman, if comparison is made with New York City and, I think, Boston.

Mr. MADDEN. Will the gentleman yield?

Mr. GOULD. Yes.

Mr. MADDEN. I notice the maximum salary is \$1,900, to which is to be added \$240 bonus.

Mr. MAPES. The gentleman from Illinois is mistaken. The \$240 bonus is to be deducted from the amounts in Exhibit B of the report, which would leave \$1,660 as the basic salary for the highest paid private.

Mr. MADDEN. It does not say so. It says in the report:

There is also inserted herewith for the information of the House a statement showing the present salaries that are being paid the firemen of the highest grade in seven cities of the United States, including the proposed new salaries plus \$240 bonus for the city of Washington, D. C.

I just wanted to ask the gentleman from New York [Mr. GOULD] and the gentleman from Michigan [Mr. MAPES], if he cares to answer, whether or not they made any comparison between the amount of work and the risk run by the firemen of the city as compared with firemen in the city of Chicago, in view of the fact that you give the firemen here \$100 and a \$240 bonus, making \$340 more than the firemen receive in Chicago, or with

the city of Detroit, in view of the fact that you give the firemen here \$200 more with the \$240 bonus, making \$440 more than the firemen in Detroit, or of the city of Minneapolis, in view of the fact that you give the firemen here \$214 more with the bonus of \$240, making \$454 more, or with the firemen of the city of Boston, as to whom \$275 more is given here, with a bonus of \$240, than the firemen in that city, making \$515 more?

Mr. MAPES. Oh, the gentleman is mistaken in his premise. There are two lists of figures in the report.

Mr. MADDEN. I am talking about the maximum.

Mr. MAPES. But the gentleman is wrong.

Mr. MADDEN. I am only quoting from the gentleman's figures.

Mr. MAPES. But the gentleman is not reading all of them. The first table that is given on page 2, Exhibit A, does not include the bonus of \$240. The second list of figures, Exhibit B, does include the \$240, so that in the consideration of that comparison the \$240 should be deducted from the \$1,900.

Mr. MADDEN. I can not read that the way the gentleman describes it.

Mr. MAPES. That is correct, I will say to the gentleman.

Mr. MADDEN. The report of the committee distinctly states otherwise.

Mr. MAPES. No; it does not. If the gentleman will read that full sentence, he will see it does not.

Mr. GOULD. Mr. Chairman, I yield back the balance of my time.

Mr. MADDEN. But I am not through yet.

The CHAIRMAN. The gentleman yields back one minute.

Mr. GOULD. Then I shall take the one minute for the purpose of answering the gentleman's question.

Mr. MADDEN. The note, as I observe it, says:

To the above-proposed basic salaries of \$2,500 or less will be added a bonus of \$240 per annum, now provided for by the law, until July 1, 1920.

Not deducted, but added.

Mr. MAPES. But if the gentleman will read further, the paragraph—

Mr. MADDEN. So that, after all, the statement I made in the beginning is correct.

Mr. MAPES. No; the gentleman is mistaken. If he will read the paragraph immediately preceding Exhibit B, he will see that it says:

There is also inserted herewith, for the information of the House, a statement showing the present salaries that are being paid the firemen of the highest grade in seven cities of the United States, including the proposed new salaries plus \$240 bonus for the city of Washington, D. C., and comparison is made between these salaries and those that are being paid to the patrolmen of the police department of corresponding grade.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. WOODS of Virginia. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. BLAND].

Mr. BLAND of Missouri. Mr. Chairman, I know of no better or more appropriate place for the announcement which I am about to make than in the Hall and in the presence of the House of Representatives of the United States of America, but before doing so I may diverge to direct attention for the moment to the fact that this is a day which is being memorialized throughout the country as the sixty-first birthday and in honor of one of the greatest Americans who has lived in the history of our Nation. He was a cowboy, author, historian, explorer, statesman, patriot, 100 per cent American, and President of the United States. His was a useful, distinguished, and glorious life, and he will live in the memories and hearts of his countrymen forever—that great American, Theodore Roosevelt. [Applause.]

On this day in Kansas City, a city he loved well and which he so often visited and to which he was always affectionately welcomed, there is inaugurated a campaign to raise a fund of \$2,000,000 by private and voluntary subscription by the citizens of our city to build a lasting and enduring liberty war memorial to perpetuate the memory and names of her more than 400 sons who gave their lives in the services of our country.

The memorial will be a monument of dignified proportions, and in connection therewith a building which can be used as a repository for war relics, as a permanent meeting place for all patriotic societies, and for other patriotic purposes.

It will be the loving offering of Kansas City to commemorate through the ages the deathless heroism of her glorious sons who gave their all to their country and to humanity.

The campaign for the \$2,000,000 fund commences to-day, October 27, and closes on November 1, and what Kansas City wills to do in that brief period for this great undertaking she will do.

And that splendid memorial in Kansas City, in which will be inscribed the names of her dead, will be a sacred and holy

shrine to which not only the fathers and mothers, sisters and brothers and relatives, friends, and fellow countrymen will go to do reverence but to which generations succeeding generations from our country at large, passing through our great gateway city from East to West, from North to South, will stop and go in pilgrimage to pay grateful, loving, and reverential tribute.

I know that other States and communities throughout the length and breadth of our beloved country will also evidence in a similar or in appropriate manner their veneration and love for their immortal dead "lest the ages forget."

Before I conclude, it is apropos to revert to the statement made by the distinguished ex-Speaker and distinguished Missourian, Mr. CLARK, a few weeks ago, that a fund of \$5,000 had been proposed by the Kansas City Post for subscription by the people of Missouri to secure a sword and present the same to that widely acclaimed Missourian and general of the Armies of the United States, John J. Pershing. I am glad to announce that the sword is now being handmade in Kansas City of suitable, patriotic, and distinctly American design, and that the fund with which to purchase the same was oversubscribed [applause] by the people of Missouri. This sword, when occasion permits, will be presented to him as a tribute by his home people. [Applause.]

Mr. WOODS of Virginia. Mr. Chairman, I now yield five minutes to the gentleman from Texas [Mr. CONNALLY].

Mr. CONNALLY. Mr. Chairman and gentlemen of the committee, a moment ago the majority leader, Mr. MONDELL, obtained unanimous consent to insert in the RECORD a copy of the public statement which the President of the United States issued on Saturday, and which appeared in the papers yesterday, regarding the attitude of the President and his proposed action with reference to the threatened strike in the coal fields. I take it that the majority leader in asking the insertion of this statement in the RECORD gives to it his hearty approval. I believe that both houses of Congress feel that the President in giving voice to the sentiments, in his statement, giving expression to his intention to enforce and uphold the law against both parties to that controversy, is but echoing the sentiments of the American people.

Mr. CANDLER. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY. Yes.

Mr. CANDLER. The gentleman from Wyoming [Mr. MONDELL], in response to a question, stated that he did indorse everything that was said in that statement.

Mr. CONNALLY. I thank the gentleman from Mississippi. That is correct. The majority leader did state that. He unreservedly indorsed every sentiment therein stated.

Mr. SNYDER. And along that line I wish to ask the gentleman from Texas if he knows of anyone in the House who does not subscribe to the sentiments therein expressed?

Mr. CONNALLY. I hope that the gentleman is correct. I know of no one and trust there is none, and I rose to suggest to the majority leader that in view of the fact that every Member of the House and Senate does approve the sentiments contained in that statement this body and the Senate should give public and official expression to their views.

And I want to inquire whether or not the majority leader will not later in the day ask unanimous consent to consider a concurrent resolution expressing the concurrence of the two bodies in the views of the President, and in case the gentleman does not I desire to offer later in the day the following concurrent resolution and ask unanimous consent for its immediate consideration:

Concurrent resolution approving the recent statement issued by the President of the United States regarding the threatened strike in the coal fields of the United States and pledging the support of the Congress to the President in the exercise of all his constitutional powers in the premises.

Whereas the President of the United States has made a public statement regarding his proposed course of action with reference to the threatened strike in the coal fields of the United States and his intended efforts to enforce the law and maintain the integrity of the Government of the United States: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That the utterances of the President of the United States contained in said statement are approved by the Congress of the United States; and that the Congress hereby pledges to the President of the United States its support in all constitutional measures which the President may take in order to enforce and maintain the laws of the United States in their full integrity.

[Applause.]

I am not going into the merits of the controversy, because the President's statement does not go into the merits of the controversy. But if gentlemen will read the President's statement, it is an assertion that the powers of this Government even unto the utmost will be exerted in upholding and maintaining the law. We can not perhaps at this time solve immediately the

questions at issue in this controversy, but we can give expression to the country that the stand of the President in this matter has the hearty concurrence of the Congress, and that his determination to uphold the laws whether they be violated by mine owners or miners will be approved and that the violators of law will receive the hearty condemnation and swift punishment of the law enforced by officers of the United States of America. [Applause.]

It is not possible at this time to solve these questions in all their phases, but we must uphold the laws that are already on the statute books and already capable of being enforced; and I trust that a little later in the day the majority leader will consent to the immediate consideration of this resolution. I will state that the acting minority leader has been consulted, and readily agrees therewith. Disaster immediately impends, and may break in a few days; rich and poor, women and children, all classes of the citizenship are threatened with intense suffering in the winter that faces us. Let us assure the country that the President will have our support. This is, and I hope may ever be, a land of law. Whether that law is violated by the rich or the poor, whether by the mine operator or the miner, the law must be upheld and vindicated. The law is supreme. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLAND of Missouri. Mr. Chairman, I ask leave to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none.

Mr. WOODS of Virginia. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, I desire to say in answer to the gentleman from Illinois [Mr. KING] that what the President of the United States does mean is that when miners enter into a contract with the coal operators requiring that they will work under certain conditions until the end of the war, not to extend beyond March 1, 1920, that the President of the United States wants them to keep their agreement just like every other person who contracts in this Nation.

Mr. KING. Will the gentleman yield at that point?

Mr. BLANTON. I regret I have not the time.

Mr. Chairman, I do not desire to see a bill like the present one pass the Congress with but an hour's debate without raising one voice against the policy which seems to have been adopted by this House and the Senate, that is of paying to police officers and paying to the firemen, if you please, or their chief officers, the same salary that the governors of nine different States of this Union receive to-day. There are nine governors of nine States in this Union who do not receive but \$4,000 a year and we are seeking to pay the chief fireman in this bill the same salary. Not long ago we paid the chief police officer of this District, not \$4,000, but \$4,500. I have never said a word against the police department since I have been in Congress, having invariably defended it on the floor here against all attacks, but I do want to call the attention of this House to one incident which has happened since the raise in salary and which is a disgrace to the District and to the Nation. One of the finest young women in this land, coming from one of the finest families of the United States, living in my district, is employed in one of the departments here, 2,000 miles away from her friends, and a police sergeant, if you please, whose salary under the provisions of the other bill was raised to \$2,100 with a bonus which would make it \$2,340 a year, went to her house the other night and said that complaint had been made that a diamond ring had been stolen in that neighborhood and asked her if she did not have a diamond ring, and she showed him a ring on her finger, a ring she had worn every day in the 11 months she has been in Washington; a ring which every one of her girl friends and every man she has worked with in her department has seen upon her finger every day during those 11 months; a ring which I and my wife saw the day she landed in Washington, because we met her and helped to find her a room and a place to eat. This police sergeant scared that young lady nearly to death, and through threats of taking her to the police station, he humiliated her and made her give up her ring that he might take it off to have it weighed. It so happened the party who had lost a ring asserted that her diamond was five-eighths of a carat. This police sergeant, after I got in behind him for the treatment he had accorded this young lady, had her diamond weighed and it weighed over seven-eighths of a carat, or a little under a fraction of a whole carat, and I had him immediately give that ring back to her. Then Saturday she was again insulted



by a letter from an inspector, if you please, who gets \$2,400 a year and gets \$240 bonus, making \$2,640 salary, asking that she again return her ring to him last Saturday. If he had asked that girl 10 proper questions he could have found out that the ring he took from her was her property, and yet he humiliated her before her friends and ordered her to come down to his office and bring that ring back again Saturday evening in order that he might make a further examination.

I want to say if this is the kind of service the police department of Washington give to innocent young girls, the very best in our land, who are strangers in Washington, 2,000 miles away from their homes, I say it is a disgrace to this District and a disgrace to this Nation.

We have been raising salaries entirely too high. I for one am going to raise my voice in this House against it and say that we are paying salaries that are entirely too high.

Mr. DENISON. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Will the gentleman from Virginia yield me one minute in order to answer the gentleman from Illinois?

Mr. WOODS of Virginia. I will yield.

Mr. DENISON. I want to ask the gentleman from Texas if he does not think that this police sergeant that he has been referring to had not better try to spend more time catching automobile thieves that are infesting Washington?

Mr. BLANTON. They ought to spend their time in catching criminals and not in humiliating poor, innocent girls here in the city of Washington.

Mr. PARRISH. Will the gentleman give the names of the officers?

Mr. BLANTON. Yes; they were Detective Sergt. Sweeney and Inspector Grant. I give their names because the gentleman asks for them and has the right to know everything I know about it, and I am trying to get both of them to see that this young lady is not to be molested any further; and I called on Maj. Pullman this morning to see that this innocent young girl, who is 2,000 miles away from her mother and home, is not persecuted any more.

Mr. WOODS of Virginia. Mr. Chairman, I yield two minutes to the gentleman from Nevada [Mr. EVANS].

Mr. EVANS of Nevada. Mr. Chairman and gentlemen of the committee, at this most particular period of our history, upon the birthday of our latest great American, we are pleased to recall with proud and tender memories his strongest appeal—that every man must respect and obey the law and aid in law's enforcement.

The man who placed character above all else, with certain vision, declared we should be at instant war with a nation which breaks its word upon Belgian invasion and sinking of the *Lusitania*.

Recalling his words is the best eulogy:

Not once in a thousand times is it possible to achieve anything worth achieving except by labor, by effort, by serious purpose, and by the willingness to run risk. The persons who seek to persuade our people that by doing nothing, by passing resolutions that cost nothing, and by writing eloquent messages and articles that mean nothing, and by complacently applauding eloquence that means less than nothing, some service is thereby rendered to humanity are not only rendering no such service but are weakening the spring of national character. Fear God and take your own part.

[Applause.]

Mr. WOODS of Virginia. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. JONES].

Mr. JONES of Texas. Mr. Chairman and members of the committee, I desire to offer a word in commendation of the resolution that was suggested by my colleague [Mr. CONNALLY] indorsing the statement and position taken by the President of the United States. I believe the time has come when the Congress of the United States should let it be definitely known that they stand for law and order at any cost.

Now, this is a day when we are supposed all over the United States to take up a collection to establish a memorial to a former President. I believe it is estimated that several millions of dollars are thus to be raised and placed in a monument. I desire modestly and respectfully to submit that I believe, inasmuch as ex-President Roosevelt typified virile American citizenship and believed in and preached the doctrine of 100 per cent Americanism, it would be better to use the six or seven million dollar fund which it is proposed to be raised in stamping out Bolshevism and, if necessary, in deporting those foreign believers in and followers of the red flag. [Applause.] This would be a finer monument to the man who has been termed the typical American than any monument of stone or structure

that might be erected, no matter how beautiful its form or how polished its surface.

I believe in freedom of speech and freedom of thought in this country. Nobody believes in that more than I do; but when a man comes to this country from some other country—or even when born in this country—and defends the doctrine that if he can not convince by persuasive methods the people of the United States that his doctrines are true he is going to take a bomb or some other sort of missile and force an unwilling people to accept his doctrine, he is unpatriotic, un-American, and an undesirable in this country. [Applause.] And I believe he ought to be deported, along with all the others of his class, and given a chance on some island or somewhere else, where such characters can live together and try out their absurd doctrines on each other, and not be left in a country that has grown great and powerful in recognition of law and constitutional rights.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. JONES of Texas. I will.

Mr. NEWTON of Minnesota. Does not the gentleman think that the present officers of our Government should do more than they are now doing to get rid of some of these men and to deport those that are now at Ellis Island awaiting deportation?

Mr. JONES of Texas. I do not care to go into the merits of that proposition. I know the officials of this country are very busily engaged because of the sentiment that is rising in the country at the present time. There is a great deal to be done; they, of course, are not infallible, but I know the officers of the Government are using all their power to destroy this absurd doctrine that has taken root in this country and which some people are foolish enough to believe. It can not be done in a moment, but I think the Congress of the United States by the passage of some sort of a resolution can, instead of criticizing the officials of the Government, show that they back those officials. We have had too much of carping criticism of some of the officials, and not enough of assurance to the effect that we are going to get behind them and see that they are protected in the exercise of their authority in carrying out the laws of this country. The President has declared his intention of seeing that the law is upheld and enforced. We should let him know that we intend to stand behind him and uphold his hands in employing the resources of this Nation to carry out the laws of the country.

Now, I want to add in this connection that it has been announced by various long-haired agitators in this country—and they have preached the doctrine to various groups of citizens in this country—that certain classes of our land should secure guns, should secure bombs, and other means of enforcing their rights. I do not believe in allowing any long-haired agitators to preach any such doctrine in America. [Applause.] I think it is time for this Congress to give notice to the world and to the country in general, and especially to those who are inclined to preach that doctrine, that we do not mean to stand for it.

Mr. PARRISH. Will the gentleman yield?

Mr. JONES of Texas. I will.

Mr. PARRISH. Does not the gentleman from Texas think that the passage of a wholesome immigration law, rejecting undesirable immigration, would go far toward stabilizing conditions in this country at this time?

Mr. JONES of Texas. I am glad the gentleman suggested that, as I agree with him, and intended to mention it in this connection. I want to say that I believe we should have rigid immigration laws that would prevent any man who comes from soviet Russia or any other country and who believes in the doctrine that it is the right of any class or type of people to take over the property accumulation of centuries from entering this country.

Mr. BLANTON. Does not my colleague believe when we catch a man preaching revolution and bomb throwing that instead of deporting him we ought to hang him as high as Haman? That would get rid of him.

Mr. JONES of Texas. I am in favor of giving him a speedy and legal trial under our Constitution and laws. To do otherwise and to deal with him in disregard of law would be to adopt his own anarchistic doctrines. The American people can be trusted to see that he is condemned if he deserves to be.

Mr. BLANTON. What do we want to put him off on some other country for?

Mr. JONES of Texas. We have got to deal practically with this proposition. They should be hanged if they commit any overt act, and we have a law which makes provision for doing so.

Mr. BLANTON. And we ought to enforce a law of that kind.

Mr. JONES of Texas. Undoubtedly. However, there is no use of playing to the galleries on this proposition. We have a

right to deport them and to prevent their coming into this country under existing laws, and we ought not to delay until the passage of new laws, but should use existing laws. In the meantime we can pass any laws that may be necessary to adequately cope with this situation.

There has never been a time in the history of this Government when so many radical and revolutionary doctrines were being taught as now. These are being taught by men who believe in no flag except the red flag, and in many instances by foreigners, who do not believe in our form of government, if indeed they believe in any government.

I am willing to listen to any man express his opinion and give his views so long as he depends upon reason and persuasion, but when he wants to get a hand ax and a torch and pillage and destroy he becomes worse than a criminal.

When a man is unwilling to abide the wishes of the majority, but insists by processes of treachery and violence upon inculcating the doctrines of force and the saddling of his ideas upon the people through the medium of fear, he becomes a most dangerous character in a free republic.

Under these doctrines a few fanatics, anarchists, and long-haired ignoramuses in Russia have destroyed all property and practically destroyed property rights. Crying for a division of all wealth, all available wealth has been confiscated and wasted, thus exhausting the savings and accumulations of generations. Forgetting that all governments get their essence and life from the consent and support of the governed, they have tried to resuscitate that long-ago-disproven fallacy and heresy that wealth may be created by the passage of a resolution or the decreeing of every man of thrift who possess any property. Forgetting that since the days when man lived in the Garden of Eden there has been no wealth production without toil and labor, they have gone to sea in a broken bowl of idleness, and they are too busy with their howling to notice that it is gradually sinking beneath their feet.

May God protect our country from looking on such doctrines with the least degree of allowance. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired. The gentleman from Virginia [Mr. Woods] has seven minutes remaining. The gentleman from Michigan [Mr. Mapes] has 18 minutes remaining.

Mr. WOODS of Virginia. Mr. Chairman, I want to say, in addition to the statement of the chairman of the committee, that as to the question of the raise in salary of these firemen the committee, as I understand it, was unanimous upon the schedule reported in this bill.

I was impressed particularly with one line of evidence which was not exploited, but which I caught as the hearings proceeded in taking the testimony of the firemen, and that was the evidence that the men are practically on a par as to living expenses with the policemen. About 11 men testified. It struck me rather forcibly that not a single man of the 11 was able to employ or did employ a servant in his family, with one exception. That man had lost his wife, and had to have some one to take care of his children.

I think these salaries recommended by the committee are very moderate indeed, and barely sufficient to enable a man to maintain himself in respectability, as the firemen of Washington should do.

Mr. BEE. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Virginia yield to the gentleman from Texas?

Mr. WOODS of Virginia. Yes.

Mr. BEE. Is there any provision in this bill that permits the fireman to have one day out of seven that he spends at home, or is he compelled to remain on duty by the fire department for seven days?

Mr. WOODS of Virginia. I think there is no exception. He has to be there 12 hours in a day and 30 days in a month.

Mr. BEE. They have a different shift, then?

Mr. WOODS of Virginia. Yes.

Mr. BEE. I want to ask the gentleman another question.

Mr. WOODS of Virginia. Very well.

Mr. BEE. This provision in reference to strikes, is that parallel with the provision in the policemen's bill which we passed the other day?

Mr. WOODS of Virginia. It is in the same language, I will say to the gentleman. We considered that that could probably be better worded, but the House had voted for it and understood its meaning, and the men involved understood its meaning. We think our distinguished friend from Illinois about hit the nail on the head when he said that "affiliated" covered the thing we were aiming at.

Mr. BEE. There is another thing that I want to ask the gentleman about, and that is with reference to the word "claims"—

"an organization affiliated with another organization which holds, claims, or exercises the right." To hold and exercise a right, I understand. What is the special significance of the word "claims" unless it is an existing fact? The mere fact that a man claims something would not be of any validity unless he holds to it as a right and exercises it.

Mr. WOODS of Virginia. That matter no doubt will be taken up fully—

Mr. MONDELL. This entire matter was discussed in the House at very considerable length on another bill. This is the exact language, and the House agreed to the language of the committee.

Mr. BEE. I will say to the gentleman from Wyoming that I asked the question if the language was the same, and I was told that it was not, but that it was substantially the same.

Mr. MONDELL. My understanding is that the language is identical.

Mr. WOODS of Virginia. The language is identical.

Mr. BEE. I asked that question and was told that it was not.

Mr. WOODS of Virginia. Mr. Chairman, since the question of the coal situation has been injected into this discussion, although I did not intend to say anything about it, I wish now to say something on that. The gentleman from Illinois asked a question in regard to whether the miners of Illinois were paid only \$75 a month. I hold in my hand a statement of the pay of miners. I assume that these are the best-paid miners. I am going to take the risk of trespassing upon the patience of the House to read a few of the items. These men work in a non-union field. They are supplied with coal in their houses. They are supplied with a house with oak and parquet floors. Here is the account of Sidney Deskins, of Borderland, W. Va., for March, 1919. His gross receipts were \$271.97, and after taking out his expenses the balance due him was \$216.97. In the case of James Jones, his total for the month of March was \$251.96 and his net was \$190.96. That takes out his doctor's bill and his light and, in some cases, his insurance.

Mr. KITCHIN. His house rent and light?

Mr. WOODS of Virginia. Yes; house rent and light. Here is the account of Harry Pinson. For the month of March his total was \$388.44, and his net was \$240.94. Harrison Crum, total \$420.70, balance or net \$417.45. He is a single man. He did not pay any rent.

Mr. BLANTON. That is more than many Government officials receive.

Mr. WOODS of Virginia. A. Zimmerman, sr., total for the month of March, 1919, \$421.74; net, \$336.24.

Mr. CARSS. Mr. Chairman, will the gentleman yield?

Mr. WOODS of Virginia. Yes.

Mr. CARSS. What kind of duty was that man engaged on?

Mr. WOODS of Virginia. He is mining coal by the ton on the car.

Mr. CARSS. Is he a pick miner or does he work a mining machine?

Mr. WOODS of Virginia. All he has to do is to put in his little blast and load the coal on the car.

Mr. DENISON. Mr. Chairman, will the gentleman yield?

Mr. WOODS of Virginia. Yes.

Mr. DENISON. What are his hours?

Mr. WOODS of Virginia. Seven hours; not over eight.

Mr. BLAND of Indiana. Mr. Chairman, will the gentleman yield?

Mr. WOODS of Virginia. Yes.

Mr. BLAND of Indiana. Have you any account of the number of hours he worked to earn that \$421.74?

Mr. WOODS of Virginia. I have not. April, 1919, Sidney Deskins, total, \$344; net, \$300.50. Account of A. Zimmerman, sr., April, 1919, total, \$250.04; net, \$113.04.

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a question?

Mr. WOODS of Virginia. May, 1919, Sidney Deskins, total, \$390.03; net, \$336.53.

Mr. MADDEN. The deduction of the house rent and electric light and things of that sort really ought not to be made, because the net earnings of an ordinary man will be what he gets, out of which he must pay his rent and other expenses.

Mr. WOODS of Virginia. All that he pays out of this is his smithing and powder bill. His powder bill is \$2.50, and his rent is \$9, and he pays for the blacksmithing of his tools. All the tools he needs are the pick and shovel and auger, and 50 cents a month is charged for keeping his tools in order.

Mr. KITCHIN. I understand some deductions were made for store account, scrip, in some cases amounting to \$49.

Mr. MADDEN. I say it is not fair to say "net," as the amount he receives after paying his grocery bills and lights and other things. It ought to be confined only to his powder bill and tools.



Mr. WOODS of Virginia. His insurance is taken out.

I give the statement, which has been furnished me, as to wages earned for the months indicated for the miners named at the Borderland Coal Corporation mines at Borderland, W. Va.

This is not a union field, but my understanding is that prices corresponding to the union scale are paid. Mining conditions are not exceptional, and the miners are not paid higher, or at least not materially so, and the mining conditions are materially no better for the miner than generally prevail in that field. Miners are charged \$2 per month per room for frame houses, most of which have bathrooms attached and are sewerage, and \$3 per month per room for brick houses. They pay for their own powder, which runs from \$2 to \$9; smithing bills, 50 cents per month; furnish their own tools, consisting of shovel, pick, coal auger, and perhaps an iron bar. They are not charged for timber or propping. Single men pay 75 cents for medical attention, and married men, with families, \$1.25 per month.

It may be that a few of those listed below are contract miners; that is, they employ a helper and receive pay for the coal the miner and the helper both mine. The coal is cut at the footing by the company with cutting machines. The miner works as many hours as he chooses and is paid by the ton or car. Their average day is from seven to eight hours, but, of course, during the period shown by the following statement there were quite a number of days in which the miners were not working owing to car shortage. These cases may be exceptional, but are sufficient to show what can be earned by the steady miner. The list is as follows:

Name.	Month.	Gross amount.	Net amount.
Jno. Postulok.....	April, 1918.....	\$254.35	\$240.75
Anthony Zimmerman.....	.....do.....	342.42	237.17
Bill Candill.....	.....do.....	308.03	164.53
B. H. McKee.....	May, 1918.....	259.50	172.10
Jno. Zebala.....	.....do.....	276.25	246.25
Bill Candill.....	.....do.....	354.25	236.75
Anthony Zimmerman.....	.....do.....	382.98	237.73
Bill Candill.....	June, 1918.....	376.74	276.98
Anthony Zimmerman.....	.....do.....	410.02	282.77
Geo. Bays.....	.....do.....	313.05	183.54
Martin Justice.....	.....do.....	268.20	224.95
Jno. Zebala.....	July, 1918.....	262.95	238.95
Thos. Alley.....	.....do.....	279.91	262.16
Bill Candill.....	.....do.....	456.95	313.94
Anthony Zimmerman.....	.....do.....	508.56	344.31
George Bays.....	.....do.....	297.52	203.40
Henry Rathliff.....	.....do.....	293.76	241.51
Martin Justice.....	.....do.....	264.80	180.80
John Zebala.....	August, 1918.....	258.20	232.00
George Tice.....	.....do.....	258.30	212.05
Bill Candill.....	.....do.....	400.53	284.70
A. Zimmerman.....	.....do.....	547.82	412.57
George Bays.....	.....do.....	377.08	308.82
Henry Rathliff.....	.....do.....	311.47	250.22
Bill Candill.....	September, 1918.....	423.67	252.77
A. Zimmerman.....	.....do.....	458.21	254.21
Bill Candill.....	October, 1918.....	365.20	246.57
A. Zimmerman.....	.....do.....	343.46	179.21
Floyd Muncy.....	November, 1918.....	275.41	158.86
Bill Candill.....	December, 1918.....	257.92	167.04
Mose Burgett.....	.....do.....	257.92	112.37
S. J. Childress.....	February, 1919.....	261.02	193.27
Richard Lemaster.....	.....do.....	260.55	205.55
Bill Candill.....	.....do.....	280.54	221.04
Mose Burgett.....	.....do.....	269.88	141.63
Do.....	March, 1919.....	291.59	176.34
Bill Candill.....	.....do.....	300.82	239.82
H. E. Booth.....	April, 1919.....	266.55	139.95
Bill Candill.....	May, 1919.....	285.61	221.11
Mose Burgett.....	.....do.....	301.60	157.20
Jake Kosen.....	August, 1919.....	253.60	218.85
R. E. McKee.....	.....do.....	283.17	234.42
Jacob Gran.....	September, 1919.....	292.36	202.85

The net is after deducting store account, scrip account, powder, rent, light, coal, smithing, doctor's fee, insurance, and in some instances cash and war campaign fund. These men are not starving.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. WOODS of Virginia. I think it would possibly be interesting to the House to extend my remarks by inserting these figures and the extent to which these men are paid.

The CHAIRMAN. Is there objection to the gentleman's request to extend his remarks in the manner indicated?

There was no objection.

Mr. MAPES. Mr. Chairman, I yield 15 minutes to the gentleman from Indiana [Mr. BLAND].

Mr. BLAND of Indiana. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. BLANTON. Mr. Chairman, if it is to be an extension of the gentleman's own remarks, I will not object. If it is the interpolation of other matter, I do object. I do not object to the extension of the gentleman's own remarks.

Mr. BLAND of Indiana. That is all I am asking for.

Mr. BLANTON. I do not object.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BLAND of Indiana. Mr. Chairman and gentlemen of the committee, on account of the apparent crisis in the sugar-supply problem I think it proper to give the House certain information I have collected, and especially some information that Subcommittee No. 3 of the Special Committee on Expenditures of the War Department obtained while recently in France. Much is being said now about the facts we gave out concerning the bulk-sales contract of property in the hands of the War Department in France. During the short time I have the privilege of the floor I would not attempt to go into the bulk-sales contract, except in so far as it may throw light upon the sugar question. Soon after this committee returned from France, where, as a part of its duty, it had investigated the activities of the liquidation commission, we gave out the statement that there were 22,000,000 pounds of sugar sold to France under the bulk-sale contract. Soon after that, in a speech in the other branch of this Congress, this bit of information was referred to, and I see in one of the Washington papers a statement by the Secretary of War which I understand to mean that he denied that any sugar had been sold there. I again went over the figures obtained from the inventories and invoices obtained from the liquidation commission and ascertained that the figures were substantially correct and that approximately 22,000,000 pounds of sugar was a part of the enormous quantity of food supplies sold to France under the bulk-sale contract, which was inventoried by the liquidation commission as amounting in all to something more than \$259,000,000, and which was delivered to them in the month of August of this year.

Mr. EVANS of Nevada. In one statement the gentleman made he said there were 22,000,000 pounds sold and now he has just said that there were \$22,000,000 worth sold. I should like to know which it is?

Mr. BLAND of Indiana. Twenty-two million pounds.

Mr. MONDELL. The gentleman speaks about giving away sugar in France. Is the gentleman entirely accurate? I understand we got 2 cents a pound for it or are to get 2 cents a pound when the debt is paid.

Mr. BLAND of Indiana. It is very difficult, indeed, to say what we got for that sugar. Personally I do not think we got anything for it. It is included in a \$400,000,000 bulk or lump sale, of which \$259,000,000 was the inventoried price of the food. Mr. Hoover said it was all good. It was worth more than it was when it was purchased. There were \$315,000,000 of automobiles, appraised value, also \$323,000,000 worth of clothing and textiles, to say nothing of the 10,000 different things included in the total of almost \$2,000,000,000. They sold it for \$400,000,000. So it is hard to determine what was received for the sugar. But I do not care what they received for it. It ought to have been brought back home, and the director of sales, Mr. Hare, promised me that when he went over there to sell this stuff he would bring this food back home, in order to reduce the cost of living here. But Mr. Hare was pulled off the boat when he started for France, and finally he was put back on the boat, and when he arrived in France with a great corps of experts he found nothing to sell, because the War Department had sold everything that was in France at this sacrifice sale. He maintained his organization there until he resigned a few days ago, for the purpose of finding buyers in Europe for the things we had to sell in America.

Later, when the Harriman National Bank published a statement containing these facts, Secretary Baker felt compelled to make another statement, part of which is as follows:

The material was a miscellaneous assortment of removable and non-removable property. A very large amount of the property, it should be said, was brought home and was not sold. What was left was what was not needed in this country and was of such a character as not to justify the expense of transporting it to the United States. If the whole had been brought home it would not have had any appreciable effect on the high cost of living. I approve of what the liquidation commission has done.

Now, gentlemen, 22,000,000 pounds of sugar in no sense represent the total amount of sugar sold and given out from the American Army supply, to say nothing of the enormous amounts of sugar that have been, by Mr. Hoover's activities and the activities of the Sugar Equalization Board, exported to Europe. If you have read the hearings in the Senate you will find that the sugar situation in America is a distressing one. Large consumers of sugar, in order to keep from closing down their plants, are paying as high as 20 cents per pound. In many

places you are already being rationed and in some instances it is impossible to get sugar at all. From the testimony before the Senate committee it is apparent that the shortage of sugar is to become more pronounced in the immediate future. The Sugar Equalization Board, through its representatives, Messrs. Glasgow and Zabriskie, testified that the representatives of the Cuban sugar producers early in August notified the Sugar Equalization Board that they were open for proposals for the Cuban 1920 crop. The Sugar Equalization Board being the creatures of the President of the United States, and he holding the \$5,000,000 stock subscribed by the Government in this corporation, felt that they should not act in negotiating for this crop without the consent of the President. On the 14th day of August the Equalization Board requested the President to authorize them to acquire the 1920 crop, but for some reason action was not taken by the President, and on the 22d of September the request was renewed upon the President for consent. On the 27th of September the offer of the Cuban producers was withdrawn, and it is very difficult to say whether we will be enabled, at any price, to obtain any considerable portion of the Cuban 1920 crop. But one thing is definitely certain, and that is that we will not be able to obtain it now in competition with the countries of the world at any reasonable figure. I desire to quote from the testimony a few lines with reference to the cause of the shortage of sugar and what could have been done to have prevented it.

The CHAIRMAN. As a legal proposition, who would have the authority now to place an embargo on sugar?

Mr. GLASGOW. To-day?

The CHAIRMAN. Yes; some one has that authority.

Mr. GLASGOW. The War Trade Board would have the authority.

The CHAIRMAN. But that has not been done.

Mr. GLASGOW. It has not, so far as I know. We asked for it in July in a letter which Mr. Zabriskie exhibited here at the last hearing, and it has not been done. It is a useful thing.

I desire to insert into the Record a letter received from the United States Sugar Equalization Board (Inc.), addressed to me on October 22:

Hon. OSCAR E. BLAND,

Member Committee on Expenditures, Washington, D. C.

DEAR SIR: In reply to your wire to Mr. Hoover, which was forwarded to us, we have wired you as follows:

"Your wire to Mr. Hoover in regard to sale of Government sugars to Europe referred to us. No Government sugar sold to Europe. Refined sugar exported for account royal commission, 126,314 long tons in 1918; 339,338 long tons January to October 1, 1919."

We have no information here of any sugar sold directly by the United States Government to the countries of Europe, but we do know the amount of sugar that has been exported from the United States. The sugar exports from the United States consist of two distinct units. First, the sugar which is sent to Europe and other foreign countries from our own supply; secondly, the sugar which belongs to the English Government sent here to be refined. English sugars have amounted to 339,338 long tons for the period January through September, 1919.

The sugar exported from our own supply has amounted to 154,073 tons for the same period, making a total of 493,411 tons leaving the United States. These sugars were sent by individual refiners under the supervision of the Sugar Equalization Board, but were not sold by any Government agency.

Yours, very truly,

U. S. SUGAR EQUALIZATION BOARD (INC.),  
Statistical Department,

By JOSHUA BERNHARDT.

You will note that there has been exported by this corporation, which is run by the Government, 493,411 tons of our own sugar. Mr. Hoover, of the Food Commission, informed me that the only figures he had available on the sugar question were those showing the amount shipped from this country to Europe to be used in connection with his activities there, which figure he placed at the sum of 3,800 tons.

The Sugar Equalization Board, if they continue their task of equalizing the distribution and price of sugar, will be required to seek additional legislation from Congress. They insist that it will be necessary, if they function properly, that they have the power to place an embargo upon the exportation of sugar, and that they should continue to have the right to distribute and fix the price of raw and refined sugar. They state that it will require for American consumption 4,000,000 tons per year, which is approximately 80 pounds per capita for every person in the United States. The Equalization Board says there is a shortage of sugar to meet this demand. It is contended by others that there is plenty of sugar in the United States. One thing we do know—it is not being handed out to the public if we have it, and the price is becoming threateningly high.

Mr. REAVIS. Will the gentleman yield?

Mr. BLAND of Indiana. I yield to the gentleman.

Mr. REAVIS. The gentleman says that the Equalization Board say that America needs 4,000,000 pounds a year. Did he mean 4,000,000 pounds or 4,000,000 tons?

Mr. BLAND of Indiana. The Equalization Board say we need 4,000,000 tons a year.

I have examined all of the available records we have as to the sales of sugar in the War Department. I have made in-

quiry by cablegram of Gen. Allen, commanding the Third Army, the army of occupation at Coblenz, Germany; I have cabled to Gen. Krauthoff, who has been in charge of the sales department of the American Expeditionary Forces at Paris; I have cabled to Judge Parker, of the Liquidation Commission; I have talked with the Chief of Staff, Gen. March; with the Quartermaster General, Gen. Rogers; with the Assistant Secretary of War, Mr. Crowell; and The Adjutant General's Department; and Mr. Hoover, of the Food Administration, with reference to information as to how much sugar has been sold of the enormous stock we held in France.

Judge Parker caused to be cabled the following information:

Following sales of sugar have been made during 1919:

	Pounds.
Jan. 28, American Red Cross	180,000
Mar. 16, American Relief Administration	400,000
Apr. 21, American Relief Administration	40,000
June 28, Italian Government	10,000
July 2, American Committee for Relief of Devastated Regions of France	20,000
July 5, Young Men's Christian Association	360,000

Total

1,010,000

Compilations of sales of surplus American Expeditionary Forces property in Europe, arranged by categories as well as by services and names of purchasers, not complete; hence, am not fully prepared to state absolutely that the foregoing constitutes all sugar sold.

I am of the opinion that it constitutes but a very little part of the sugar sold by the Liquidation Commission before it made the bulk sale to France, and, remember, the Liquidation Commission began its activities in February or March, and the Army had been selling sugar since the preceding November. Our committee was furnished by Gen. Krauthoff in Paris a statement showing a partial list of their sales of sugar by his organization prior to the beginning of the activities of the Liquidation Commission. The Sales Department of the American Expeditionary Forces, and no other authority in France, was not able to give this committee a complete detailed statement of the amount of property sold prior to the beginning of the activities of the Liquidation Commission, nor are they prepared to-day to give such statement. Neither the War Department here nor the records in France disclose these facts. I find, however, that some 25 different sales were made to governments, organizations, and individuals which totaled over 9,325,000 pounds of sugar. Mr. Hoover testified before our committee in France that he furnished from the Army supplies a great part of the provisions for which he spent most of the \$100,000,000 appropriated by Congress for the relief of starving Europe and that he furnished buyers for the Liquidation Commission, chiefly from the liberated nations, of other great quantities of supplies. It is fair to assume, I should think, in view of the fact that there was a great sugar shortage in Europe and that the American Army had a great surplus supply, that considerable sugar was included in these enormous quantities of supplies sold to the liberated nations and to different philanthropic and rehabilitation organizations of Europe.

I have made inquiries at the War Department, in order to obtain figures as to how much sugar was sold to the Army, so persistently that I probably have made myself somewhat troublesome in that quarter. I elicited a few facts which may be of interest to the House, but which within themselves give very little idea of the amount of sugar sold in Europe. I think it entirely proper that I call your attention to the fact that during the war our patriotic impulses were appealed to in order that we would use but one lump, or no lump at all, in our cup of coffee or tea and that we were restricted very severely in reference to our purchase and use of sugar in order to give the "boys at the front" all they needed. It was a commendable thing to do and Mr. Hoover did his job well in that connection. Our patriotic people responded heartily and made great sacrifices. In the meantime the sugar piled up in France, the armistice came along, our boys came home with the exception of about 20,000 and some 6,000 or 7,000 that are now in Germany, but still the sugar shortage has been staring us in the face for many months, and yet the War Department has gone on heedless of the wants of the American people and even heedless of the wants of their own Army and have given out to Europeans this stock of sugar saved by the American people as recklessly as Santa Clause gives out candy to children on Christmas Eve. I want to insert here a letter from Col. Wood, of the Quartermaster General's Corps, addressed to Gen. Rogers, the Quartermaster General, under date of October 22, 1919.

Memorandum for Gen. Rogers:

1. Attached hereto is a concise statement of events leading up to the present sugar situation.

2. It is now necessary to procure immediately 2,550,000 pounds of sugar, and an additional 9,542,000 pounds to last through the third quarter of the present fiscal year.



3. It is suggested that Col. Point go to New York to-day for the purpose of arranging for this sugar with the United States Sugar Equalization Board.

4. This is the only known source from which the sugar can be obtained, and also the Sugar Equalization Board is morally bound to supply the War Department with its needs.

5. Again, the question of payment for this sugar should be given careful consideration. It is my opinion that the sugar should be returned at the same rate which the Sugar Equalization Board paid our department for the sugar which they took over. Also, inasmuch as the estimates for the present fiscal year were based on a sufficient supply of sugar to meet all requirements, and a shortage has now arisen, due to a portion of it having been turned over to the Equalization Board, the money so secured should, if possible, be made available for the necessary purchase and not turned into the Treasury, a transaction which is liable to leave this department with a shortage of funds requiring additional appropriations.

W. S. Wood.

Colonel, Quartermaster Corps, Director of Purchase.

You will observe in this letter that the Army must have 12,000,000 pounds of sugar to last through the present quarter of this year, and that they are beseeching the Equalization Board to take the sugar away from the consumers of the country and give it to the Army. Not only has the War Department robbed the people of their sugar during the war and then sold it, but they have recklessly disposed of it to the extent that they have none for themselves and must now rob the people again in order to get a sufficient quantity to tide them over. I may be in error and out of sympathy with the spirit of the times in protesting against delivering anything that America has to suffering Europe if needed here, but it does seem to me that the American people at some time are going to demand that somebody in the administration somewhere raise his voice and hand them favors to the exclusion of all others. Aside from the sugar sold in Europe the War Department shipped the following amounts for the Third Army in Germany:

	Pounds.
March, 1919.....	2,160,000
April, 1919.....	4,392,000
May, 1919.....	4,000,000

Making a total of 10,552,000 pounds which went by way of Antwerp and, no doubt, a portion of it and a great amount in addition, from elsewhere, arrived at Coblenz.

We have long since reduced our Army there to 6,000 men. There is no information in France, there is no information in the War Department here, and I can obtain no information from Coblenz, Germany, as to what became of the sugar that went to Coblenz or what became of the sugar that went to Antwerp. I desire at this point to read to you a portion of a letter I received from Secretary Baker, touching upon this most important question, bearing date of October 23, 1919:

Hon. OSCAR E. BLAND,  
House of Representatives.

DEAR SIR:

I answer the questions, numbering the answers numerically to correspond with the numbers in your letter, as follows:

1. The War Department has no information as to the amount of sugar sold to the French Government by the American Expeditionary Forces or the Liquidation Commission. The supplies included in the sale made by the Liquidation Commission to the French Government were doubtless inventoried to Judge Parker, but those inventories have not been returned to this country, and are part of the records of Judge Parker's office, which will be returned to this country with him or shortly thereafter. The extent to which sugar was a part of these supplies is unknown to anybody else now in the United States. I this morning caused to be transmitted to you a cablegram from Judge Parker in response to a cablegram sent him by you covering sales of sugar, exclusive of the "bulk sales" eliminated from the inquiry in your cablegram.

2. Whether or not any sugar has been sold by the Third Army, or the Army of Occupation in Germany, I have not in this country the means of knowing. The best information I can secure on that subject is from the Quartermaster General, who appeared before you and testified and whose memorandum to me says: "It is not believed that any sugar will be available for sale by the Third Army, as shipments are being made for their use from the United States."

It seems strange to me that the War Department in Washington has no information as to what has been done or is being done by the Army in Germany and the Army in France with reference to selling products that they now find the Army out of and that they must go upon the market and buy at an extortionate figure in order to keep the Army running. Why does not the Secretary know; why does not the War Department have the information as to how much sugar its own Army is selling and has sold? Empty transports come back from France ballasted with sand, sugar at a low figure is sold to Europeans, and our Army goes to the Equalization Board here in America and demands sugar that they are trying to get out to the American people when sugar profiteers are selling to consumers at 20 cents per pound.

Mr. LINTHICUM. Will the gentleman yield?

Mr. BLAND of Indiana. Yes.

Mr. LINTHICUM. Why is it that if we sold all this sugar in Europe we could not get any when we were over there? The gentleman was there. I had to use saccharine all the time with the little sugar that we took with us.

Mr. BLAND of Indiana. I am afraid that the gentleman boarded at the wrong hotel.

Mr. LINTHICUM. I admit that I did not board at the Crillon Hotel.

Mr. BLAND of Indiana. If the gentleman had put up where the peace commission was stopping he could have gotten all he wanted. [Laughter.]

Mr. LINTHICUM. If I had put up at the Crillon Hotel, where the gentleman from Indiana was, I might have got sugar, but I could not get it at any other place.

Mr. BLAND of Indiana. I will say to the gentleman that I had no trouble in getting sugar there at the Crillon and elsewhere.

Mr. MAYS. Mr. Chairman, will the gentleman yield?

Mr. BLAND of Indiana. Yes.

Mr. MAYS. I desire to ask the gentleman what answer Gen. Pershing gave to the inquiries upon the details of these transactions?

Mr. BLAND of Indiana. Gen. Pershing was in this country, and therefore I could not get hold of him.

Mr. MAYS. The gentleman did get hold of him?

Mr. BLAND of Indiana. Not on this question in France.

Mr. MAYS. Is it not well known that Gen. Pershing's judgment was the ruling influence in these transactions?

Mr. BLAND of Indiana. If he did not know any more about sugar than he knew about what was going on at the front, I take it he would not know anything at all about the subject, so I would not ask him about sugar.

Mr. MAYS. Is the gentleman of the opinion that Gen. Pershing did not know what was going on at the front?

Mr. BLAND of Indiana. I found him 200 miles away when the Battle of Chateau-Thierry was being fought, riding in his woods of 2,000 acres, on the 19th day of July, 1918.

Mr. MAYS. Hunting deer or Germans?

Mr. BLAND of Indiana. He was riding in his woods.

Mr. BLANTON. Yet the gentleman voted to make him a permanent general?

Mr. BLAND of Indiana. I was in France at the time this was done. Did the gentleman from Texas vote to do it?

Mr. BLANTON. Yes, I did; and I will do it again, but I would not criticize him afterwards.

Mr. BLAND of Indiana. I did not have the opportunity to vote, but I am not criticizing anyone for doing or not doing it.

This may be the manner in which the War Department should be run, but I do not believe the sugar consumers of the country think so. I was informed by Gen. Rogers that the available supply of sugar in the United States for our Army was down to 7,151,083 pounds. We must have an Army in the United States of something like 225,000 men and officers. The War Department did furnish me the information that since April 6, 1919, the Army had disposed of 48,236,816 pounds of sugar in the United States, which they tabulated for me, as follows:

	Pounds.
Total to United States Sugar Equalization Board.....	41,674,216
United States Navy.....	1,251,000
United States Marine Corps.....	1,200,000
United States Shipping Board.....	36,000
Interior Department (Alaska).....	72,000
J. Aron & Co., New York (sale).....	4,000,000
J. B. La Garde, Anniston, Ala. (celebration for return of soldiers).....	3,600

This sugar was sold at the price of 8.79 cents per pound f. o. b. I have been trying to find out who J. Aron & Co., of New York, are who received 4,000,000 pounds, but I have not been able to learn as yet. Mr. Herbert Hoover has promised to be before our committee next Wednesday forenoon to give us the details of the sales of sugar abroad, and I will be glad to furnish the House this information as soon as it is obtained. Judge Parker will be back from Paris within two or three weeks, and if his records can be located I may be able to obtain some additional facts with reference to the quantity sold in Europe. He may also have some information as to the amount sold by the Army since the armistice.

The Clerk read as follows:

Be it enacted, etc., That section 2 of an act entitled "An act to classify the officers and members of the fire department of the District of Columbia, and for other purposes," approved June 29, 1906, is hereby amended by adding thereto the following proviso:

"Provided further, That the privates in said department shall be classified as follows: That privates of class 1 shall serve one year on probation, privates of class 2 shall serve two years subsequent to service in class 1, and privates of class 3 shall include all those privates who have served efficiently three or more years. All original appointments of privates shall be made to class 1: And provided further, That the positions of engineer and assistant engineer in said department are hereby abolished, and those members of said department holding such positions and those vacancies existing in said positions at the time this amendment becomes effective shall be transferred to the positions of privates of class 1, 2, or 3, as may be determined by their length of service on August 1, 1919, in the same manner as hereby provided for the appointment and promotion of privates."



Mr. KELLY of Pennsylvania. Mr. Chairman, I move to strike out the last word. I do this for the purpose of placing in the Record figures showing the compensation paid firemen in other cities compared with what is paid in the District of Columbia.

The gentleman from Illinois [Mr. MADDEN] made the point a moment ago that the present bill under consideration increased the pay of the firemen in the District of Columbia to a point higher than that paid in the city of Chicago. I call attention to the different classes of firemen of Chicago, and compare their pay with the pay carried in this bill. The chief in the city of Chicago gets \$8,000 a year, and this bill gives the chief in the District of Columbia \$4,000 a year. The deputy chief in Chicago gets \$5,600 a year, and this bill gives the deputy chief \$3,000. The battalion chief of Chicago gets \$3,300 and in Washington \$2,400 by this bill. The chief machinist in Chicago gets \$3,000 a year and in Washington \$2,500 a year. The engineer in Chicago gets \$2,088 and in Washington \$1,660. The assistant engineer in Chicago gets \$1,820 and in Washington \$1,650. Privates in Chicago get \$1,800 and this bill gives \$1,460, \$1,560, and \$1,660.

The fact is that even with the increase in this bill, even with the \$240 bonus additional, there is not a position in Washington Fire Department that will be brought to the point of pay of the Chicago Fire Department, so that it seems to me that the real heart of this question is, Shall we pay the firemen a living wage in this city of Washington, where the cost of living is higher than almost anywhere else in America?

Recently a constituent of mine gave me figures which he had tabulated in an effort to secure the minimum amount necessary for the maintenance of a family in western Pennsylvania. Out of 1,380 families questioned and who gave their budget of expense, he arrived at the total of \$1,593 for clothing, medicine, food, education, insurance, light, heat, car fare, rent, recreation, and taxes.

This bill gives approximately that figure. It is an effort to do a worthy thing—provide a living wage for the fire fighters of the District of Columbia. It does not bring the pay up to that of other cities. The bill should be passed as it stands, and its passage will help to show the remedy for some of the questions which are confronting this country to-day. One of the fundamentals of justice is that every worker is entitled to a wage which is sufficient to enable him to maintain his family in comfort, to educate his children, and lay something aside for old age. There is no half-way compromise between justice and injustice. Now is the time to do justice to these fire fighters, and also to show that Congress stands for a living wage for every worker in America.

The Clerk read as follows:

Sec. 2. That section 4 of such act of June 20, 1906, is hereby amended to read as follows:

"Sec. 4. That the salaries of the officers and members of said department herein provided shall commence for the purpose of this act August 1, 1919, and shall continue thereafter annually, unless changed by Congress, as follows: The chief engineer shall receive an annual salary of \$4,000; deputy chief engineers shall each receive an annual salary of \$3,000; battalion chief engineers shall each receive an annual salary of \$2,400; the fire marshal shall receive an annual salary of \$2,400; deputy fire marshal shall receive an annual salary of \$2,000; inspectors shall each receive an annual salary of \$1,660; the chief clerk shall receive an annual salary of \$2,400; clerk (who shall be a stenographer and typewriter) shall receive an annual salary of \$1,660; captains shall each receive an annual salary of \$1,900; lieutenants shall each receive an annual salary of \$1,700; sergeants shall each receive an annual salary of \$1,700; the superintendent of machinery shall receive an annual salary of \$2,500; the assistant superintendent of machinery shall receive an annual salary of \$2,000; pilots shall each receive an annual salary of \$1,700; marine engineers shall each receive an annual salary of \$1,700; assistant marine engineers shall each receive an annual salary of \$1,660; marine firemen shall each receive an annual salary of \$1,660; privates of class three shall each receive an annual salary of \$1,660; privates of class two shall each receive an annual salary of \$1,560; privates of class one shall each receive an annual salary of \$1,460; hostlers shall each receive an annual salary of \$1,080; and laborers shall each receive an annual salary of \$1,000."

Mr. GOULD. Mr. Chairman, I offer the following committee amendment.

The Clerk read as follows:

Page 2, line 23, after the word "marshal" insert the word "shall."

Mr. GOULD. This is just to correct the text.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BLANTON. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 2, line 20, strike out "\$4,000" and insert "\$3,500"; on line 22, strike out "\$3,000" and insert "\$2,750, not exceeding two in number"; on line 24, strike out "\$2,400" and insert "\$2,160"; on line 25, strike out "\$2,000" and insert "\$1,760"; on page 3, line 1, strike out "\$1,660" and insert "\$1,420"; on line 2, strike out "\$2,400" and insert "\$2,000"; on line 3, strike out "\$1,660" and

insert "\$1,420"; on line 4, strike out "\$1,900" and insert "\$1,660"; on line 5, strike out "\$1,760" and insert "\$1,520"; on line 6, strike out "\$1,700" and insert "\$1,460"; on line 7, strike out "\$2,000" and insert "\$2,260"; on line 9, strike out "\$2,000" and insert "\$1,760"; on line 10, strike out "\$1,700" and insert "\$1,460"; on line 11, strike out "\$1,700" and insert "\$1,460"; on line 12, strike out "\$1,660" and insert "\$1,420"; on line 13, strike out "\$1,460" and insert "\$1,220"; on line 14, strike out "\$1,660" and insert "\$1,420"; on line 15, strike out "\$1,560" and insert "\$1,320"; on line 17, strike out "\$1,460" and insert "\$1,220"; on line 18, strike out "\$1,080" and insert "\$820"; and on line 19, strike out "\$1,000" and insert "\$860."

Mr. BLANTON. Mr. Chairman, of course we all know, but the people in the country do not know it, although, as I say, we know it and the Treasury Department knows it, that each one of these salaries under \$2,500 in this bill carries with it an additional \$240 as a bonus. Now, the salaries provided for in this bill probably under existing conditions are proper and should be paid, without this \$240 bonus added, and my amendment will merely strike out the bonus and permit all salaries except those over \$2,500 to be paid according to the maximums stated in the bill and not pay this \$240. Now, I called attention a while ago to the fact that we have nine States which see fit to pay their governors only \$4,000 a year. For a man to be governor of a State he can not just live along and not make preparation for it in the years past. He must devote years of his life in most cases to prepare himself to hold that position, and in all the other technical and scientific positions in our land men have to prepare for years to hold such positions. A doctor, for instance, has to spend five or six years in special study in order to be prepared to deal out medicine to people when they are sick. A lawyer has to devote years of his life in order to be prepared to represent the rights of the citizen in a court-house; the teachers and ministers spend years of study in special preparation, and yet we find men who have never devoted a moment of their lives to any special study or preparation for holding special positions receive to-day salaries larger than doctors or lawyers or teachers or ministers or governors of States. I say it is wrong; I say we ought to pay such men a living wage. We ought to place a premium upon the man or woman who devotes years of study in preparing for the ministry of the gospel, who prepare themselves for the life of the physician, for the life of a school-teacher who teaches the youth of the land, for the life of a lawyer, who represents the life, liberty, and property rights of the individual in the court-house, and for the life of the minister of the gospel; and yet we are paying laborers, without any special preparation in life, salaries higher than all of those positions that I have mentioned. I say it is wrong. I say we ought to stop it. I say some of these days some of us are going to go home and we are going to look our constituents in their faces, the men who pay the bills, and they are going to ask us why we did it, and you can not answer that. Will you then say that "All the rest of the fellows wanted to do it, and, while I did not want to do it, I went with the gang"? You can not merely say, "Look at the Record and you will see that everybody voted for it except BLANTON of Texas; he is the only man who got up and said anything against it," and have your people accept that as a reasonable explanation, for then you are going to find out something about these numerous letters I have been getting from your districts approving the very positions I have taken on the floor of this House with respect to these matters. You are going to hear from the people.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MAPES. Mr. Chairman, of course, there is no proper conclusion to be drawn from a comparison of the pay given to governors of the States and to firemen. Firemen have to live on their pay, whereas governors of States, as a rule, do not, especially in those States which only pay \$4,000 a year. I would like to read just a word from the hearings on this bill comparing the pay that the firemen receive with the pay men receive in those lines of employment from which the fire department is obliged to get its men. The testimony is that in years gone by the fire department was recruited about one half from the men on the street cars—that is, motormen and conductors—and the other half from fellows outside of the city who came from farms and other places. Now, the testimony before the committee is that at present the fire department is not getting any men from the street car companies, that those companies are paying about 51 cents an hour to the lowest-paid man and the men in the fire department are paid something like 22 or 23 cents an hour. One of the employees in the fire department testified very forcibly:

A man who will come into the fire department, and I like the fire department, for \$2.55 a day, who is now getting \$8 a day, has not got sense enough to be a fireman.

Mr. BLACK. Will the gentleman yield for a question?

Mr. MAPES. I will yield to the gentleman.



Mr. BLACK. I notice in this bill that class 1 firemen will receive \$1,460, and with the bonus of \$240 that will be \$1,700?

Mr. MAPES. Yes.

Mr. BLACK. The gentleman knows, does he not, that in the Post Office Department that even class 6 postal clerks and postal carriers, the most expert clerks in the Post Office Department, stop at \$1,500. Now, does the gentleman think that we ought to pass a bill in here and put firemen in class 1 as high as \$1,700?

Mr. MAPES. I certainly do. They live in Washington where the expenses are higher than they are in any other place in the United States, and they are a high-grade, fine class of men.

Mr. BLACK. I do not dispute that proposition, but they are Government employees—

Mr. MAPES. And we are paying them no more than—as the gentleman from Pennsylvania here a few moments ago showed—than the firemen are getting in a great many leading cities in the country even after we make the increase which this bill proposes.

Mr. BLACK. Does the gentleman contemplate that this \$1,700 shall be permanent with the \$240 bonus—

Mr. MAPES. The basic salary provided in the bill is to become the permanent salary.

Mr. BLACK. Now, does not the gentleman think that when you come to take off the bonus, which will be in effect a reduction of salary, that the minute you do that you will destroy the morale of the force and that the policy of the Congress now ought to be to pay these men whatever will be paid them as a permanent proposition?

Mr. MAPES. I will say to the gentleman that the subcommittee, according to my understanding, took up that matter with the chairman of the Committee on Appropriations and he felt that the exact opposite ought to be done to what the gentleman has said ought to be done, that this bill ought to fix a basic salary—let the bonus take care of the extraordinary condition which exists at the present time and let the policemen and firemen go back to their basic salaries the same as the other employees of the Government will have to do when the bonus is taken away.

Mr. GALLAGHER. Mr. Chairman—

Mr. MAPES. Mr. Chairman, I ask for a vote.

Mr. GALLAGHER. Mr. Chairman, I want to oppose the amendment.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. GALLAGHER. Mr. Chairman, it does not seem fair for a Member who has really no fire department to support to attempt to say what the wages of a fireman should be in a city like this. Now, a fireman is working at an extrahazardous job. Every time he goes to a fire he does not know, and his family does not know, whether he will ever come back again. His hours are not regulated. If he goes to a fire, he has got to fight that fire until it is out, no matter whether it takes 24 hours or 36 hours. He is out in all kinds of weather—

Mr. BLACK. Will the gentleman yield for a question?

Mr. GALLAGHER. I will.

Mr. BLACK. Speaking of the mortality of firemen, have you got any authentic figures that will show that the mortality rate of firemen is any greater than that of the railway mail clerks, for instance, in the Postal Service?

Mr. GALLAGHER. I have not any data. I know they are both dangerous jobs. I know something about a fire department, and I know something about how they operate in a large city. They are not like a fire department in a little town, that when the fire alarm strikes and the house is burning, they have to run home to get a red shirt and a fire hat before they go to the fire. They have always got to be on deck in Washington. So far as wages are concerned, I do not believe we can pay them any too much, and I am for the figures that are in this bill as printed.

I hope the amendment will not be adopted, because I think we ought to take care of the firemen and give them a decent salary on account of the hazardous work and duties they have to perform, and the way they labor to save life and property.

Mr. LINTHICUM. Mr. Chairman, I move to strike out the last word.

Mr. MAPES. Mr. Chairman, I would like to see if we can not close debate on this. I ask unanimous consent that the debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the debate on this section and all amendments thereto shall close in five minutes. Is there objection?

Mr. LINTHICUM. Reserving the right to object, I would like about three minutes.

Mr. BLACK. And I would like three.

Mr. MAPES. I will ask that the debate close in 10 minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the debate on this section and all amendments thereto close in 10 minutes. Is there objection? [After a pause.] The Chair hears none.

The gentleman from Maryland [Mr. LINTHICUM] is recognized for three minutes.

Mr. LINTHICUM. Mr. Chairman, I have heard a great deal of comparison between these salaries and the salaries that some of the States pay their governors. I do not think it is a fair comparison. I saw in the papers the other day where it said an engineer on a locomotive got perhaps more salary than the governor of Texas.

Mr. BLANTON. And eight others.

Mr. LINTHICUM. And eight others. In my State we pay the governor \$4,500. That is the salary. That does not mean all that he receives. When I was in the State senate we voted the governor \$5,000 for entertainment and maintenance expenses, and we gave him a magnificent mansion to live in at Annapolis; we gave him a fine automobile so that he could look after the road system throughout the State, and things of that kind, and he was even then inadequately paid. I do not believe the salary of any governor, as specified in the constitution or the statute, is what he really receives, and it is not fair to compare the salaries of these firemen who have to pay for the rent of their homes and for everything they purchase for themselves and their families with the salary we provide them. I have seen that comparison used a great deal. It is obviously wrong; it is unfair and unjust, and we ought not to use it on the floor of this House and send it out to the hundred millions of people throughout this country. [Applause.] I hope it will not be done again.

And so it is with some other salaries. The gentleman from Texas [Mr. BLANTON] compares the salaries we are giving here to-day with what doctors and lawyers get. There are but few doctors and lawyers, who amount to anything, who do not make more than \$4,000. Otherwise they could not live as the community in which they reside wants them to live. They could not pay the enormous rent they have to pay if they did not get more money than that. In Baltimore city our men make more money than that. They have to do it—

Mr. CARAWAY. How much is the average salary of the ministers of the gospel in this country?

Mr. LINTHICUM. There is no comparison. I saw a statement that the average salary of ministers throughout the country was \$400, but everybody knows that any church of any importance in this country pays its minister a fair salary; if not, they should. They know, too, that in those churches where they do not get the large salaries, they have a parsonage, a home; they have many things given to them, and people look out for them in other ways besides paying them the salary.

Mr. CARAWAY. Does the gentleman think that is fair in comparison with the salaries paid to ministers?

Mr. LINTHICUM. I say that the ministers do not get money enough.

Mr. CARAWAY. That was not the statement the gentleman made. I think the gentleman ought to stay with his statement.

Mr. LINTHICUM. I say the ministers do not get money enough.

Mr. CARAWAY. That was not what the gentleman said.

Mr. LINTHICUM. Hear me through. I said that the salary they get does not constitute all they get, because they have a parsonage and lots of things, as the gentleman knows.

Mr. CARAWAY. I know they do not, lots of times—

Mr. LINTHICUM. I do not know what they do in your State.

Mr. CARAWAY. Or in your State, either.

Mr. LINTHICUM. I believe they will take care of them better now, when there is the high cost of living to care for.

Mr. BLACK. Mr. Chairman, I am in favor of the amendment offered by the gentleman from Texas [Mr. BLANTON]. I would have no objection to offer to the basic salaries that are fixed in this bill if they were made to take effect on and after July 1, 1920, and until that time the basic salaries and the \$240 bonus should only aggregate the rates provided in this bill. I believe in treating all Government employees as nearly as possible with an equal degree of justice, and any fair-minded man is bound to admit that the salary increases in this bill are a good deal more generous than we have given other employees.

I call your attention to the fact that when this law is passed these basic salaries will date from August 1, 1919, and added to the basic salary will be the \$240 bonus, which will make the pay of grade 1, \$1,700; grade 2, \$1,800; and grade 3, \$1,900. Present basic salary of firemen of class 1 is \$960, and, therefore,

the present raise, including bonus of \$240, is \$740 per annum, and this raise is entirely out of proportion to increases which we have given Government employees.

Now, let me call your attention to this fact, that the salary increases that we have been making for the present fiscal year for other Government employees, so far as I now recall, outside of the Metropolitan police, have been temporary in their nature, and we have taken into consideration the fact that whatever these employees will draw now, even with these temporary increases, will be permanent, because there is not a Member of this House who does not know that nothing will destroy the morale of the men any more than to take off some of this salary after they begin drawing it.

Now, our Committee on the Post Office and Post Roads have been wrestling with this same salary-increase problem. We realize that the postal employees are having a hard situation to face so far as the high cost of living is concerned, and if we could move on up to the 71 per cent increase in the cost of living—as the Bureau of Labor Statistics has announced it to be—and then move on back when the pendulum begins to sway the other way, we would have a simple proposition; we would all be willing to do it. But we all know, every man on the committee knows, that whenever we fix a salary, even though we give it the name of a temporary salary, it is there permanently, because if we should fix, for instance, the salary of the present grade 1 in the Postal Service at \$1,700, including temporary increases which have been given, as you propose in this bill, and other increases in proportion, we know that when we went to eliminate any of the salary we would destroy the entire morale of the Postal Service. Therefore we must be conservative. We must try to be just to the men, and yet take into consideration the real situation of the Treasury and not burden the Treasury with salaries which would be unreasonable.

Now, if Mr. BLANTON's amendment is adopted, grade 1 of the firemen will draw \$1,460, grade 2 will draw \$1,560, and grade 3, \$1,660, and I submit this would be a good, liberal raise over the compensation which they are now receiving. I have no sort of criticism to offer of the firemen of the city of Washington; I am sure they are a high-class, worthy body of men; but I do earnestly believe that we ought not to fix this as a permanent basic salary at the present time, in view of the \$240 bonus that is being paid. I think the basic salaries provided in this bill should begin July 1, 1920, at the expiration of the present bonus of \$240, and therefore I shall vote for the amendment which has been offered.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BEE rose.

The CHAIRMAN. The gentleman from Texas [Mr. BEE] is recognized for two minutes.

Mr. BEE. Mr. Chairman and gentlemen, I rise to oppose the amendment of my colleague from Texas. In the first place, it is true that the governor of Texas draws only \$4,000 a year. There is no greater reflection on my beloved State than to pay its governor only \$4,000. Its governor ought to receive \$10,000 a year, and it would be reasonable at that.

I want to say a word in behalf of the firemen. The more a fireman is idle, the better it is for his community, because of the lesser danger of fire. But no soldier on the firing line takes his life in his hand when he goes out on the field of carnage more than a city fireman when he goes out to attend a fire. The lives of women and children are in his custody; their lives and their property are in his custody, and the histories of all the cities in this land are filled with accounts of the heroism of the fireman who goes where the danger is the greatest and who sacrifices oftentimes his life and limb and health for our safety.

In answer to the suggestion of my friend from Texas [Mr. BLACK] about the postal employees, I say to you frankly that the railway postal clerk out in the line of duty behind an engine is in just as much danger as the soldier on the battle field, and we do not pay him enough. I do not say it is a disgrace, but it is a reflection upon us that we do not compensate the railway postal clerk sufficiently. He is a soldier in the line of duty. We should compensate him so that he can provide for himself and his family in the constant danger in which he is living. We ought to do that; but that is no reason why a fireman should not be properly compensated and enabled to take care of his wife and children so that he and they could enjoy some of the beauties and happiness of home life like the rest of us who are drawing a great deal more money.

The gentleman from Texas [Mr. BLANTON] talks about lawyers. There is not a lawyer entitled to a license and who has been in the practice for years who is not making \$4,000 or \$5,000. If he does not earn something like that amount, then he ought

to surrender his license or go to Congress or somewhere else. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. WOODS of Virginia rose.

The CHAIRMAN. The gentleman from Virginia is recognized for two additional minutes.

Mr. WOODS of Virginia. Mr. Chairman, in addition to what the chairman has said, there is a matter that the committee took into consideration and felt we should act upon it, but for the fact that we wanted to put the firemen and the policemen on an equal basis. We considered very seriously giving these firemen some allowance on account of the uniforms which they must provide and which are ruined frequently at fires. We thought perhaps they ought to be furnished with helmets and rubber boots and a certain class of gum running suit, but we eliminated all that, so that the firemen, out of the allowance we give here, which is certainly moderate, have to provide all these things at their own expense.

In reply to what the gentleman from Texas [Mr. BLACK] has said, comparing the firemen with the Postal Service men, it may be true that the Postal Service men are not paid enough. I presume they are not. But we should not commit two errors. The fact is that the Postal Service man works 8 hours a day as a rule, but the fireman works 12 hours a day and 30 days a month.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. WOODS of Virginia. Yes.

Mr. BLACK. I understand they have the three-platoon system in this city?

Mr. WOODS of Virginia. Two, sir; 12 hours a day for each shift.

Mr. BLACK. Upon that question of compensation, the point I made was not to change the basic law, but I would like to have the gentleman's view as to the effect on the morale of the men when we came later on to take off this \$240 bonus.

Mr. WOODS of Virginia. I think you would make a mistake to make any distinction between these two classes of service. They employ about the same character of men, and those men have about the same living expenses. We have fixed the pay of the policemen, as I think, correctly. I think we should fix the pay of the firemen the same.

Now, as to the \$240, that will come off if living conditions come down. If they do not come down, it ought not to come off.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on the motion of the gentleman from Texas [Mr. BLANTON].

The question being taken, on a division (demanded by Mr. BLANTON) there were—ayes 5, noes 45.

Accordingly the amendment was rejected.

The Clerk resumed and completed the reading of the bill.

Mr. MAPES. I move that the committee do now rise and report the bill to the House with the amendment, with the recommendation that the amendment be agreed to, and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose, and Mr. MADDEN having resumed the chair as Speaker pro tempore, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 10137) to amend an act entitled "An act to classify the officers and members of the fire department of the District of Columbia, and for other purposes," approved June 20, 1906, and for other purposes, had directed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. MAPES. Mr. Speaker, I move the previous question on the bill and amendment to the final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment reported from the Committee of the Whole House on the state of the Union.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time.

Mr. BLANTON. Mr. Speaker, I make a motion to recommit.

The SPEAKER. The gentleman from Texas offers a motion to recommit. Is the gentleman opposed to the bill?

Mr. BLANTON. In the form in which it is drawn I am opposed to it.

The SPEAKER. The Clerk will report the gentleman's motion to recommit.



The Clerk read as follows:

Mr. BLANTON moves to recommit the bill to the Committee on the District of Columbia with instructions to report the same back to the House forthwith with the following amendment, to wit:

Page 2, line 20, strike out "\$4,000" and insert "\$3,500"; on line 22, strike out "\$3,000" and insert "\$2,750, not exceeding 2 in number"; on line 24, strike out "\$2,400" and insert "\$2,160"; on line 25, strike out "\$2,000" and insert "\$1,760"; on page 3, line 1, strike out "\$1,660" and insert "\$1,420"; on line 2, strike out "\$2,400" and insert "\$2,000"; on line 3, strike out "\$1,660" and insert "\$1,420"; on line 4 strike out "\$1,900" and insert "\$1,660"; on line 5, strike out "\$1,760" and insert "\$1,520"; on line 6, strike out "\$1,700" and insert "\$1,460"; on line 7, strike out "\$2,500" and insert "\$2,260"; on line 9, strike out "\$2,000" and insert "\$1,760"; on line 10, strike out "\$1,700" and insert "\$1,460"; on line 11, strike out "\$1,700" and insert "\$1,460"; on line 12, strike out "\$1,660" and insert "\$1,420"; on line 13, strike out "\$1,460" and insert "\$1,220"; on line 14, strike out "\$1,660" and insert "\$1,420"; on line 15, strike out "\$1,560" and insert "\$1,320"; on line 17 strike out "\$1,460" and insert "\$1,220"; and on line 19, strike out "\$1,080" and insert "\$820"; on line 19, strike out "\$1,000" and insert "\$860."

Mr. MAPES. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. BLANTON. Mr. Speaker, I demand a division, and pending the division I make the point of no quorum.

The SPEAKER. The gentleman makes the point of no quorum present. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify Members. As many as favor the motion to recommit will, as their names are called, vote "yea," those opposed "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 9, nays 222, answered "present" 1, not voting 199, as follows:

YEAS—9.			
Black	Connally	Kraus	Rayburn
Blanton	Jones, Tex.	Quin	Steagall
Buchanan			

NAYS—222.			
Almon	Elliott	Lee, Ga.	Romjue
Anderson	Ellsworth	Linthicum	Rose
Andrews, Nebr.	Elston	Luce	Rubey
Anthony	Evans, Mont.	Luhbring	Sanders, Ind.
Ashbrook	Evans, Nebr.	McArthur	Schall
Aswell	Evans, Nev.	McDuffie	Sherwood
Ayres	Fairfield	McFadden	Sinnot
Baer	Ferris	McGlennon	Smith, Idaho
Bankhead	Fisher	McKinley	Smith, Mich.
Barbour	Focht	McLaughlin, Mich.	Smithwick
Bee	Foster	McPherson	Snell
Begg	Freeman	MacGregor	Snyder
Benham	French	Madden	Stedman
Blackmon	Fuller, Ill.	Mann, S. C.	Steenerson
Bland, Ind.	Gallagher	Mansfield	Stephens, Ohio
Box	Gard	Mapes	Stines
Brand	Garland	Martin	Strong, Kans.
Briggs	Glynn	Mays	Strong, Pa.
Brinson	Godwin, N. C.	Mead	Summers, Wash.
Brooks, Ill.	Goodall	Merritt	Sumners, Tex.
Browne	Gould	Michener	Sweet
Burdick	Green, Iowa	Miller	Taylor, Colo.
Butler	Greene, Vt.	Monahan, Wis.	Taylor, Tenn.
Byrnes, S. C.	Griffin	Mondell	Thompson
Byrns, Tenn.	Hadley	Montague	Tilson
Campbell, Pa.	Hardy, Colo.	Moore, Ohio	Timberlake
Candler	Hastings	Morgan	Tinkham
Carss	Haugen	Nelson, Mo.	Valle
Carter	Hawley	Nelson, Wis.	Vestal
Casey	Hayden	Newton, Minn.	Vinson
Christopherson	Hays	Nolan	Volstead
Clark, Fla.	Hernandez	O'Connor	Walters
Clark, Mo.	Hersey	Oldfield	Ward
Clason	Hersman	Oliver	Wason
Cleary	Hickey	Osborne	Watkins
Coady	Hoch	Overstreet	Watson, Va.
Collier	Howard	Padgett	Weaver
Crisp	Hull, Iowa	Park	Webb
Currie, Mich.	Hull, Tenn.	Parker	Webster
Curry, Calif.	Humphreys	Parrish	Welling
Dale	Igoe	Phelan	Welty
Darrow	James	Platt	Whaley
Davis, Tenn.	Johnson, Miss.	Porter	Wheeler
Denison	Juhl	Pou	White, Kans.
Dickinson, Mo.	Kahn	Purnell	Williams
Dickinson, Iowa	Kearns	Raker	Wilson, Ill.
Domineck	Keller	Ramseyer	Wilson, La.
Doremus	Kelly, Pa.	Randall, Calif.	Wingo
Doughton	Kettner	Randall, Wis.	Woods, Va.
Dowell	King	Reavis	Woodyard
Dunbar	Kinkaid	Reber	Wright
Dunn	Knutson	Reed, W. Va.	Young, N. Dak.
Dupré	Lampert	Rhodes	Young, Tex.
Dyer	Lanham	Ricketts	Zihlman
Echols	Lankford	Robinson, N. C.	
Edmonds	Larsen	Rogers	

ANSWERED "PRESENT"—1.

Sears

NOT VOTING—199.

Ackerman	Barkley	Boies	Browning
Alexander	Bell	Booher	Brumbaugh
Andrews, Md.	Benson	Bowers	Burke
Babka	Bland, Mo.	Britten	Burroughs
Bacharach	Bland, Va.	Brooks, Pa.	Caldwell

Campbell, Kans.	Griest	McClintic	Rowe
Cannon	Hamill	McCulloch	Rucker
Cantrill	Hamilton	McKenzie	Sabath
Caraway	Hardy, Tex.	McKeown	Sanders, La.
Carew	Harrison	McKiniry	Sanders, N. Y.
Chindblom	Haskell	McLane	Sanford
Cole	Hedlin	McLaughlin, Nebr.	Saunders, Va.
Cooper	Hicks	MacCrate	Scott
Copley	Hill	Magee	Scully
Costello	Holland	Maher	Sells
Crago	Houghton	Major	Shreve
Cramton	Huddleston	Mann, Ill.	Siegel
Crowther	Hudspeth	Mason	Sims
Cullen	Hulings	Minahan, N. J.	Sinclair
Dallinger	Husted	Moon	Sisson
Davey	Hutchinson	Mooney	Slemp
Davis, Minn.	Ireland	Moore, Pa.	Small
Dempsey	Jacoway	Moore, Va.	Smith, Ill.
Dewalt	Jefferis	Moore, Ind.	Smith, N. Y.
Donovan	Johnson, Ky.	Morin	Steele
Dooning	Johnson, S. Dak.	Mott	Stephens, Miss
Drane	Johnson, Wash.	Mudd	Stevenson
Eagan	Johnston, N. Y.	Murphy	Sullivan
Eagle	Jones, Pa.	Neely	Swope
Emerson	Kelley, Mich.	Newton, Mo.	Tague
Esch	Kendall	Nicholls, S. C.	Taylor, Ark.
Fess	Kennedy, Iowa	Nichols, Mich.	Temple
Fields	Kennedy, R. I.	O'Connell	Thomas
Flood	Kiess	Ogden	Tillman
Fordney	Kinchelec	Olney	Tincher
Frear	Kitchin	Paige	Towner
Fuller, Mass.	Kleczka	Pell	Treadway
Gallivan	Kreider	Peters	Upshaw
Gandy	LaGuardia	Radcliffe	Vare
Ganly	Langley	Rainey, Ala.	Venable
Garnier	Layton	Rainey, H. T.	Voigt
Garrett	Lazaro	Rainey, J. W.	Walsh
Goldfogle	Lea, Calif.	Ramsey	Watson, Pa.
Good	Leibach	Reed, N. Y.	White, Me.
Goodwin, Ark.	Lesher	Riddick	Wilson, Pa.
Goodykoontz	Little	Riordan	Winslow
Graham, Pa.	Loneragan	Robison, Ky.	Wise
Graham, Ill.	Longworth	Rodenberg	Wood, Ind.
Greene, Mass.	Lufkin	Rouse	Yates
	McAndrews	Rowan	

So the motion to recommit was rejected.

The following pairs were announced:

Until further notice:

Mr. JOHNSON of South Dakota with Mr. FLOOD.

Mr. GREENE of Massachusetts with Mr. ALEXANDER.

Mr. CRAMTON with Mr. JOHN W. RAINEY.

Mr. KLECZKA with Mr. SMALL.

Mr. LANGLEY with Mr. FIELDS.

Mr. TREADWAY with Mr. BOOHER.

Mr. BOIES with Mr. SEARS.

Mr. ACKERMAN with Mr. McLANE.

Mr. TINCHER with Mr. JOHNSON of Mississippi.

Mr. VOIGT with Mr. HARDY of Texas.

Mr. MAGEE with Mr. THOMAS.

Mr. RAMSEY with Mr. LAZARO.

Mr. LUFKIN with Mr. HUDDLESTON.

Mr. McCULLOCH with Mr. HOLLAND.

Mr. McLAUGHLIN of Michigan with Mr. HEFLIN.

Mr. MACCRATE with Mr. HARRISON.

Mr. MASON with Mr. HAMILL.

Mr. MOORE of Pennsylvania with Mr. GOODWIN of Arkansas.

Mr. ANDREWS of Maryland with Mr. WISE.

Mr. HILL with Mr. MOONEY.

Mr. HOUGHTON with Mr. MOON.

Mr. BACHARACH with Mr. WILSON of Pennsylvania.

Mr. HUTCHINSON with Mr. MINAHAN of New Jersey.

Mr. HUSTED with Mr. MAHER.

Mr. ROWE with Mr. DONOVAN.

Mr. SANDERS of New York with Mr. DEWALT.

Mr. SCOTT with Mr. DENT.

Mr. YATES with Mr. PELL.

Mr. IRELAND with Mr. MAJOR.

Mr. JEFFERIS with Mr. MCKINIRY.

Mr. JOHNSON of Washington with Mr. McKEOWN.

Mr. BOWERS with Mr. VENABLE.

Mr. BRITTEN with Mr. UPshaw.

Mr. BROOKS of Pennsylvania with Mr. TILLMAN.

Mr. MOORES of Indiana with Mr. GOLDFOGLE.

Mr. JONES of Pennsylvania with Mr. McCLINTIC.

Mr. SELLS with Mr. DAVEY.

Mr. SHREVE with Mr. CULLEN.

Mr. SIEGEL with Mr. CAREW.

Mr. KELLEY of Michigan with Mr. McANDREWS.

Mr. MOTT with Mr. GARNETT.

Mr. MUDD with Mr. GARNER.

Mr. BROWNING with Mr. TAYLOR of Arkansas.

Mr. BURKE with Mr. TAGUE.

Mr. BURROUGHS with Mr. SULLIVAN.

Mr. CANNON with Mr. STEVENSON.

Mr. CHINDBLUM with Mr. STEPHENS of Mississippi.

Mr. COLE with Mr. STEELE.

Mr. COPLEY with Mr. SMITH of New York.  
 Mr. COSTELLO with Mr. SISSON.  
 Mr. CRAGO with Mr. SIMS.  
 Mr. CROWTHER with Mr. SCULLY.  
 Mr. DAVIS of Minnesota with Mr. SAUNDERS of Virginia.  
 Mr. DEMPSEY with Mr. SANDERS of Louisiana.  
 Mr. EMERSON with Mr. SABATH.  
 Mr. KENNEDY of Rhode Island with Mr. LONERGAN.  
 Mr. KRESS with Mr. LESHER.  
 Mr. ESCH with Mr. RUCKER.  
 Mr. MURPHY with Mr. GANLY.  
 Mr. KREIDER with Mr. LEA of California.  
 Mr. NICHOLS of Michigan with Mr. GANDY.  
 Mr. OGDEN with Mr. GALLIVAN.  
 Mr. PAIGE with Mr. EAGLE.  
 Mr. LA GUARDIA with Mr. JOHNSTON of New York.  
 Mr. LAYTON with Mr. JOHNSON of Kentucky.  
 Mr. SINCLAIR with Mr. CARAWAY.  
 Mr. SWOPE with Mr. CANTRELL.  
 Mr. PETERS with Mr. EAGAN.  
 Mr. TEMPLE with Mr. CALDWELL.  
 Mr. RIDDICK with Mr. DRANE.  
 Mr. FESS with Mr. ROWAN.  
 Mr. FORDNEY with Mr. ROUSE.  
 Mr. TOWNER with Mr. BRUMBAUGH.  
 Mr. VARE with Mr. BLAND of Virginia.  
 Mr. WALSH with Mr. BLAND of Missouri.  
 Mr. WATSON of Pennsylvania with Mr. BENSON.  
 Mr. FULLER of Massachusetts with Mr. RIORDAN.  
 Mr. GOOD with Mr. H. T. RAINY.  
 Mr. ROBSON of Kentucky with Mr. DOOLING.  
 Mr. GRAHAM of Pennsylvania with Mr. RAINY of Alabama.  
 Mr. GRAHAM of Illinois with Mr. OLNEY.  
 Mr. WHITE of Maine with Mr. BELL.  
 Mr. MANN of Illinois with Mr. KITCHIN.  
 Mr. LEHLBACH with Mr. JACOWAY.  
 Mr. GREEN of Iowa with Mr. O'CONNELL.  
 Mr. HAMILTON with Mr. NICHOLS of South Carolina.  
 Mr. HASKELL with Mr. NEELY.  
 Mr. LONGWORTH with Mr. HUDSPETH.  
 Mr. WINSLOW with Mr. BARKLEY.  
 Mr. WOOD of Indiana with Mr. BARBA.  
 Mr. HICKS with Mr. MOORE of Virginia.  
 The result of the vote was announced as above recorded.  
 A quorum being present, the doors were opened.  
 The SPEAKER. The question now is on the passage of the bill.

The question was taken, and the bill was passed.  
 On motion of Mr. MAPES, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### THE RAILROADS.

Mr. SWEET, from the Committee on Interstate and Foreign Commerce, presented a conference report on the disagreeing votes of the two Houses on the bill S. 641, an act to amend section 10 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, for printing under the rule.

Mr. BLANTON. Mr. Speaker, I move that the House do now adjourn in honor of that great American, Theodore Roosevelt.  
 The SPEAKER. The gentleman from Texas moves that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. BLANTON) there were 6 ayes and 102 noes.  
 So the motion was lost.

#### MINING OF COAL, OIL, PHOSPHATE, ETC.

Mr. SINNOTT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill S. 2775 provided for in House resolution 358.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. MADDEN in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

An act (S. 2775) to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain.

The CHAIRMAN. The Clerk will read.

The Clerk, proceeding with the reading of the bill, read as follows:

SEC. 17. That all unappropriated deposits of oil or gas situated within the known geologic structure of a producing oil or gas field and the unentered lands containing the same, not subject to preferential lease, may be leased by the Secretary of the Interior to the highest responsible bidder by competitive bidding under general regulations to qualified applicants in areas not exceeding 640 acres and in tracts which shall not exceed in length two and one-half times their width, such leases to be conditioned upon the payment by the lessee of such bonus as may be accepted and of such royalty as may be fixed in the lease, which shall not be less than 12½ per cent in amount or value of the production, and the payment in advance of a rental of not less than \$1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited against the royalties as they accrue for that year. Leases shall be for a period of 20 years, with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the time of the expiration of such periods.

Whenever the average daily production of any oil well shall not exceed 10 barrels per day, the Secretary of the Interior is authorized to reduce the royalty on future production when in his judgment the wells can not be successfully operated upon the royalty fixed in the lease. The provisions of this paragraph shall apply to all oil and gas leases made under this act.

Mr. WALSH. Mr. Chairman, I move to amend by inserting, in line 8, page 53, before the word "twenty," the words "not exceeding," and in line 10, same page, before the word "ten," the words "not exceeding."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. WALSH: Page 53, line 8, before the word "twenty," insert the words "not exceeding," and in line 10, on the same page, before the word "ten," insert the words "not exceeding."

Mr. WALSH. Mr. Chairman, I assume that this period of leasing has been agreed upon by the committee and probably all leases will be for the full terms of years, but it seemed to me that it would be better to vest some discretion in the Secretary of the Interior, as circumstances might possibly arise which would make it unwise not to make it compulsory to lease for 20 years or not to make it compulsory to lease for 10 years.

Mr. FERRIS. Mr. Chairman, I do not pretend to speak for the committee, of course, but it would seem to me that the gentleman is entirely right, and it might be an illogical thing to force the Secretary to make a full 20-year lease.

Mr. WALSH. That was the idea, and I would like to ask the chairman of the committee if he does not think occasions might arise when it would be unwise to say that the Secretary can lease for only a certain stated term of 20 years or a subsequent term of 10 years?

Mr. SINNOTT. Mr. Chairman, I think it would be unwise to have a limitation in there. The Secretary puts these leases up at competitive bidding and the oil bidder must have some assurance that he is going to have a definite period, and at least 20 years, before undertaking the large expenditures which he must undertake to develop his property. I think it would have a tendency to lower and depress the bids and that you would get better bids by having it for a period of 20 years.

Mr. WALSH. Does the gentleman think that in writing a statute we should have solely in mind the benefits to the lessees?

Mr. SINNOTT. The gentleman does not think so, and he has had in mind both the lessor and the lessee, both the Government and the prospective bidder.

Mr. WALSH. If the gentleman will yield further, might not occasions arise whereby the Secretary of the Interior in calling for bids would think it better to call for a lease of 15 years rather than for 20 years, and should he not have the opportunity to do so?

Mr. SINNOTT. No; 20 years is the ordinary life of the ordinary well.

Mr. WALSH. Perhaps it might be of wells that have been discovered thus far.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. RAKER. If the well is not producing or if nothing can be done, the contract can be canceled by the Government and the claimant, and if it gets down to a small amount of 10 barrels they can reduce the royalty. It can be put from 1 to 20 years. In most of these instances a man will have expended enough money in getting his equipment, so that he can not afford to take the thing for five years, but if he gets a going well he ought to have that well until the oil is exhausted.

Mr. WALSH. Of course, if the gentleman's argument is the basis upon which this section is drawn, then there ought not to be any limitation, because you will find if this plan is inaugurated that these people will get these wells in perpetuity, and there ought not to be any limitation. We ought simply to give them a lease for 999 years.



Mr. RAKER. Mr. Chairman, will the gentleman yield further?

Mr. WALSH. Yes.

Mr. RAKER. There is a limitation of 20 years?

Mr. WALSH. Yes.

Mr. RAKER. Then there is an extension of 10 and 10 years, and, as a matter of fact, he has the preferential right, and it is in substance a perpetual lease, with a right vested in the Secretary to fix the royalties at stated periods.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RAKER. Mr. Chairman, in other words, it is intended that the man paying a proper royalty for 20 years is going to have a preferential right against everyone else. Then the Secretary, at these stated periods, may readjust the royalty, but the man should have the well until it is exhausted, and that is really the purpose of the bill.

Mr. WALSH. Mr. Chairman, of course the gentleman's statement applies to the language of the bill, and the same statement and claim can be advanced for the bill if it were amended as I propose, because there may be a well in some section where the Secretary might deem it wise, instead of leasing it for 20 years to lease it for 10 years, and he would call for bids upon that basis. There might be occasions where instead of renewing it for a successive term of 10 years he might deem it wise to extend it for 5 years. Of course, the preferential right would go to the lessee; but I think in writing a statute here, inaugurating a new policy, it would be wise to put in language which would vest discretion in the Secretary of the Interior to take care of the occasions that might arise. He still would have the right under the language as amended as I propose to lease for 20 years, but if some peculiar circumstance should arise he could reduce that term either in the renewal or the initial lease, and he will not affect the authority that is vested in him under the law.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. MONDELL. Mr. Chairman, I think it is altogether possible that in the running of the years some conditions might arise somewhere under which it might be in the public interest for the Secretary to have authority to lease for a briefer period than 10 years and 20 years, provided in the act; but as against that is the general question of public policy. The 20-year period provided for is the shortest of commercial-lease periods. The second 10 years is a period shorter than is ordinarily known in commercial leases.

There is some difference of opinion whether it would not be better in the public interest, speaking now from the standpoint of public interest rather than that of the interest of the lessee, to have these leases for an indeterminate period, as we have in the case of coal. In this case, section 17, we are adopting a plan which, I think, is questionable. Gentlemen who have been talking about monopolies, generally because of lack of knowledge of the provisions of the bill, curiously never refer to this particular provision, which is the one provision in the bill which it may be argued tends to monopoly—that is, that the bidding is to be competitive. In the case of competitive bidding, the longest pole gets the persimmon—the fellow with the longest purse pulls down the lease. We have discussed all that at one time and another in the House and in committee, and the majority has been of opinion that, everything considered, that is the wise thing to do. I have never agreed with that view. But the plan of competitive bids having been adopted, the public interest, I think, would hardly be served if we made the lease period so brief that we would not be likely to get the best results from bidding.

Mr. ELSTON. Mr. Chairman, I can suggest one of the main considerations that fixed this period at 20 years, and that was this: If you fix it at a less period it will be a mere invitation upon the part of the operator to skim the cream off the production—to rush the production to the detriment of the well itself.

The ordinary length of period is the period that would be required to drain the well of every bit of oil that it has, and therefore it provides here that a man shall prosecute and drill to the extent of getting every bit of value there is. Now, ordinarily 20 years will do that; and if you fix a less period the Secretary of the Interior might be disposed to fix a less period. It will be merely an invitation to this man to get the cream of the stuff and turn back a ruined well to the Government.

Mr. RAKER. Mr. Chairman, I move to strike out the last five words so as to discuss this subject. I desire to get the at-

tention of the gentleman from Massachusetts. This lease is provided for under known productive territory within a geological survey that will produce oil or gas so far as their physical demonstration is concerned that no wells have been bored. Now, here is a 640-acre tract; no wells there. It is in a known geological structure where there are oil and gas. A man rents 640 acres. He may have to bore one, two, or five wells before he strikes oil. He may bore one that costs \$20,000. Is he going to take his chance on a lease for five years at the same royalty that the other man may obtain his well within 500 feet of him, and at the end of five years yield up the question of the rental, all his casings, and all the material, and he has not yet been able to obtain enough oil to pay back the original costs at the end of the first four years, when his lease expires, and then the Secretary may extend him another lease for one year? But on this kind of a property the Secretary fixes the royalty. He fixes it for 20 years. Then at the end of that period he fixes it again, and in substance the man is entitled to a lease by complying with the rules and regulations and pay the royalty until the well is exhausted. Any other effort would be a waste of material, the oil and gas, would be a destruction of a man's property put into the well, and no good come from it.

Mr. WALSH. Will the gentleman yield?

Mr. RAKER. I will.

Mr. WALSH. Will not the Secretary of the Interior or some of his subordinates have some knowledge of the character and capacity of this land which he is going to lease?

Mr. RAKER. No; it is a physical impossibility. The testimony before the committee is that the only way they determine the oil in the ground is by boring a well, and even if he is in this known geological structure, a quarter of a mile from a producing well, another well may be sunk and no oil obtained, and you may then go in another 300 feet from the dry well and obtain a gusher. While they know from all indications there from the general geological structure that there should be oil there, no man can tell, or has been able to tell, so far as the testimony shows before the committee, that any particular well sunk at any particular spot is going to produce oil.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the Chair announced the yeas seemed to have it.

On a division (demanded by Mr. WALSH) there were—ayes 5, noes 22.

So the amendment was rejected.

Mr. GRIFFIN. Mr. Chairman, I make the point of order that there is no quorum here. I think a bill as important as this ought to be heard by the Members of this House.

The CHAIRMAN. The gentleman from New York makes the point of order that there is no quorum. The Chair will count. [After counting.] One hundred and two Members are present, a quorum.

The Clerk read as follows:

SEC. 18. That upon relinquishment to the United States, filed in the General Land Office within six months after the approval of this act, of all right, title, and interest claimed and possessed continuously since prior to July 3, 1910, by the claimant or his predecessor in interest under the preexisting placer mining law to any oil or gas bearing land upon which there has been drilled one or more oil or gas wells to discovery embraced in the Executive order of withdrawal issued September 27, 1909, and not within any naval petroleum reserve, and upon payment as royalty to the United States of an amount equal to the value at the time of production of one-eighth of all the oil or gas already produced, except oil or gas used for production purposes on the claim, or unavoidably lost, from such land, the claimant, or his successor, if in possession of such land, undisputed by any other claimant prior to July 1, 1919, shall be entitled to a lease thereon from the United States for a period of 20 years, at a royalty of not less than 12½ per cent of all the oil or gas produced except oil or gas used for production purposes on the claim, or unavoidably lost: *Provided*, That not more than one-half of the area, but in no case to exceed 3,200 acres, within the geologic oil or gas structure of a producing oil or gas field shall be leased to any one claimant under the provision of this section when the area of such geologic oil structure exceeds 640 acres. Any claimant or his successor, subject to this limitation, shall, however, have the right to select and receive the lease as in this section provided for that portion of his claim or claims equal to, but not in excess of, said one-half of the area of such geologic oil structure, but not more than 3,200 acres.

All such leases shall be made and the amount of royalty to be paid for oil and gas produced except oil or gas used for production purposes on the claim, or unavoidably lost, after the execution of such lease shall be fixed by the Secretary of the Interior under appropriate rules and regulations: *Provided, however*, That as to all like claims situate within any naval petroleum reserve the producing wells thereon shall be leased, together with an area of land sufficient for the operation thereof, upon the terms and payment of royalties for past and future production as herein provided for in the leasing of claims. No wells shall be drilled in the land subject to this provision within 600 feet of any such leased well without the consent of the lessee: *Provided, however*, That the President may, in his discretion, lease the remainder or any part of any such claim upon which such wells have been drilled, and in the event of such leasing said claimant or his successor shall have a preference right to such lease: *And provided further*, That he may permit the drilling of additional wells by the claimant or



his successor within the limited area of 660 feet theretofore provided for upon such terms and conditions as he may prescribe.

No fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such claimant without notice of fraud at the time such interest was acquired shall not be chargeable therewith.

Upon the delivery and acceptance of the lease, as in this section provided, all suits brought by the Government affecting such lands may be settled and adjusted in accordance herewith and all moneys impounded in such suits or under the act of August 25, 1914 (38 Stat. L., p. 708), shall be paid over to the parties entitled thereto. In case of conflicting claimants for leases under this section, the Secretary of the Interior is authorized to grant leases to one or more of them as shall be deemed just. All leases hereunder shall inure to the benefit of the claimant and all persons on or prior to September 1, 1919, claiming through or under him by lease, contract, or otherwise, as their interests may appear; subject, however, to the same limitation as to area and acreage as is provided for claimant in this section: *Provided*, That no claimant acquiring any interest in such lands since September 1, 1919, shall secure a lease thereon under this section: *Provided further*, That not more than one lease shall be granted or inure to any applicant under this section.

That whenever the validity of any gas or petroleum placer claim under preexisting law to land embraced in the Executive order of withdrawal issued September 27, 1909, has been or may hereafter be drawn in question on behalf of the United States in any departmental or judicial proceedings, the President is hereby authorized at any time within 12 months after the approval of this act to direct the compromise and settlement of any such controversy upon such terms and conditions as may be agreed upon, to be carried out by an exchange or division of land or division of the proceeds of operation.

Mr. GRIFFIN. Mr. Chairman, I desire to offer an amendment.

Mr. VAILE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Colorado offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VAILE: Page 56, line 19, after the word "further," strike out the balance of said line and all of lines 20 and 21 and in lieu thereof insert the following: "That no lease or leases under this section shall be granted or inure to any person, association, or corporation for a greater aggregate area or acreage than the maximum in this section provided for."

Mr. VAILE. Mr. Chairman, I take it that the purpose of this provision for which I have offered a substitute was merely to limit the total acreage which should be acquired by one surrendering his possessory title to the maximum provided in this section. The lines which I ask to strike out are "Provided further, That not more than one lease shall be granted or inure to any applicant under this section." I can not see the advantage of providing that the lessee should have his title evidenced by only one document. This would seem to be as unnecessary and as awkward as to require that the documents by which all of any man's real estate titles are evidenced should be combined in a single instrument.

It must be remembered that in the Wyoming field people began locating these claims back in the eighties under the placer mining laws, and the titles are in every degree of complexity. Some of them are still contested by different claimants. I appreciate that this section confers power upon the Secretary in case of conflicts to grant leases to one or more of the claimants as shall be deemed just, but he may not be able to make his decision in regard to claim A, the title to which is doubtful, as soon as he can to claim B, the title to which is clear. But must the present owner, whose right to B is determinable at once, wait months and perhaps years for his lease to B because it takes that long to determine his right to A? Or must he take his lease to B and forego his right to a lease of A? Or must the lease which he has been given for B be later enlarged to include A?

It seems to me that the provision as now drawn will involve both the Government and the locators in a maze of cumbersome and contradictory detail. One result which would be pretty sure to follow is that the locator will endeavor to continue to hold by his possessory title the claims upon which his rights can not be speedily adjudicated, while taking a lease for the remainder. This would force a situation which it is the very purpose of this bill to avoid, namely, titles held in part as placer locations under the preexisting laws and in part as leaseholds. And there is nothing whatever to be gained by this confusion. If you limit the leaseholds to a specified total area, you accomplish your object, whether they are held under one lease or under a dozen leases.

The physical conditions of oil territory would make a further confusion. The unit of the placer entries under which the possessory titles have already been acquired was 40 acres. We provide in this bill that an applicant surrendering his possessory titles may in lieu thereof take by lease a maximum of half the whole geological structure, when it is over 640 acres, but not to exceed 3,200 acres in all. Now, then, these 40-acre claims lie often in different geological structures within the same general vicinity. For instance, you may have one of the claims within territory where drilling goes to the first sand, and oil is developed within a depth of from 900 to 1,000 feet.

A very short distance farther, there may be a claim of the same owners, where they have to drill through the first sand and come to the second sand. Obviously the royalties which must be paid are different, and the conditions of the lease that the Government will have to exact must be different, and since the purpose of limiting the total holdings is accomplished by having the general limitation, there could be no useful purpose in requiring these to be evidenced by a single lease.

Furthermore, as already indicated, the history of possessory titles is that each one is different. It would often result in a lease being tied up for quite a period while rights in litigation were waiting to be adjusted or while the Secretary could determine which of several kinds of partitions of interests should apply. Your lease would be a patchwork of differing provisions. It might be of 100 pages for a lease of 1,000 or 1,500 acres.

I do not try to enlarge the lessee's right under this amendment, but only to clarify it.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. VAILE. I will.

Mr. GREEN of Iowa. I am not sure that I entirely understand this, but if I correctly understand the gentleman, the Secretary of the Interior might be willing to grant the lease for a certain portion, but the other part might be held up if this provision is in force?

Mr. VAILE. Might be held up until the rights of previous locators were determined. In a great many cases there are conflicts between these possessory titles as to who is entitled to them.

Mr. SINNOTT. Mr. Chairman, I have no objection to the gentleman's amendment. I think it really clarifies the intent of the section. The language that he seeks to strike out was a committee amendment to the Senate bill. The Senate had a limitation of 3,200 acres to any individual. Then they had the inuring clause, commencing in line 11, page 56, "that all leases hereunder shall inure to the benefit of the claimant and all persons," and so on, claiming under him. Now, the committee felt that this inuring clause made vain and nugatory the limitation of 3,200 acres in the first part of the bill. So we endeavored to have language in here limiting the acreage that would inure to any individual and limiting it to the same area and acreage as is provided for in the first part of the section; and in endeavoring to do that I think we put in an amendment that may result in more or less administrative embarrassment and difficulty. With the amendment offered by the gentleman from Colorado [Mr. VAILE] we attain the object that we were endeavoring to attain by the language the House committee inserted, and also relieve the department from any embarrassment it might have should it desire to issue to any applicant more than one lease, not, however, for more than 3,200 acres in the aggregate. For that reason I approve of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. VAILE].

The amendment was agreed to.

Mr. GRIFFIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GRIFFIN: Page 55, line 25, after the word "section," strike out all of that line, and, on page 56, line 1, strike out all of that line, and, on the same page, line 2, strike out all of that line.

Mr. GRIFFIN. Mr. Chairman and gentlemen, the paragraph that it is proposed to amend only consists of a few words. It reads:

No fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such claimant without notice of fraud at the time such interest was acquired shall not be chargeable therewith.

Now, it is an ancient maxim of the law that a thief can give no better title than he has. That is embedded in our law. If there are equities in a case, that is what our courts of equity are provided for, namely, to do justice. But note what you are doing. You are giving sanctity to a tainted title. You are putting the burden upon the Government to show that the man did not have notice that the title was tainted. Does the committee really want to do that?

Mr. BARBOUR. Will the gentleman yield?

Mr. GRIFFIN. Has the committee given thought to that proposition? I have no more to say with regard to the amendment. It appears to be obvious that it changes the House bill, making it conform to the Senate bill, and simply provides that the claim of a fraudulent claimant shall not be recognized and can not be assigned, no matter whether the assignee has knowledge of the fraud or not. If he has no knowledge of the fraud, the burden should be put on him to show his innocence.

Mr. BARBOUR. Will the gentleman yield?

Mr. GRIFFIN. Yes.



Mr. BARBOUR. Is not the language of this provision now that the gentleman is seeking to strike out simply the well-known rule applicable to real estate transfers?

Mr. GRIFFIN. No; I do not think so. I think it is an anticipation of that rule. In a real estate deal a man has got to go to a court of equity in order to clear the title, and the court removes the cloud on the title. Here you permit a cloud to rest upon it and put the burden upon the Government, instead of on the claimant, to establish the fact as to claimant's knowledge of the fraud.

Mr. BARBOUR. This is simply on the ground of fraud. There are certain other clouds that have to be removed.

Mr. GRIFFIN. That is the door you open to fraud.

Mr. Chairman, I yield back the balance of my time. I would like to hear from the committee on this subject.

Mr. SINNOTT. Mr. Chairman, this language that we are writing into the law is what Judge Bean and a number of other judges have decided to be the law, that the innocent purchaser's right is not impaired by the fraud of his predecessor.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. SINNOTT. Yes.

Mr. TAYLOR of Colorado. Is it not true that certain cases of location on the public domain are held by certain courts to be fraud which do not contain elements of fraud and are no intentional violation of the law?

Mr. SINNOTT. That was the decision in the case of California against the Midway Oil Co., in last June, by Judge Bean.

Mr. GRIFFIN. Will the gentleman yield?

Mr. SINNOTT. For a question.

Mr. GRIFFIN. That is just the point. You do not need to state it in the act. It is in the law. It is in the decisions.

Mr. BARBOUR. Is not that the rule of law that is laid down in a case where real property is involved?

Mr. SINNOTT. Yes.

Mr. ELSTON. Mr. Chairman, I rise in opposition to the amendment and call this to the attention of the gentleman. The provision here is much more restrictive than if there was no reference to fraud. It states here that anyone coming before the department for a lease shall receive no recognition if he is guilty of fraud in any way. No man with unclean hands can come in and get anything; the law exempts a man who had no means of knowing that the claim which he acquired was tainted with irregularities. Suppose the gentleman bought a mining claim; he would have a search of title; the title so far as the abstract was concerned might be perfect, with nothing on the face of the record to show that it is tainted with fraud. If he is not chargeable in any way with the knowledge of any preceding fraud, he is outside of any charge of evasion of the section.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. ELSTON. Certainly.

Mr. GRIFFIN. Do you consider a man who takes title without knowledge of a fraud as being culpable or chargeable with fraud?

Mr. ELSTON. I certainly believe he is not.

Mr. GRIFFIN. Certainly not. Is not the language of this section sufficient now when you say that "no fraudulent claimant shall be entitled to any lease provided for in this section," and stop there?

Mr. ELSTON. Does the gentleman suggest to strike that out?

Mr. GRIFFIN. No. Leave that in: "No fraudulent claimant shall be entitled to any lease provided for in this section."

Mr. ELSTON. That might do if the Secretary of the Interior did not try to carry it further and charge the claimant with knowledge of matters which he had no reasonable means of ascertaining.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GRIFFIN. Mr. Chairman, I ask for one minute more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. ELSTON. Do you desire to charge him with any kind of constructive knowledge and impute fraud to him which he should not be chargeable with? This exception is carried into the decisions, and certainly it is proper.

Mr. GRIFFIN. You are trying to crystallize a judicial decision into a statute.

The CHAIRMAN. The time of the gentleman from New York has expired. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken, and the amendment was rejected.

Mr. VAILE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Colorado offers an amendment, which the Clerk will report:

The Clerk read as follows:

Amendment offered by Mr. VAILE: Page 56, line 22, at the beginning of the line, insert the word and figures "Sec. 18 a," so as to make the paragraph a new section.

Mr. VAILE. Mr. Chairman, the purpose of this amendment is to provide a better logical arrangement of this act. We are embarking upon an entirely new policy with reference to our public-land laws. This paragraph, in my judgment, is a most wise provision providing a reviewing authority to compromise and settle controversies relative to titles to placer lands acquired heretofore. As stated by the chairman of the committee in his report on this bill, the purpose of this paragraph, among other things, is to furnish an alternative method of compromising and settling litigation and controversies arising from withdrawal orders in which the Government is involved with claimants. It being designed for such purpose and to enable the Government to equitably adjust any matter that may be necessary to adjust in passing from the old patent system to the new leasing system, it seems to me the paragraph should be numbered as a separate section of the bill. Therefore, I offer this amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 19. That any person who, prior to any withdrawal order made subsequent to July 3, 1910, or who on October 1, 1919, was a bona fide occupant or claimant of oil or gas lands not withdrawn from entry, and who had previously performed all acts under then existing laws necessary to valid locations thereof except to make discovery, and upon which discovery had not been made prior to the passage of this act, and who has performed work or expended on or for the benefit of such locations an amount equal in the aggregate of \$250 for each location if application therefor shall be made within six months from the passage of this act shall be entitled to prospecting permits thereon upon the same terms and conditions, and limitations as to acreage, as other permits provided for in this act, or where any such person has heretofore made such discovery, he shall be entitled to a lease thereon under such terms as the Secretary of the Interior may prescribe unless otherwise provided for in section 18 hereof: *Provided*, That where such prospecting permit is granted upon land within any known geologic structure of a producing oil or gas field, the royalty to be fixed in any lease thereafter granted thereon or any portion thereof shall be not less than 12½ per cent of all the oil or gas produced except oil or gas used for production purposes on the claim, or unavoidably lost: *Provided, however*, That such lands are not reserved for the use of the Navy: *Provided, however*, That no claimant for a permit or lease who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud or who has not acted honestly and in good faith shall be entitled to any of the benefits of this section.

All permits or leases hereunder shall inure to the benefit of the claimant, and all persons on or prior to September 1, 1919, claiming through or under him, by lease, contract, or otherwise, as their interests may appear: *Provided*, That no claimant acquiring any interest in such lands since September 1, 1919, shall secure a permit or lease thereon under this section.

Mr. SINNOTT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Oregon offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment: Section 19, page 57, strike out all after the word and figures "Section 19," on line 8, all of line 9, all of line 10, and all of line 11 down to and including the word "entry," and insert in lieu thereof the following: "That any person who on October 1, 1919, was a bona fide occupant or claimant of oil or gas lands under a claim initiated while such lands were not withdrawn from oil or gas location and entry."

Mr. SINNOTT. Mr. Chairman, there has always been a great deal of confusion and ambiguity about the meaning of the first three lines in section 19. The committee has put in the language in several different ways, and finally adopted the language in the bill, but still the language is confusing. It refers to "any person who prior to any withdrawal order was an occupant of lands not withdrawn." It is really a confusion or a contradiction of terms. I think this language which I offer will clear it up, with the addition of an amendment which I expect to offer on the next page, in line 7, making it absolutely certain that this section does not in any way relate or refer to the naval reserves.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Oregon.

The amendment was agreed to.

Mr. SINNOTT. Mr. Chairman, I have another amendment, which ought to supplement this.

The CHAIRMAN. The gentleman from Oregon offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SINNOTT: Page 58, line 7, strike out the word "such," also the words "are not," and insert after the word "that" the following: "The provisions of this section shall not apply to," so that the line will read as follows: "That the provisions of this section shall not apply to lands reserved for the use of the Navy."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Oregon.

The amendment was agreed to.

Mr. FERRIS. Mr. Chairman, I would like to make an inquiry of the chairman of the committee, if I may. The matter was called to my attention that we had in section 18 a particular fraud clause that was originally used in the House bill as it passed last year, and that in this section and the Alaska section we had adopted the particular clause inserted by the Senate of a different character. We have just passed and agreed to the particular clause originally employed in the House bill, and I was wondering if the chairman would be willing to offer amendments making it uniform. The Alaskan people thought we ought not to provide one particular clause for them and another for other sections of the country.

Mr. SINNOTT. It ought to be made uniform for conference purposes.

Mr. FERRIS. I hope that can be worked out in conference so that they will be the same. The amendment would be on page 58. Strike out the provision in lines 8 to 12 and insert the language of the House bill as it appears on page 55 and insert the same language as is found on page 55, line 24. This merely makes it uniform. The old language was drafted and approved by the Interior Department. It was carefully prepared.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield for a moment?

Mr. SINNOTT. If the gentleman offers that amendment I will have no objection to it.

Mr. FERRIS. Mr. Chairman, I move that on page 58 we strike out the following language from line 8 to line 12 and insert in lieu thereof the provision already agreed to on page 55, beginning on line 24, and on page 56, lines 1 and 2, in the interest of harmonizing these provisions. The chairman has just said he had no objection to it. The Alaska people feel the same clause should apply to all. I confess it seems to me they are right about it. If there is any advantage about it one way or the other it will be easy to care for it in conference.

Mr. EVANS of Nebraska. Will the gentleman yield?

The CHAIRMAN. Let the Clerk report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FERRIS: Page 58, beginning with line 8, strike out all of lines 8 to 12, inclusive, and insert in lieu thereof the following: "No fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such claimant without notice of fraud at the time such interest was acquired shall not be chargeable therewith."

Mr. FERRIS. Now, if we may insert the words "Provided, however, That," that will be the amendment.

The CHAIRMAN. The Chair will suggest that the words "Provided, however, That," in line 8, page 58, be retained.

Mr. FERRIS. That will make it right.

The CHAIRMAN. Is there objection to the modification of the amendment suggested?

There was no objection.

Mr. FERRIS. Mr. Chairman, it has been suggested to me by the chairman of the Committee on the Territories, Judge WATKINS, and also by the Delegate from Alaska [Mr. GRIGSBY], and also by some other gentlemen who are here in the interest of Alaskan matters, that to have a fraud clause of one kind for the oil operators of the United States and another fraud clause applicable to Alaska did not seem quite right to them, and we have adopted the clause relating to fraud in section 18, which I desire to offer now. I think this modification ought to be made. It makes it uniform. It treats all classes of oil claimants alike. Personally I do not see any material difference. The amendment I offer is the language just agreed to in section 18. It is also identical with the House bill of last year which had the approval of this House, and also had the approval of all the departments. Personally I have no preference, but it ought to be uniform.

Mr. ANDERSON. Will the gentleman yield?

Mr. FERRIS. Yes.

Mr. ANDERSON. If the gentleman wants a fraud clause in here at all, why does he take the weakest fraud clause there is in the bill to make the language uniform?

Mr. FERRIS. I do not concede that it is the weakest, although there is some controversy about that. The fraud clause that we had last year was very carefully drawn by the Interior Department and very carefully worked out by the committee. The House passed it. It is exactly the clause that we have had in former years. I do not think there is any advantage about it, and I do not think it is of any very great consequence; but the Alaskan people feel that if we are going to provide one fraud clause for the big oil operators in the United States, there should not be a different kind of a fraud clause applied to them, where they have little or no development in oil. Further

than that I have no interest in it. It ought to be carried through the bill. It ought to be uniform.

Mr. GRIFFIN. Mr. Chairman, the concluding statement of the gentleman from Oklahoma puts the argument right in a nutshell. If you are not going to have a drastic fraud clause applicable to the big interests in the United States, why should you have a drastic fraud clause applicable to the poor folks in Alaska?

Now, just reverse that argument, if you please. We have turned about and given a weak fraud clause for the benefit of the big interests in the United States. The question before us is whether or not we shall now remove the drastic provision applicable to the Alaskans and give them the benefit of the weaker provision which you have given to the interests in the United States. When I offered my amendment, objecting to the weak, wishy-washy fraud clause that you stuck in this bill for the benefit of the big interests in the United States, I had it in mind that there were stronger fraud clauses in the bill which ought to stay in the bill. The Alaska clause is one of them.

The objection that the gentleman has to the language of the Alaska provision that the gentleman seeks to strike out is that it is drastic. Well, it ought to be drastic. If he is so much concerned about uniformity, why not apply uniformly the clause that has teeth in it? This provision provides that no claimant for a permit or lease who has been guilty of any fraud or who has knowledge or reasonable grounds to know of any fraud or who has not acted honestly and in good faith shall be entitled to any of the benefits of this section. That is perfectly fair and perfectly reasonable to all, Alaskan and American. We ought to vote against the amendment. If the gentleman wants uniformity, let us apply the drastic provision generally which is found on page 56.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The question being taken; on a division (demanded by Mr. GRIFFIN) there were—ayes 35, noes 8.

Accordingly the amendment was agreed to.

Mr. ANDERSON. Mr. Chairman, I make the point of no quorum present.

The CHAIRMAN. The gentleman from Minnesota makes the point of no quorum present. The Chair will count.

Mr. BLANTON. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Texas moves that the committee do now rise.

The question being taken, the motion of Mr. BLANTON was rejected.

The CHAIRMAN. One hundred and one Members present, a quorum.

Mr. ANDERSON. I ask for tellers, Mr. Chairman.

Mr. BLANTON. A point of order, Mr. Chairman. He is not entitled to tellers.

The CHAIRMAN. The gentleman is not entitled to tellers for the purpose of determining a quorum.

Mr. ANDERSON. I am not making it on the question of a quorum. I am making it on the last vote.

The CHAIRMAN. The demand comes too late. The Clerk will read.

#### MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and the Speaker having resumed the chair, a message, in writing, from the President of the United States was communicated to the House of Representatives, by Mr. Sharkey, one of his secretaries.

#### MINING OF COAL, PHOSPHATE, OIL, ETC.

The committee resumed its session.

The Clerk read as follows:

SEC. 20. In the case of lands bona fide entered as agricultural, and not withdrawn or classified as mineral at the time of entry, but not including lands claimed under any railroad grant, the entryman or patentee, or assigns, where assignment was made prior to January 1, 1918, if the entry has been patented with the mineral right reserved, shall be entitled to a preference right to a permit and to a lease, as herein provided, in case of discovery; and within an area not greater than a township such entryman and patentees, or assigns, holding restricted patents may combine their holdings not to exceed 2,560 acres for the purpose of making joint application. Leases executed under this section and embracing only lands so entered shall provide for the payment of a royalty of not less than 12½ per cent as to such areas within the permit as may not be included within the discovery lease to which the permittee is entitled under section 14 hereof.

Mr. GRIFFIN. Mr. Chairman, I move to strike out the last word. On Saturday the gentleman from Wyoming [Mr. MONDELL] ventured the thought that I had not read this bill. Now, it may be that I had not, and, if I had not, I am not going to take any blame upon myself for not having read it, not being a mem-



ber of the committee and having this complicated bill put into our hands at a moment's notice.

The House committee bill looks like a substitute to the Senate bill, but, in fact, it is only an amendment which consists in taking the Senate bill and drawing a line through every section and then copying it section by section, practically in the same words, making no material changes until they came down to sections 40 and 41 of the Senate bill. And there we find the nigger in the woodpile. Those are the two sections which obviously the committee were anxious to get at.

I have taken the trouble to go through the Senate bill and compare it with the House committee substitute, and show in the following table all the changes that have been made:

S. 2775.

The original Senate bill, 41 sections, 38 pages.  
House committee bill, 38 sections, 75 pages.

COAL.

Section 1, same, except (a) exclusion of lands acquired under Appalachian Forest act; (b) provision as to helium; and (c) redrafting of alien provision. Adds 11 lines.

Section 2, same, except (a) providing for competitive bidding (20 lines); (b) providing for one lease to a railroad less than 200 miles in length (3 lines). Adds 23 lines.

Section 3, same.

Section 4, same.

Section 5, same.

Section 6, same.

Section 7, same, except (a) adds 5 words on line 21, page 42; (b) provides for suspension of operation (4 lines). Adds 5 lines.

Section 8, same, except (a) verbal change; (b) omits prohibition as to extension of privilege to corporation. Reduces 1 line.

Section 9, same; changes word "person" to "applicant."

Section 10, same, except (a) omission of Senate provision as to shape of land leased. Reduces 1 line.

Section 11, same, except (a) inserts "shall" instead of "may."

Section 12, same.

OIL AND GAS.

Section 13, same except (a) adds provision limiting Alaska prospecting permits to five. Adds 1 line.

Section 14, same, except (a) adds provision as to leases of 160 acres (3 lines); (b) transposes provision as to right of renewal; (c) omits six months' limitation (one-half line); (d) adds one-half line; (e) adds provision as to competitive bidding. Adds 4 lines.

Section 15, same.

Section 16, same.

Section 17, same.

Section 18, same, except (a) seven verbal changes; only one substantial change, and that adds the following: (b) "but the successor in interest of such claimant [fraudulent], without notice of fraud at the time such interest was acquired, shall not be chargeable therewith"; adds three lines; this is contrary to the spirit of our law. (c) Page 56, line 13, adds limitation as to time. (d) Adds provision for compromise of conflicting claims embraced in the Executive order of withdrawal of September 27, 1909. Adds 18 lines.

Section 19, same, except three verbal changes. (b) Adds new limitation as to time. Seven lines.

Section 20, same, except (a) adds word "assigns" in two places; (b) increases royalty to 12½ per cent.

OIL SHALE.

Section 21. Senate bill, 44 lines; House committee bill, 42 lines. Reduces two lines.

ALASKA OIL PROVISIO.

Section 22. Senate bill, 30 lines; House committee bill, 30 lines.

SODIUM.

Section 23. Senate bill, 13 lines; House committee bill, 13 lines.

Section 24. Senate bill, 37 lines; House committee bill, 37 lines.

Section 25. Senate bill, 11 lines; House committee bill, 11 lines.

GENERAL PROVISIONS.

Section 26. Senate bill, 8 lines; House committee bill, 7 lines.

Section 27. Senate bill, 57 lines; House committee bill, 58 lines.

Section 28. Senate bill, 30 lines; House committee bill, 29 lines.

Section 29. Senate bill, 22 lines; House committee bill, 22 lines.

Section 30. Senate bill, 32 lines; House committee bill, 32 lines.

Section 31. Senate bill, 10 lines; House committee bill, 10 lines.

Section 32. Senate bill, 9 lines; House committee bill, 9 lines.

Section 33. Senate bill, 5 lines; House committee bill, 5 lines.

Section 34. Senate bill, 8 lines; House committee bill, 8 lines.

Section 35. Senate bill, 20 lines; House committee bill, 21 lines.

Section 36. Senate bill, 32 lines; House committee bill, 28 lines.

Section 37. Senate bill, 8 lines; House committee bill, 10 lines.

Section 38. Senate bill, 4 lines; House committee bill, 7 lines. (Omitted in House bill. New section 38 relates to helium.)

Section 39. Senate bill, 11 lines. (Omitted in House committee bill.)

Section 40. Senate bill, 18 lines. (Omitted in House committee bill.)

Section 41. Senate bill, 32 lines. (Omitted in House committee bill.)

#### RECAPITULATION.

In the entire House committee bill there are only 69 lines added, which, if added to the Senate bill in the form of amendments, would have increased its length about 3 pages, making it 41 instead of 38 pages. The House committee bill takes up 75 pages—a tremendous waste of printing and paper at a time when we hear so much about economy. Why, then, this laborious blotting out of the Senate bill only to repeat its provisions down to and excepting sections 40 and 41? If the committee wanted to strike those sections out, all they need have done was to draw lines through them, indicating that they desired to exclude them.

But, no, that would never do. If they amended the Senate bill section by section and struck out sections 40 and 41, that would have entitled the House to move to amend by restoring them. By reason of the aid given by the Rules Committee in bringing in the rule requiring the House to consider the House committee bill as an original bill we are now burdened with the task of reading the committee bill section by section, instead of reading the Senate bill section by section. If we want to read the Senate bill for comparison we have to overcome the difficulty of reading it through blotted lines. But that is not the worst. I am no prophet, but I venture the prediction that when an effort is made, as it will be made, to restore sections 40 and 41 to the bill, we will find the committee making the point of order that the amendments are not germane. The question naturally arises whether this was not their real purpose in camouflaging the Senate bill. Would it not have been much fairer to the House to let the House committee amendments stand or fall on their merits? I made the statement on Saturday that the title of this bill might well be changed to read "A bill to surrender to the Coal Trust and to the Oil Trust of this country all the valuable rights which are now lying dormant in the West."

Please understand me, gentlemen, in my position here to-day that I am resolutely in favor of the development of your great and glorious West. I want to see you develop it. I want to encourage the taking out of coal from the veins in the earth, and the finding of oil wells, but I want also to protect you and the consumers of the great United States as well, and to see that safeguards shall be thrown around the granting of these valuable rights. I do not want to see the wealth of this country, temporarily withdrawn from public use by President Taft for the protection of posterity, handed over now to the Standard Oil Co. and other big interests to enhance their present plethoric surpluses and enable them to further exploit the public.

Mr. TAYLOR of Colorado. Will the gentleman permit a question?

Mr. GRIFFIN. I yield back the remainder of my time.

The CHAIRMAN. The gentleman withdraws his pro forma amendment.

Mr. MONDELL. Mr. Chairman, section 20 in its present form is a new provision; that is, it is, rather, an extension of an old provision. I think the purpose of the section most excellent. I would like to ask the chairman his opinion in regard to the effect of the section. As I understand, the intent is to authorize the entrymen or patentees to combine in an application, or to make a combined application, as though they were one person, and that when the application is thus made a permit would issue as in the ordinary case. In case of a discovery, the lease would be made as provided for in section 14. In other words, this combined application, if made in combined

form, would be treated under section 14 exactly as though it was an individual application. Is that true?

Mr. SINNOTT. I think they would organize themselves either into an association or corporation and apply in that way. I think that is the intent of the section.

Mr. GRIFFIN. Mr. Chairman, I withdraw the pro forma amendment, and in doing so I want to say that there is no material change whatever in this section—only two verbal changes.

The Clerk read as follows:

#### OIL SHALE.

SEC. 21. That the Secretary of the Interior is hereby authorized to lease to any person or corporation qualified under this act any deposits of oil shale belonging to the United States and the surface of so much of the public lands containing such deposits, or land adjacent thereto, as may be required for the extraction and reduction of the leased minerals, under such rules and regulations, not inconsistent with this act, as he may prescribe; that no lease hereunder shall exceed 5,120 acres of land, to be described by the legal subdivisions of the public-land surveys, or if unsurveyed, to be surveyed by the United States, at the expense of the applicant, in accordance with regulations to be prescribed by the Secretary of the Interior. Leases may be for indeterminate periods, upon such conditions as may be imposed by the Secretary of the Interior, including covenants relative to methods of mining, prevention of waste, and productive development. For the privilege of mining, extracting, and disposing of the oil or other minerals covered by a lease under this section the lessee shall pay to the United States such royalties as shall be specified in the lease and an annual rental, payable at the beginning of each year, at the rate of 50 cents per acre per annum for the lands included in the lease, the rental paid for any one year to be credited against the royalties accruing for that year; such royalties to be subject to readjustment at the end of each 20-year period by the Secretary of the Interior: *Provided*, That for the purpose of encouraging the production of petroleum products from shales the Secretary may, in his discretion, waive the payment of any royalty and rental during the first five years of any lease: *Provided*, That any person having a valid claim to such minerals under existing laws on January 1, 1919, shall upon the relinquishment of such claim be entitled to a lease under the provisions of this section for such area of the land relinquished as shall not exceed the maximum area authorized by this section to be leased to an individual or corporation: *Provided, however*, That no claimant for a lease who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud or who has not acted honestly and in good faith shall be entitled to any of the benefits of this section: *Provided further*, That not more than one lease shall be granted under this section to any one person, association, or corporation.

Mr. ANDERSON. Mr. Chairman, I move to strike out the last word. I do so to call the attention of the chairman of the committee and the gentleman from Oklahoma to the fact that in this section is another one of those provisions with teeth in it, and it ought to be in order at this time to strike it out.

Mr. FERRIS. Mr. Chairman, without assenting to the implication of the gentleman from Minnesota, in the interest of uniformity I do move to strike out the language in lines 7 to 10, inclusive, and insert in lieu thereof the language that has been inserted in the two previous sections found on the bottom of page 55.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 60, line 23, after the word "corporation," strike out the words "*Provided, however*, That no claimant for a lease who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud or who has not acted honestly and in good faith shall be entitled to any of the benefits of this section" and insert in lieu thereof the following: "That no fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such claimant without notice of fraud at the time such interest was acquired shall not be chargeable therewith."

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. ANDERSON) there were 32 ayes and 5 noes.

Mr. ANDERSON. Mr. Chairman, I make the point of no quorum.

Mr. BLANTON. Mr. Chairman, I move that the committee do now rise.

The question was taken, and the motion was lost.

The CHAIRMAN. The gentleman from Minnesota makes the point of no quorum, and the Chair will count. [After counting.] Eighty-five Members present, not a quorum.

Mr. SINNOTT. Mr. Chairman, I move that the committee do now rise.

The question was taken, and the Chairman announced that the noes had it.

Mr. SINNOTT. Mr. Chairman, I ask for tellers.

Mr. BLANTON. A point of order, Mr. Chairman.

The CHAIRMAN. The House is dividing and the gentleman can not make the point of order now.

Tellers were ordered, and the Chair appointed as tellers Mr. SINNOTT and Mr. CARTER.

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. The point of order was made by the gentleman from Minnesota that there was no quorum. While the Chair was counting I moved that the committee do now rise,

That was pending while the Chair was counting a quorum. I moved that the committee rise, and the committee decided not to rise. Now, would another motion for the committee to rise, there having been in the meantime no business transacted, be in order before the Chair determines that a quorum was present?

The CHAIRMAN. Here is the parliamentary situation. The gentleman from Minnesota raised the question of no quorum. The gentleman from Texas made a motion that the committee rise. The committee declined to rise. The Chair then counted and disclosed the fact that there was no quorum; and then tellers were demanded, and the committee decided that it should have tellers.

Mr. BLANTON. And tellers are asked for on the question of the committee rising.

The committee again divided, and the tellers reported that there were 3 yeas and 85 noes.

So the motion that the committee rise was rejected.

The CHAIRMAN. The Clerk will read.

Mr. ANDERSON. Mr. Chairman, when the motion to rise was made there was pending a point of no quorum, and the vote just taken discloses that there is no quorum.

The CHAIRMAN. The gentleman is correct and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ackerman	Fuller, Mass.	Lea, Calif.	Reed, N. Y.
Alexander	Gallagher	Lehbach	Riddick
Ayres	Gallivan	Leshner	Riordan
Babka	Gandy	Linthicum	Robison, Ky.
Bacharach	Ganly	Little	Rodenberg
Barkley	Garner	Lonergan	Rouse
Benson	Garrett	Longworth	Rowan
Blackmon	Glynn	McAndrews	Rowe
Bland, Va.	Godwin, N. C.	McClintic	Sabath
Boies	Goldfogle	McCulloch	Sanders, Ind.
Booher	Godall	McDuffie	Sanders, N. Y.
Britten	Goodykoontz	McFadden	Sanford
Brooks, Ill.	Gould	McKenzie	Saunders, Va.
Brooks, Pa.	Graham, Pa.	McKeown	Scott
Browning	Graham, Ill.	McKiniry	Scully
Brumbaugh	Greene, Mass.	McLane	Sells
Burke	Griest	McLaughlin, Nebr.	Sherwood
Burroughs	Hamill	MacCrate	Shreve
Butler	Hamilton	Magee	Siegel
Caldwell	Hardy, Tex.	Maher	Sims
Campbell, Kans.	Haskell	Mann, Ill.	Sinclair
Cantrell	Haugen	Martin	Sisson
Carew	Heflin	Mason	Slemp
Cars	Hersey	Minahan, N. J.	Small
Casey	Hicks	Montague	Smith, Ill.
Chindblom	Hill	Mooney	Smith, N. Y.
Clarke, Fla.	Holland	Moore, Pa.	Steele
Cole	Houghton	Moore, Va.	Stephens, Miss.
Cooper	Hulings	Moore, Ind.	Sullivan
Copley	Husted	Morin	Sweet
Costello	Hutchinson	Mudd	Swope
Cramton	Ireland	Murphy	Tague
Crowther	James	Neely	Taylor, Ark.
Cullen	Jefferis	Newton, Mo.	Temple
Dallinger	Johnson, Ky.	Nicholls, S. C.	Thomas
Davey	Johnson, S. Dak.	Nichols, Mich.	Tincher
Davis, Minn.	Johnson, Wash.	Nolan	Towner
Dempsey	Johnston, N. Y.	O'Connell	Treadway
Dent	Jones, Pa.	O'Connor	Vare
Dewalt	Kearns	Ogden	Voigt
Doremus	Kelley, Mich.	Olney	Volstead
Drane	Kendall	Palge	Watson, Pa.
Eagan	Kennedy, Iowa	Pell	Webb
Eagle	Kennedy, R. I.	Peters	White, Me.
Emerson	Kettner	Porter	Wilson, Pa.
Esch	Kincheloe	Radcliffe	Winslow
Fess	Klecza	Rainey, Henry T.	Wise
Fields	Kreider	Rainey, John W.	Wood, Ind.
Flood	LaGuardia	Ramsey	Yates
Fordney	Langley	Randall, Calif.	Young, N. Dak.
Frear	Layton	Reavis	
Freeman	Lazaro	Reber	

The committee rose; and the Speaker having resumed the chair, Mr. MADDEN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 2775, and finding itself without a quorum he had directed the roll to be called, when 225 Members answered to their names, a quorum, and he handed in the list of absentees.

The committee resumed its session.

Mr. ANDERSON. Mr. Chairman, I submit that when the point of no quorum was raised the committee was dividing on the question of an amendment, and that the vote should now be taken on that amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken, and the amendment was agreed to.

#### ALASKA OIL PROVISION.

SEC. 22. That any bona fide occupant or claimant of oil or gas bearing lands in the Territory of Alaska, who, or whose predecessors in interest, prior to withdrawal had complied otherwise with the requirements of the mining laws, but had made no discovery of oil or gas in



wells and who had made substantial improvements for the discovery of oil or gas on or for each location or had prior to the passage of this act expended not less than \$250 in improvements on or for each location shall be entitled, upon relinquishment or surrender to the United States within one year from the date of this act, or within six months after final denial or withdrawal of application for patent, to a prospecting permit or permits, lease or leases, under this act covering such lands, not exceeding five permits or leases in number and not exceeding an aggregate of 1,280 acres in each: *Provided*, That leases in Alaska under this act, whether as a result of prospecting permits or otherwise, shall be upon such rental and royalties as shall be fixed by the Secretary of the Interior and specified in the lease, and be subject to readjustment at the end of each 20-year period of the lease, and may, in the discretion of the Secretary, include noncontiguous tracts: *Provided further*, That for the purpose of encouraging the production of petroleum products in Alaska the Secretary may, in his discretion, waive the payment of any rental or royalty not exceeding the first five years of any lease.

No claimant for a lease who has been guilty of any fraud or who had knowledge or reasonable grounds to know of any fraud or who has not acted honestly and in good faith shall be entitled to any of the benefits of this section.

Mr. FERRIS. Mr. Chairman, I move to amend, on page 62, by striking out the language in the lines 7 to 10, inclusive, and inserting in lieu thereof the language on page 55, which has been inserted heretofore in the other amendments.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Oklahoma.

The Clerk read as follows:

Amendment offered by Mr. FERRIS: On page 62, beginning with line 7, strike out all of lines 7, 8, 9, and 10, and insert in lieu thereof the following: "*Provided, however*, That no fraudulent claimant shall be entitled to any lease provided for in this section, but the successor in interest of such claimant without notice of fraud at the time such interest was acquired shall not be chargeable therewith."

The CHAIRMAN. The question is on the amendment.

Mr. ANDERSON. Mr. Chairman, the amendment of the gentleman from Oklahoma is one which, in common with other amendments which he has offered—and, I am sure, without any intent of that kind—has the effect of weakening the fraud provisions of the bill. The provision as it stands in the bill puts everyone on notice as to whether fraud has been committed or not. It requires every purchaser of lands embraced within the purview of this act to make a reasonable inquiry as to the title which his predecessor in interest had. If the amendment of the gentleman from Oklahoma be adopted, any purchaser may shut his eyes and, without making any effort at all to determine whether his predecessor's title was fraudulent or not, take the land absolutely without any taint of fraud. I am willing to grant that a man who takes land innocently after making due inquiry and after making every effort reasonable to ascertain that his predecessor's title was good ought to be protected, but I think you go a long way toward encouraging fraud in these matters when you undertake to invite people who come in as secondary owners of these lands to shut their eyes to the character of the title which their predecessor in interest had. I think you go a long way toward encouraging fraud when you say to a man, "All that is necessary for you to do in order to be absolutely secure in your title, as against any fraud which your predecessor in interest committed, is to shut your eyes and make no inquiry whatever as to the character of the title or the way in which he secured his interest."

I want to serve notice now that, while I would like to vote for this bill, if the Committee on Public Lands continues to put in provisions weakening the law, making its provisions against fraud absolutely nugatory, I shall find it very difficult, if not impossible, to vote for it; and I do not want the Committee on Public Lands to put me in that position, because I should like to vote for legislation which will permit the development of these lands under circumstances which will amply protect the public interest.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken; and on a division (demanded by Mr. FERRIS) there were—ayes 57, noes 13.

So the amendment was agreed to.

The Clerk read as follows:

Sec. 24. That upon showing to the satisfaction of the Secretary of the Interior that valuable deposits of any of the substances enumerated in section 23 hereof have been discovered by the permittee within the area covered by his permit and that such land is chiefly valuable therefor the permittee shall be entitled to a lease for one-half of the land embraced in the prospecting permit, at a royalty of not less than one-eighth of the amount or value of the production, to be taken and described by legal subdivisions of the public-land surveys, or if the land be not surveyed by survey executed at the cost of the permittee in accordance with rules and regulations to be prescribed by the Secretary of the Interior. The permittee shall also have the preference right to lease the remainder of the lands embraced within the limits of his permit at a royalty to be fixed by the Secretary of the Interior. Lands known to contain such valuable deposits as are enumerated in section 23 hereof and not covered by permits or leases, except such lands as are situated in said county of San Bernardino, shall be held subject to lease, and may be leased by the Secretary of the Interior through advertisement, competitive bidding, or such other methods as he may by general

regulations adopt, and in such areas as he shall fix, not exceeding 2,560 acres; all leases to be conditioned upon the payment by the lessee of such royalty as may be fixed in the lease, and the payment in advance of a rental of 50 cents per acre for the first calendar year or fraction thereof and \$1 per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited on the royalty for that year. Leases may be for indeterminate periods, subject to readjustment at the end of each 20-year period, upon such conditions not inconsistent herewith as may be incorporated in each lease or prescribed in general regulation theretofore issued by the Secretary of the Interior, including covenants relative to mining methods, waste, period of preliminary development, and minimum production, and a lessee under this section may be lessee of the remaining lands in his permit.

Mr. ANDERSON. Mr. Chairman, I move to strike out the last word. I do so for the purpose of asking the chairman of the committee a question in reference to this section. The first part of this section authorizes the permittee to operate his holding at a royalty of not less than one-eighth of the amount or value of the production. This part provides "that the permittee shall have a preferential right to lease the remainder of the land embraced within the limits of the permits at a royalty to be fixed by the Secretary of the Interior." Now, what I want to ask the chairman of the committee is, whether the last provision I have read is intended to permit the Secretary of the Interior to lease the remainder of the land to the permittee at a royalty less than that provided for the other half of the leasehold.

Mr. SINNOTT. No; the Secretary would not do that. He would probably go higher. He gets the prospecting permit and upon the discovery of sodium he is entitled to one-half of the land at a royalty of not less than one-eighth.

Mr. ANDERSON. If it were proper to put in a limitation of less than one-eighth in the first place it seems to me it would be clearly proper to put any such limitation with respect to the last half.

Mr. SINNOTT. There would not be any objection to that. Of course, the Secretary would not lease for any less royalty.

Mr. ANDERSON. I assume, and I think it would be a reasonable assumption, that the failure of Congress to put into this provision the limitation which is put into the other might indicate an intention on the part of Congress that the last half should be leased for less than the minimum royalty.

Mr. SINNOTT. The Secretary would read into it some limitation. He would probably exact a higher royalty for the balance, as is done in the oil wells.

Mr. ANDERSON. I want also to direct the attention of the gentleman to line 24, page 63, in which there appears to be no limit at all upon the royalty, because the provision provides that the lease shall be conditioned upon the payment by the lessee of such royalty as may be fixed in the lease. Is there any differentiation there which resulted in the committee refraining from making a minimum in that case?

Mr. SINNOTT. No; there was not.

Mr. ANDERSON. Mr. Chairman, I offer an amendment. Page 63, line 14, after the word "royalty," insert "of not less than one-eighth of the amount or value of the production."

Mr. SINNOTT. I will accept that amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

Mr. RAKER. A point of order—the Clerk has not reported the amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON: Page 63, line 14, after the word "royalty," insert "of not less than one-eighth of the amount or value of the production."

The question was taken, and the amendment was agreed to.

Mr. ANDERSON. Mr. Chairman, I offer the same amendment after the word "royalty," in line 24, page 63.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. ANDERSON: Page 63, line 24, after the word "royalty," insert "of not less than one-eighth of the amount or value of the production."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Sec. 25. That in addition to areas of such mineral land which may be included in any such prospecting permits or leases, the Secretary of the Interior, in his discretion, may grant to a permittee or lessee of lands containing sodium deposits, and subject to the payment of an annual rental of not less than 25 cents per acre, the exclusive right to use, during the life of the permit or lease, a tract of unoccupied nonmineral public land, not exceeding 40 acres in area, for camp sites, refining works, and other purposes connected with and necessary to the proper development and use of the deposits covered by the permit or lease.

Mr. ANDERSON. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I have to preface my question with respect to this section with the statement that I admit I do not know very much about this sodium proposition, but the

preceding section and section 23 authorize the total holding to one permittee of 2,500 acres. It would seem that the holding ought to be sufficient to cover the land necessary for camp sites, refining works, and other purposes of that sort, without the additional amount carried in section 25. I rose for the purpose of asking the committee what is the reason for this provision?

Mr. SINNOTT. A man may have a plant away and apart from the original leasehold. Now, in my State they are taking sodium salts and they are transporting them in a pipe line, or expect to transport them, 50 or 60 miles to the main plant, that may be on public land several miles from the leasehold, and that is to meet a case of that kind.

Mr. ANDERSON. Do I understand the gentleman that it is not necessary in working these sodium deposits that the plant should be contiguous to the deposit?

Mr. SINNOTT. It is not so in my State.

Mr. ANDERSON. Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 27. That no person, association, or corporation, except as herein provided, shall take or hold more than one coal, phosphate, or sodium lease during the life of such lease in any one State; no person, association, or corporation shall take or hold at one time more than three oil or gas leases granted hereunder in any one State and not more than one lease within the geologic structure of the same producing oil or gas field; no corporation shall hold any interest as a stockholder of another corporation in more than such number of leases; and no person or corporation shall take or hold any interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease under the provisions hereof, which, together with the area embraced in any direct holding of a lease under this act, or which, together with any other interest or interests as a member of an association or associations or as a stockholder of a corporation or corporations holding a lease under the provisions hereof, for any kind of mineral leased hereunder, exceeds in the aggregate an amount equivalent to the maximum number of acres of the respective kinds of minerals allowed to any one lessee under this act. Any interests held in violation of this act shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General for that purpose in the United States district court for the district in which the property, or some part thereof, is located, except that any ownership or interest forbidden in this act which may be acquired by descent, will, judgment, or decree may be held for two years and not longer after its acquisition: *Provided*, That nothing herein contained shall be construed to limit sections 18, 19, and 22 or to prevent any number of lessees under the provisions of this act from combining their several interests so far as may be necessary for the purposes of constructing and carrying on the business of a refinery, or of establishing and constructing as a common carrier a pipe line or lines of railroads to be operated and used by them jointly in the transportation of oil from their several wells, or from the wells of other lessees under this act, or the transportation of coal: *Provided further*, That any combination for such purpose or purposes shall be subject to the approval of the Secretary of the Interior on application to him for permission to form the same: *And provided further*, That if any of the lands or deposits leased under the provisions of this act shall be subleased, trusted, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any manner whatsoever, so that they form part of or are in any wise controlled by any combination in the form of an unlawful trust, with consent of lessee, or form the subject of any contract or conspiracy in restraint of trade in the mining or selling of coal, phosphate, oil, oil shale, gas, or sodium entered into by the lessee, or any agreement or understanding, written, verbal, or otherwise to which such lessee shall be a party, of which his or its output is to be or become the subject, to control the price or prices thereof or of any holding of such lands by any individual, partnership, association, corporation, or control, in excess of the amounts of lands provided in this act, the lease thereof shall be forfeited by appropriate court proceedings.

Mr. EVANS of Nebraska. Mr. Chairman, I move to strike out of lines 7 and 8, page 67, the words "with consent of lessee."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. EVANS of Nebraska: Page 67, line 7, after the word "trust," strike out the words "with consent of lessee."

Mr. EVANS of Nebraska. The purpose of this provision found on page 67 evidently is to prevent combinations, and yet with those words in it loses all force for that purpose. For instance, it has been stated here, and I presume it is a fact, that there are 27 corporations under the control of the Standard Oil Co., or known as Standard Oil corporations. Each of those corporations is entitled to buy and sell and own stock in other corporations. A corporation itself can only sin by the acts of the corporation or its officers acting within the purview of their duty. Therefore if one of these 27 corporations forms another corporation for the purpose of leasing, and it holds 51 per cent of the stock, the balance being held by other persons, it can control all of that territory, and the 27 corporations can control 27 leasing propositions, which will not be subject to the provisions of this act. If you strike out "with consent of the lessee," you then give virility to this provision. If you leave it in, it is absolutely useless.

Mr. SINNOTT. If you strike that out, a man's property and lease would be forfeited if some one does something without his consent.

Mr. EVANS of Nebraska. Not unless it is in the combination.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska [Mr. EVANS].

The question was taken, and the amendment was rejected.

Mr. VAILE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Colorado offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VAILE: Page 6, line 15, after the figures "18," insert the figures "18 (a)."

Mr. VAILE. Mr. Chairman, this is merely to cover the previous section, which we divided, so as to include them both.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. ANDERSON. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee a question. The provision beginning on line 6, page 6, provides:

Any interests held in violation of this act shall be forfeited to the United States by appropriate proceedings instituted by the Attorney General.

And so forth.

I take it that under that language the holding is valid, and any operations conducted under it would be valid until after action brought by the United States. Am I correct in my construction of that language?

Mr. SINNOTT. That would relate to a lease, but not to a permit. The Secretary has certain rights under a permit, but after the permit is merged into a lease, then it will take court action.

Mr. ANDERSON. Well, Mr. Chairman, I want to ask what was the reason for that sort of a provision? Ordinarily a lease would be void ab initio, but here you put the entire burden on the Government to proceed to forfeit the lease before anything can be done in the way of showing fraud.

Mr. SINNOTT. It is in recognition of that legal, or equitable, principle that the law abhors a forfeiture, and there must be a showing made in court before the forfeiture can be secured.

Mr. ANDERSON. I assume a man could scarcely hold a larger amount of land under this act than the act permits, without knowing it. Therefore it seems to me that it ought to provide that the holding of an amount in excess of the amount permitted by the law should be void from the beginning.

Mr. SINNOTT. Well, a man might inadvertently secure more stock than he is entitled to; and it is in line with all court proceedings in relation to forfeiture.

Mr. ANDERSON. Mr. Chairman, I move to insert in line 7, page 66, after the word "be" the words "void and shall be." So that it will read:

Any interests held in violation of this act shall be void and shall be forfeited to the United States.

And so forth.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON: Page 66, line 7, after the word "be" insert "void and shall be."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chair announced that the yeas seemed to have it.

Mr. ANDERSON. I ask for a division, Mr. Chairman.

The committee divided; and there were—yeas 11, yeas 33.

Mr. ANDERSON. Mr. Chairman, I make a point of no quorum.

The CHAIRMAN. The gentleman from Minnesota makes the point of no quorum. The Chair will count.

Mr. BLANTON. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Texas moves that the Committee do now rise. The question is on agreeing to that motion.

The question was taken, and the motion was rejected.

The CHAIRMAN. The committee refuses to rise.

Mr. ANDERSON. Mr. Chairman, I withdraw the point of no quorum.

The CHAIRMAN. The point of no quorum is withdrawn.

So the amendment was rejected.

Mr. EVANS of Nebraska. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Nebraska moves to strike out the last two words.

Mr. EVANS of Nebraska. Mr. Chairman, I would like to ask the chairman of the committee a question, calling his attention to lines 13 and 14, on page 66. What is the purpose of the lan-



guage "to be held for two years and not longer after its acquisition"?

Mr. SINNOTT. That is in case the property devolves upon some one by descent, will, judgment, or decree. They do not want to compel him to summarily dispose of it at once, but they give him a little grace.

Mr. EVANS of Nebraska. That is where he has too many acres? Is that it?

Mr. SINNOTT. Oh, no. If this property devolves upon him an excess amount, too many acres—

Mr. EVANS of Nebraska. That is what I meant.

Mr. SINNOTT. Yes.

The CHAIRMAN. The Clerk will read.

Mr. BAER. Mr. Chairman, I offer an amendment as a separate section, 27a.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from North Dakota.

The Clerk read as follows:

Amendment offered by Mr. BAER: Page 67, line 18, after the word "proceedings," insert a new section, 27a:

"Sec. 27a. That, subject to the provisions, limitations, and conditions of this act, the Secretary of the Interior is authorized to issue leases for coal, oil, oil shale, or gas deposits owned by the United States and the lands containing same to any State of the United States the constitution and laws of which authorize it to engage in the business of mining or extracting, treating, and disposing of such mineral deposits."

Mr. SINNOTT. Mr. Chairman, I make the point of order on that. It is not germane to the subject.

The CHAIRMAN. The point of order is sustained.

Mr. BAER. I want to make one remark. I made that amendment to the bill under the coal provision, and did not include oil and phosphates. While it may not be germane to the section, I will introduce it at the proper time.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

SEC. 28. That rights of way through the public lands, including the forest reserves, of the United States are hereby granted for pipe-line purposes for the transportation of oil or natural gas to any applicant possessing the qualifications provided in section 1 of this act to the extent of the ground occupied by the said pipe line and 25 feet on each side of the same under such regulations as to survey, location, application, and use as may be prescribed by the Secretary of the Interior and upon the express condition that such pipe lines shall be constructed, operated, and maintained as common carriers: *Provided*, That the Government shall in express terms reserve and shall provide in every lease of oil lands hereunder that the lessee, assignee, or beneficiary, if owner, or operator or owner of a controlling interest in any pipe line or of any company operating the same which may be operated accessible to the oil derived from lands under such lease, shall at reasonable rates and without discrimination accept and convey the oil of the Government or of any citizen or company, not the owner of any pipe line, operating a lease or purchasing gas or oil under the provisions of this act: *Provided further*, That no right of way shall hereafter be granted over said lands for the transportation of oil or natural gas except under and subject to the provisions, limitations, and conditions of this section. Failure to comply with the provisions of this section or the regulations prescribed by the Secretary of the Interior shall be ground for forfeiture of the grant by the United States district court for the district in which the property, or some part thereof, is located in an appropriate proceeding.

Mr. RAKER. Mr. Chairman, on line 23, page 67, I ask that the word "aet" be stricken out and the word "act" be substituted.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from California.

The Clerk read as follows:

Amendment offered by Mr. RAKER: Strike out, in line 23, page 67, the word "aet" and insert the word "act."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ANDERSON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Minnesota moves to strike out the last word.

Mr. ANDERSON. Mr. Chairman, apparently this section proposes to grant rights of way to every applicant under this act, and provides that the Government may in express terms reserve and provide that the owner "shall at reasonable rates and without discrimination accept and convey the oil of the Government or of any citizen or company, not the owner of any pipe line, operating a lease or purchasing gas or oil under the provisions of this act." I can not find in this section any place where any person is required to apply to the Secretary of the Interior for the right of way. His right of way is granted by the bill itself. I do not see any way by which he can get before the Secretary of the Interior so that the Secretary can impose any limitations on him.

Mr. SINNOTT. It is down at the bottom of page 67, "under such regulations as to survey, location, application, and use as may be prescribed by the Secretary of the Interior."

Mr. ANDERSON. That is to say, that under general language it is contemplated that the Secretary will require an application in every case where the lessee under the provisions of this act desires to use any public lands. Is that correct?

Mr. SINNOTT. I think that is a reasonable construction of it.

Mr. ANDERSON. There was some doubt in my mind as to whether the general language to which the gentleman refers was sufficient to make it certain that the interest of the lessee to the right of way did not attach until after application, acceptance, and approval of the application by the Secretary. In other words, I had the general impression from reading the section that the section itself granted the right of way.

Mr. SINNOTT. Automatically?

Mr. ANDERSON. Yes.

Mr. SINNOTT. No; I think not.

Mr. ANDERSON. I may be in error about that.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 29. That any permit, lease, occupation, or use permitted under this act shall reserve to the Secretary of the Interior the right to permit, upon such terms as he may determine to be just, for joint or several use, such easements or rights of way, including easements in tunnels upon, through, or in the lands leased, occupied, or used as may be necessary or appropriate to the working of the same, or of other lands containing the deposits described in this act, and the treatment and shipment of the products thereof by or under authority of the Government, its lessees, or permittees, and for other public purposes: *Provided*, That said Secretary, in his discretion, in making any lease under this act, may reserve to the United States the right to lease, sell, or otherwise dispose of the surface of the lands embraced within such lease under existing law or laws hereafter enacted, in so far as said surface is not necessary for use of the lessee in extracting and removing the deposits therein: *Provided further*, That if such reservation is made it shall be so determined before the offering of such lease: *And provided further*, That the said Secretary, during the life of the lease, is authorized to issue such permits for easements herein provided to be reserved.

Mr. ANDERSON. Mr. Chairman, I move to strike out the last word. May I ask the chairman of the committee if it is contemplated under this provision that the easements and rights of way over the public domain shall be granted without compensation?

Mr. SINNOTT. Yes; for this purpose.

Mr. ANDERSON. An easement under a general provision of this kind might be a very valuable right, might it not?

Mr. SINNOTT. It would only be valuable in connection with the operation of the property.

Mr. ANDERSON. And such an easement, of course, might very materially decrease the value of the public lands upon which it was granted.

Mr. SINNOTT. Of course the lessee is paying for that right of way when he leases his property, paying for it in his bid and his royalty. Like a railroad employee who gets a pass over the railroad, he really does not get a free pass. He pays for it in his daily employment.

Mr. ANDERSON. Then the gentleman asserts that the words "upon such terms as he may determine to be just," in line 25, on page 68, and line 1, on page 69, do not include a reasonable charge for the value of the use of the right of way?

Mr. SINNOTT. I think those words are broad enough to permit the Secretary to make a charge. My attention was not on that precise language.

Mr. ANDERSON. I wanted the gentleman's opinion that the language was broad enough to authorize a charge.

Mr. SINNOTT. I think it is.

Mr. ANDERSON. Because I desired to offer an amendment, unless I could have the gentleman's assurance that he did think that language was broad enough to cover a charge.

Mr. SINNOTT. I was called away while the section was being read, and did not have that exact language in mind. I think it is broad enough to cover that.

Mr. ANDERSON. With that assurance of the chairman of the committee, I withdraw my pro forma amendment.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. I should like to ask the gentleman from Oregon if it is intended to have a night session on this bill?

Mr. SINNOTT. Not to-night.

Mr. WALSH. The shades of night are falling fast, and we have had a pretty good exemplification of a strenuous day—

Mr. SINNOTT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MADDEN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (S. 2775) to promote the mining of coal, phosphate, oil, gas, and sodium on the public domain, had come to no resolution thereon.

## LEAVE TO EXTEND REMARKS.

Mr. VAILE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the bill under consideration in Committee of the Whole.

The SPEAKER. The gentleman asks unanimous consent to revise and extend his remarks on the bill under consideration in Committee of the Whole. Is there objection?

There was no objection.

## BANKS IN NORTH DAKOTA.

Mr. BAER. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. The gentleman from North Dakota asks unanimous consent to address the House for one minute. Is there objection?

Mr. RAKER. Reserving the right to object, on what subject?

Mr. BAER. In relation to an alleged bank failure at Fargo, N. Dak. I think it will be of interest.

Mr. GARD. Is the gentleman's request for a moment or for a minute?

Mr. BAER. For a minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BAER. Mr. Speaker, about two weeks ago a press dispatch sent out from Fargo, N. Dak., and widely published under glaring headlines, proclaimed that the Scandinavian-American Bank of that city was closed because of being insolvent. Later the newspapers in the Northwest qualified the statement by saying the bank was "alleged" to be insolvent. The fact of the matter is that the bank was never insolvent.

At the outset, let me make it clear that the Scandinavian-American Bank is a private institution and must not be confused with the state Bank of North Dakota, which is now organized with a capital of \$2,000,000 and has deposits amounting to \$13,000,000. Many newspapers, intentionally or unintentionally, led the public to believe that the bank which was alleged to be insolvent was the State-owned Bank of North Dakota, established by a constitutional amendment, ratified at two elections by the majority of the people. I wish that I had the time to comment on the success of this new State institution, which embraces features of the Federal reserve bank and the farm-loan bank. It has a wonderful record. Mr. F. W. Cathro, director general of the bank, recently stated in a report that the bank has earned more than \$40,000 in the seventy-odd days it has been doing business. It has not only made this profit but it has had a great tendency to reduce the interest of first farm mortgages throughout the State. This bank has been created solely for public service and makes no unsecured loans. Consequently any charges made against the State bank are absolutely false.

At the time that the Scandinavian-American Bank was closed, the State bank examiner was out of the State on official business at the request of the attorney general. The attorney general, allying himself with another member of the banking board, formed a political plot to close up the institution, in order to discredit the Nonpartisan League, many members of which had notes in this bank. In the absence of the State bank examiner they used an incompetent deputy to carry out their designs. I say "incompetent" because he overlooked thousands of dollars in collateral which was deposited in the bank. The reports of this deputy, whose name is Halldorson, either were the outgrowth of the grossest bias or the rankest incompetence, for when Mr. Thatcher, an expert auditor of the Equitable Audit Co., of St. Paul, checked up the Scandinavian-American Bank he declared that it was in sound going condition at the time it was closed. Without checking up the total amount of collateral, Mr. Halldorson said that the bank was "hopelessly insolvent." Mr. Thatcher pointed out that collections were \$217,000 since Halldorson made his report, and that loans and discounts had been reduced by \$191,000 since the attorney general's crew were ousted from the bank, proving the assets of the institution were exceptionally liquid. Mr. Thatcher showed the sound business policy accompanying the loans made by the bank and the manner in which the loans were paid out. "To-day the cash reserve of the bank is 220 per cent of the requirements," he said. "The total reserve is 160 per cent of the requirements. I wish to state that the bank is not only solvent, but it has its capital and surplus intact and it has accumulated net profits of \$10,000."

I want to call the attention of the House to the fact that certain papers played up this false report of the bank being insolvent at the time, but they have been profoundly silent since dispatches came from Fargo stating that the bank had been reopened last Saturday, after a decision of the supreme court, which declared that the bank had never been insolvent. The court ousted the attorney general and his "pretenders." Upon

his return, the State bank examiner, Mr. Lofthus, investigated the bank and in his report stated: "I am satisfied that this bank is not only solvent, but also retains its surplus and some undivided profits. Considering the interests of the bank patrons, the stockholders, and the credit of the State of North Dakota, and knowing that the bank is solvent and is in a condition to resume business, it is my opinion that it should be opened and allowed to resume business."

In addition to the reduction in the loans, Mr. Lofthus found the reserve of the institution \$85,000 above the amount required in addition to the bank's holding of \$50,000 in Liberty bonds. He asserted that Halldorson had sent out deceptive statements regarding the bank's condition because in the time he examined the institution "he could not have obtained a sufficient knowledge of the financial status to qualify him to properly pass judgment on the bank's solvency."

In view of these statements of such responsible officials I think it unnecessary for my going into details concerning this dastardly attempt to wreck a perfectly sound institution. The infamous effort of the obstructionists of a great movement of the people was an attempt to break its financial backbone by foreclosing just before harvest. It failed.

Last Tuesday a tremendous mass meeting was held in the huge auditorium at Fargo, which in spite of its great capacity was totally inadequate to accommodate the crowd, necessitating the holding of an overflow meeting. Hon. Lynn J. Frazier, governor of the State; President A. C. Townley, of the Nonpartisan League; and other prominent men addressed the enthusiastic multitude and were greeted time and time again with thunderous applause, in which were mingled cries of "We'll stick; we are not broke yet."

At midnight, at the conclusion of this tremendous gathering, there was presented the unusual spectacle of hundreds of farmers lined up in front of an institution alleged to be insolvent, not for the purpose of making a "run" on the bank, but for the purpose of making a run to deposit their thousands of dollars in actual cash, as an indication of their faith in the solvency of the institution. This is the most unique spectacle in American history, an example of a bank where depositors, in spite of false reports, showed their unswerving confidence in its stability and registered their contempt for the tactics of the conspirators.

While their sentiment was more substantially demonstrated by the bushels of money that were actually piled up on the bank floors the following resolutions well express the spirit of the meeting:

*Be it resolved*, That we, the farmers of North Dakota in mass convention assembled in Fargo on this 21st day of October, 1919, hereby unite in setting forth for the benefit of the people of the United States the facts in the plot which resulted in the temporary closing of the Scandinavian-American Bank of Fargo.

Five years ago there began in the State of North Dakota an organization which has continually, insistently, and successfully harassed and attacked the methods of the monopolistic business parasites, and during the past five years it has been the hope and the dream of the grain speculator, the unnecessary middle man, and the monopolistic business parasites that they might awake to find the Nonpartisan League had met with disaster; that its newspapers had been wiped out; that the farmers' banks had been wrecked; that the farmers' stores had been closed; and that the farmers' program of progress had been set back half a century. They have not only dreamed but they have organized and concentrated their publicity, political, and financial forces to bring about this result. Having tried the test of political strength, the test of economic strength, the test of false accusation, and every test which they could devise to destroy this great movement and having failed, they finally changed their plans and used the only weapon which has invariably proved successful for them and their kind—money power.

For some months past the chamber of commerce barons, the milling magnates, the railroad dictators, and the great financial kings have planned together day by day to bring upon the farmers' movement disaster from all sides. They have enlisted in their cause by fair means or foul three men in whom the people of North Dakota had placed their faith, and working with those men they have planned to refuse to cash paper issued by farmers' banks, to refuse to loan money to farmers' institutions, to make farmers' notes and farmers' checks valueless, to cause runs on farmers' banks, to destroy farmers' newspapers, to wipe out the Nonpartisan League and all it stands for, to stop the building of mills and elevators in North Dakota. They have prepared and sent out through all the news channels of the United States of America the message that a great fraud has been exposed, that the farmers' movement has failed, and that the State of North Dakota is bankrupt. They have been willing to go to any lengths to gain their ends, and in this malign attempt to crush the very heart of democracy in the State of North Dakota their chief work has been done by men who were trusted by the people of the State; men who have stooped to any act, no matter how low; men who stood ready to and did violate any law; men who are daily violating their oath of office; men who apparently retain no respect for themselves, their name, or their families; men who listen no longer to the desire of their constituents; men who are willing to destroy the whole future of true democracy in order to satiate their selfish political desires, and in their reckless pursuit of their program of destruction they have unlawfully and unjustly attempted to destroy this safe, sound, and solvent bank, the leading farmers' bank of North Dakota—the Scandinavian-American.

Now, therefore, we do hereby resolve:

First. That we call upon our fellow citizens, the people of the State of North Dakota to stand fast in support of their institutions and the program of progress to which their State has committed herself, to believe no false charges made against the State, to have faith in their



movement and stand unflinching, shoulder to shoulder, to answer back the enemies of this great movement by coming forward and making the Scandinavian-American Bank of Fargo the biggest bank in the State, both in capital and surplus and in business conducted by it.

Second, That whereas in the face of the unfaithfulness of Langer, Hall, and Kositzky, in the face of all their political trickery, and in the face of all the obstacles that have been raised, Lynn J. Frazier, governor, and John N. Hagan, commissioner of agriculture and labor, have remained faithful to the cause of the people of the State and have made possible the splendid success which the State is achieving in its progressive work: Therefore be it further

*Resolved*, That we tender to Lynn J. Frazier, and John N. Hagan our most heartfelt thanks for the tireless, self-sacrificing fight they have made in spite of heart-breaking opposition and that we assure them of our unbounded love and admiration for what they have done and pledge them our devoted cooperation in carrying through to a finish the work they have so splendidly begun against such heavy odds; and be it further

*Resolved*, That engrossed copies of this resolution be made, attested as correct by the secretary of this convention, and presented to Gov. Frazier and Commissioner Hagan.

#### EXTENSION OF REMARKS.

Mr. GRIFFIN, Mr. CONNALLY, and Mr. JONES of Texas were granted leave to extend their remarks in the RECORD.

#### LEAVE OF ABSENCE.

Mr. JOHNSON of Washington, by unanimous consent, was given leave of absence for one day.

Mr. HUMPHREYS. Mr. Speaker, I ask unanimous consent that on Thursday next at 2 o'clock the House stand in recess not to exceed 30 minutes—

Mr. VOLSTEAD. Mr. Speaker, I object.

Mr. BLANTON. Mr. Speaker, where a veto message comes from the President of the United States to the House is it not in order to have it submitted at once?

The SPEAKER. It is; it is within the discretion of the Chair. The Chair was about to submit it, but thought that he would have these minor matters cleared up first.

Mr. HUMPHREYS. Mr. Speaker, may I submit my request, as the gentleman objected before he heard it? I ask unanimous consent that the House recess next Thursday at 2 o'clock for 15 minutes, the purpose being at that time to present to Gen. McCall a silver cup—

Mr. MONDELL. Mr. Speaker, I shall have to object.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

Mr. WALSH. Reserving the right to object, on what subject?

Mr. RAKER. On the rank for nurses in the Army. It is in reference to a bill I have before the Committee on Military Affairs.

Mr. SANFORD. I object.

#### ENROLLED BILL AND JOINT RESOLUTION SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill and joint resolution of the following titles, when the Speaker signed the same:

H. R. 7138. An act granting a franking privilege to Edith Carow Roosevelt; and

H. J. Res. 151. Joint resolution to provide additional compensation for employees of the Postal Service and making an appropriation therefor.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 1377. An act for the relief of Amherst W. Barber;

S. 2250. An act providing for the exchange of certain legation buildings and grounds owned by the Government of the United States in Bangkok, Siam;

S. 3096. An act to authorize the construction of a bridge across the Red River at or near Moncla, La.; and

S. 3190. An act to authorize the construction of a bridge across the Pocomoke River, at Pocomoke City, Md.

#### ENROLLED BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill and joint resolution:

H. R. 7138. An act granting a franking privilege to Edith Carow Roosevelt; and

H. J. Res. 151. Joint resolution to provide additional compensation for employees of the Postal Service and making an appropriation therefor.

#### PROHIBITION.

The Speaker laid before the House the following message from the President of the United States:

To the House of Representatives:

I am returning, without my signature, H. R. 6810, "An act to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply

of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries."

The subject matter treated in this measure deals with two distinct phases of the prohibition legislation. One part of the act under consideration seeks to enforce war-time prohibition. The other provides for the enforcement which was made necessary by the adoption of the constitutional amendment. I object to and can not approve that part of this legislation with reference to war-time prohibition. It has to do with the enforcement of an act which was passed by reason of the emergencies of the war and whose objects have been satisfied in the demobilization of the Army and Navy, and whose repeal I have already sought at the hands of Congress. Where the purposes of particular legislation arising out of war emergency have been satisfied, sound public policy makes clear the reason and necessity for repeal.

It will not be difficult for Congress in considering this important matter to separate these two questions and effectively to legislate regarding them, making the proper distinction between temporary causes which arose out of war-time emergencies and those like the constitutional amendment of prohibition which is now part of the fundamental law of the country. In all matters having to do with the personal habits and customs of large numbers of our people we must be certain that the established processes of legal change are followed. In no other way can the salutary object sought to be accomplished by great reforms of this character be made satisfactory and permanent.

WOODROW WILSON.

THE WHITE HOUSE,

27 October, 1919.

The SPEAKER. The question is, Will the House on reconsideration pass the bill, the objections of the President to the contrary notwithstanding?

Mr. VOLSTEAD. Mr. Speaker, I move that the consideration of the message vetoing the bill H. R. 6810, the national prohibition bill, be postponed until next Thursday immediately after the reading of the Journal.

Mr. WALSH. Mr. Speaker, I move to lay the motion to postpone on the table.

The SPEAKER. The gentleman from Minnesota moves that the consideration of the veto message be postponed until next Thursday, and the gentleman from Massachusetts moves to lay that motion on the table.

Mr. WINGO. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. If the motion to lay on the table is not carried would that force an immediate vote on the matter?

The SPEAKER. The Chair thinks it would. The question is on the motion of the gentleman from Massachusetts to lay the motion of the gentleman from Minnesota on the table.

The question was taken; and on a division (demanded by Mr. WALSH) there were 14 ayes and 63 noes.

Mr. WALSH. Mr. Speaker, I make the point that no quorum is present.

Mr. MADDEN. I move that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. MADDEN) there were 24 ayes and 46 noes.

So the House refused to adjourn.

The SPEAKER. The gentleman from Massachusetts makes the point that no quorum is present. It is obvious that no quorum is present, and the question is on the motion of the gentleman from Massachusetts to lay the motion of the gentleman from Minnesota on the table. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 30, nays 184, answered "present" 2, not voting 215, as follows:

#### YEAS—30.

Aswell	Good	McArthur	Snyder
Begg	Hastings	Madden	Stephens, Ohio
Condy	Hull, Iowa	O'Connor	Summers, Wash.
Crago	Humphreys	Phelan	Tinkham
Curry, Calif.	Jeffers	Platt	Walsh
Dominick	Jones, Tex.	Quin	Wingo
Dunbar	Juul	Rogers	
Garland	Larsen	Sanford	

#### NAYS—184.

Almon	Benham	Brown	Cleary
Anderson	Black	Buchanan	Collier
Andrews, Md.	Blackmon	Byrnes, S. C.	Connally
Andrews, Nebr.	Bland, Ind.	Byrns, Tenn.	Crisp
Ashbrook	Bland, Mo.	Campbell, Pa.	Currie, Mich.
Ayres	Blanton	Candler	Dale
Baer	Bowers	Cannon	Darrow
Bankhead	Box	Caraway	Davis, Tenn.
Barbour	Brand	Carss	Denison
Bee	Briggs	Christopherson	Dent
Bell	Brinson	Clark, Mo.	Dickinson, Mo.

Dickinson, Iowa	Hernandez	Mondell	Stedman
Doremus	Horsman	Moon	Steenerson
Doughton	Hickey	Moore, Ohio	Stevenson
Dowell	Hoch	Morgan	Strong, Kans.
Dupré	Huddleston	Mott	Strong, Pa.
Echols	Hull, Tenn.	Nelson, Mo.	Summers, Tex.
Edmonds	Igoe	Nelson, Wis.	Sweet
Elliott	Jacoway	Nichols, Mich.	Taylor, Colo.
Ellsworth	Johnson, Miss.	Nolan	Taylor, Tenn.
Elston	Keller	Oldfield	Thompson
Esch	Kelly, Pa.	Oliver	Tillman
Evans, Nebr.	Kendall	Olney	Tilson
Evans, Nev.	King	Osborne	Timberlake
Fairfield	Kinkaid	Park	Upshaw
Ferris	Knutson	Parker	Valle
Fisher	Kraus	Parrish	Venable
Flood	Lampert	Purnell	Vestal
Focht	Lanham	Raker	Vinson
Fuller, Ill.	Lankford	Ramseyer	Volstead
Gallagher	Lee, Ga.	Randall, Calif.	Walters
Gard	Lufkin	Randall, Wis.	Wason
Garrett	Luhling	Rayburn	Watkins
Glynn	McGlennon	Reavis	Watson, Va.
Goodwin, Ark.	McLane	Reed, W. Va.	Webster
Gould	McLaughlin, Mich.	Ricketts	Welling
Graham, Ill.	MacGregor	Robinson, N. C.	Welty
Green, Iowa	Mann, S. C.	Rose	Whaley
Greene, Vt.	Mapes	Rubey	White, Kans.
Griffin	Martin	Sanders, La.	Williams
Hadley	Mays	Scott	Wilson, Ill.
Hardy, Colo.	Mead	Sherwood	Wilson, La.
Harrison	Merritt	Sinnott	Woods, Va.
Haugen	Michener	Smith, Mich.	Woodyard
Hawley	Miller	Smithwick	Wright
Hayden	Monahan, Wis.	Steagall	Zihlman

## ANSWERED "PRESENT"—2.

Mudd Sears

## NOT VOTING—215.

Ackerman	Freeman	Leshner	Riordan
Alexander	French	Linthicum	Robson, Ky.
Anthony	Fuller, Mass.	Little	Rodenberg
Babka	Gallivan	Lonergan	Romjue
Bacharach	Gandy	Longworth	Rouse
Barkley	Ganly	Luce	Rowan
Benson	Garner	McAndrews	Rowe
Bland, Va.	Godwin, N. C.	McClintic	Rucker
Boise	Goldfogle	McCulloch	Sabath
Booher	Goodall	McDuffie	Sanders, Ind.
Britten	Goodykoontz	McFadden	Sanders, N. Y.
Brooks, Ill.	Graham, Pa.	McKenzie	Saunders, Va.
Brooks, Pa.	Greene, Mass.	McKeown	Schall
Browning	Griest	McKiniry	Scully
Brumbaugh	Hamill	McKinley	Sells
Burdick	Hamilton	McLaughlin, Nebr.	Shreve
Burke	Hardy, Tex.	McPherson	Siegel
Burroughs	Haskell	MacCrate	Sims
Butler	Hays	Magee	Sinclair
Caldwell	Hedlin	Maher	Sisson
Campbell, Kans.	Hersey	Major	Slomp
Cantrill	Hicks	Mann, Ill.	Small
Carw	Hill	Mansfield	Smith, Idaho
Carter	Holland	Mason	Smith, Ill.
Casey	Houghton	Minahan, N. J.	Smith, N. Y.
Chindblom	Howard	Montague	Snell
Clark, Fla.	Hudspeth	Mooney	Steele
Classon	Hulings	Moore, Pa.	Stephens, Miss.
Cole	Husted	Moore, Va.	Stiness
Cooper	Hutchinson	Moore, Ind.	Sullivan
Copley	Ireland	Morin	Swope
Costello	James	Murphy	Tague
Cramton	Johnson, Ky.	Neely	Taylor, Ark.
Crowther	Johnson, S. Dak.	Newton, Minn.	Temple
Cullen	Johnson, Wash.	Newton, Mo.	Thomas
Dallinger	Johnson, N. Y.	Nicholls, S. C.	Tincher
Davey	Jones, Pa.	O'Connell	Towner
Davis, Minn.	Kahn	Ogden	Treadway
Dempsey	Kearns	Overstreet	Vare
Dewalt	Kelley, Mich.	Padgett	Voigt
Donovan	Kennedy, Iowa	Paige	Ward
Dooling	Kennedy, R. I.	Pell	Watson, Pa.
Drane	Kettner	Peters	Weaver
Dunn	Kiess	Porter	Webb
Dyer	Kincheloe	Pou	Wheeler
Eagan	Kitchin	Radcliffe	White, Me.
Eagle	Kleezka	Rainey, Ala.	Wilson, Pa.
Emerson	Kreider	Rainey, H. T.	Winslow
Evans, Mont.	LaGuardia	Rainey, J. W.	Wise
Fess	Langley	Ramsey	Wood, Ind.
Fields	Layton	Reber	Yates
Fordney	Lazaro	Reed, N. Y.	Young, N. Dak.
Foster	Lea, Calif.	Rhodes	Young, Tex.
Frear	Lehlbach	Riddick	

So the motion to lay on the table was rejected.

The Clerk announced the following additional pairs:

On the vote:

Mr. POUL (for) with Mr. ANTHONY (against).

Mr. ACKERMAN with Mr. VENABLE.

Mr. KAHN with Mr. WEAVER.

Mr. BRITTEN with Mr. RUCKER.

Mr. BROOKS of Pennsylvania with Mr. O'CONNELL.

Mr. BURDICK with Mr. MCKINIRY.

Mr. CAMPBELL of Kansas with Mr. YOUNG of Texas.

Mr. CLASSON with Mr. WEBB.

Mr. DALLINGER with Mr. PADGETT.

Mr. DEMPSEY with Mr. OVERSTREET.

Mr. DUNN with Mr. MONTAGUE.

Mr. DYER with Mr. MANSFIELD.

Mr. FOSTER with Mr. McDUFFIE.

Mr. FREAR with Mr. LINTHICUM.

Mr. FREEMAN with Mr. KETTNER.

Mr. FRENCH with Mr. HOWARD.

Mr. GOODALL with Mr. GODWIN of North Carolina.

Mr. GOODYKOONTZ with Mr. EVANS of Nebraska.

Mr. GRIEST with Mr. CLARK of Florida.

Mr. HAYS with Mr. CASEY.

Mr. HERSEY with Mr. CARTER.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present; the Doorkeeper will open the doors. The question is on the motion of the gentleman from Minnesota to postpone until Thursday, immediately after the reading of the Journal—

Mr. VOLSTEAD. Mr. Speaker—

The SPEAKER. Does the gentleman from Minnesota desire to be recognized?

Mr. VOLSTEAD. Mr. Speaker, I believe I will withdraw the motion at this time. There are so many—

Mr. SANFORD. Mr. Speaker, I make the point of order— [Cries of "Vote!"] I make the point of order that the gentleman can not withdraw the motion at this time. The House has already made a decision on it by refusing to lay on the table, and therefore under the rule the gentleman is not in a position to withdraw it. If the Chair is in doubt, I can give him the authority.

The SPEAKER. The Chair has been referred to a precedent which sustains the point made by the gentleman from New York, and accordingly the Chair sustains the point of order that the gentleman from Minnesota has not the right to withdraw it; consequently the question is—

Mr. WINGO. Mr. Speaker, a parliamentary inquiry?

Mr. BLANTON. Mr. Speaker, I offer a substitute for the motion—

The SPEAKER. The Chair will state the question first. The question is on the motion of the gentleman from Minnesota to postpone until Thursday—

Mr. BLANTON. But I offer a substitute, Mr. Speaker—

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

Mr. BLANTON. For the gentleman's motion, that we vote on the President's veto now.

Mr. MONDELL. Mr. Speaker—

The SPEAKER. The gentleman from Wyoming.

Mr. MONDELL. Mr. Speaker—

Mr. BLANTON. Mr. Speaker, a point of order.

Mr. MONDELL. Mr. Speaker, I was on my feet and I was demanding recognition at the time.

The SPEAKER. The Chair recognized the gentleman from Wyoming.

Mr. MONDELL. Mr. Speaker, the purpose of this motion to postpone—

Mr. WALSH. Mr. Speaker, I raise the point of order that a motion to postpone is not debatable.

Mr. MONDELL. A motion to postpone is debatable.

The SPEAKER. The Chair will hear the gentleman from Wyoming.

Mr. WALSH. Does the Chair overrule the point of order?

The SPEAKER. Can the gentleman from Massachusetts refer the Chair to any decision? The Chair is referred to a decision saying that a motion to postpone to a day certain is debatable within very narrow limits only and the Chair will recognize the gentleman from Wyoming within very narrow limits. [Laughter.]

Mr. MONDELL. Mr. Speaker, we have a very important matter before us for consideration, important in its bearing on the welfare of the Nation, important because of the fact that a bill long considered by the Congress has been vetoed by the President. Under these circumstances it is proper and fitting that we shall defer consideration of the matter long enough to allow the entire membership of the House to get here [applause] and to a time when we shall have sufficient opportunity properly to consider the matter before us and to pass upon it intelligently. If we attempt to take the bill up prior to the time suggested by the gentleman from Minnesota we shall first have the special order and proceedings for to-morrow interfered with. If we attempt to take the message up to-morrow we shall have the question of Calendar Wednesday raised. To avoid those questions and take up the measure at the very earliest moment, when it can be taken up in the presence of the full membership of the House and be fully considered—

Mr. RUBEY. Will the gentleman yield?

Mr. MONDELL. The consideration should be deferred to Thursday, as suggested by the gentleman from Minnesota, and I move the previous question on his motion.



Mr. WALSH. The gentleman was not recognized to move the previous question.

The SPEAKER. The gentleman from Wyoming moves the previous question on the motion of the gentleman from Minnesota [Mr. VOLSTEAD] to postpone until Thursday.

The question was taken, and the Speaker announced that he was in doubt.

The House divided; and there were—ayes 100, noes 66.

So the previous question was ordered.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. If the motion to postpone to a certain day is voted down, does that mean the immediate consideration of the President's veto message which the Speaker has laid before the House?

The SPEAKER. It does, unless some other action is taken.

Mr. WINGO. If that is voted down, the only motion that would be in order would be either to lay on the table or to refer to a committee?

The SPEAKER. Or to adjourn.

Mr. WINGO. Or to adjourn.

The SPEAKER. The Chair thinks so. The Chair does not wish to limit himself, however.

Mr. WINGO. Some of the gentlemen were in a quandary as to what the parliamentary situation was.

Mr. IOOE. Mr. Speaker, would those on the other side, besides the gentleman from Arkansas [Mr. WINGO], now have an opportunity to make a speech?

Mr. WINGO. I made no speech. The information is just as valuable to the gentleman from Missouri as to anyone else.

The SPEAKER. The question is on the motion to postpone until Thursday.

The question was taken and the Speaker announced that the noes seemed to have it.

Mr. IOOE. Division, Mr. Speaker.

The House divided; and there were—ayes 87, noes 98.

Mr. IOOE. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were refused.

Mr. GRIFFIN. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The gentleman from New York makes the point of order that there is no quorum present. The Chair will count.

Mr. GRIFFIN. I am judging by the vote.

The SPEAKER. That is not material. The Chair will count. [After counting.] Two hundred and four gentlemen are present, not a quorum. The Doorkeeper will close the doors and the Sergeant at Arms will notify the absentees. Those in favor of the motion of the gentleman from Minnesota [Mr. VOLSTEAD] to postpone until Thursday will, as their names are called, answer "yea," those opposed will answer "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 83, nays 136, answered "present" 1, not voting 211, as follows:

## YEAS—83.

Andrews, Md.	Dent	King	Randall, Wis.
Aswell	Doremus	Knutson	Rayburn
Bankhead	Dupré	Lampert	Sherwood
Bee	Dyer	Lee, Ga.	Sinnott
Bell	Eagan	McGlenn	Steagall
Black	Echols	McLane	Stevenson
Blackmon	Edmonds	McLaughlin, Mich.	Taylor, Colo.
Bland, Mo.	Flood	MacGregor	Thompson
Bowers	Gallagher	Mann, S. C.	Tilson
Buchanan	Gard	Martin	Venable
Byrnes, S. C.	Garland	Mead	Vinson
Campbell, Pa.	Glynn	Mondell	Watkins
Cannon	Griffin	Moon	Watson, Va.
Carr	Harrison	Morgan	Welby
Clark, Mo.	Hays	Mott	Whaley
Classon	Herman	Nelson, Mo.	Wilson, Ill.
Clary	Huddleston	Nichols, Mich.	Wilson, La.
Collier	Hudspeth	Nolan	Woods, Va.
Connally	Hull, Iowa	Parker	Woodward
Crago	Igoe	Phelan	Zihlman
Denison	Jeffers	Platt	

## NAYS—136.

Almon	Byrnes, Tenn.	Ellsworth	Hastings
Anderson	Candler	Esch	Haugen
Andrews, Nebr.	Caraway	Evans, Nebr.	Hawley
Anthony	Christopherson	Evans, Nev.	Hayden
Ashbrook	Crisp	Fairfield	Hernandez
Ayres	Currie, Mich.	Ferris	Hickey
Baer	Curry, Calif.	Fisher	Hoch
Barbour	Dale	Focht	Howard
Begg	Darrow	Fuller, Ill.	Hull, Tenn.
Benham	Davis, Tenn.	Garrett	Humphreys
Bland, Ind.	Dickinson, Mo.	Good	Jacoway
Blanton	Dickinson, Iowa	Gould	Jones, Tex.
Box	Dominick	Graham, Ill.	Juni
Brand	Doughton	Green, Iowa	Keller
Briggs	Dowell	Greene, Vt.	Kelly, Pa.
Brinson	Dunbar	Hadley	Kendall
Brown	Elliott	Hardy, Colo.	Kiess

Kinkaid  
Kraus  
Lanham  
Lankford  
Larsen  
Lufkin  
Luhling  
McArthur  
Madden  
Mapes  
Mays  
Merritt  
Michener  
Miller  
Monahan, Wis.  
Moore, Ohio  
Nelson, Wis.

Newton, Minn.  
Oldfield  
Oliver  
Osborne  
Park  
Parrish  
Purnell  
Quin  
Raker  
Ramseyer  
Randall, Calif.  
Reavis  
Reed, W. Va.  
Ricketts  
Rogers  
Romjue  
Rose

Rubey  
Sanders, La.  
Sanford  
Scott  
Smith, Mich.  
Smithwick  
Snyder  
Stedman  
Steenerson  
Stephens, Ohio  
Strong, Kans.  
Strong, Pa.  
Summers, Wash.  
Sumners, Tex.  
Sweet  
Taylor, Tenn.  
Tillman

Timberlake  
Tinkham  
Upshaw  
Vaile  
Vestal  
Volstead  
Walsh  
Walters  
Wason  
Weaver  
Webster  
Welling  
Wheeler  
White, Kans.  
Williams  
Wingo  
Wright

ANSWERED "PRESENT"—1.

Sears

## NOT VOTING—211.

Ackerman	French	Little	Riddick
Alexander	Fuller, Mass.	Loneragan	Riordan
Babka	Gallivan	Longworth	Robinson, N. C.
Bacharach	Gandy	Luce	Robison, Ky.
Barkley	Ganly	McAndrews	Rodenberg
Benson	Garner	McClintic	Rouse
Bland, Va.	Godwin, N. C.	McCulloch	Rowan
Boies	Goldfogle	McDuffie	Rowe
Booher	Goodall	McFadden	Rucker
Britten	Goodwin, Ark.	McKenzie	Sabath
Brooks, Ill.	Goodykoontz	McKeown	Sanders, Ind.
Brooks, Pa.	Graham, Pa.	McKinley	Sanders, N. Y.
Browning	Greene, Mass.	McKinley	Saunders, Va.
Brumbaugh	Griest	McLaughlin, Nebr.	Schall
Burdick	Hamill	McPherson	Scully
Burke	Hamilton	MacCrate	Sells
Burroughs	Hardy, Tex.	Magee	Shreve
Butler	Haskell	Maher	Siegel
Caldwell	Heflin	Major	Sims
Campbell, Kans.	Hersey	Mann, Ill.	Sinclair
Cantrill	Hicks	Mansfield	Sisson
Carow	Hill	Mason	Slemp
Carter	Holland	Minahan, N. J.	Small
Casey	Houghton	Montague	Smith, Idaho
Chindblom	Hulings	Mooney	Smith, Ill.
Clark, Fla.	Husted	Moore, Pa.	Smith, N. Y.
Coady	Hutchinson	Moore, Va.	Snell
Cole	Ireland	Moore, Ind.	Steele
Cooper	James	Morin	Stephens, Miss.
Copley	Johnson, Ky.	Mudd	Stiness
Costello	Johnson, Miss.	Murphy	Sullivan
Cramton	Johnson, S. Dak.	Neely	Swope
Crowther	Johnson, Wash.	Newton, Mo.	Tague
Cullen	Johnston, N. Y.	Nicholls, S. C.	Taylor, Ark.
Dallinger	Jones, Pa.	O'Connell	Temple
Davey	Kahn	O'Connor	Thomas
Davis, Minn.	Kearns	Ogden	Tincher
Dempsey	Kelley, Mich.	Olney	Towner
Dewalt	Kennedy, Iowa	Overstreet	Treadway
Donovan	Kennedy, R. I.	Padgett	Vare
Dooning	Kettner	Paige	Volgt
Drane	Kincheloe	Pell	Ward
Dunn	Kitchin	Peters	Watson, Pa.
Eagle	Klecza	Porter	Webb
Elston	Kreider	Pon	White, Me.
Emerson	LaGuardia	Radeliffe	Wilson, Pa.
Evans, Mont.	Langley	Rainey, Ala.	Winslow
Fess	Layton	Rainey, H. T.	Wise
Fields	Lazaro	Rainey, J. W.	Wood, Ind.
Fordney	Lea, Calif.	Ramsey	Yates
Foster	Lehlbach	Reber	Young, N. Dak.
Frear	Leshner	Reed, N. Y.	Young, Tex.
Freeman	Linthicum	Rhodes	

So the motion was rejected.

The Clerk announced the following additional pairs:

On the vote:

Mr. ACKERMAN with Mr. YOUNG of Texas.

Mr. BACHARACH with Mr. WISE.

Mr. BOIES with Mr. WILSON of Pennsylvania.

Mr. BRITTEN with Mr. WEBB.

Mr. FRENCH with Mr. O'CONNELL.

Mr. GOODYKOONTZ with Mr. NEELY.

Mr. GRIEST with Mr. MONTAGUE.

Mr. HAMILTON with Mr. MINAHAN of New Jersey.

Mr. HERSEY with Mr. MAJOR.

Mr. HICKS with Mr. MAHER.

Mr. HOUGHTON with Mr. MCKEOWN.

Mr. HULINGS with Mr. McDUFFIE.

Mr. HUTCHINSON with Mr. MCANDREWS.

Mr. IRELAND with Mr. LONERGAN.

Mr. JOHNSON of South Dakota with Mr. LEA of California.

Mr. KAHN with Mr. KETTNER.

Mr. BROOKS of Illinois with Mr. THOMAS.

Mr. BROOKS of Pennsylvania with Mr. TAYLOR of Arkansas.

Mr. BROWNING with Mr. TAGUE.

Mr. BURDICK with Mr. SULLIVAN.

Mr. BURKE with Mr. STEELE.

Mr. BURROUGHS with Mr. SMITH of New York.

Mr. BUTLER with Mr. SMALL.

Mr. KEARNS with Mr. JOHNSTON of New York.

Mr. CHINDBLUM with Mr. SISSON.

Mr. COLE with Mr. SIMS.

Mr. KELLEY of Michigan with Mr. JOHNSON of Mississippi.  
 Mr. KENNEDY of Rhode Island with Mr. HOLLAND.  
 Mr. COOPER with Mr. SCULLY.  
 Mr. COPLEY with Mr. SAUNDERS of Virginia.  
 Mr. COSTELLO with Mr. SABATH.  
 Mr. CROWTHER with Mr. RUCKER.  
 Mr. DALLINGER with Mr. ROWAN.  
 Mr. KLECZKA with Mr. HEFLIN.  
 Mr. LANGLEY with Mr. HAMILL.  
 Mr. LAYTON with Mr. GOODWIN of Arkansas.  
 Mr. DAVIS of Minnesota with Mr. ROBINSON of North Carolina.

Mr. DEMPSEY with Mr. RIORDAN.  
 Mr. DUNN with Mr. JOHN W. RAINEY.  
 Mr. LONGWORTH with Mr. GODWIN of North Carolina.  
 Mr. LUCE with Mr. GARNER.  
 Mr. ELSTON with Mr. HENRY T. RAINEY.  
 Mr. MCFADDEN with Mr. GANDY.  
 Mr. EMERSON with Mr. POU.  
 Mr. FESS with Mr. PELL.  
 Mr. FORDNEY with Mr. PADGETT.  
 Mr. FOSTER with Mr. OVERSTREET.  
 Mr. FREAR with Mr. OLNEY.  
 Mr. FREEMAN with Mr. O'CONNOR.  
 Mr. GOODALL with Mr. NICHOLLS of South Carolina.  
 Mr. GREENE of Massachusetts with Mr. MOONEY.  
 Mr. HASKELL with Mr. MANSFIELD.  
 Mr. HILL with Mr. MCKINRY.  
 Mr. HUSTED with Mr. MCCLINTIC.  
 Mr. JONES of Pennsylvania with Mr. LESHER.  
 Mr. JOHNSON of Washington with Mr. LAZARO.  
 Mr. KREIDER with Mr. HARDY of Texas.  
 Mr. MCKENZIE with Mr. GALLIVAN.  
 Mr. MCKINLEY with Mr. FIELDS.  
 Mr. MCPHERSON with Mr. EAGLE.  
 Mr. MACCRATE with Mr. DRANE.  
 Mr. MANN of Illinois with Mr. KITCHIN.  
 Mr. MASON with Mr. DONOVAN.  
 Mr. MOORE of Pennsylvania with Mr. DEWALT.  
 Mr. MORIN with Mr. CULLEN.  
 Mr. LEHLBACH with Mr. GOLDFOGLE.  
 Mr. MCCULLOCH with Mr. GANLY.  
 Mr. McLAUGHLIN of Nebraska with Mr. EVANS of Montana.  
 Mr. MUDD with Mr. COADY.  
 Mr. MAGEE with Mr. DOOLING.  
 Mr. MOORES of Indiana with Mr. DAVEY.  
 Mr. OGDEN with Mr. CARTER.  
 Mr. PAIGE with Mr. CAREW.  
 Mr. PORTER with Mr. CALDWELL.  
 Mr. RADCLIFFE with Mr. BRUMBAUGH.  
 Mr. REBER with Mr. BENSON.  
 Mr. MURPHY with Mr. CASEY.  
 Mr. REED of New York with Mr. BABKA.  
 Mr. PETERS with Mr. CANTRILL.  
 Mr. RAMSEY with Mr. BOOHER.  
 Mr. RHODES with Mr. ALEXANDER.

The result of the vote was announced as above recorded.  
 The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

Mr. IGOE. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The motion before the House is, Will the House pass the bill on reconsideration, the objections of the President to the contrary notwithstanding?

Mr. IGOE. Mr. Speaker, is it in order to make a motion to adjourn?

Mr. VOLSTEAD. Mr. Speaker, I do not think it is necessary to say—

The SPEAKER. The Chair thinks he ought to recognize the gentleman from Missouri [Mr. IGOE]. The gentleman was addressing the Chair. The gentleman from Missouri moves that the House do now adjourn. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the "noes" appeared to have it.

Mr. IGOE. Mr. Speaker, I demand a division.

The SPEAKER. The gentleman from Missouri demands a division.

The House divided; and there were—ayes 67, noes 162.

So the motion was rejected.

Mr. VOLSTEAD. Mr. Speaker, I do not believe that this House is anxious to discuss this question. [Cries of "Vote!"] It has been discussed over and over again. It has been voted

upon in this House time and time again, and in seems to me that in view of the situation there is no occasion for prolonging the discussion.

Mr. IGOE. Mr. Speaker, will the gentleman yield for a question?

Mr. VOLSTEAD. It is absolutely no new question. The same question has been decided before. It is the same question that we have decided here on the floor before.

Mr. IGOE. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield to the gentleman from Missouri?

Mr. VOLSTEAD. Yes.

Mr. IGOE. The gentleman does not think there is any need for discussion. May I ask him why, a short while ago, if there is no reason for discussion or reconsideration, he asked that it be laid over until Thursday? Why did the gentleman ask a few moments ago that it be laid over until Thursday?

Mr. VOLSTEAD. Mr. Speaker, I move the previous question.

Mr. IGOE. Mr. Speaker, I was about to ask the gentleman a question.

Mr. VOLSTEAD. I move the previous question.

Mr. IGOE. Does the gentleman decline to answer?

The SPEAKER. Apparently the gentleman declines to answer.

Mr. IGOE. That is all right if the RECORD shows it.

The SPEAKER. The gentleman from Minnesota [Mr. VOLSTEAD] demands the previous question. The question is on agreeing to the motion for the previous question.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. IGOE. I demand a division, Mr. Speaker.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 161, noes 38.

So the previous question was ordered.

Mr. GRIFFIN. Mr. Speaker, I make the point of no quorum.

Mr. BLANTON. Mr. Speaker, I make the point that the gentleman's point is dilatory.

Mr. GRIFFIN. No. It is obvious. [Laughter.]

The SPEAKER. The gentleman from New York [Mr. GRIFFIN] makes the point that there is no quorum present. The Chair will count. [After counting.] The Chair counts 223 gentleman. A quorum is present. The question is, Will the House on reconsideration pass the bill, the objections of the President to the contrary notwithstanding? On this the Constitution requires a roll call. The Clerk will call the roll. Those in favor of passing the bill will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—ayes 175, noes 55, answered "present" 3, not voting 198, as follows:

## YEAS—175.

Almon	Dunbar	Kinkaid	Sinnott
Anderson	Echols	Knutson	Smith, Mich.
Andrews, Md.	Elliott	Kraus	Smithwick
Andrews, Nebr.	Ellsworth	Lanham	Snell
Anthony	Esch	Lankford	Steagall
Ashbrook	Evans, Nebr.	Larsen	Stedman
Aswell	Evans, Nev.	Lee, Ga.	Steenerson
Ayres	Fairfield	Luhning	Stevenson
Baer	Ferris	McLaughlin, Mich.	Strong, Kans.
Bankhead	Fisher	Major	Strong, Pa.
Barbour	Flood	Mann, S. C.	Summers, Wash.
Begg	Focht	Mapes	Summers, Tex.
Benham	Foster	Mays	Sweet
Black	Fuller, Ill.	Michener	Taylor, Colo.
Bland, Ind.	Garrett	Miller	Taylor, Tenn.
Blanton	Good	Monahan, Wis.	Thompson
Bowers	Goodwin, Ark.	Mondell	Tillman
Box	Gould	Moore, Ohio	Timberlake
Brand	Graham, Ill.	Morgan	Upshaw
Briggs	Green, Iowa	Mott	Valle
Brinson	Greene, Vt.	Nelson, Mo.	Venable
Brooks, Ill.	Hadley	Nelson, Wis.	Vestal
Browne	Hardy, Colo.	Newton, Minn.	Vinson
Byrnes, S. C.	Harrison	Oldfield	Volstead
Byrns, Tenn.	Hastings	Oliver	Walters
Candler	Haugen	Osborne	Wason
Cannon	Hawley	Park	Watkins
Caraway	Hayden	Parker	Watson, Va.
Carrs	Hays	Parrish	Weaver
Carter	Hernandez	Purnell	Webster
Christopherson	Hickey	Quin	Welling
Collier	Hoch	Raker	Welty
Connally	Howard	Ramseyer	Wheeler
Crisp	Huddleston	Randall, Calif.	White, Kans.
Currie, Mich.	Hudspeth	Rayburn	Williams
Dale	Hull, Tenn.	Reavis	Wilson, Ill.
Darrow	Jacoway	Reed, W. Va.	Wilson, La.
Davis, Tenn.	Johnson, Miss.	Ricketts	Wingo
Denison	Jones, Tex.	Romjue	Woods, Va.
Dickinson, Mo.	Keller	Rose	Woodward
Dickinson, Iowa	Kelly, Pa.	Rubey	Wright
Dominick	Kendall	Rucker	Young, Tex.
Doughton	Kiess	Sanders, Ia.	Zihlman
Dowell	King	Scott	



## NAYS—55.

Bee	Edmonds	McArthur	Pou
Blackmon	Gallagher	McGlennon	Randall, Wis.
Bland, Mo.	Gard	McLane	Rogers
Buchanan	Garland	MacGregor	Sanford
Campbell, Pa.	Glynn	Madden	Sherwood
Clark, Mo.	Griffin	Martin	Snyder
Classon	Hersman	Mead	Stephens, Ohio
Cleary	Hull, Iowa	Merritt	Tilson
Curry, Calif.	Humphreys	Moon	Tinkham
Dent	Igoe	Mudd	Walsh
Doremus	Jefferis	Nichols, Mich.	Ward
Dupré	Juul	Nolan	Whaley
Dyer	Lampert	Phelan	Winslow
Eagan	Lufkin	Platt	

## ANSWERED "PRESENT"—3.

Donovan	Sears	Stiness
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## NOT VOTING—198.

Ackerman	Freeman	Leshner	Reed, N. Y.
Alexander	French	Linthicum	Rhodes
Babka	Fuller, Mass.	Little	Riddick
Bacharach	Gallivan	Loneragan	Riordan
Barkley	Gandy	Longworth	Robinson, N. C.
Bell	Ganly	Luce	Robison, Ky.
Benson	Garner	McAndrews	Rodenberg
Bland, Va.	Godwin, N. C.	McClintic	Rouse
Boles	Goldfogle	McCulloch	Rowan
Booher	Goodall	McDuffie	Rowe
Britten	Goodykoontz	McFadden	Sabath
Brooks, Pa.	Graham, Pa.	McKenzie	Sanders, Ind.
Browning	Greene, Mass.	McKeown	Sanders, N. Y.
Brumbaugh	Griest	McKinley	Saunders, Va.
Burdick	Hamill	McLaughlin, Nebr.	Schall
Burke	Hamilton	McPherson	Scully
Burroughs	Hardy, Tex.	MacCrate	Sells
Butler	Haskell	Magoe	Shreve
Caldwell	Heflin	Maher	Siegel
Campbell, Kans.	Hersey	Mann, Ill.	Sims
Cantrill	Hicks	Mansfield	Sinclair
Carow	Hill	Mason	Sisson
Casey	Holland	Minahan, N. J.	Slomp
Chindblom	Houghton	Montague	Small
Clark, Fla.	Hulings	Mooney	Smith, Idaho
Coady	Husted	Moore, Pa.	Smith, Ill.
Cole	Hutchinson	Moore, Va.	Smith, N. Y.
Cooper	Ireland	Moore, Ind.	Steele
Copley	James	Morin	Stephens, Miss.
Costello	Johnson, Ky.	Murphy	Sullivan
Crago	Johnson, S. Dak.	Neely	Swope
Cramton	Johnson, Wash.	Newton, Mo.	Tague
Crowther	Johnson, N. Y.	Nicholls, S. C.	Taylor, Ark.
Cullen	Kahn	O'Connell	Temple
Dallinger	Kearns	O'Connor	Thomas
Davey	Kelley, Mich.	Ogden	Tincher
Davis, Minn.	Kennedy, Iowa	Olney	Towner
Dempsey	Kennedy, R. I.	Overstreet	Treadway
Dewalt	Kettner	Padgett	Vare
Doelling	Kinchloe	Paige	Voigt
Drane	Kitchin	Pell	Watson, Pa.
Dunn	Klecza	Peters	Webb
Eagle	Kreider	Porter	White, Me.
Elston	LaGuardia	Radcliffe	Wilson, Pa.
Emerson	Langley	Rainey, Ala.	Wise
Evans, Mont.	Layton	Rainey, H. T.	Wood, Ind.
Fess	Lazaro	Rainey, J. W.	Yates
Fields	Lea, Calif.	Ramsey	Young, N. Dak.
Fordney	Lehlbach	Reber	
Frear			

The SPEAKER. The Clerk will announce the pairs.

The Clerk announced the pairs, as follows:

On this vote:

Mr. NICHOLLS of South Carolina and Mr. McDUFFIE (yea) with Mr. HAMILL (no).

Mr. HEFLIN and Mr. RAINEY of Alabama (yea) with Mr. RIORDAN (no).

Mr. COOPER and Mr. MURPHY (yea) with Mr. SCULLY (no).

Mr. COLE and Mr. YOUNG of North Dakota (yea) with Mr. LONGWORTH (no).

Mr. TEMPLE and Mr. HULINGS (yea) with Mr. CRAGO (no).

Mr. STINESS and Mr. THOMAS (yea) with Mr. BURDICK (no).

Mr. WISE and Mr. OVERSTREET (yea) with Mr. CULLEN (no).

Mr. DEMPSEY and Mr. TAYLOR of Arkansas (yea) with Mr. BACHARACH (no).

Mr. HOLLAND and Mr. STEPHENS of Mississippi (yea) with Mr. MINAHAN (no).

Mr. TINCHER and Mr. LITTLE (yea) with Mr. LAZARO (no).

Mr. BURROUGHS and Mr. FESS (yea) with Mr. GALLIVAN (no).

Mr. SANDERS of Indiana and Mr. ALEXANDER (yea) with Mr. COADY (no).

Mr. BARKLEY and Mr. McKEOWN (yea) with Mr. DONOVAN (no).

Mr. SISSON and Mr. McCLINTIC (yea) with Mr. JOHNSON of New York (no).

Mr. WILSON of Pennsylvania and Mr. SIMS (yea) with Mr. McANDREWS (no).

Mr. MOORE of Virginia and Mr. Bell of Georgia (yea) with Mr. SMITH of New York (no).

Mr. HERSEY and Mr. WOOD of Indiana (yea) with Mr. KAHN (no).

Mr. TOWNER and Mr. WHITE of Maine (yea) with Mr. RODENBERG (no).

So, two-thirds voting in the affirmative, the bill was passed, the objections of the President to the contrary notwithstanding. Mr. LONGWORTH. Mr. Speaker, I desire to vote "nay."

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. LONGWORTH. Practically.

The SPEAKER. Unless the gentleman was present and listening when his name was called he does not qualify.

Mr. LONGWORTH. May I vote "present," Mr. Speaker?

The SPEAKER. The Chair has no discretion to allow the gentleman to vote at all.

SEVERAL MEMBERS inquired how they were recorded.

Mr. GARD. Mr. Speaker, what is the necessity of gentlemen who voted one way or the other coming up and asking how they are recorded?

The SPEAKER. It is quite irregular. There is no occasion to distrust the record. It can be changed in the morning, if necessary.

Mr. GARD. There are 30 or 40 of them doing that.

The SPEAKER. It takes the time of the House and is quite irregular. If gentlemen wish to change their votes, of course they have that privilege.

Mr. GODWIN of North Carolina. Mr. Speaker, I wish to know how I am recorded.

The SPEAKER. Did the gentleman vote?

Mr. GODWIN of North Carolina. No, sir.

The SPEAKER. The gentleman is not recorded.

Mr. GODWIN of North Carolina. I desire to vote.

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. GODWIN of North Carolina. I was not.

Mr. RAINEY of Alabama. Mr. Speaker, I desire to be paired.

The SPEAKER. Unless the gentleman was present and listening when his name was called he can not vote.

Mr. RAINEY of Alabama. I am not asking to vote. I am simply asking to be paired.

The SPEAKER. That is a matter to be arranged with the pair clerk.

Mr. RAKER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RAKER. I wish to know if gentlemen who are informed by the Chair that they can not vote because they were not present and listening when their names were called may still answer "present," so as to be included in the number necessary to make a quorum.

The SPEAKER. The Chair thinks not. There is a quorum present.

The result was announced as above recorded.

The SPEAKER. Two-thirds having voted in the affirmative, the bill is passed, the objections of the President to the contrary notwithstanding.

Mr. BLANTON. I move that the vote by which the bill was passed over the President's veto be reconsidered, and I move to lay that motion on the table.

The SPEAKER. That motion is not in order.

## THE FIRST DEFICIENCY BILL.

Mr. GOOD. Mr. Speaker, I present a conference report on the bill H. R. 9205, the first deficiency bill, for printing under the rule.

The conference report and statement are as follows:

## CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9205) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 10, 12, 28, 31, 34, 35, 40, 42, 43, 44, 45, 46, 55, 62, 63, 64, 72, and 73. That the House recede from its disagreement to the amendments of the Senate numbered 3, 5, 7, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 32, 36, 37, 38, 39, 48, 49, 50, 51, 52, 53, 54, 57, 58, 66, 67, 68, 69, 70, 71, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, and 86, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

## "COMMITTEE ON PUBLIC INFORMATION.

"Authority is hereby granted the Director of the Council of National Defense to expend during the fiscal year 1920 the sum of \$32,000 from the funds now to the credit of the Committee on

Public Information for necessary expenses incurred therefor since July 1, 1919, and for the expenses of auditing and closing the accounts and affairs of said committee. All unexpended balances of appropriations for and allotments to the Committee on Public Information shall remain available for payment under the direction of the Director of the Council of National Defense of such liabilities as were actually and necessarily incurred by the committee prior to June 30, 1919: *Provided*, That \$1,000,000 of such appropriations and allotments shall be covered into the Treasury immediately upon the passage of this act."

And the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out the word "continuing" and insert in lieu thereof the word "completing"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In line 4 of the matter inserted by said amendment strike out the word "Ten" and insert in lieu thereof the word "Five" and, in line 6, strike out "\$1,600" and insert in lieu thereof "\$800"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment after line 15; and the Senate agree to the same.

Amendment numbered 9: That the Senate recede from its disagreement to the amendment of the House numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$200,000"; and the House agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$4,863,176"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows:

"ORDNANCE DEPARTMENT.

"Ordnance reservation civilian schools: Authority is granted for the expenditure during the fiscal year 1920 of not to exceed \$45,000 from appropriations heretofore made for the 'purchase, manufacture, and test of ammunition for mountain, field, and siege cannon,' for the operation and maintenance on ordnance reservations at Anatol and Mays Landing, N. J.; Nitro, W. Va.; Jacksonville, Tenn.; Penniman, Va.; Sheffield and Muscle Shoals, Ala.; and Tullytown, Pa., of schools for children of persons employed thereon, where public schools are not conveniently available for such children, including salaries, supplies, stationery, and industrial work, replacement and repair of books and equipment, and all incidental and necessary expenses in connection therewith."

On page 11 of the bill, in line 10, strike out "1919" and insert in lieu thereof "1910."

And the Senate agree to the same.

Amendment numbered 47: That the Senate recede from its disagreement to the amendment of the House numbered 47, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"NAVY DEPARTMENT.

"Rent: For rental of additional quarters for the Navy Department, fiscal year 1919, \$175."

And the House agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$6,000,000"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In line 3 of the matter, inserted by said amendment, strike out "\$1,000" and insert in lieu thereof "\$500," and in line 4 strike out "\$666.67" and insert in lieu thereof "\$333.34"; and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In line 3, of the matter inserted by said amendment, strike out "\$1,000"

and insert in lieu thereof "\$600," and in line 5 strike out "\$666.67" and insert in lieu thereof "\$400"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out "\$1,000" and insert in lieu thereof "\$600," and in line 3 strike out "\$666.67" and insert in lieu thereof "\$400"; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$45,000"; and the Senate agree to the same.

Amendment numbered 74: That the Senate recede from its disagreement to the amendment of the House numbered 74, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"INTERNATIONAL CONFERENCE OF LABOR.

"For salaries and expenses of the international conference of labor, as follows:

"United States Government executive staff: For two and one-half months, at monthly compensation as follows: Assistant to the secretary, \$450; first assistant, \$300; three executive assistants, at \$200 each; two assistants at hotels, at \$200 each; private secretary, \$200; two stenographers, at \$150 each; typist, \$125; and two messengers, at \$75 each; in all, \$6,312.50.

"Conference staff, for two months, at monthly compensation as follows: Two stenographers, at \$150 each; two deputy secretaries, at \$300 each; four subsecretaries (for commissions), at \$200 each; four interpreters, at \$200 each; three English-French translators, at \$200 each; three French-English translators, at \$200 each; six French stenographers, at \$83.33 each; six English stenographers, at \$150 each; chief messenger, \$125; eight messengers, at \$75 each; expenses, at not exceeding \$10 per diem for each person, \$12,000; in all, \$23,649.96."

"Chief clerk's office, for two months, at monthly compensation as follows: Chief clerk, \$200; assistant chief clerk, \$150; and stenographer, \$150; in all, \$1,000.

"Expenses: For reporting proceedings, \$20,000; printing proceedings, \$10,000; paper, \$2,500; contingent expenses, \$1,000; in all, \$33,500.

"Total, international conference of labor, \$64,462.46: *Provided*, That all accounting in connection with the conference shall be done by the disbursing officer of the Department of Labor: *Provided further*, That no part of the money herein appropriated for the international conference of labor shall be available for the payment of an allowance for per diem expenses in lieu of subsistence to any person residing in the District of Columbia: *Provided further*, That this sum shall not be supplemented by expenditures from any other appropriation nor shall any part of this or any other appropriation be used for telegraphing or cabling the proceedings of the said conference."

And the House agree to the same.

Amendment numbered 75: That the Senate recede from its disagreement to the amendment of the House numbered 75, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$1,075"; and the House agree to the same.

JAMES W. GOOD,

J. G. CANNON,

JAMES F. BYRNES,

*Managers on the part of House.*

F. E. WARREN,

CHARLES CURTIS,

O. W. UNDERWOOD,

*Managers on the part of the Senate.*

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9205) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of said amendments, namely:

On No. 1: Strikes out the paragraph, inserted by the Senate, requiring the executive departments and independent establishments to report each proposed new activity or investigation to the Bureau of Efficiency, and also the paragraph directing the



Bureau of Efficiency to investigate the methods of business in the Bureau of War Risk Insurance.

On No. 2: Inserts the paragraph, proposed by the Senate, relative to the closing up of the accounts of the Committee on Public Information, modified so as to authorize the use of \$32,000 of unexpended balances for expenses incident to the work during the fiscal year 1920, and covers into the Treasury \$1,000,000 of the unexpended balances of appropriations and allotments.

On Nos. 3, 4, 5, and 6, relating to the District of Columbia: Inserts the paragraph, proposed by the Senate, reappropriating certain unexpended balances of appropriations for sewer construction work for 1919 and makes them available for 1920; appropriates \$19,000, as proposed by the Senate, for the upper Potomac interceptor; inserts the paragraph, proposed by the Senate, increasing from 20 per cent to 33½ per cent the amount of the appropriation for community forums and civic centers which may be expended for the payment of secretaries, teachers, organizers, and clerks; and appropriates \$800 instead of \$1,600, as proposed by the Senate, for charwomen for the new courthouse.

On No. 7: Appropriates \$2,900, as proposed by the Senate, for the Columbia Hospital.

On No. 8: Appropriates \$5,000,000, as proposed by the Senate, for the Federal Board for Vocational Education for the vocational rehabilitation of soldiers and sailors, and strikes out that portion of the amendment authorizing the transfer from the War Department to the Federal Board for Vocational Education of certain equipment valued approximately at \$250,000.

On Nos. 9, 10, 11, and 12, relating to the State Department: Appropriates \$200,000, instead of \$100,000 as proposed by the House and \$461,666.67 as proposed by the Senate, for additional officers and employees; appropriates \$4,140.28, as proposed by the Senate, to provide for compensation of the ambassador to Belgium; strikes out the increase of \$200,000, proposed by the Senate, in the appropriation to reimburse the fund "Emergencies arising in the Diplomatic and Consular Service, fiscal year 1920," on account of the expenses of the American mission to negotiate peace.

On Nos. 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22: Appropriates for certain additional employees in the Treasury Department from November 1, 1919, as proposed by the Senate, instead of from October 1, 1919, as proposed by the House.

On Nos. 23, 24, 25, 26, and 27, relating to public buildings: Increases the amount which may be expended during the fiscal year 1920 for repairs on Treasury Department buildings in the District of Columbia from \$16,000 to \$21,000, as proposed by the Senate; appropriates \$2,800 additional for the purchase of a post-office site at Mount Olive, N. C.; appropriates \$3,000 for rent of quarters at Nashville, Tenn.; appropriates \$1,500 for rent of quarters at Newport, R. I., and \$125,000 for additional construction at the Cape Charles, Va., quarantine station, as proposed by the Senate.

On Nos. 28 and 29, relating to the Secret Service Division of the Treasury Department: Strikes out the increase of \$25,000, proposed by the Senate, and inserts the proviso, proposed by the Senate, authorizing a maximum pay of \$12 per day to not to exceed three persons.

On No. 30: Appropriates \$136,813.94, as proposed by the Senate, for additional employees in the Office of the Treasurer, to be employed in redeeming national currency.

On Nos. 31, 32, and 33, relating to the Bureau of War Risk Insurance: Strikes out the appropriation of \$1,000,000, proposed by the Senate, for advertising, and inserts the appropriation of \$161,536 for the purchase of addressograph supplies, as proposed by the Senate.

On No. 34: Strikes out the appropriation of \$31,000, as proposed by the Senate, for telephone lines for the Coast Guard.

On No. 35: Strikes out the appropriation of \$55,000, proposed by the Senate, for additional scales for the Customs Service.

On No. 36: Inserts the paragraph, as proposed by the Senate, requiring the American Printing House for the Blind to furnish two copies of each of its publications free of charge to the National Library for the Blind.

On No. 37: Inserts the paragraph, proposed by the Senate, establishing a credit of \$147 in the accounts of C. G. Duganne, formerly disbursing officer of the Reclamation Service at Denver, Colo.

On No. 38: Appropriates \$550, as proposed by the Senate, to credit the accounts of Sydney E. Smith, disbursing clerk of the War Department.

On No. 39: Inserts the language, proposed by the Senate, making the appropriation for contingent expenses of the War Department available for heating apparatus and repairs to buildings occupied by the War Department other than the State, War, and Navy Building.

On No. 40: Strikes out the appropriation of \$200,000 for continuing the construction of the Aqueduct Bridge.

On No. 41: Restores the language, stricken out by the Senate, authorizing the maintenance of schools on Army ordnance reservations, modified so as to authorize the use of \$45,000 instead of \$64,000, as proposed by the House, and specifies the places at which schools may be maintained.

This amendment also corrects an error in the text of the bill by properly identifying a reference to the river and harbor appropriation act of June 25, 1910.

On No. 42: Strikes out the appropriation of \$35,000, proposed by the Senate, for the purchase of a bridge across the Missouri River at Fort Leavenworth, Kans.

On No. 43: Strikes out the paragraph, proposed by the Senate, authorizing the expenditure of \$13,872 for the purchase of certain land at Camp McClellan, Ala.

On No. 44: Strikes out the paragraph, proposed by the Senate, authorizing the expenditure during the fiscal year 1920 of \$15,681,350 of unexpended balances of appropriations made during the fiscal years 1918 and 1919 for the Air Service of the Army.

On Nos. 45, 46, 47, and 48, relating to the Navy Department: Strikes out the appropriation, proposed by the Senate, for increases in compensation of draftsmen and engravers in the Hydrographic Office; strikes out the paragraphs, proposed by the Senate, authorizing certain expenditures in the office of the Naval Records and Library; inserts the paragraph, proposed by the Senate, appropriating \$175 for rent of quarters; and inserts the appropriation of \$6,289.94, as proposed by the Senate, for the payment of claims for damages which have been adjusted by the Secretary of the Navy in accordance with existing law.

On No. 49: Strikes out, as proposed by the Senate, the paragraph authorizing the transfer of \$9,300,000 from appropriations for "Pay of the Navy" and "Provisions of the Navy" for the fiscal year 1920 to other bureaus of the Navy Department for work in connection with the repair of vessels.

On No. 50: Reduces from \$800,000 to \$500,000, as proposed by the Senate, the amount which may be expended from the appropriation "Maintenance, Bureau of Supplies and Accounts," for pay of classified employees.

On No. 51: Appropriates \$3,500, as proposed by the Senate, for repair of an annex to the Senate folding room.

On No. 52: Appropriates \$160,000, as proposed by the Senate, for expenses incurred in protecting timber on the public land from forest fires.

On Nos. 53, 54, and 55, relating to the Patent Office: Appropriates for additional employees from November 1, 1919, as proposed by the Senate, instead of from October 1, 1919, as proposed by the House, and strikes out the appropriation of \$7,333.34 for additional employees to bring up to date the trade-mark work of that office.

On No. 56: Appropriates \$6,000,000, instead of \$17,000,000, as proposed by the Senate, for continuing the construction of the Alaskan Railroad.

On Nos. 57 and 58, relating to the Postal Service: Appropriates \$750,000 for compensation of clerks and employees at first and second class post offices, as proposed by the Senate, and appropriates \$700,000, as proposed by the Senate, instead of \$300,000, as proposed by the House, for the payment of limited indemnity on mail matter for the fiscal year 1919.

On Nos. 59, 60, 61, 62, and 63, relating to the Department of Justice: Increases the compensation of the chief clerk at the rate of \$500 per annum instead of at the rate of \$1,000 per annum, as proposed by the Senate; increases the compensation of the private secretary and assistant to the Attorney General, and the attorney in charge of pardons, at the rate of \$600 each, instead of at the rate of \$1,000 each as proposed by the Senate; strikes out the appropriation of \$5,000 proposed by the Senate, for additional motor vehicles; and strikes out the authority, proposed by the Senate, for the purchase and maintenance of motor vehicles in connection with the detection and prosecution of crimes.

On No. 64: Strikes out the appropriation of \$2,000, proposed by the Senate, for the payment of a United States district attorney of Portland, Oreg., for services rendered during the years 1916 and 1917.

On No. 65: Appropriates \$45,000, instead of \$25,000 as proposed by the House and \$70,000 as proposed by the Senate, for the control and prevention of the spread of the Japanese beetle.

On No. 66: Appropriates \$2,950,000 as proposed by the Senate, instead of \$2,500,000 as proposed by the House, for expenses of the Forest Service in fighting and preventing forest fires.

On No. 67: Strikes out the paragraph, proposed by the House, authorizing the purchase and maintenance of a motor vehicle for the official use of the Director of the Census.

On Nos. 68, 69, 70, 71, and 72, relating to the Coast and Geodetic Survey: Strikes out the appropriation of \$12,000, proposed by the House, to increase the compensation of draftsmen; strikes out the appropriation of \$5,000, proposed by the House, to increase the compensation of engravers; strikes out the appropriation of \$35,622.23, proposed by the Senate, to increase the compensation of draftsmen, engravers, computers, lithographers, transferers, pressmen, plate printers, and certain other employees; appropriates for additional draftsmen and other employees from November 1, 1919, as proposed by the Senate, instead of from October 1, 1919, as proposed by the House.

On No. 73: Strikes out the appropriation of \$35,000, proposed by the Senate, for expenses of the industrial conference.

On No. 74: Appropriates \$64,462.46, instead of \$73,212.46, as proposed by the Senate, for expenses of the international conference of labor. The Senate amendment is modified so as to increase the compensation of three English-French translators and three French-English translators from \$125 to \$200 per month each; to strike out the appropriation of \$650 for expenses of the telegraph room; to strike out the appropriation of \$10,000 for expenses of moving departments to provide offices; to insert an appropriation of \$1,000 for contingent expenses; and to insert a proviso prohibiting the use of any other appropriation to supplement the funds granted in the bill and also prohibits the use of this or any other appropriation for the expenses of telegraphing or cabling proceedings of the conference.

On No. 75: Appropriates \$1,075, instead of \$2,150 as proposed by the Senate, for the compensation of statutory employees of the Botanic Garden.

On Nos. 76, 77, 78, 79, 80, and 81, relating to the Senate: Appropriates for the compensation of employees and for other expenses of the Senate in the manner and amounts proposed by each of the Senate amendments.

On No. 82: Appropriates \$9,303.95 for the payment of judgments of United States courts which were certified to Congress after the bill had passed the House.

On No. 83: Appropriates \$116,630.69 for the payment of judgments of the Court of Claims which were certified to Congress after the bill had passed the House.

On Nos. 84 and 85: Appropriates \$1,160,333.82 and \$353,920.50, respectively, for the payment of audited claims which were certified to Congress by the Secretary of the Treasury after the bill had passed the House.

On No. 86: Corrects a section number of the bill.

JAMES W. GOOD,  
J. G. CANNON,  
JAMES F. BYRNES,

*Managers on the part of the House.*

Mr. CLARK of Missouri. Mr. Speaker, I reserve all points of order on the conference report just presented.

The SPEAKER. The gentleman from Missouri reserves all points of order on the conference report.

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by inserting a statement by the governor of Illinois approving the President's statement on the coal situation.

The SPEAKER. The gentleman from Illinois asks unanimous consent to insert in the Record the matter stated.

Mr. BLANTON. Mr. Speaker, do I understand that the governor of Illinois approves the President's statement?

Mr. WILLIAMS. He does.

Mr. CLARK of Missouri. But suppose he did not approve it?

Mr. BLANTON. Then I would have objected to it.

Mr. NOLAN. Mr. Speaker, I object.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 1 minute p. m.) the House adjourned until to-morrow, Tuesday, October 28, 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 Interior, transmitting supplemental report and list of useless papers and requesting authority for the disposition of the same (H. Doc. No. 275); to the Committee on Disposition of Useless Executive Papers and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Grisdfield Harbor, Md. (H. Doc. No. 276); to the Com-

mittee on Rivers and Harbors and ordered to be printed with illustrations.

3. A letter from the Secretary of War, transmitting letter from the Chief of Engineers of the United States Army of 22d instant, together with report of preliminary examination of Old River, Chambers County, Tex. (H. Doc. No. 277); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

4. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of San Antonio River, Tex. (H. Doc. No. 278); to the Committee on Rivers and Harbors and ordered to be printed.

5. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Galveston Bay at Smith Point, Tex. (H. Doc. No. 279); to the Committee on Rivers and Harbors 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. HARRISON, from the Committee on Military Affairs, to which was referred the bill (S. 2495) transferring the tract of land known as Craney Island from the jurisdiction of the War Department to the jurisdiction of the Treasury Department and transferring the tract of land known as Fishermans Island from the jurisdiction of the Treasury Department to the jurisdiction of the War Department, reported the same without amendment, accompanied by a report (No. 418), which said bill and report were referred to the House Calendar.

Mr. SANFORD, from the Committee on Military Affairs, to which was referred the bill (H. R. 3707) authorizing the enlistment of non-English-speaking citizens and aliens, reported the same without amendment, accompanied by a report (No. 423), 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, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. KELLER, from the Committee on Claims, to which was referred the bill (H. R. 1317) for the relief of Robert T. Legge, reported the same with an amendment, accompanied by a report (No. 420), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (S. 176) for the relief of John M. Francis, reported the same without amendment, accompanied by a report (No. 421), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 2716) to relieve the estate of Thomas H. Hall, deceased, late postmaster at Panacea, Fla., and the bondsmen of said Thomas H. Hall, of the payment of money alleged to have been misappropriated by a clerk in said office, reported the same without amendment, accompanied by a report (No. 422), which said bill and report were referred to the Private Calendar.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BRAND: A bill (H. R. 10205) to grant the consent of Congress to the Haileys Bridge Co. to construct a bridge across the Savannah River; to the Committee on Interstate and Foreign Commerce.

By Mr. ZIHLMAN: A bill (H. R. 10206) for the extension of Maryland Avenue east of Fifteenth Street to the Anacostia River; to the Committee on the District of Columbia.

By Mr. JONES of Texas: A bill (H. R. 10207) providing for service of process in causes removed from a State or other court to a United States court; to the Committee on the Judiciary.

By Mr. ALMON: A bill (H. R. 10208) to authorize the Limestone-Morgan Bridge Co., a corporation, to construct a bridge across the Tennessee River at or near the city of Decatur, Ala.; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: A bill (H. R. 10209) to provide for the reimbursement of the United States for motive power, cars, and other equipment ordered for railroads and systems of transportation under Federal control, and for other purposes; to the Committee on Interstate and Foreign Commerce.



By Mr. MacGREGOR: A bill (H. R. 10210) to prevent rioting and mob murders and protect life and property from lawless depredation; to the Committee on the Judiciary.

By Mr. HUMPHREYS: A bill (H. R. 10211) to survey the Yazoo River, Miss., with a view to the control of its floods; to the Committee on Flood Control.

By Mr. OLIVER (by request): A bill (H. R. 10212) to credit officers of the United States Naval Reserve Force with time served in the Naval Auxiliary Service; to the Committee on Naval Affairs.

By Mr. KELLEY of Michigan: A bill (H. R. 10213) to amend section 1406 of the act entitled "An act to provide revenue, and for other purposes," approved February 24, 1919, and section 3 of the act entitled "An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment and to wear the same under certain conditions," approved February 28, 1919; to the Committee on Naval Affairs.

Also, a bill (H. R. 10214) authorizing the Secretary of the Navy, in his discretion, to withhold any part or all of the retainer pay of members of the Naval Reserve Force for failure to perform certain duties; to the Committee on Naval Affairs.

By Mr. CONNALLY: Concurrent resolution (H. Con. Res. 35) approving the recent statement issued by the President of the United States regarding the threatened strike in the coal fields of the United States and pledging the support of the Congress to the President in the exercise of all of his constitutional powers in the premises; 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. CANTRILL: A bill (H. R. 10215) granting a pension to Sarah Blackburn; to the Committee on Invalid Pensions.

By Mr. CRAGO: A bill (H. R. 10216) for the relief of Col. Henry D. Styer; to the Committee on Military Affairs.

By Mr. FISHER: A bill (H. R. 10217) granting a pension to David R. Locke; to the Committee on Pensions.

By Mr. FORDNEY: A bill (H. R. 10218) granting a pension to Nancy J. Markham; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: A bill (H. R. 10219) granting a pension to Kathrine Raumbeller; to the Committee on Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 10220) granting an increase of pension to William Logsdan; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 10221) granting a pension to Scott Colegate; to the Committee on Invalid Pensions.

By Mr. LAMPERT: A bill (H. R. 10222) granting a pension to Lewis Grignon; to the Committee on Invalid Pensions.

By Mr. McARTHUR: A bill (H. R. 10223) granting a pension to Anna M. Amer; to the Committee on Invalid Pensions.

By Mr. McCULLOCH: A bill (H. R. 10224) granting a pension to Charles R. Johnston; to the Committee on Pensions.

Also, a bill (H. R. 10225) granting an increase of pension to Norman A. Pratt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10226) granting a pension to Arthur W. Deckman; to the Committee on Pensions.

By Mr. PETERS: A bill (H. R. 10227) for the relief of Lieut. D. A. Neumann; to the Committee on Naval Affairs.

By Mr. PLATT: A bill (H. R. 10228) for the relief of Martha E. Conklin; to the Committee on Claims.

By Mr. SEARS: A bill (H. R. 10229) granting an increase of pension to Thomas L. Hancock; to the Committee on Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 10230) to correct the military record of Joseph L. Beck; to the Committee on Military Affairs.

By Mr. TAYLOR of Tennessee: A bill (H. R. 10231) granting a pension to Caroline Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10232) granting a pension to Comfort C. Gregory; 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 Mr. BROWNING: Petition of sundry honorably discharged soldiers, sailors, and marines who served in the war with Germany, favoring legislation to pay to each honorably discharged man one year's additional pay; to the Committee on Military Affairs.

By Mr. CAMPBELL of Pennsylvania: Petition of certain citizens of Allegheny County, expressing opposition to the Smith-Towner educational bill; to the Committee on Education.

By Mr. CURRY of California: Petition of E. W. Bullard and certain wool growers of California, against the proposed auction sales of foreign wool to be held in Boston; to the Committee on Ways and Means.

Also, petition of California Cedar Products Co., of Stockton, Calif., against the prohibition of the exportation of lumber and its products for a period of two years; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAGO: Petition of sundry citizens of Scottdale, Pa., for the return of the remains of soldiers who died and are buried on foreign soil; to the Committee on Military Affairs.

By Mr. DARROW: Petition of General Grant Post No. 5, Grand Army of the Republic, Philadelphia, Pa., in behalf of the speedy passage of the Fuller pension bill; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: Petition of Rockford Chamber of Commerce of Rockford, Ill., favoring a new cable across the Pacific; to the Committee on Interstate and Foreign Commerce.

Also, petition of Brooklyn Post No. 368, Department of Ohio, Grand Army of the Republic, favoring the Fuller bill, House bill 9369; to the Committee on Invalid Pensions.

Also, petition of the Chamber of Commerce of La Salle, Ill., protesting against the passage of the Siegel bill and other price-fixing bills; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Union Scottish Societies, favoring the repeal of the tax on outdoor amusements; to the Committee on Ways and Means.

By Mr. GREEN of Iowa: Memorial on behalf of the Society of Friends, Menlo, Iowa, against military training and intervention in Mexico; to the Committee on Military Affairs.

By Mr. KINKAID: Petition of Roy L. Sweet and other residents of Sargent, Custer County, Nebr., in behalf of the Kenyon and Kendrick bills; to the Committee on Agriculture.

By Mr. MEAD: Petition of sundry citizens of Buffalo, N. Y., protesting against the passage of the so-called Siegel bill; to the Committee on Interstate and Foreign Commerce.

By Mr. O'CONNELL: Petition of sundry citizens of Brooklyn, N. Y., favoring the passage of a bill giving six months' pay to soldiers and sailors who participated in the great world conflict; to the Committee on Military Affairs.

Also, petition of Ukrainian National Committee, United States Branch, of Philadelphia, asking the United States of America to recognize the Ukrainian democratic Republic as a free, independent, and sovereign State; to the Committee on Foreign Affairs.

Also, petition of Foster-Milburn Co., Buffalo, N. Y., protesting against the passage of Senate bill 2904; to the Committee on Interstate and Foreign Commerce.

Also, petition of John M. Glenn, of Chicago, Ill., protesting against the passage of House bill 8572; to the Committee on Immigration and Naturalization.

By Mr. SMITH of Michigan: Petition of Michigan Federation of Labor, favoring Federal retirement bill; to the Committee on Ways and Means.

Also, petition of Michigan Federation of Labor, favoring increased wage for postal employees; to the Committee on the Post Office and Post Roads.

By Mr. TAYLOR of Tennessee: Petition of Thomas McCroskey, of Knoxville, Tenn., protesting against the order recently made by the Railroad Administration prohibiting the use of open-top cars for other than coal shipments; to the Committee on Interstate and Foreign Commerce.

Also, petition of J. E. Fox & Co., of Dandridge, Tenn., relative to the live-stock situation; to the Committee on Agriculture.

By Mr. YATES: Petition of Fred W. Begemann, urging the passage of House bill 9559, providing for the relief of totally disabled Government employees; to the Committee on the Judiciary.

Also, petition of Acme Steel Goods Co. and Stewart-Warner Speedometer Corporation, Chicago, Ill., protesting against the closed shop; to the Committee on Labor.

Also, petition of Thomas W. Hagerty, Chicago, Ill., urging the passage of House bills 6688 and 4987; to the Committee on Military Affairs.

Also, petition of International Corset Co., Aurora, Ill., urging the passage of the program of railroad legislation as outlined and adopted by the Chamber of Commerce of the United States; to the Committee on Interstate and Foreign Commerce.

Also, petition of National Association of United States customs inspectors, New York, N. Y., urging the passage of House bill 6577; to the Committee on Ways and Means.

Also, petition of Abingdon Retail Merchants' Association, Abingdon, Ill., urging enactment of such legislation as will encourage production and discourage abnormal demand, and in particular a limited embargo upon exports, prohibition of resales between distributors, limiting board of trade trading to actual delivery, and permitting only producers or distributors of food to deal in same; to the Committee on Ways and Means.

Also, petition of retail merchant's department, Pekin, Ill., urging enactment of such legislation as will encourage production and discourage abnormal demand, and in particular a limited embargo upon exports, prohibition of resales between distributors, limiting board of trade trading to actual delivery, and permitting only producers or distributors of food to deal in same; to the Committee on Ways and Means.

## SENATE.

TUESDAY, October 28, 1919.

(Legislative day of Wednesday, October 22, 1919.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

### NAMING A PRESIDING OFFICER.

The Secretary (George A. Sanderson) read the following communication:

UNITED STATES SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D. C., October 28, 1919.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. IRVINE L. LENROOT, a Senator from the State of Wisconsin, to perform the duties of the Chair during my absence.

ALBERT B. CUMMINS,  
President Pro Tempore.

Mr. LENROOT thereupon took the chair as Presiding Officer.

### DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT.

Mr. WARREN. Mr. President, last evening I presented the conference report on House bill 9205, the first deficiency appropriation bill. I find on an examination that slight errors have been made in the report, and I ask leave to withdraw it for correction.

The PRESIDING OFFICER. Without objection, leave is granted.

### TREATY OF PEACE WITH GERMANY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty of peace with Germany.

The PRESIDING OFFICER. The pending question is upon the adoption of the amendment in the form of a substitute proposed by the Senator from Tennessee [Mr. SHIELDS] to the amendment of the committee.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	McCumber	Smith, Md.
Ball	Hale	McKellar	Smoot
Bankhead	Harding	McLean	Spencer
Borah	Harris	McNary	Sterling
Brandegee	Harrison	Moses	Sutherland
Calder	Henderson	Nelson	Swanson
Capper	Hitchcock	New	Thomas
Chamberlain	Johnson, Calif.	Newberry	Townsend
Colt	Jones, N. Mex.	Nugent	Trammell
Culberson	Jones, Wash.	Overman	Underwood
Curtis	Kellogg	Page	Wadsworth
Dial	Kendrick	Penrose	Walsh, Mass.
Dillingham	Kenyon	Phipps	Walsh, Mont.
Edge	Keyes	Pomerene	Warren
Fernald	King	Robinson	Watson
Fletcher	Kirby	Sheppard	Williams
France	Knox	Shields	Wolcott
Frelinghuysen	La Follette	Simmons	
Gay	Lenroot	Smith, Ariz.	
Gerry	Lodge	Smith, Ga.	

Mr. McNARY. I desire to announce the absence on official business of the Senator from Nebraska [Mr. NORRIS], the senior Senator from Oklahoma [Mr. GORE], the Senator from Louisiana [Mr. RANSDELL], and the junior Senator from Oklahoma [Mr. OWEN].

Mr. GERRY. The Senator from South Dakota [Mr. JOHNSON] and the Senator from South Carolina [Mr. SMITH] are

detained by illness in their families. The senior Senator from Kentucky [Mr. BECKHAM] and the junior Senator from Kentucky [Mr. STANLEY] are absent on public business. The Senator from Nevada [Mr. PITTMAN] is necessarily detained from the Senate.

The PRESIDING OFFICER. Seventy-six Senators have answered to the roll call. There is a quorum present.

### FUNDAMENTAL PRINCIPLES OF THE CONSTITUTION.

Mr. McCUMBER. Mr. President, in these times of social upheaval and unbridled radicalism, when old standards of justice and right are distinctly scattered to the winds, I think the voice of any organized society calling out through the din of frenzied clamor for sobriety and sanity of both word and action is most timely.

I therefore present and ask to have read a resolution of the Supreme Council of the Ancient and Accepted Scottish Rite of Freemasonry for the Southern Jurisdiction of the United States of America, which has lately been in session in the city of Washington and only closed its labors yesterday. The resolution is very short and I ask that it may be read by the Secretary.

The PRESIDING OFFICER. Is there objection? There being no objection, the Secretary will read the resolution.

The Secretary read as follows:

"Whereas the Great War has disturbed old conditions and relations between men, and

"Whereas the transition period is fraught with danger to our country and its institutions through precipitate judgment and ill digested remedial measures on the part of the few but mostly through the indifference and apathy of the many, and

"Whereas fanatical visionaries and criminal intelligence with baser motives have seized this opportunity to promulgate their doctrines of force and direct action regardless of right; now be it

"Resolved, That the Supreme Council of the Ancient and Accepted Scottish Rite of Freemasonry for the Southern Jurisdiction of the United States of America, assembled in biennial session, does now reaffirm its ancient doctrine and repeat its belief in:

"The fatherhood of God and the brotherhood of man; that justice, truth, and equity should govern all human actions; and above all, the need of organized government and constituted authority to express the will of the people, for the people, and by the people, as distinguished from all forms of anarchy and mob rule;

"That we commend in the highest terms the efforts of the President and the Congress of the United States of America to maintain the fundamental principles as proclaimed in the Constitution.

"It further calls on all its subordinate bodies to read this resolution to their members when next assembled and to pledge them collectively and individually to the support of its purpose to maintain sane and reasoned judgment on all public questions, that our liberties and rights as Americans may be preserved and the freedom and dignity of our country be upheld."

### LEAGUE OF NATIONS.

Mr. FLETCHER. Mr. President, I ask leave to have printed in the RECORD an article published in the New York Times of last Sunday entitled "Six to Six in the League."

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

BRITISH AND AMERICAN VOTES 6 TO 6 IN THE LEAGUE—OUR POWER IN ASSEMBLY EQUALS BRITISH ASIDE FROM JOHNSON AMENDMENT.

[By Prof. Albert Bushnell Hart.]

CAMBRIDGE, MASS., October 17, 1919.

To the Editor of the New York Times:

The discussion on the league of nations during the last six months has been nothing short of a public education. Millions of people have learned the meaning of such obscure terms as "covenant," "league," "ratification," "reservation," "amendment," "interpretation," "mandatory," "existing political independence," "arbitration," and "inquiry." Never since the Federal Constitution was on the knees of the gods a century and a third ago have the American people so carefully studied a document and so anxiously listened to arguments upon its meaning and its application to the future welfare of the country.

Therefore every intelligent person is aware that the league of nations does not contain the section under which the Japanese have become possessed of "rights" as a nation to own railroads and coal mines and to control the commerce of Shantung, which Germany took from China 20 years ago by the "rights" of robbery; that matter is introduced into the closely interwoven