Also, a bill (H. R. 10239) granting a pension to Travis H. Stilwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10240) granting a pension to Lydia A. Gaines; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10241) granting a pension to Albert W. Dutton; to the Committee on Invalid Pensions.

By Mr. HERNANDEZ: A bill (H. R. 10242) granting a pension to Elizabeth V. Harris; to the Committee on Pensions.

By Mr. KNUTSON: A bill (H. R. 10243) granting a pension to William M. Gibson; to the Committee on Pensions.

By Mr. LONGWORTH: A bill (H. R. 10244) granting an increase of pension to Sarah R. Fuller; to the Committee on Pensions.

By Mr. OLDFIELD: A bill (H. R. 10245) granting a pension to Mary V. Patterson; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 10246) granting a pension to Fredrieke C. Anderson; to the Committee on Invalid Pensions.

By Mr. JOHN W. RAINEY: A bill (H. R. 10247) granting an increase of pension to Catherine Summers; to the Committee on Pensions.

Also, a bill (H. R. 10248) for the relief of William Knourek; to the Committee on Claims.

By Mr. SHERWOOD: A bill (H. R. 10249) granting an increase of pension to Mary J. Otto; to the Committee on Invalid Pensions.

By Mr. WHEELER: A bill (H. R. 10250) granting a pension to Elizabeth P. Tuttle; to the Committee on Invalid Pensions.

By Mr. WHITE of Maine: A bill (H. R. 10251) granting an increase of pension to Adolphus S. Read; 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. DICKINSON of Iowa: Petition of American Legion, Fay Stine Post, No. 38, of New Hampton, Iowa, favoring a Federal bonus for ex-service men; to the Committee on Military Affairs.

Also, petition of Forest City Post, No. 121, of Iowa, favoring bonus for ex-service men; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: Petition of U. S. Grant Post, No. 28, Department of Illinois, Grand Army of the Republic, favoring the Fuller bill (H. R. 9369); to the Committee on Invalid Pensions.

By Mr. NOLAN: Petition of Langley & Michaels Co. and 23 other firms in San Francisco, Calif., protesting against House bill 8315, by Representative SIEGEL; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Petition of Angel City Court, No. 579, Catholic Order of Foresters, protesting against the Smith-Towner bill and the Smith bill; to the Committee on Education.

Also, petition of Farmers' National Council, urging legislation giving the Government control of the railroads for two more years; to the Committee on Interstate and Foreign Commerce.

Also, petition of A. Shirek & Sons, Mutual Biscuit Co., Illinois-Pacific Glass Co., Neustadter Bros., Everwear Manufacturing Co., Andrew A. Jacob & Co., Martin-Camm Co., Louis Straus (Inc.), C. A. Malm & Co., Frank & Hyman (Inc.), and Meyer Cloak & Suit Co., all of San Francisco, Calif., and H. & S. C. Bercovich, of Oakland, Calif., protesting against House bill 8315, introduced by Mr. SIEGEL; to the Committee on Interstate and Foreign Commerce.

Also, petition of Cook County Board, Ladies' Auxiliary, Ancient Order of Hibernians, urging that the league of nations be defeated; to the Committee on Foreign Affairs.

Also, petition of California Division, Travelers' Protective Association of America, requesting support of House bill 4378, an act to regulate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. TEMPLE: Papers to accompany House bill 10174, granting increase of pension to William Dewalt, Company A, One hundred and fifty-fifth Regiment, Pennsylvania Volunteer Infantry; to the Committee on Invalid Pensions.

By Mr. TINKHAM: Petition of Woman's Republican Club, of New York, favoring the passage of House resolution 318; to the Committee on Foreign Affairs.

Also, petition of Vallejo Metal Trades Council, favoring the passage of House bill 7041; to the Committee on Military Affairs.

SENATE.

WEDNESDAY, *October 29, 1919.*

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

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

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

The PRESIDENT pro tempore. The Secretary will call the roll.

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

Ashurst	Hale	McLean	Smith, Md.
Ball	Harding	Moses	Smith, S. C.
Brandegee	Harris	Myers	Smoot
Capper	Harrison	Nelson	Spencer
Chamberlain	Henderson	New	Sterling
Colt	Hitchcock	Newberry	Sutherland
Culberson	Johnson, Calif.	Norris	Swanson
Cummins	Jones, N. Mex.	Nugent	Thomas
Curtis	Jones, Wash.	Overman	Townsend
Dial	Kellogg	Page	Trammell
Dillingham	Kendrick	Penrose	Walsh, Mass.
Edge	Keyes	Phelan	Walsh, Mont.
Elkins	King	Phipps	Warren
Fall	Knox	Pomerene	Watson
Fletcher	La Follette	Robinson	Williams
France	Lodge	Sheppard	Wolcott
Frelinghuysen	McCormick	Shields	
Gay	McCumber	Smith, Ariz.	
Gore	McKellar	Smith, Ga.	

Mr. WARREN. I announce the absence of the Senator from Wisconsin [Mr. LENROOT], who is detained on public business.

Mr. CAPPER. I wish to announce the absence of the Senator from North Dakota [Mr. GRONNA], the Senator from Louisiana [Mr. RANSDELL], the Senator from Oregon [Mr. MCNARY], the senior Senator from New York [Mr. WADSWORTH], and the junior Senator from New York [Mr. CALDER], who are engaged in a meeting of the Committee on Agriculture and Forestry.

Mr. SHEPPARD. 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] and the Senator from Nevada [Mr. PITTMAN] are necessarily absent.

Mr. KING. I desire to announce the absence on official business of the Senator from Rhode Island [Mr. GERRY], the Senator from Arkansas [Mr. KIRBY], the Senator from Oklahoma [Mr. OWEN], the Senator from Louisiana [Mr. RANSDELL], and the Senator from North Carolina [Mr. SIMMONS].

The PRESIDENT pro tempore. Seventy-three Senators have answered to their names. There is a quorum present.

DISPOSITION OF GOVERNMENT-OWNED VESSELS (S. DOC. NO. 146).

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the chairman of the United States Shipping Board, transmitting information in response to a resolution of the 4th instant, which will be printed and also printed in the RECORD.

The communication is as follows:

UNITED STATES SHIPPING BOARD,
Washington, October 28, 1919.

DEAR SIR: Herewith I beg to submit reply of the United States Shipping Board to Senate resolution 212:

1. Whether any effort was made to sell tankers to the Atlantic, Gulf & West Indies Steamship Co., and, if so, what prices were offered and asked for the same.

Answer. The correspondence, beginning May 9, 1919, together with the action of the board, is submitted herewith. No price appears to have been offered by the company for the tankers. In letter of May 9 inquiry was made re the purchase of five or seven of the largest tank steamers at prices to be agreed upon. May 24 the board referred the matter to the Director of the Division of Operations and the Director of the Division of Planning and Statistics for review and recommendation. The latter, May 29, recommended the sale if the price could be agreed upon. Mr. Rosseter, Director of the Division of Operations, June 4, recommended the sale of five tankers, naming them, stating: "While it appears that these vessels are estimated to cost us from $255 to $328 per ton, it seems to me that a fair selling price might be $250, as we could probably replace under new contracts at $210, possibly $200 per ton." On June 16 the board passed a resolution offering the tankers at $250 per dead-weight ton. On July 21 John E. Barber, head of the sales division, reported as follows: "Mr. Nichols, president of the Atlantic, Gulf & West Indies Co., says that he is still in the market for tankers, but not at our price. His idea of price seems unreasonably low, so I think you may consider that he is not a good prospect." The files do not show any suggested price.

2. What number of ships have been disposed of to private interests, with a description of same and prices received?

Answer. Herewith (Exhibit A) is a copy of a report giving in detail all sales completed to October 20, 1919, date, price, name of purchaser, description of ship, amount paid in cash, and amount of payment deferred, covering a total of 176 ships; sales value, $125,540,993; payment actually received, $12,337,609.26. Embraced in this list are 100 steel Lake-type vessels, contracted to be sold to Anderson Overseas Corporation at $210 per dead-weight ton. This transaction has not actually been consummated, and no payment has been made on account thereof.

The cash payment required to be made is included in the column "Initial payment," under "Recapitulation of ship sales"; but the column "Received from sales consummated, $12,337,609.26," represents the money actually paid in. Since October 20 eight additional ships have been sold, described in Exhibit B attached. Three are new steamers, sold at our regular prices; two are reconditioned Lake steamers, sold "as is"; and one is a very old wooden cargo steamer. Two are requisitioned ships redelivered to the owner, who refunded our total investment with interest.

3. Whether any offers have recently been received or are at present pending and the quotations involved?

Answer. The prospective sales now under consideration, with prices and terms proposed, are shown on Exhibit C attached hereto.

4. What policy is being followed in endeavoring to dispose of ships?

Answer. So far as the sale of the tankers is concerned, in view of the large number of coal-burning cargo ships now in use, it is not deemed wise to sell desirable tankers. The tanker situation is shown in the letter dated October 7 from tank-steamer executive, Capt. Paul Foley, attached hereto as Exhibit D.

As to the sale of cargo steamers, a sales organization is maintained and all reasonable efforts made to effect such sales at the prices and terms indicated on Exhibit E, submitted herewith. It has not been deemed wise to cut prices or to materially change the terms.

Yours, very truly,

JOHN BARTON PAYNE, *Chairman.*

Hon. GEORGE A. SANDERSON,
United States Senate.

UNITED STATES SHIPPING BOARD,
SHIP SALES DIVISION,
New York City, July 21, 1919.

Mr. JOHN J. FLAHERTY,
Assistant Secretary United States Shipping Board,
Washington, D. C.

DEAR MR. FLAHERTY: Answering your inquiry of July 16, Mr. Nichols, president of the Atlantic, Gulf & West Indies Co., says that he is still in the market for tankers, but not at our price. His idea of price seems unreasonably low, so I think you may consider that he is not a good prospect.

Very truly, yours,

JOHN E. BARBER,
Vice President United States Shipping Board
Emergency Fleet Corporation.

I hereby certify that the above is a true and correct copy of a letter from John E. Barber, vice president United States Shipping Board Emergency Fleet Corporation, to John J. Flaherty, assistant secretary United States Shipping Board, dated July 21, 1919.

[SEAL.] JOHN J. FLAHERTY, *Secretary.*

UNITED STATES SHIPPING BOARD,
SHIP SALES DIVISION,
New York City, July 17, 1919.

Mr. JOHN J. FLAHERTY,
Assistant Secretary United States Shipping Board,
Washington, D. C.

DEAR SIR: Answering your letter of July 16; the president of the Atlantic, Gulf & West Indies Steamship Lines is out of town until Monday, when I shall report back to you the present status of negotiations for the sale of five tank steamers.

Very truly, yours,

JOHN E. BARBER,
Vice President United States Shipping Board
Emergency Fleet Corporation.

I hereby certify that the above is a true and correct copy of a letter from John E. Barber, vice president United States Shipping Board Emergency Fleet Corporation, to John J. Flaherty, assistant secretary United States Shipping Board, dated July 17, 1919.

JOHN J. FLAHERTY, *Secretary.*

UNITED STATES SHIPPING BOARD,
OFFICE OF THE SECRETARY,
Washington, July 16, 1919.

Mr. J. E. BARBER,
Vice President Emergency Fleet Corporation,
Ship Sales Department, New York City.

DEAR SIR: Referring to resolution adopted by the board on June 16, providing that negotiations for the sale of five tank steamers be entered into with the Atlantic, Gulf & West Indies Steamship Lines, please advise the present status of this case.

Very truly, yours,

JOHN J. FLAHERTY,
Assistant Secretary.

I hereby certify that the above is a true and correct copy of a letter from Assistant Secretary John J. Flaherty to J. E. Barber, vice president Emergency Fleet Corporation, under date of July 16, 1919.

JOHN J. FLAHERTY, *Secretary.*

EXTRACT FROM PROCEEDINGS OF THE UNITED STATES SHIPPING BOARD.

Date: June 16, 1919.
Docket No. 865 At 6.
Subject: Sale of tankers to Atlantic, Gulf & West Indies Steamship Lines.

Consideration was given to a communication received from the Atlantic, Gulf & West Indies Steamship Lines, dated May 9, 1919, submitting a proposal to purchase or charter tank steamers now under construction for this board by the Emergency Fleet Corporation. This matter was discussed at a meeting of the board on May 24, and after consideration it was ordered that the matter be referred to the Divisions of Operations and Planning and Statistics, respectively, for recommendations. Mr. Tower, of the Division of Planning and Statistics recommended that:

(1) The tank-steamer traffic is a special trade, which has long been dominated by a few companies interested in the oil business.

(2) The tankers being constructed by the Shipping Board are necessarily high priced because of the effect of war conditions on contracts.

(3) According to reliable information, British tankers have recently been offered at a charter rate considerably below what would be a paying figure for tankers built at the Shipping Board price.

(4) Unless the Shipping Board can operate or charter to private operators tankers on the basis equal to that prevailing for British vessels of the same class, it seems desirable to dispose of Shipping Board tankers whenever opportunity offers.

(5) The company involved in this request, together with its subsidiary lines, represents what is currently reported to be one of the strongest United States shipping concerns, and it seems desirable to strengthen wherever possible such interests for the ultimate benefit of our merchant marine.

Director of Operations Rosseter, in memorandum of June 13, recommended that, if a proper price can be obtained, the board sell to the said Atlantic, Gulf & West Indies Steamship Lines five tank steamers. It was the sense of the meeting that the tank steamers should be sold instead of chartered, and that an effort should be made to obtain a price of $250 per dead-weight ton. On motion of Commissioner Donald, seconded by Commissioner Robinson, and duly carried, the following resolution was adopted:

Resolved, That negotiations for the sale of five tank steamers be entered into with the Atlantic, Gulf & West Indies Steamship Lines, and that an effort be made to obtain $250 per deadweight ton for these steamers.

I hereby certify that the foregoing is a true and correct copy of an extract from proceedings of the United States Shipping Board, dated June 16, 1919.

JOHN J. FLAHERTY, *Secretary.*

UNITED STATES SHIPPING BOARD,
EMERGENCY FLEET CORPORATION,
DIVISION OF OPERATIONS,
Washington, June 13, 1919.

Memorandum for Mr. Flaherty, assistant secretary: Sale of tankers:

Replying to yours of June 6, referring to your memorandum of May 27 relative to application of the Atlantic, Gulf & West Indies Steamship Lines for purchase or charter of tank steamers.

I am of the opinion that it is desirable, if a proper price can be obtained, to sell to the Atlantic, Gulf & West Indies Steamship Lines five tank steamers as against their application for seven tank steamers. Their proposal contemplates that these tankers will be used in transporting fuel for use of steamers of their subsidiary companies and our facilitating them in securing tonnage to so supply steamers in which they are interested results in the strengthening of our merchant marine.

As information, I might state that this division proposes recommending priority in the assignment or charter of tankers to oil companies having contracts to supply fuel for Shipping Board vessels, as also supplies required by the Navy Department.

J. H. ROSSETER,
Director of Operations.

I hereby certify that the above is a true and correct copy of a letter from J. H. Rosseter to Mr. Flaherty, assistant secretary, under date of June 13, 1919.

JOHN J. FLAHERTY, *Secretary.*

UNITED STATES SHIPPING BOARD,
Washington, June 6, 1919.

Memorandum for Mr. Rosseter:

Reference is made to my memorandum dated May 27, 1919, quoting extract from the minutes of the meeting of the Shipping Board held on May 24, 1919, advising you that a letter from the Atlantic, Gulf & West Indies Steamship Lines offering to purchase or charter tank steamers now under construction by the Emergency Fleet Corporation was ordered referred to you and to the director of the division of planning and statistics for review and recommendation.

Director Tower, of the division of planning and statistics, under date of May 29, 1919, has submitted his recommendation in this matter that the Shipping Board sell to the Atlantic, Gulf & West Indies Steamship Lines such five or seven tank steamers as that company may wish to purchase.

Copy of Mr. Tower's communication is transmitted for your information.

Will you kindly give this matter your immediate attention and prepare a statement for presentation to the board, stating your opinion of the proposition made by the Atlantic, Gulf & West Indies Steamship Lines, and whether Mr. Tower's recommendations meet with your approval.

JOHN J. FLAHERTY,
Assistant Secretary.

I hereby certify that the above is a true and correct copy of a memorandum from Assistant Secretary Flaherty to Mr. Rosseter, under date of June 6, 1919.

JOHN J. FLAHERTY, *Secretary.*

UNITED STATES SHIPPING BOARD,
EMERGENCY FLEET CORPORATION,
DIVISION OF OPERATIONS,
Washington, June 4, 1919.

Mr. E. N. HURLEY, *Chairman:*

With reference to attached letter addressed to you by Mr. H. H. Raymond, and copy of letter from Mr. A. R. Nicol, president of the Atlantic, Gulf & West Indies Steamship Lines:

I am in favor of selling five of our tankers now under construction, and would suggest the following:

Caboille (8,500), ready promptly, Wilmington.
Dame Daike (6,000), ready in September, Baltimore.
Derby Line (10,100), ready promptly, Alameda.
Hoxbar (10,100), ready promptly, Wilmington.
Romulus (7,500), ready in July, Wilmington.

As to price.—While it appears that these vessels are estimated to cost us from $255 (*Caboille*) to $328 (*Dame Daike*) per ton, it seems to me that a fair selling price might be $250, as we could probably replace under new contracts at $210, possibly $200, per ton.

I might add that we have already chartered one of our tankers, the *Hugoton*, to the Standard Oil Co. of New York at $6.50 per ton per month for the balance of the year.

J. H. ROSSETER,
Director of Operations.

I hereby certify that the above is a true and correct copy of a letter from Mr. J. H. Rosseter to Mr. E. N. Hurley dated June 4, 1919.

[SEAL.] JOHN J. FLAHERTY, *Secretary.*

UNITED STATES SHIPPING BOARD,
Washington, May 29, 1919.

To: Chairman E. N. Hurley, Commissioner.
From: Mr. Walter S. Tower.
Subject: Recommendation concerning request from the Atlantic, Gulf & West Indies Steamship Lines for tankers.

According to the minutes of the United States Shipping Board for May 24, a recommendation is requested concerning the proposal from the Atlantic, Gulf & West Indies Steamship Lines to purchase, charter, or manage tank steamers now under construction by the Emergency Fleet Corporation.

I recommend that, if possible to agree upon a satisfactory price, the Shipping Board sell to the Atlantic, Gulf & West Indies Steamship Lines such five or seven tank steamers as that company may wish to purchase.

My reasons for this recommendation are as follows:

(1) The tank-steamer traffic is a special trade which has long been dominated by a few companies interested in the oil business.

(2) The tankers being constructed by the Shipping Board are necessarily high-priced because of the effect of war conditions on contracts.

(3) According to reliable information, British tankers have recently been offered at a charter rate considerably below what would be a paying figure for tankers built at the Shipping Board price.

(4) Unless the Shipping Board can operate or charter to private operators tankers on the basis equal to that prevailing for British vessels of the same class, it seems desirable to dispose of Shipping Board tankers whenever opportunity offers.

(5) The company involved in this request, together with its subsidiary lines, represents what is currently reported to be one of the strongest United States shipping concerns, and it seems desirable to strengthen, wherever possible, such interests for the ultimate benefit of our merchant marine.

DIVISION OF PLANNING AND STATISTICS,
By WALTER S. TOWER, *Director.*

I hereby certify that the above is a true and correct copy of a letter dated May 29, 1919, from Walter S. Tower to Chairman E. N. Hurley.

JOHN J. FLAHERTY, *Secretary.*

EXTRACT FROM PROCEEDINGS OF THE UNITED STATES SHIPPING BOARD.

Date, May 24, 1919.
Docket No. 865At6.
Subject: Application of Atlantic, Gulf & West Indies Steamship Lines to purchase or charter tank steamers.

There was presented a letter from the Atlantic, Gulf & West Indies Steamship Lines, dated May 9, 1919, offering to purchase tank steamers now under construtcion by the Emergency Fleet Corporation, or, if the sale can not be arranged, offering to charter five or seven tank steamers from the board on time charters with an option to purchase, and, if neither arrangement could be made in the near future, applying for the assignment to them for management and operation of a number of tank steamers until such time as arrangements can be made for their acquiring tank steamers by purchase or charter. This company owns oil-producing wells in Mexico, and is in need of tanker tonnage to move fuel for the use of steamers of its subsidiary companies—the Clyde Line, Mallory Line, New York and Porto Rico Line, Ward Line, and the Southern Line. It was ordered that the matter be referred to the director of operations and the director of the division of planning and statistics for review and recommendation.

I hereby certify that the above is a true and correct copy of an extract from proceedings of the United States Shipping Board dated May 24, 1919.

JOHN J. FLAHERTY, *Secretary.*
NEW YORK, *May 9, 1919.*

UNITED STATES SHIPPING BOARD,
Washington, D. C.

GENTLEMEN: Our company, through its subsidiaries, is the owner of oil-producing wells in Mexico, to move the products of which we require tank steamers, and we are also in need of tanker tonnage to move fuel for the use of steamers of our subsidiary companies—the Clyde Line, Mallory Line, New York & Porto Rico Steamship Co., Ward Line, and Southern Steamship Co.

To meet these needs we respectfully request the Shipping Board—

(1) To sell to our company five or seven of the largest tank steamers now building, of the highest class and speed, at prices that may be agreed on.

(2) If present sale can not be arranged, to charter to this company five or seven of such tank steamers, on time charters, with an option to purchase, or, if no such option can be given, without any option on terms which may be agreed.

(3) If neither sales nor charters can be made in the near future, that the board will allocate to our company for management and operation, until such time as arrangements can be made by which we can either purchase or charter them, five or seven of such tank steamers.

This company is anxious to purchase tank tonnage of the quantity above indicated at the earliest practicable time, and presents the alternative requests of charter and allocation for management only upon condition that purchases can not be arranged at present.

The sale of this tanker tonnage to our company would insure its remaining permanently under the American flag.

Very truly, yours,

A. R. NICOL, *President.*

I hereby certify that the above is a true and correct copy of letter from A. R. Nicol to the United States Shipping Board, dated May 9, 1919.

JOHN J. FLAHERTY, *Secretary.*

CLYDE STEAMSHIP CO.,
New York, May 12, 1919.

Mr. EDWARD H. HURLEY,
Chairman United States Shipping Board, Washington, D. C.

DEAR MR. HURLEY: With reference to our talk on Friday last regarding tankers, please find herewith copy of official letter from Mr. A. R. Nicol, president of the Atlantic, Gulf & West Indies Steamship Lines, which speaks for itself. I trust you will take this matter under favorable consideration and appoint a time when we can discuss the matter with a view of obtaining tankers on some basis that may be mutually satisfactory.

With cordial personal regards, I am,

Yours, very truly,

H. H. RAYMOND.

I hereby certify that the above is a true and correct copy of a letter from H. H. Raymond to Mr. Edward H. Hurley, dated May 12, 1919.

JOHN J. FLAHERTY, *Secretary.*

EXHIBIT A.

Recapitulation of ship sales, Oct. 20, 1919.

Type of vessel.	Number of vessels.	Dead-weight tons.	Sales value.	Initial payment.	Received from sales consummated.
Steel cargo	144	588,131	$112,889,993.00	$23,131,064.26	$10,442,859.26
Wood cargo	18	77,729	10,620,000.00	2,167,500.00	1,042,500.00
Composite cargo	4	14,150	1,030,000.00	535,000.00	400,000.00
Tugs	9	.....	876,000.00	680,166.66	421,000.00
Barges	1	.....	125,000.00	131,250.00	31,250.00
Grand total	176	680,010	125,540,993.00	26,691,980.92	12,337,609.26

STEEL.

Name of ship.	Purchaser.	Type.	Dead-weight tons.	Terms.	Delivery date.	Sale price per dead-weight tons.	Sales value.	Initial payment.
Wisconsin Bridge	French American Line	New steel cargo	5,336	Standard indenture plan; charter with option to purchase.	June 21, 1919	$210.00	$1,120,560.00	$224,112.00
West Catanace	Eldorado Steamship Co	do	8,453	do	Aug. 19, 1919	225.00	1,901,925.00	380,385.00
Deerfield	do	New steel refrigerator.	9,725	do	Sept. 8, 1919	255.00	2,479,875.00	495,975.00
Redondo	F. & J. Auditore	New steel cargo	5,900	25 per cent cash on delivery of vessel; 12½ per cent within 6 months; 12½ per cent within 12 months; balance of 50 per cent payable in semiannual installments of 6¼ per cent with interest on deferred payments 5 per cent per annum.	July 26, 1919	210.00	1,239,000.00	303,750.00
Point Bonita	Pacific Mail Steamship Co	do	3,750	$210 per dead-weight ton less 1 per cent discount for cash.	Sept. 21, 1919	198.00	742,500.00	742,500.00
Point Judith	do	do	3,750	do	Aug. 29, 1919	198.00	742,500.00	742,500.00
Point Lobos	do	do	3,750	do	Sept. 5, 1919	198.00	742,500.00	742,500.00
Point Adams	do	do	3,750	do	Aug. 29, 1919	198.00	742,500.00	742,500.00

Ship sales, Oct. 20, 1919—Continued.

STEEL—Continued.

Name of ship.	Purchaser.	Type.	Dead-weight tons.	Terms.	Delivery date.	Sale price per dead-weight tons.	Sales value.	Initial payment.
New Britain	J. E. Dockendorff & Co	New steel cargo	7,814	$225 per dead-weight ton payable as follows: For the return of the S. S. Cote Blanche previously purchased from the board, a credit for all payments and credits on this vessel was allowed amounting to $575,000 to be applied on initial payment. Actual terms of sale 40 per cent cash on delivery of vessel; balance 60 per cent in semiannual payments of 15 per cent over period of 2 years. Interest on deferred 5 per cent.	Sept. 11, 1919	$225.00	$1,758,150.00	$703,260.00
Richmond Boro	Williams Steamship Co	do	7,787	215 per dead-weight ton. 25 per cent cash on delivery of vessel; 12½ per cent within 6 months; 12½ per cent within 12 months; balance payable in semiannual installments of 6¼ per cent over period of 4 years. Interest on deferred payments 5 per cent per annum.	Sept. 2, 1919	215.00	1,674,205.00	418,551.29
Rock Island	American Northern Norway & West Indies Steamship Co. (Inc.).	do	4,300	25 per cent cash on delivery of vessel; 12½ per cent within 6 months; 12½ per cent within 12 months; balance in equal semiannual installments of 6¼ per cent over period of 4 years. Interest on deferred payments 5 per cent.	July 25, 1919	210.00	903,000.00	225,750.00
Fire Island	do	do	4,300	do	Oct. 11, 1919	210.00	903,000.00	225,750.00
Vanada	Virginia Shipbuilding Corporation.	do	9,400	25 per cent cash on delivery of vessel; 12½ per cent within 6 months; 12½ per cent within 12 months; balance of 50 per cent in equal semiannual installments of 6¼ per cent over period of 4 years with interest on deferred payments at rate of 5 per cent per annum. Allowance of $100,000 for cancellation of contract on each ship.		225.00	2,115,000.00	503,750.00
Shancook	do	do	9,400			225.00	2,115,000.00	503,750.00
Betsy Bell	do	do	9,400			225.00	2,115,000.00	503,750.00
Gunston Hall	do	do	9,400			225.00	2,115,000.00	503,750.00
Huachuca	Orinoco Steamship Co	do	7,455	25 per cent cash on delivery of vessel; 12½ per cent within 6 months; 12½ per cent within 12 months; balance of 50 per cent payable in semiannual installments of 6¼ per cent over period of 4 years; interest on deferred payments, 5 per cent per annum.	Aug. 17, 1919	215.00	1,602,825.00	400,706.25
Cape Lookout	Polish-American Navigation.	do	7,371	do		215.00	1,584,765.00	396,191.25
Sacramento	F. & J. Auditore	do	7,462	do	Sept. 17, 1919	215.00	1,604,330.00	401,082.50
Lydia	do	Steel cargo (purchased ex-Austrian vessel 17 years old).	5,938	do	Sept. 26, 1919	165.00	979,770.00	244,947.50
Yaphank	Williams Steamship Co	New steel cargo	7,814	do	Sept. 27, 1919	215.00	1,688,010.00	420,002.50
Donora	Orleans Steamship Corporation.	do	9,600	do		220.00	2,112,000.00	528,000.00
Blue Hill	Massey Steamship Co	Reconstructed lake ship (steel, cargo).	4,000	Cash on delivery of vessel (sold "as is" account of age and condition).	May 13, 1919		150,000.00	150,000.00
Frontenac	Davie Shipbuilding & Repairing Co.	do	3,600	do	May 18, 1919		85,000.00	85,000.00
Adrian Iselin	Geo. Hall Coal Corporation	do	3,075	do	May 20, 1919		200,000.00	200,000.00
Lucius W. Robinson	do	do	2,824	do	do		200,000.00	200,000.00
A. D. Mactier	do	do	2,920	do	do		200,000.00	200,000.00
Manola	Davie Shipbuilding & Repairing Co.	do	3,600	Cash on delivery of vessel (sold "as is" account of age and condition; bow portion sunk, stern portion only sold.)	June 5, 1919		77,500.00	77,500.00
F. P. Jones	Edw. P. Farley & Co	do	3,850	Cash on delivery of vessel (sold "as is" account of age and condition.)	do		78,000.00	78,000.00
Charles R. Van Hise	Morrow Steamship Co	do	7,500	Cash on delivery of vessel (sold "as is" account of condition; steamer cut in two to take through canal and sold in two pieces).	Sept. 29, 1919		180,000.00	180,000.00
Maruba	Fidelity Trust Co	do	3,800	Cash on delivery of vessel (sold "as is" account of age and condition).	Aug. 28, 1919	75.00	285,000.00	285,000.00
E. C. Pope	do	do	4,000	do	do	25.00	100,000.00	100,000.00
North Wind	do	do	3,225	do	do	62.01	200,000.00	200,000.00
Saxon	French-American Line	Reconstructed steel ship (steel, cargo).	3,229	Cash on delivery of vessel; 2 per cent discount allowed on sale price of $50 per dead-weight ton.	Oct. 7, 1919	50.00	155,721.00	155,721.00
Roman	do	do	3,040	Sold "as is" account age and condition; 40 per cent cash on delivery of vessel, balance of 60 per cent in equal installments of 20 per cent within 6, 12, and 18 months; interest on deferred payments, 5 per cent.	Oct. 3, 1919	50.00	152,000.00	60,800.00

Ship sales, Oct. 20, 1919—Continued.

STEEL—Continued.

Name of ship.	Purchaser.	Type.	Dead-weight tons.	Terms.	Delivery date.	Sale price per dead-weight tons.	Sales value.	Initial payment.
R. S. Warner	French-American Line	Reconstructed lake ship, (steel, cargo).	4,225	Sold "as is" account of age and condition of vessel; $57.50 per dead-weight ton; 40 per cent cash on delivery of vessel, 20 per cent 6 months after closing date, 20 per cent 12 months after closing date, 20 per cent 18 months after closing date.		$57.50	$242,937.50	$97,175.00
North Pines	do	do	4,000	Sold "as is" account age and condition; $15 per dead-weight ton, less discount 2 per cent for cash.		45.00	176,400.00	176,400.00
Cicoa	Edw. P. Farley & Co.	do	2,650	Sold "as is" account of age and condition, $110,000, 50 per cent cash on delivery, balance within 30 days, secured by bare boat charter.			110,000.00	55,000.00
Columbia	New Orleans & South American Steamship Co.	Requisitioned steel ship, cargo.	2,550	Sold "as is" account age and condition; $150 per dead-weight ton; 25 per cent cash on delivery of vessel, 12½ per cent within 6 months, 12½ per cent within 12 months, balance of 50 per cent payable in semiannual installments of 6½ per cent; interest on deferred payments, 5 per cent.	Oct. 21, 1919	150.00	382,500.00	95,625.00
Lake Oneida	Astmahco No. 4	Steel motor vessel, cargo.	3,513	Sold "as is" account of engines of motor type being underpowered, and cost of installation of new engines being too expensive. Cash on delivery of vessel.			270,000.00	270,000.00
Lake Mohonk	Astmahco No. 3	do	3,513	do			270,000.00	270,000.00
O. A. Flagg	Boland & Cornelius	Reconstructed lake ship, (steel, cargo).	4,250	Sold "as is" account of age and condition. Cash on delivery of vessel.			190,000.00	190,000.00
		Total	73,364				3,705,058.00	3,126,221.00
10) steel lake-type vessels.	Anderson Overseas Corporation.	Steel cargo	[1]355,000	225 per dead-weight ton, including interest, etc.; $25 per dead-weight ton on delivery of vessel; $55 per dead-weight ton payable in 11 successive and equal monthly installments beginning one month after delivery of vessel; $48 per dead-weight ton payable in 12 successive and equal monthly installments beginning one year after delivery of vessel; $35 per dead-weight ton, payable in 12 successive and equal monthly installments beginning two years after delivery of vessel; $60 per dead-weight ton, payable three years after delivery of vessel in cash.		210.00	74,550,000.00	9,230,000.00
Santa Tecla	W. R. Grace & Co.	New steel cargo	3,956	Option to purchase on standard deferred terms of payment; 25 per cent cash on delivery of vessel; 12½ per cent within six months; 12½ per cent within 12 months; balance in equal semiannual installments of 6½ per cent over period of four years. Interest on deferred payments 5 per cent; 2 per cent discount allowed for cash payment.				
Mineola	do	do	3,956	do		210.00	830,760.00	207,690.00
Total			362,912				76,211,520.00	9,645,380.00

[1] Approximate.

WOOD.

Beechland	Nacirema Steamship Corp.	Wooden cargo	4,929	$125,000 upon delivery of each vessel; $100,000 within 4 months thereafter; $100,000 within the next 4 months; $100,000 within the next 4 months; $100,000 within the next 4 months; $75,000 within the next 6 months; $75,000 within the next 6 months; $75,000 within the next 6 months; interest on deferred payments, 5 per cent.	Apr. 16, 1919		$650,000.00	$125,000.00
Airlie	do	do	4,000		July 23, 1919		650,000.00	125,000.00
Alderman	do	do	4,700		Sept. 22, 1919		650,000.00	125,000.00
Argenta	do	do	4,700		Oct. 1, 1919		650,000.00	125,000.00
Ashburn	do	do	4,000		June 14, 1919		650,000.00	125,000.00
Birchleaf	do	do	4,000		Aug. 6, 1919		650,000.00	125,000.00
Cowardin	do	do	4,700		Apr. 25, 1919		650,000.00	125,000.00
Dalana	do	do	4,000		June 1, 1919		650,000.00	125,000.00
Horado	do	do	4,700		May 29, 1919		650,000.00	125,000.00
Itompa	do	do	4,700		Sept. 4, 1919		650,000.00	125,000.00
Natenna	do	do	4,700		Aug. 31, 1919		650,000.00	125,000.00
Neabsco	do	do	4,700		May 3, 1919		650,000.00	125,000.00
Nawitka	do	do	4,700		June 9, 1919		650,000.00	125,000.00
Thala	do	do	4,000		July 12, 1919		650,000.00	125,000.00
Zavallo	do	do	4,700		May 5, 1919		650,000.00	125,000.00

Ship sales, Oct. 20, 1919—Continued.

WOOD—Continued.

Name of ship.	Purchaser.	Type.	Dead-weight tons.	Terms.	Delivery date.	Sale price per dead-weight tons.	Sales value	Initial payment.
Mazama	French-American Line	Wooden cargo	3,500	25 per cent cash on delivery of vessels. Balance 75 per cent payable semiannually over period of 2 years from date of initial payment. Interest on deferred payments, 5 per cent per annum.	June 5, 1919	$110.00	$385,000.00	$96,250.00
Coyote	do	do	3,500		June 19, 1919	110.00	385,000.00	96,250.00
Yehama	Fidelity Trust Co	do	3,500	Sold "as is" account of being seriously damaged by fire; cash on delivery of vessel.	May 15, 1919		100,000.00	100,000.00
			77,729				10,620,000.00	2,167,500.00

COMPOSITE.

Red Cloud	French American Line	Composite cargo	3,575	Sold "as is" account of condition of vessels; cash on delivery of vessel.	May 23, 1919		$200,000.00	$200,000.00
Kanabec	do	do	3,575		July 24, 1919		200,000.00	200,000.00
Campello	Campello Steamship Corp	do	3,500	75,000 cash on delivery of vessel; balance in equal installments of $60,000 payable in 6, 12, 18, and 24 months; interest on deferred payments 5 per cent; credit of $7,500 on initial payment allowed for failure to deliver vessel on former sale.	Oct. 2, 1919	$90.00	315,000.00	67,500.00
Buckhannon	Buckhannon Steamship Corp.	do	3,500	do		90.00	315,000.00	67,500.00
Total			14,150				1,030,000.00	535,000.00

TUGS.

Baleshed	Clinchfield Navigation Co	Ocean steel tug		Cash on delivery of tug			$210,000.00	$210,000.00
John J. Meyer	Sinclair Navigation Co	do		Cash on delivery of vessel	Aug. 25, 1919		55,000.00	55,000.00
Richard Fitzgerald	Kelley Island Lime & Transportation Co.	Steel tug		Cash on delivery of tug	July 31, 1919		48,000.00	48,000.00
W. B. Sanders	W. E. Streeter	do		do			60,000.00	60,000.00
Edna G	Duluth & Iron Range R. R. Co.	do		do			48,000.00	48,000.00
2 tugs under construction by Johnson Iron Works not named.	War Department	Steel harbor tug		do			95,000.00	95,000.00
	Corps of Engineers	do		do			95,000.00	95,000.00
Barrenfork	Cuban Atlantic Transport Corporation.	Steel ocean going tug.		25 per cent cash on delivery of tug; 12½ per cent within 6 months; 12½ per cent within 12 months; balance payable within next year; interest on deferred payments 5 per cent per annum.			215,000.00	52,500.00
Underwriter	F. P. Hyams Coal Co	Steel tug		33⅓ per cent cash on delivery of vessel; 33⅓ per cent within 6 months thereafter; 33⅓ per cent within 12 months thereafter; interest on deferred payments, 5 per cent.			50,000.00	16,666.66
Total							876,000.00	680,166.66

BARGES.

Iberia	Robert P. Hyams Coal Co	Wood barge		25 per cent cash on delivery of barge; balance in equal installments of 25 per cent in 6, 12, and 18 months; interest on deferred payments, 5 per cent.			$125,000.00	$31,250.00
Total							125,000.00	31,250.00

EXHIBIT B.

Sales approved by United States Shipping Board after Oct. 20, 1919.

Ship.	Purchaser.	Type.	Dead-weight tons.	Terms.	Delivery date.	Sale price per dead-weight ton.	Sales value.	Initial payment.
Briton	Fidelity Steamship Co	Reconstructed lake ship, steel cargo.	3,850	Sold "as is" account of age and inferior condition of vessel. Cash on delivery.	Oct. 21, 1919		$125,000.00	$125,000.00
Saranac	Ralph W. Morrison	do	3,860	do			135,000.00	135,000.00

Sales approved by United States Shipping Board after Oct. 20, 1919—Continued.

Ship.	Purchaser.	Type.	Dead-weight tons.	Terms.	Delivery date.	Sale price per dead-weight ton.	Sales value.	Initial payment.
Waterbury	American Star Line	New steel cargo	7,550	$215 per dead-weight ton, payable as follows: 25 per cent in cash on delivery of vessel, 12½ per cent within 6 months, 12½ per cent within 12 months, balance of 50 per cent payable in equal semiannual installments of 6½ per cent, extending over period of 4 years; interest on deferred payments, 5 per cent per annum.		$215.00	$1,623,250.00	$405,812.50
Strathnaver	do	do	7,550	do		215.00	1,623,250.00	405,812.50
Northwestern	Clinchfield Navigation Co.	Old wooden cargo steamer.		Sold "as is" account of age and condition; can only be utilized for junk. Cash on delivery of vessel.			10,000.00	10,000.00
Delco	Moore and McCormick	New steel cargo	5,100	Regular deferred-payment plan: 25 per cent cash on delivery of vessel, 12½ per cent within 6 months, 12½ per cent within 12 months; balance of 50 per cent payable in equal semi-annual installments of 6½ per cent over a period of 4 years; interest on deferred payments, 5 per cent per annum.	[1]	210.00	1,071,000.00	269,750.00
Champion	Atlantic Transport Co.	do	11,900	Cash on delivery	[2]	187.00	2,225,000.00	2,225,000.00
Defender	do	do	11,900	do		187.00	2,225,000.00	2,225,000.00
Total, 8 ships			51,710				9,037,500.00	5,801,375.00

[1] Delivery as of date vessel turned over for management.

[2] Redelivered to former owners.

EXHIBIT C.

Sales pending before United States Shipping Board Oct. 28, 1919.

Proposed purchaser.	Number of ships.	Type.	Dead-weight tons, each.	Dead-weight tons, total.	Price per dead-weight ton.	Sales value.
Barber-Watson & Giboney	4	Skinner & Eddy	9,600	38,400	$225.00	$8,640,000.00
Do	6	do	7,500	45,000	215.00	9,675,000.00
The Sun Co. (former owner)	1	Cargo	10,000	10,000	211.93	2,119,300.00
Mallory Line (former owner)	2	do	7,400	14,800	215.00	3,182,000.00
C. W. Morse & Co	4	do	8,800	35,200	220.00	7,744,000.00
Do	5	do	9,400	47,000	225.00	10,575,000.00
Pan-American Petroleum & Transport Co. (former owner)	1	Tanker	12,775	12,775	[1]	[2] 2,553,000.00
Total	23			203,175		44,490,300.00

[1] Cost, plus $10 per dead-weight ton.

[2] Estimated.

EXHIBIT D.

OCTOBER 7, 1919.

From: Tank steamer executive, Customhouse, New York City.
To: Director of Operations, United States Shipping Board, Washington, D. C.
Subject: Shipping Board policy with regard to tank steamers.

There is submitted herewith a study of the combined tank-tonnage requirements of the United States Shipping Board Emergency Fleet Corporation and of the United States Navy Department balanced at selected dates against the tonnage necessary to meet the bunkering requirements at home and abroad of oil-burning vessels other than tankers under the American flag, including those of the United States Navy Department.

The purpose in view has been to reach conclusions of value as to the sufficiency or insufficiency of the present tanker program and to deduce therefrom the correct policy with regard to the disposal of tank steamers. The interests of the Navy Department and the United States Shipping Board are too closely interlocked to permit consideration of the tank-tonnage position of one apart from that of the other, and if the American merchant marine is to be in fact independent of foreign control as regards bunkering requirements of privately owned vessels under the American flag must be considered in conjunction with those of the Government.

The general position as of date January 1, 1920 and 1921, and August 1, 1921, is as follows:

	Aug. 1, 1919–Jan. 1, 1920.	Jan. 1, 1920–June 1, 1921.	June 1, 1921–Aug. 1, 1921.
1. American flag oil-burning tonnage in service (excluding tankers):	*Dead-weight tons.*	*Dead-weight tons.*	*Dead-weight tons.*
(a) Owned by Shipping Board	4,504,585	7,374,300	7,635,875
(b) Privately owned (as of August, 1919)	1,006,778	1,006,778	1,006,778
(c) Navy			
In all	5,511,363	8,381,078	8,642,653
2. Fuel-oil requirements:	*Tons.*	*Tons.*	*Tons.*
(a) Shipping Board	1,329,866	5,723,765	4,179,536
(b) Privately owned vessels	594,233	1,356,696	817,425
(c) Navy	590,000	1,416,000	826,000
In all	2,514,099	8,496,461	5,822,961
3. Tank tonnage to move:	*Dead-weight tons.*	*Dead-weight tons.*	*Dead-weight tons.*
(a) For Shipping Board tonnage	306,322	556,328	695,628
(b) For privately owned tonnage	127,186	129,914	123,840
(c) Navy	200,000	300,000	300,000
In all	633,508	986,242	1,119,468
4. Tank tonnage available:			
(a) Owned and controlled by Shipping Board	481,181	742,581	820,581
(b) Owned and controlled by Navy	99,500	195,350	195,350
In all	580,681	937,931	1,015,931
5. Surplus of tonnage above Government requirements only	74,359	81,603	20,303
6. Deficit of Government tank tonnage against requirements of Government and merchant marine	52,827	48,311	103,537

The assumptions and data upon which the above figures are based are fully set forth in the inclosures which are attached to this letter and form a part of this study. As it has been impossible at this time to determine the increased fuel-oil requirements resulting from the proposed conversion of the German passenger tonnage to oil, or other conversions to oil burners, and for increases in the privately owned American tonnage, which is assumed as constant as of August 1, 1919, the

tank-tonnage deficit herein reported must be regarded as a minimum estimate.

On the assumption that the view advanced herein, that the primary mission of the Government-owned tank tonnage is to meet the bunkering requirements of the American merchant marine and the Navy, will be approved by the board and become an integral part of the permanent policy of the board, it is recommended—

1. That no tank steamers of the contract type be sold and that no tankers obtained by requisition of foreign contracts be reconveyed or sold or otherwise passed from ownership and control of the Shipping Board.

2. That tonnage to cover the estimated deficit of tank tonnage against the requirements of the Government and other vessels of the merchant marine as of August 1, 1921, amounting to 103,537 dead-weight tons, be reinstated from the suspended program.

3. That the American claimants of tank steamers, contracts of which were requisitioned by the Shipping Board, be required to accept or reject reconveyance of these vessels by January 1, 1920.

4. That tank tonnage, which may hereafter be reconveyed to claimants, be replaced by the construction of a like amount of tank tonnage.

5. That additional tank tonnage be provided to meet the fuel-oil requirements which arise from the conversion of seized German tonnage from coal to an oil-burning basis, estimated at 50,000 dead-weight tons.

Very truly, yours,

PAUL FOLEY,
Tank Steamer Executive.

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EXHIBIT E.

UNITED STATES SHIPPING BOARD,
SHIP SALES DIVISION,
Washington, August 1, 1919.

Prices and terms fixed for steel and wood tonnage.

STEEL VESSELS—PRICES.

	Per dead-weight ton.
Vessels built on Great Lakes for ocean service, 3,000/4,200 dead-weight tons	$200
Submarine Boat Corporation type, 5,350 dead-weight tons	210
American International Shipbuilding Corporation type, 7,800 dead-weight tons	215
Skinner & Eddy type, 8,800 dead-weight tons	220
Skinner & Eddy type, 9,600 (10,076) dead-weight tons	225

No brokerage allowed for sale of steel vessels.

WOODEN VESSELS—PRICES AND TERMS.

Ferris type, single screw, 3,500 dead-weight tons:

(1) $90 per dead-weight ton; cash payment on delivery.

(2) $100 per dead-weight ton; on delivery of vessel, 50 per cent of purchase price to be paid in cash; balance, 50 per cent, to be paid in quarter-annual installments of 8⅓ per cent, extending over period of 18 months.

(3) $115 per dead-weight ton; on delivery of vessel, 25 per cent to be paid in cash; balance, 75 per cent, payable in quarter-annual installments of 6¼ per cent, extending over period of 36 months.

1½ per cent brokerage allowed bona fide brokers completing the sale of a wooden ship.

AUGUST 27, 1919.

STANDARD FORM OF PURCHASE AGREEMENT AND MORTGAGE.

1. Steel cargo vessels are sold at a base price of from $200 to $230 per dead-weight ton, subject to a cash discount of 2 per cent. The dead-weight tonnage is taken from our records with full opportunity of the proposed buyer to verify these figures. Fifty thousand dollars is deposited as earnest money with each offer, which is returned if the board rejects the offer but which constitutes liquidated damage in case the buyer refuses to proceed with the purchase. If delivery of the vessel is delayed beyond the closing date as fixed in the agreement, the buyer may cancel the contract or may go on with it.

2. Under the deferred-payment plan 25 per cent is paid upon delivery of the vessel, 25 per cent is paid in semiannual installments during the first year thereafter and the remaining 50 per cent is paid in four years more in semiannual installments of 6¼ per cent each. Deferred payments bear interest at 5 per cent.

3. The buyer pays the cost of wireless equipment and all engine-room stewards and other stores at market value based upon master's inventory.

4. We deliver a certificate of a classification society showing the maintenance of classification of the vessel but make no warranty of the condition of the vessel nor guaranty of capacity.

5. The buyer must maintain insurance of 25 per cent more than the unpaid purchase price covering all marine, fire, and other risks usually covered, also war-risk and P. and I. insurance; policies and underwriters approved by the board; policies to be delivered to the board and payable to the board as its interest may appear. An option in the board to require such insurance to be carried in its own insurance fund.

6. All liens and attachments to be removed or bonded within 30 days.

7. The buyer will maintain the classification of the vessel and furnish annually a certificate of maintenance of class and keep the vessel in prime condition, ordinary wear and tear and depreciation excepted.

8. The buyer will not impair any insurance nor engage in extra-hazardous journeys, nor operate the vessel contrary to rules that may be adopted by the board. The board has the right to inspect the vessel, cargo, and ship's papers and also the financial records of the buyer and may place its representative aboard.

9. The purchase agreement constitutes a part of the ship's papers and the vessel to carry the words "United States Shipping Board mortgagee" so as to preclude liens superior to the mortgage interest.

10. The buyer will pay all taxes, charges, and fines imposed upon the vessel or her income.

11. The board may take care of insurance, liens, etc., and charge the same against the buyer, with 6 per cent interest.

12. The board reserves the right to control the issue of securities and the declaration of dividends, except 7 per cent upon cash actually invested. However, when 50 per cent of the boat has been paid and the buyer has at all times 12½ per cent of the purchase price of the boat in liquid assets, the buyer may declare such dividends as will not impair such liquid assets.

13. The board may require the buyer to form a separate corporation for the vessels sold under the purchase agreement and the buyer will not transfer or mortgage its interest in the vessel without the consent of the board.

14. The buyer agrees to execute such further papers as counsel for the board may require.

15. Mortgage.—The mortgage is of the vessel and her earnings and all additions, improvements, and replacements thereon and secures the deferred payments and all other sums due under the purchase agreement, and provides that if default be made in any payment or in the performance of any condition in the purchase agreement, or if the buyer becomes insolvent, the board may—

(a) Declare all the deferred payments immediately due.

(b) Recover judgment against the buyer.

(c) Retake the vessel wherever found and resell or charter or operate the same.

(d) Retake the vessel and sell by public advertisement.

(e) Place a receiver or a custodian or a representative in the business office of the buyer.

16. In case of default the buyer agrees, at his own expense, to redeliver the vessel to the board, but the board has the right to retake the same wherever found. The several powers under the mortgage may be exercised at one time or serially without affecting the right to exercise other powers. The buyer may cure any default within 15 days, after which time it is optional with the board whether to accept the curing of a default.

17. All moneys received from a retaking and resale or charter or use of the boat will apply first to the payment of expenses and then to liquidate the indebtedness to the board, and the balance to the buyer.

FEDERAL TRADE COMMISSION (S. DOC. NO. 145).

The PRESIDENT pro tempore laid before the Senate a communication from the Federal Trade Commission, transmitting in response to a resolution of the 24th instant certain information relative to a purported public statement issued by the commission in reference to Senator JAMES E. WATSON, of Indiana, which was ordered to lie on the table and be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

H. R. 8272. An act to restore Harry Graham, captain of Infantry, to his former position on lineal list of captains of Infantry; and

H. R. 9782. An act to regulate further the entry of aliens into the United States.

PETITIONS AND MEMORIALS.

Mr. TOWNSEND presented resolutions adopted by Friends of Irish Freedom of Detroit, Mich., favoring the independence of Ireland, which were referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the Upper Peninsula Educational Association, of Marquette, Mich., extending thanks for the downfall of autocracy and the cessation of hostilities and urging support of the league of nations, which was ordered to lie on the table.

He also presented resolutions adopted by the Michigan State Federation of Labor, praying for the enactment of legislation providing for the retirement of superannuated and disabled employees of the Government, which were ordered to lie on the table.

He also presented resolutions adopted by the Michigan State Federation of Labor, favoring an increase in the salaries of postal employees, which were ordered to lie on the table.

He also presented a petition of Hannon-Colvin Post, No. 180, American Legion, of Hudson, Mich., praying for the adoption of certain amendments to the war-risk insurance act, which was referred to the Committee on Military Affairs.

Mr. ELKINS presented memorials of Local Lodge No. 65, Brotherhood of Railway Carmen of America; of Local Division No. 190, Brotherhood of Locomotive Engineers, and of Local Lodge No. 104, International Association of Mechanics, all of Huntington, in the State of West Virginia, remonstrating against the passage of the so-called Cummins bill to further regulate commerce, etc., which were ordered to lie on the table.

He also presented a memorial of the Board of Commerce of Parkersburg, W. Va., remonstrating against the enactment of legislation requiring cost price to be placed on goods sold in retail trade, which was referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. POMERENE (for Mr. CUMMINS), from the Committee on Interstate Commerce, to which was referred the bill (S. 3319) 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, reported it without amendment.

Mr. CALDER, from the Committee on the District of Columbia, to which was referred the bill (H. R. 9821) to amend an act entitled "An act relating to the Metropolitan police of the District of Columbia," approved February 28, 1901, and for other purposes, reported it with an amendment and submitted a report (No. 280) thereon.

BILLS INTRODUCED.

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

By Mr. NELSON:

A bill (S. 3322) granting a pension to Philippine Petersen; to the Committee on Pensions.

By Mr. ASHURST:

A bill (S. 3323) granting a pension to Jonathan D. Richardson; to the Committee on Pensions.

By Mr. JONES of New Mexico:

A bill (S. 3324) granting a pension to Bernard Higgins; to the Committee on Pensions.

By Mr. NEW:

A bill (S. 3325) granting an increase of pension to Leonard D. Spann (with accompanying papers); to the Committee on Pensions.

By Mr. MOSES:

A bill (S. 3326) granting a pension to Ruth E. Hartfiel (with accompanying papers); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 3327) granting certain rights of way and exchanges of the same across the Fort Douglas Military Reservation, in the State of Utah (with accompanying papers); to the Committee on Military Affairs.

By Mr. WATSON:

A bill (S. 3328) to confer jurisdiction on the Court of Claims to certify certain findings of fact, and for other purposes; to the Committee on the Judiciary.

RAILROAD STATISTICS.

Mr. McCORMICK. I offer the following resolution and ask that it may be referred to the Committee on Interstate Commerce. I ask that it may be read.

The PRESIDENT pro tempore. The Secretary will read it, without objection.

The resolution (S. Res. 222) was read and referred to the Committee on Interstate Commerce, as follows:

Resolved, That the Interstate Commerce Commission be directed to investigate and report to the Senate the facts in connection with the present or prospective ownership or control by the Government of the Dominion of Canada, either directly or through the ownership and control of the stocks of any corporation or company, of any line or lines of railway or part thereof, situate within the territory of the United States, together with a statement of the mileage of said railroads.

UNITED STATES SHIPPING BOARD.

Mr. FLETCHER submitted the following resolution (S. Res. 223), which was referred to the Committee on Commerce:

Resolved, That the United States Shipping Board be, and is hereby, requested to furnish to the Commerce Committee of the Senate a statement covering the operation of ships under its control, showing the number, tonnage, and character, by groups, of the ships operated directly or leased or chartered by the board; the cost, including overhead, of operation; the gross earnings; and the net revenue or income and earnings; the losses suffered, including damages; the depreciation, estimated; and all factors to be considered in determining what has been the experience in operating the ships.

LEAGUE OF NATIONS.

Mr. GORE. I offer an amendment to the covenant of the league of nations, and ask that it be read. I offer it in the form of an amendment because I have not yet been able to frame a reservation to accomplish the same object.

The PRESIDENT pro tempore. The Secretary will read.

The Secretary read as follows:

Amend article 12 of the covenant of the league of nations by inserting after the words "they agree in no case to resort to war until three months after the award by the arbitrators or the report by the council" the following language: "and not then until an advisory vote of the people shall have been taken."

Mr. GORE. Mr. President, the object of this amendment is to democratize war. The object of the amendment is to give the boys who have to bleed and die and to give the fathers and mothers of the boys who have to bleed and die, as well as others who have to bear the burdens, the privilege of at least an advisory vote as to the necessity, as to the desirability of a proposed war. This will help to take the power of plunging a nation into war out of the hands of kings and emperors and czars. It will promote peace and tend to prevent war. This is my sole, my supreme object.

Mr. SHEPPARD. I ask to have printed in the RECORD a telegram relating to the league of nations.

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

CADDO MILLS, TEX., *October 17, 1919.*

Senator SHEPPARD,
Washington, D. C.:

We desire to express through you our thanks and appreciation for the votes of 55 Senators yesterday. Hope other amendments will meet same fate and that you may be able to close the bitter debate on the peace treaty and hasten its ratification. We feel that our Government should hold first place in the affairs of the world—the place won on the battle fields of the war by our boys.

C. F. Stevensons, C. B. Briscoe, J. E. Johnson, W. S. Grimes, E. L. Foster, W. C. Stell, J. M. Hanchey, J. A. Harper, Jas. R. Bass, G. W. Williams, W. E. Drake (and others).

Mr. DIAL. Mr. President, I ask to have printed in the RECORD an article taken from the Columbia (S. C.) State relative to the result if the Senate should fail to confirm the pending treaty of peace with Germany.

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

"IF THE TREATY FAILS.

"The Columbia (S. C.) State sums up compactly in the following the result if the Senate should fail to confirm the treaty:

"WHERE SHOULD WE STAND?

"If the partisans, under the mad leadership or counsel of Senators LODGE, KNOX, BORAH, JOHNSON of California, and REED, succeed in assassinating the treaty of peace, where should we stand? What would be the status of this country among the great powers of the world—its late compeers in the war for humanity?

"There are at least two rather gruesome possibilities. We should either have to declare a state of peace by some such undignified device as a senatorial resolution or we should have to go 'hat in hand'—Senator LODGE's apt phrase—to solicit peace from Berlin or Weimar.

"Either horn of the dilemma would gore us terribly.

"If we were forced to sue for peace, we could not, of course, expect to get anything like the terms that we should get under the treaty of Versailles, which was a dictated peace. We should have to dicker about commercial matters and political rights of Germans in this country and many other unpleasant things, and we should, of course, lose whatever we stand under the treaty to gain in the way of reparations and restitutions.

"If, on the other hand, we should content ourselves, like our friend and guide, China, with a 'peace by resolution' of the Senate, we should forego everything we have gained, even much of the honor of fighting and greatly helping to win the war.

"In either case we should have to return the German ships and all German property seized by us in reimbursement of expenditures made necessary by the war. We should abandon all hope of getting any of the ships we are now claiming, even against the protest of Great Britain and in defiance of the supreme council.

"We should be simply restoring, as far as it may be restored, the status of 1917, before we entered the war—with the *Lusitania* and its dead and other losses of life and treasure uncompensated for in any way.

"We should lose even the honor and the gratification of taking a manly and our due share in the reconstruction work of the shattered world.

"What do these partisans offer us in exchange for all these losses, these immeasurable sacrifices, this shameful retreat?"

THREATENED STRIKE OF COAL MINERS.

Mr. THOMAS. I ask permission to have inserted in the RECORD, without reading, a statement of the Colorado and New Mexico Coal Operators' Association regarding the effect of the proposed coal strike upon the industry in that section of the United States.

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

DENVER, COLO., *October 25, 1919.*

Hon. CHARLES S. THOMAS,
United States Senate, Washington, D. C.

DEAR SENATOR: Supplementing our wire of October 21, we submit herewith a statement issued by the Colorado and New Mexico Coal Operators' Association setting forth the present scale of wages and what the workmen demand.

This we consider a concise statement of the present situation from the standpoint of the operators, and would appreciate your reading same carefully.

Yours, truly,

THE DENVER MANUFACTURERS' ASSOCIATION,
By L. R. LEWIS, *Business Manager.*

"STATEMENT BY THE COLORADO AND NEW MEXICO COAL OPERATORS' ASSOCIATION CONCERNING IMPENDING COAL STRIKE.

"*To dealers in and consumers of bituminous coal:*

"The press dispatches from Washington, October 17, quote Mr. John L. Lewis, who is the acting president of the United Mine Workers of America (the National Coal Miners' Union), as saying:

"The Government can not stop the threatened strike of coal miners."

"Interviews by press correspondents a few days ago also quote Mr. Lewis as saying he has sent out a call to all the local unions at bituminous mines throughout the Nation directing them and their associate workers to strike on November 1 next. This is carrying out the threat of the union to shut down every bituminous coal mine in the country unless the coal operators accept and accede to the demands of the union without question or modification.

"The effect of this is to punish the bituminous coal consumers of the entire Nation as well as all of the bituminous coal operators in the country because the demands made upon a limited number of operators in the Eastern and Middle States are not or can not be granted. And it has come to the place now where, according to the statement of Mr. Lewis, even the Government itself can not prevent the calamity of a nation-wide strike at the very outset of winter.

"In view of the seriousness of this situation it is not only perfectly proper but desirable that as far as we are able we should place before you, and as briefly as we can, the facts within our knowledge, so you may know and be able to explain to those who are depending upon you why you and they may be unable to secure a supply of fuel after the 1st of November.

"The recent conference between coal operators and the union was made up of employers and employees in what is known as the central competitive field (western Pennsylvania, Ohio, Indiana, and Illinois), and while Colorado, New Mexico, and other western mines were not represented at that conference in times past, changes made in the central competitive field in either wages or hours of work were likewise granted by all mining districts outside of the central competitive field.

"Briefly stated, the demands of the union are: (1) An increase of 60 per cent of the present wages paid for day labor and for piecework at the mines; (2) in addition to the money increase in day wages and piecework, that the time worked by the mines shall be reduced to six hours daily and that the mines shall not work more than five days per week except in emergencies, and for emergency work there shall be paid time and a half for overtime and double wages for work done on holidays and Sundays, Saturday to be regarded as a holiday; (3) that mines shall not be worked double shift except in emergencies; (4) that miners violating their contract shall not be required to pay any penalty whatever, as is now the case; (5) that in event the coal operators do not accept all of the demands made by the union a strike shall be called on November 1.

"We only recite the major demands made by the union; the others are omitted for the sake of brevity.

"To the demands made the operators replied, after conference, that the demands are radical, extravagant, and manifestly impossible of acceptance; that the demands indicate a disregard by the union of their obligations under existing contracts, which are still in force; that the demands are an autocratic notice that unless accepted the strike will be called in all the bituminous coal mines of the United States on November 1; that the decrease in hours will so reduce the producing ability of the mines that sufficient coal can not possibly be produced at times when most needed; that coal is a commodity most vital to the needs of the Nation; that the increase in wages and the decrease of hours would double, if not more than double, the cost of producing coal and thereby saddle upon every citizen of the country an increased cost of living; that the automatic penalty clause (which now applies alike to the operator and miner) is necessary for the enforcement of contracts that may be made; that the demand for expiration of all contracts in November instead of April is a menace to the public and places a weapon in the hands of the union to which it is not entitled, because November is the beginning of the winter season.

"Part of the claim of the operators that the union and mine workers still have a contract running until March 31, 1920, is the agreement the union and mine workers made with the Government through Fuel Administrator Garfield and which Mr. Garfield has recently announced is still in effect.

"These demands of the union are oppressive, despotic, and tyrannical. The union can not justify the claim for increase in wages concurrent with a demand for decrease in hours. The wages paid are sufficient and miners who will work full time now make good earnings. There can be no logic in the request for a decrease in hours of work. The working time at present is 48 hours per week. They now demand the working hours shall be decreased to 30, but at the same time they would require the operators to pay 60 per cent more for 30 hours' work than for 48 hours' work on the present schedule.

"A large number of miners do not belong to the union. They work in "open shop" mines. But experience has shown that in a crisis of this kind the nonunion miners stop work from fear. Furthermore, whatever wages and hours apply at union mines invariably are forced upon the "open-shop" mines.

"A schedule of the present wages and the proposed wages will be added to this communication, but in order that you may see clearly what is proposed, we will mention at this place that a mule driver who now gets $5.24 for eight hours' work expects to get $8.38 for six hours' work.

"It should, however, be mentioned that the intention of the union to work six hours (instead of eight) will not work out that way, because the proposal is not that the men shall spend six hours in the working places, but that they shall remain in the mine only six hours' total, using company time, not theirs, going from the mouth of the mine to their working places and back, so it is estimated that the actual working time will not exceed a total of five hours per day, or 25 hours per week.

"A competent miner, willing to work, can now earn $250 per month working eight hours per day, which exceeds the monthly earnings of the average doctor, lawyer, clerk, farmer, salesman, or merchant.

"The decrease in hours will reduce the output of the mines to an alarming extent. Mathematical calculation shows that a mine producing 50,000 tons per month can not possibly produce over 30,000 tons per month under the demands made, and the producing ability of a mine at the critical time of the year when coal is most needed will not exceed 60 per cent of its former output. And it goes without saying that the country can not secure sufficient coal under these reduced hours to take care of its present needs, much less to thrive and prosper as Americans expect. Under the proposed rules it will be impossible to double shift, because it will be seen, by what has been said before, that the miners have anticipated that possibility and have provided against any increased production by that method.

"Their entire plan has been worked out with deliberation and precision, the evident purpose being to control beyond peradventure any possibility of increasing the working force (because the working force can not be increased except by double shifting), and the inevitable result of this sort of control is increase in cost, which increased cost must be paid by the consuming public, otherwise the mines can not run at all.

"It is not conceivable that the public at large desires the operator to purchase peace with the miner and the miners' organization at such expense to the operator and therefore to the consumer.

"The demand, in fact, is for a decrease of 48 per cent in working time and an increase of 60 per cent in wages. We are stating below a few of the occupations, showing the wages paid now and the wages demanded:

"*Wages.*

	What men get now—They are getting for 8 hours' work—	What they want to get—They demand for 6 hours' work—
Mule drivers.....per day..	$5.24	$8.38
Motor men.....do....	5.24	8.38
Rope riders.....do....	5.24	8.38
Rockmen.....do....	5.24	8.38
Shot firers.....do....	5.32	8.51
Pump men.....do....	5.12	8.19
Timbermen.....do....	5.28	8.45
Tracklayers.....do....	5.28	8.45
Tipple men.....do....	4.20	6.72
Teamsters.....do....	4.39	7.02
Engineers.....do....	5.15	8.24
Blacksmiths.....do....	5.51	8.82
Carpenters.....do....	6.05	9.68

"And so on through the list.

"It is time for the citizens of the country to express their opinion. If the support of the public is not received the operator may be forced to accede to the demands, because the public must have coal.

"If the support of the public is to be effective, the citizens of the country must appeal to their Senators and Congressmen in Washington, and these appeals must be made promptly. It is a safe statement to make that the Senators and Congressmen will assume that the public is willing to pay if the public makes no protest to Congress, and we therefore urge that you, your friends, and public officials immediately telegraph to their Senators and Congressmen in Washington opposing the strike, opposing the increase in wages, and opposing the shortening of hours of work at the coal mines.

"The high cost of living can only be remedied by increasing production. It can not be remedied by decreasing output.

"If the union succeeds in the demands, the increase in cost and price of coal to you will be for all time and not a temporary matter.

"THE COLORADO AND NEW MEXICO
COAL OPERATORS' ASSOCIATION,
"By F. R. WOOD, *President.*

"DENVER, COLO., *October 20, 1919.*

"P. S.—In addition to telegraphing Senators and Congressmen, you should talk this over with your customers, with electric and water-plant managers, hold town meetings, pass resolutions, sending the resolutions to Washington. This is your business. Dont' leave it to 'somebody else.'"

Mr. PHIPPS. Mr. President, in view of the impending coal strike, which I believe from latest information will be ordered or has been ordered, I desire to offer for printing in the RECORD certain telegrams bearing on the situation which I have selected from among a great number that have reached me from Colorado. I think they will interest the Senate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The telegrams are as follows:

DENVER, COLO, *October 21, 1919.*

Hon. LAWRENCE C. PHIPPS,
United States Senate, Washington, D. C.:

The threatened coal strike will mean Nation-wide suffering and closing down of all industries; the demands made by coal miners for a 30-hour week and 60 per cent increase in wages will raise the cost of coal to a figure that will be prohibitive and at the same time curtail the production of many million tons annually. There is not enough coal produced now under eight hours per day worked at the mines to take care of the present demand with the entire winter before us. Every individual and industry is vitally interested, for the result will be an enormous increase in the cost of all the necessities of life. We sincerely trust you will use your influence to avert strike and to oppose any settlement that would result in an increased cost of coal to the consumer or any change in present working hours at the mines, in view of the fact that present wages for mine labor are commensurate with present living costs, and the eight-hour day is a very reasonable workday.

THE DENVER MANUFACTURERS' ASSOCIATION.

LAMAR, COLO., *October 23, 1919.*

LAWRENCE C. PHIPPS,
Denver, Colo.:

Board of governors, this association, go on record as opposed to miners' demands for shorter hours, increase in pay, and calling of the proposed strike. We feel that demands miners are making are unreasonable and inopportune and detrimental to the public welfare. Public sentiments in this community very strongly against miners' attitude and demands. We urge your every action to avoid this crisis.

YOUNG MEN'S BUSINESS ASSOCIATION,
By R. E. NYE, *President.*

CANON CITY, COLO., *October 24, 1919.*

Hon. LAWRENCE C. PHIPPS,
United States Senate, Washington, D. C.:

The Chamber of Commerce of Canon City, Colo., on behalf of the general public, requests and expects you to oppose all measures looking to any adjustment of the pending coal strike that will place a future burden upon the public. We feel the time has arrived to stand firm to the end and test whether American policies shall be be in the interest of all or only a class.

DAVID L. ROBINSON, *President.*
E. A. BRADBURY, *Secretary.*

DENVER, COLO., *October 25, 1919.*

LAWRENCE C. PHIPPS,
United States Senate, Washington, D. C.:

The demands made by the United Mine Workers of America upon the coal operators are extravagant and un-American. They amount to a demand for the subjection of the interests of the whole public to the selfish wishes of the agitators who in our State do not represent the sound judgment of the miners, and if it were possible to accede to them it would bring the great majority of the industrious and patriotic people of this country on the verge of ruin. It would curtail the coal supply and raise the cost of coal and products dependent upon coal to a point which would put them beyond the reach of ordinary people and the weaker industries, which make up the greatest bulk of the country's business. We believe that the demand should be resisted and that the operators in resisting such demands should have the unstinted support of all officers of the law, Federal and State, in the enforcement of the rights of the public against this attempt to wreck the industry of America.

DENVER CIVIC AND COMMERCIAL ASSOCIATION,
EXECUTIVE COMMITTEE OF THE BOARD OF DIRECTORS.

CRIPPLE CREEK, COLO., *October 27, 1919.*

Hon. LAWRENCE C. PHIPPS,
Hon. CHARLES S. THOMAS,
Hon. GUY U. HARDY,
Congressional Office Building, Washington, D. C.:

In view of the threatened strike of bituminous-coal miners which may be called November 1, we, the board of county commissioners of Teller County and the mayor of Cripple Creek and the mayor of Victor, ask that you, our representatives in Congress, use your influence and authority to avert this uncalled-for strike. Such a strike will cause an unjust hardship to American industry. We urge that Congress adopt necessary measures to assure a sufficient supply of coal for industry and for the public.

THE BOARD OF COUNTY COMMISSIONERS OF TELLER COUNTY.
THE MAYOR OF THE CITY OF CRIPPLE CREEK.
THE MAYOR OF THE CITY OF VICTOR.

FORT MORGAN, COLO., *October 27, 1919.*

Senator LAWRENCE C. PHIPPS,
Washington, D. C.:

Whereas the impending strike of the United Mine Workers of America is a serious menace to the welfare of our community and our country; and

Whereas, in so far as the State of Colorado is concerned, such a strike is in violation of the solemn pledge of the mine workers and is to be called for the purpose of enforcing demands not only unjust, unreasonable, and outrageous, but impossible of fulfillment, without working grave and serious injury to the vast majority of our citizens: Be it therefore

Resolved, That it is the sense of this community that such demands should be resisted and that the operators in resisting such demands should have the undivided support of all officers of the law, Federal and State; be it further

Resolved, That a copy of this resolution be transmitted to our Representatives in Congress.

FORT MORGAN COMMERCIAL CLUB,
W. J. M. WARREN, *President.*
M. M. NELSON, *Secretary.*

CHARITABLE WORK OF KNIGHTS OF COLUMBUS.

Mr. SHEPPARD. I present a brief statement of the Knights of Columbus, of Marshall, Tex., in protest against certain action of the War Department, which I ask to have printed in the RECORD.

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

MARSHALL, TEX., *October 18, 1919.*

Hon. MORRIS SHEPPARD,
1620 Massachusetts Avenue, Washington, D. C.

HONORABLE SIR: Whereas the War Department of the United States has decided to assume the war work now being carried on by the seven charitable organizations, and whereas the societies have acquitted themselves well during the war and after it, be it resolved that the Knights of Columbus of Marshall Council, No. 1422, formally protest against such action through the Texas Senators.

Respectfully, yours,
[SEAL.] A. J. DUGAS, *Grand Knight.*

COAL STATISTICS.

Mr. FRELINGHUYSEN. I send to the desk a compilation of figures prepared by the Geological Survey showing the production of bituminous coal this year as compared with last year, and also the improvement which has been shown since the subcommittee of the Interstate Commerce Committee took up the subject with the Director General of Railroads. I ask that the statement be printed in the RECORD.

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

Production of bituminous coal, by weeks, in 1918 and 1919.

	1919	1918	Per cent, 1919 to 1918.	Surplus or deficit over 9,600,000 tons.[1]
	Net tons.	*Net tons.*		
Jan. 4	8,459,000	9,312,000	91	−1,141,000
Jan. 11	10,361,000	10,032,000	103	+ 761,000
Jan. 18	9,883,000	8,424,000	117	+ 283,000
Jan. 25	9,236,000	9,978,000	93	− 364,000
Feb. 1	8,316,000	9,492,000	88	−1,284,000
Feb. 8	7,947,000	10,424,000	76	−1,654,000
Feb. 15	7,700,000	11,497,000	68	−1,830,000
Feb. 22	7,722,000	10,972,000	70	−1,878,000
Mar. 1	8,090,000	11,455,000	71	−1,510,000
Mar. 8	8,081,000	11,466,000	70	−1,519,000
Mar. 15	8,050,000	10,908,000	74	−1,550,000
Mar. 22	7,484,000	10,976,000	68	−2,116,000
Mar. 29	7,592,000	10,864,000	70	−2,008,000
Apr. 5	6,984,000	9,165,000	76	−2,616,000
Apr. 12	7,544,000	10,579,000	71	−2,056,000
Apr. 19	7,411,000	10,901,000	68	−2,189,000
Apr. 26	7,378,000	11,569,000	64	−2,222,000
May 3	8,022,000	11,228,000	71	−1,578,000
May 10	8,438,000	11,426,000	74	−1,162,000
May 17	8,436,000	11,339,000	74	−1,164,000
May 24	8,724,000	11,419,000	76	− 876,000
May 31	7,938,000	10,416,000	76	−1,662,000
June 7	8,927,000	12,401,000	72	− 673,000
June 14	8,485,000	12,590,000	67	−1,115,000
June 21	8,681,000	11,984,000	72	− 919,000
June 28	9,470,000	12,329,000	77	− 130,000
July 5	7,459,000	10,119,000	74	−2,141,000
July 12	10,225,000	13,114,000	78	+ 625,000
July 19	9,889,000	12,757,000	78	+ 289,000
July 26	9,988,000	12,770,000	78	+ 388,000
Aug. 2	9,943,000	12,383,000	80	+ 343,000
Aug. 9	9,359,000	12,130,000	77	− 243,000
Aug. 16	9,092,000	11,774,000	77	− 508,000
Aug. 23	10,675,000	12,472,000	86	+1,075,000
Aug. 30[2]	10,443,000	12,517,000	83	+ 843,000
Sept. 6	9,651,000	11,069,000	87	+ 51,000
Sept. 13	11,046,000	12,542,000	88	+1,446,000
Sept. 20	11,253,000	12,535,000	90	+1,653,000
Sept. 27	11,613,000	12,878,000	90	+2,013,000
Oct. 4	11,518,000	12,398,000	93	+1,918,000
Oct. 11	11,881,000	12,190,000	97	+2,281,000
Oct. 18	11,784,000	11,367,000	104	+2,184,000
Oct. 26	[a]	11,167,000		

[1] Nine million six hundred thousand tons is the weekly average required to produce 500,000,000 tons, the assumed requirement for 1919. The surplus or deficit in the actual 1919 production, as compared with this average requirement, is shown.
[2] Point at which Senate committee began inquiry on increased price of coal.
[3] Large.

THE DYE INDUSTRY.

Mr. KNOX. Mr. President, the House of Representatives recently passed a bill for the protection and upbuilding of the American dye industry, and the bill will soon be before the Senate. It is a matter of such grave consequence that I ask permission to have printed in the RECORD a pamphlet which contains the opinion of Army and naval officials as to the importance of the dye industry as a matter of national preparation.

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

[American dyestuffs or national disaster: "American vat-dyes are the key to the American dyestuff and chemical industry, the key to our national security and independence." Reprinted from Textiles, Boston, Mass., September, 1919.]

"AMERICAN DYES OR NATIONAL DISASTER.

"The letter which follows is from a prominent manufacturer of ginghams and wash goods. As it undoubtedly represents the mistaken attitude of a number of textile manufacturers, we are replying to it here at some length in order to point out their error and secure their support for the only right policy for Americans at the present time:

"AUGUST 13, 1919.

"EDITOR OF TEXTILES,
"*Boston, Mass.*

"DEAR SIR: As there is so much talk in regard to the present dye situation, I would like to give you my opinion and find out, if possible, how you stand on this subject.

"We manufacture at this mill a high grade romper cloth which requires a very fast dye. Up to the beginning of the war these colors were dyed almost wholly with vat dyestuffs. These vat colors are not being manufactured in this country to-day, and upon inquiry various dyestuff manufacturers have advised me that they will have none on the market in the near future. We are using indigo for our dark blues and have been forced to use a vat blue imported from Switzerland at a very high price for our light blues. We have managed to struggle along with sulphur colors on some of the other shades, but have been forced to use a direct pink on all goods dyed that shade. Direct colors at their best are very unsatisfactory and only a few plants in this country are equipped properly for the dyeing of alizarine reds or pinks.

"Vat dyes are being manufactured in England, but the agents of these manufacturers in this country have advised me that they are unable to obtain the proper license to import these dyestuffs. Shirtings being imported from England are dyed with these dyestuffs and shirtings imported from Japan are also dyed with dyestuffs in this class, whose origin, I have every reason to believe, is German.

"Shall the American manufacturer be handicapped due to a hate propaganda, started from the Lord knows where, while his competitors in other countries go merrily on and manufacture goods containing dyestuffs which are impossible for him to obtain? We are using and want to use American dyestuffs, but do not want to be forced to be without dyestuffs of certain classes as long as they are obtainable in other countries, and we believe that until such a time as the American manufacturers are able to put a dyestuff of this class on the market, the requirements of dyestuffs of this class by the American manufacturer should be satisfied. Then, and only then, should foreign products be barred.

"Thanking you for your opinion on this matter at an early date, I am,

"Very truly, yours,

"_____ _____."

"CHEMICAL WARFARE.

"The one decisive factor in this dyestuffs problem is that the United States must have a self-contained chemical and coal-tar dyestuff industry in order to prepare the Nation for defense against external aggression. In the face of this necessity all conflicting considerations sink into insignificance. The Great War that is now drawing to a close marked the extraordinary development of warfare with chemicals, which is certain to be carried still further in future conflicts between the nations.

"No nation is safe that is without a well-equipped industry for the production of an ample supply of explosives and poison gases equal, and, if possible, superior, in efficiency to those possessed by any possible aggressor. It is not enough to pattern the destructive power and the quantity of these chemicals on the experience of the Great War. The ablest and most highly organized chemists in the world will continue in the employ of our prospective antagonists, their efforts stimulated by a spirit of revenge, obtaining by laborious research new and more terrible methods of destruction, which will be revealed to us only when the hour for the attack on America arrives.

"America must have a self-contained chemical industry if America is to remain free. And that industry can be obtained only by the establishment in time of peace of a coal-tar dyestuff industry second to none in the world. Here are a few passages from the testimony of military experts, bearing on this national necessity:

"DYESTUFFS, EXPLOSIVES, AND POISON GAS.

"Maj. Gen. W. L. Sibert, United States Army, chief of the Chemical Warfare Service in the United States:

"Dyestuffs are directly related to several of our gases; the same crudes or intermediates that are used in making dyes are also utilized in making such gases. The processes involved in the making of dyes, explosives, and poison gases are identical to a certain stage. They all begin with the dry distillation of coal. The crudes, benzol, toluol, xylol, when subjected to chemical processing, yield intermediates which on further treatment enable us to obtain dyes, explosives, or poison gases. The dyestuff industry is the one peace-time enterprise which will, therefore, furnish us with the plants and equipment which can be hurriedly converted to essential uses in time of war. There is another point which is worthy of special emphasis: 'We are not only concerned with plants and equipment, but also with the trained personnel needed.'

"Chemical warfare is a new warfare, but one that was responsible for about 30 per cent of our casualties. At the same time it is probably the most humane system of warfare, because there are fewer deaths from those casualties than from any other cause, but it has in it an element that no other kind of warfare has, and that is the element of surprise sprung on an army through the development of some new substance, rendering you absolutely helpless, as the English were at Ypres.

"Germany always had a large supply of explosives, and had a larger quantity of gas than the Allies had until near the end of the war. This was largely due to the existence of dyestuff plants in Germany. When our troops entered Germany they found a phosgene gas plant with a capacity of 10 tons a day, built before the war in connection with the dyestuff industry.

"It was the unexpected use of gas on a large scale that caused the Germans nearly to win the war last spring a year ago. It was for that reason that we immediately decided to multiply by five our output.

"Certain materials which are indispensable for dyes are also indispensable for gas and high explosives. There is no substitute, but they are all indispensable for war purposes.

"A nation absolutely unprepared in so far as gas is concerned, and defenseless against gas, would be helpless. Any country which had a large supply or a potential supply for gas would be a bad country to declare war against."

"Lieut. Col. Amos A. Fries, Chief of the Chemical Warfare Service of the American Expeditionary Forces:

"We found in attacks against these machine-gun nests and strong points that if we filled these bombs with T. N. T. instead of poisonous gas and 50 to 100 were dropped we simply wiped everything off the surface. A very famous incident occurred at the time of the fighting at St. Mihiel when at a place called Cotes des Eparges our troops captured what the French had been trying three or four years to take. Our officers stated that they could take it by firing a hundred of these bombs, and they installed them the night before the attack and fired them so successfully the next morning that our men got across without any loss or a hostile shot being fired until they got across. That is a part of warfare that will increase the use of T. N. T. very much.

"If we ever get into a very serious war in the future, it will require a very much greater use of high explosives than were used in this war, as we would throw bombs over in quantities of 2,000 or 3,000 at a time. The projectiles are fired together by using closely synchronized watches. The British fired into Lens 2,000 of these projectiles at one time.

"Research can be made in these dyestuff factories so independently of any outside appearance that it looks impossible for any country to be sure that another country is not working on this matter, no matter what one country might try to do.

"If you are going to fight a defensive campaign you would use mustard gas, which is a very low volatile liquid and lies on the ground two or three days on days like this and a week or 10 days in moist, cool weather. The vapors come up and burn the body, and you are never safe from it, and hence you have got to wear a mask all the time. It is that persistence which gets so many casualties, because it is so difficult to get away from it. I would like to add that because the Germans had run out of their reserve of gas they had no mustard gas whatever, which is what saved many boys in the Argonne fight.

"One of the principal elements in preparedness for war consists in a well-developed chemical industry."

"Lieut. Commander O. M. Hustvedt, Bureau of Ordnance, United States Navy Department:

"The development of the dye industry would give us plants which could readily be converted to war purposes for the manufacture of gas or for the manufacture of high explosives, and would give us the trained personnel, especially chemists, that we would need in adapting and developing the dye industry to war uses; and also during normal times would give us the benefit of researches which are conducted by the dye people in the development of their colorings. In those researches they have found in the past and probably in the future will find developments of a great deal of importance to the explosive industry, as well as in poison gases for military use."

"The United States must have a self-contained and complete coal-tar dyestuff industry in time of peace in order to be ready to defend itself against external aggression. We all hope that there will never be another war, but it would be criminal folly to shut our eyes to the fact that in the future we shall be in danger of an attack from the East by the enemies that are now defeated, but not conquered, and also from the West by the Asiatic empire that is so closely patterned after the Prussian military autocracy, and that a realignment of nations might force us to defend ourselves against a simultaneous attack from both directions. We can prepare ourselves against these dangers only by establishing on American soil a self-contained chemical and coal-tar dyestuff industry of ample proportions.

"THE WAR AGAINST DISEASE.

"There is another controlling reason for our possession of a complete chemical and dyestuff industry, namely, the vast possibilities in chemical research for conquering disease and prolonging human life. This phase of the question was well stated by Joseph H. Choate, jr., counsel for the Chemical Foundation and American Dyes Institute, before the Ways and Means Committee:

"The human body consists of hundreds of little chemical factories pouring into the human system drugs of their own, and upon the balance of those drugs depends human health. These drugs are organic chemicals, and until the process of studying out their effects has been completed and the innumerable millions of combinations of chemicals which they produce in the human inside have been reduced

to scientific formulæ that can be known and studied that science will remain in its infancy.

"Now, the dye laboratories furnish the means, and the only means, for the furtherance of that science, and that science has but recently begun to grow. It has been held back by the immense development of bacteriological medicine with its serums and antitoxins, which has been so successful that the physicians of the world have only recently turned back from it to the study of drugs. Yet the results have been startling. Many of those results have been not only the product of industrial chemists at our laboratories of coal-tar research, but in many cases the discoveries have been made in the dye laboratories themselves.

"In Germany the cooperation between the academic and coal-tar chemists was so complete that it was not an uncommon sight to see in the dye-works laboratory dozens of academic chemists working side by side with the dye-works chemists on their own individual problems. Many of the greatest discoveries have been made in that way. Salvarsan itself was a dye-works product. Dr. Ehrlich had a theory that arsenic disseminated in the system in a particular way would kill the germs of the cruelest scourge of humanity, and he had an idea that it could be done without injury by one of a particular group of compounds that number, say, 10,000. But how was he to get the facilities to make the experiments? Where could he get the apparatus, materials, and assistants for the work? No university, no private laboratory could undertake it. He found the means at his hands in the dye-works laboratory of the great Cassella dye works, and the Cassella laboratories were placed at his disposal. And within a very few months that immense problem was worked out and that amazing triumph achieved.

"So, in like manner, drugs for hundreds of other ailments have been developed. The most noted example is that of adrenalin, one of the most valuable and commonly used drugs. That was discovered in this country from an animal source. The German plants, as is possible with almost any of the drugs from an animal source, produced the substance synthetically from coal-tar products at a mere fraction of the cost of the animal product.

"And so we say to you that the hope of the future in medical science lies in the great coal-tar industry; that there you find the promise, and the only promise, for the discovery of drugs to cure the cruel diseases which are the scourge of humanity. There and there only lies the hope of the permanent cure of such diseases as tuberculosis and even cancer.

"Dr. Julius Stieglitz, professor of organic chemistry at the University of Chicago and chairman of the National Research Council of the Council of National Defense, made this statement on the same subject:

"Dr. Cantell, of the Mayo Foundation, has isolated the active principle of the thyroid gland and pure cocaine and determined its nature, and the difference the injection makes between health and diseases is tremendous. Lack of the principle leaves a dwarfed physical and mental condition. The injection of a minute quantity brings these people into a condition of health. Now, Dr. Cantell himself proved this principle from slaughtered animals, getting a minute trace from the thyroid of each animal. The principal material is a derivative we call indol, because it is related to indigo, and there is no question but that in the course of time we will be able to prepare this in pure form from coal-tar products.

"Those are the directions in which synthetic work is going on, the production of specifics for the killing of invading germs; improvement of the natural products like cocaine and quinine, and also the artificial production of internal secretions in which a given patient may show a deficiency. Now, all of these developments would be tremendously strengthened if we had, as the roots of organic chemistry, a dye industry. That is the one branch of organic chemistry which has to be developed on a large scale, and, given the strong roots we have in the dye industry, the rest will take care of itself. Many of the institutions, like the Rockefeller Institution, the Mayo Foundation, and many of the universities, are developing these lines of medicinal drugs. We are dependent, however, on the original source of supply for our crude materials, and also on the source of supply of what we call organic chemists as against the mineral chemists, who are sufficiently strongly represented in this country. The dye industry is the sole industry from which we can get our materials and our chemists and which can support the type of work which we have in mind.

"It is inconceivable that America will be satisfied with anything less than a leading part in this chemical warfare against physical and mental weakness, disease, and death.

"A GERMAN PLOT THAT FAILED.

"A complete chemical and dyestuff industry is a necessity not only for the safety of the Nation and for taking our rightful part in the chemical warfare against disease and death, but for the prosperity and safety of American industries. We have had the proof of this in recent years. When the war cut off the United States from the supply of German dyestuffs in 1914 the country faced a period of black and white in the textile industry. Only the courage and enterprise of the few men engaged in the dyestuff assembling plants saved us from that disgraceful situation. The United States Government was on the point of being forced to close its printing and engraving plants because of the lack of German colors and the faded tint of the United States postage stamps excited the taunts and jeers of the Germans, while great industries giving employment to millions were facing a general shutdown. That all this was part of the German attack on the world is proved by the following cable, discovered by the agents of the Department of Justice, from Ambassador Bernstorff to the Berlin Government, the Hossenfelder mentioned being the German consul at New York:

"Serial No. 432, of March 13, 1915. It is reported to me by Hossenfelder, telegram No. 4, that the stock of dyes in this country is so small that by a German embargo about 4,000,000 American workmen might be thrown out of employment.

"A few weeks later a delegation of textile manufacturers called at the White House and also on Secretary of State Lansing and Secretary of Commerce Redfield to make an urgent appeal that steps be taken to obtain England's permission for the importation of German dyes. Later in the day they also called on Ambassador Bernstorff, the following report from the New York Times of their conference at the German Embassy showing plainly how Germany was using her dyestuff monopoly to carry on the war against the Entente and even then against the United States:

"When the textile representatives called at the German Embassy after their conference with Government officials, the Ambassador, Count von Bernstorff, suggested that there would be no further trouble about dyestuffs shipments if they could get the United States to threaten an embargo on exports of war supplies to Great Britain unless interference with trade between America and Germany in foodstuffs, cotton, and other noncontraband goods ceased.

"A month later a German torpedo, loaded with explosives made in the same industry that produced the German dyes with which Bernstorff hoped to force the United States into collision with England, sunk the *Lusitania*, revealed the great truth of the war to the American people, and made the German plot impossible.

"If it had succeeded Germany in all probability would have won the war and the terms of peace would have been dictated from Berlin.

"The signing of a peace treaty will not end Germany's war on the world. Germany knows that a dyestuff monopoly under certain conditions is a more effective instrument of destruction than an army or navy. That to-day is the lesson for Americans in connection with the building up of the dyestuff industry in the United States.

"A complete and wholly self-contained chemical and dyestuff industry is an American necessity on the score of military and naval defense, the physical and mental well-being of mankind, and the industrial prosperity of the United States. This brings us to the only remaining question: How can such an industry be created and maintained? It can be done only by allowing the American dyestuff and chemical industry to organize in as large units as may be necessary for the highest attainable efficiency and economy of production and research, and by protecting this home industry against every form of injurious competition from foreign countries. This protection must not be limited to tariffs, but must be provided in every effective form, whether by tariff, control of imports by licenses, exclusion of imports if necessary, control and compulsory working of patents, or by any other effective measure that can be devised. No one of these methods will be enough. All combined are essential to success.

"A GIANT INDUSTRY.

"The industry must be allowed to combine in order to produce as efficiently as the gigantic German industry, which has 40 years the start of us and which will wage relentless war against American products. Here are two statements on the present size and resources of the German industry:

"Joseph H. Choate, jr., before Ways and Means Committee:

"The smallest of the German companies employed before the war began more than the largest three, certainly the largest two, American houses now employ or have ever employed. They (the German companies) employed together, before the beginning of the war, approximately 50,000 men. About 1910 they coalesced into two large trusts, one consisting of three of the big six, the Bayer, Badische, and Berlin, and the other consisting of the other three, the Hoechst, Cassella, and Kalle. These companies were closely united and assisted each other in every possible way. They had joint funds for fighting foreign competition and dividing the expense of new things, and dividing the expense of campaigns against competing industries in other countries.

"But it did not stop here. In 1916, finding the danger they were placed in as a result of the war, the two trusts were combined with all the other outlying companies into one gigantic trust. This enormous trust has a nominal capital, adding up the nominal capitals of the various companies of which it is composed, of about $100,000,000. But the stocks of these companies were, on the average, worth on the Berlin Stock Exchange, at the time of the combination, about 400. So you can see the actual assets of the company were valued by the German public at above $400,000,000.

"Lord Moulton's (British minister of munitions) letter to Mr. Choate:

"In the year 1916 the Chemische Fabrik Gaisheim-Electron entered into a community of interests with the following firms: Badische Anilin & Soda Fabrik, Ludwigshafen-on-the-Rhine; Farbenfabriken vorm, Friedrich Bayer & Co., Leverkusen, Aktien-Gesellschaft fur Anilinfabrikation, Berlin; Farbwerke vorm, Meister, Lucius & Bruning, Hochst-on-Main; Leopold Casella & Co. G.m.b.H., Frankfort-on-Main; Kalle & Co., A. G., Beibrich-on-Rhine; Chemische Fabriken vorm, Weiler-ter-Meer, Uerdingen—from January 1, 1917, so far as the Chemische Fabrik Greischeim-Elektron is concerned, for a period of 50 years from January 1, 1918.

"The choice for America is between safety with a unified chemical and dyestuff industry which our people can control at

home, or political and industrial dependence on a foreign monopoly over which we can exercise no control whatever.

"RUTHLESS GERMAN METHODS.

"Now, as to the ruthless methods of this German trust. Here are a few examples which can be multiplied indefinitely:

"Henri Hauser, professor at Dijon University, France:

"Why, at the outbreak of the war, were we (the French) short of essential products for the manufacture of our explosives, such as phenic acid? Because in peace time, in the tenders to the French ministry of war, the Germans always offered enormous abatements, descending below the French cost price, and thus carried off the orders. Thus, discouraged, our manufacturers abandoned the sinking of capital in installations so costly to retrieve, and therefore the industry of phenic acid disappeared in France."

"Joseph H. Choate, jr.:

"You will find in the Alien Property Custodian's report a number of instances of the way in which they (the Germans) operated. As soon as an industry began to show its head in another country, they went at it tooth and nail. They began to sell not only below what it cost in this country but below the cost of production in their own country, and in some instances, I think in many, there was no limit to which they were not willing to cut prices in order to get business. A few examples will be as good as a million. Until about 1910 there was no production of anilin oil in this country. And in that year the Benzol Products Co. was organized to make anilin oil on a large scale. At that time the price of anilin oil was about 11½ cents. The Benzol Products Co. could do the work and make money at that figure. They had not got fairly started when the Germans began cutting the price for the first time. The cutting continued until the German price reached about 6 cents. One large customer was approached by the Benzol Products Co. with an offer of anilin oil for 8½ cents, an unheard-of price up to that time. The answer was, 'I won't take your product at 8½ cents or any other price, because whatever price you name I have the assurance that the German producers will undersell you.'"

"PROTECTION AGAINST GERMAN METHODS.

"Having given the industry liberty to organize on the most efficient basis, protection must be provided against foreign competition. Protective tariffs must be imposed, but no practicable tariff will alone provide the necessary protection. Why? Because of German dumping, which Prof. Henri Hauser describes in these words:

"German dumping is a coherent system. It first kills the preparative industries in the country in which it installs itself. Thanks to the system of bonuses, it can then challenge the transformation industries.

"German industry thus shatters all the forces which can compete with it in such a way as to reign over the ruins. Once again, German dumping is not a procedure of economic action; it is, in times of unclouded peace and under deceptively peaceful aspects, a measure of war. It carries agitation into the internal life of competitors of Germany; it puts out of tune the normal play of their customs system; it absolutely falsifies every formula of commercial liberty, of equality of treatment, or of reciprocity inscribed in treaties."

"SECRET REPORT OF A GERMAN AGENT.

"Here is one illustration of the German methods of circumventing protective tariffs. It is taken from a report by Dr. Hugo Schweitzer, American representative of the Bayer Co. and secret service agent of the German Government in the United States, which Wolf von Igel sent to von Bernstorff on January 26, 1917, six weeks before the United States entered the war, with the recommendation that it be passed on to Berlin, and the copy of which was seized by the United States Department of Justice. At that time a new tariff on dyestuffs had been imposed:

"The dyestuffs which are excepted from this specific duty are the so-called vat dyes, and these vat dyes are a comparatively modern achievement of the German dye technique and are in general regarded as the most genuine dyes.

"The preeminent coloring qualities of these products have already brought it about and will do it even more so in the future than the older anthracite coal-tar dyes, which in many respects are inferior to these vat dyes, will be driven from the market. The manufacture of these vat dyes is very complicated and can be undertaken only in a very highly developed industry. It is wholly out of the question that a new industry, like the American, can take up the manufacture of these vat dyestuffs, and it may well take a very long time before the dyestuff industry outside of Germany can concern itself with the manufacture of these complicated products. Here the very greatest exertions will not make it possible to cope with the competition of Germany.

"The history of American tariff legislation has shown that, in general, a protective tariff of 30 per cent ad valorem does not afford sufficient protection to create an American industry. A protective tariff of 30 per cent is, of course, absolutely insufficient for the complicated vat dyestuffs.

"Referring to the provision in the tariff law requiring the President to remove the special duties on dyestuffs if in five years the domestic production does not amount to 60 per cent of the domestic consumption, Schweitzer went on to say:

"Here is where the German industry must apply the lever. It must, in any case of these vat dyes which must be regarded as the 'highest quality' goods of the industry, dispose of in the American market more than 40 per cent of the total consumption in derivatives and dyestuffs, in order that the President will be in the position to abolish the specific duties. If this is actually made possible, and the President must abolish these specific duties, then the German industry will be in the same position as before the war and has only to deal with the duty of 30 per cent ad valorem, which, as has already been elucidated above, was insufficient in the past to create an American industry.

"That it should be as easy as child's play for the German industry to sell as much vat dyestuffs in the United States that the value of the same will amount to 60 per cent in value of the domestic consumption of the articles mentioned in Groups II and III of section 500, is apparent from the following considerations:

"1. The vat dyestuffs have in the past and will even more so in the future supplant the old anthracite coal-tar dyestuffs.

"2. The money value of the vat dyestuffs is uncommonly higher than the money value of the old anthracite coal-tar dyestuffs.

"3. The importation from Germany of these vat dyes amounts to-day already to 27.63 per cent of the money value of the total dyestuff importation.

"From these arguments it is clear that the salvation of the German dyestuff industry is to be sought in the development of the vat-dyestuff chemistry.

"And in this connection it is well to remember the German practice of 'full line forcing' by which orders for special dyestuffs are refused unless the customer agrees to buy from the Germans all of the dyestuffs he uses. 'Buy all your dyes from us or go without vat dyes.'

"American vat dyes are the key to the American dyestuff and chemical industry, the key to our national security and independence.

"A TARIFF AND A LICENSE SYSTEM BOTH ESSENTIAL.

"The complex character of chemicals, and particularly of coal-tar chemicals, makes it possible for the Germans to camouflage the products beyond the possibility of detecting undervaluation.

"The lesson which the Germans themselves teach us is that any tariff we impose should be specific as well as ad valorem, and even then considered only as one of several methods of protection. So far as import restrictions are concerned, the additional measures must consist of the exclusion of products that are being made in the United States, and licenses to import, subject to the regular tariff rates, other products that are not made here in sufficient quantity for domestic needs, the import licenses to continue as long as may be necessary. This system of exclusion, modified by import licenses, has already been adopted by England, France, and Japan, and must be adopted here if the United States is to have a complete dyestuff industry.

"No sound objection has been raised to this system of control by import licenses. Its opponents assert that under the license system it would be impossible for a textile manufacturer to get the dyestuffs from Germany in time for the dyeing and delivery of goods on orders. Those who advance that claim either have an ulterior object in preventing the development of an American dyestuff industry or a very poor opinion of the power and resources of the United States Government. As we write these lines a Washington dispatch reports that Alien Property Custodian Garvan has asked the President for permission to import a six months' supply of German vat dyes, thus showing the entire practicability of the proposed system of licenses. It is also pretended by opponents of the license system that under it the dyestuff purchases by a manufacturer would be made known to his competitors. These opponents of real protection to American dyestuffs would have us believe that the United States Government would not or could not protect its own citizens by holding such details in confidence. And it is for such flimsy pretexts that they would have us abandon the great essential to the safety and welfare of the Nation.

"COMPULSORY WORKING OF PATENTS.

"Another necessary method of protection is the control and compulsory working of foreign patents in the United States as has been practiced in Germany for over 40 years. Before the war our patent laws enabled the Germans to patent their processes here and then leave them unworked, the purpose being to prevent competitors from using the German processes. The United States law thus served as a complete protection to the German dyestuff monopoly. It is plain that these conditions must be abolished and our patent law so changed that a foreign patent will remain in force only on condition that the patentee either works it adequately in the United States or grants proper licenses for such working.

"THE SITUATION TO-DAY.

"As a result of the war a promising dyestuff industry has been built up in the United States, but is threatened with sure destruction unless protected against the unscrupulous competition of the German trust when commercial relations with Germany are restored. Far-seeing men in the office of the Alien Property Custodian seized time by the forelock and had most of the German dyestuff patents to the number of 4,500 sold to trustees under the name of the Chemical Foundation in order to keep them free from control by private monopoly and used only in the interest of the Nation. The remaining 1,200 German patents had been sold to a private company at the auction sale of the Bayer Co.'s assets before the trust was organized, but arrangements have been made with the purchasers by which these privately owned patents also are to be made available for building up the dyestuff industry of the whole country. The Longworth bill has been framed by the friends of an American

dyestuff industry and provides for the necessary protection by a system of import licenses under which a commission representing the consumers and producers of dyestuffs and the general public is compelled to grant licenses for the importation of dyestuffs that are not produced in adequate amounts for domestic requirements. And finally the Alien Property Custodian is seeking permission to import a six months' supply of vat dyes to tide over our manufacturers until vat dyes can be made in America.

"THE DUTY OF AMERICANS.

"Under such conditions the plain duty of every American, whether a user of dyestuffs or a consumer of dyed products, is to say, 'We are ready to wait as long as may be necessary and to submit to any necessary restriction or deprivation in order that America may possess a chemical and coal-tar dyestuff industry second to none, which will protect our Nation against external aggression, enable America to do its full duty in the chemical warfare against physical and mental weakness, disease, and death, and provide a safe and sure foundation for American industry and enterprise.'

"The difficulties of which our correspondent complains, even if they were not temporary and the remedy were not already in sight, amount to nothing compared with the great objects to be attained by establishing an American dyestuff and chemical industry or with the disaster that may befall this country if we neglect this great duty because of a lack of moral strength to see it through. Now is the appointed time. If we weakly yield now it may not be possible to succeed before the Nation is suddenly overwhelmed with military and economic ruin. The producers of dyestuffs, manufacturers of textiles, and the people of the United States should be a unit in this work. Most of the German patents have been placed in the control of trustees to be used in this national enterprise. The bill now before Congress aims to provide all the legislative means for protecting and developing the industry, and to afford relief from temporary inconvenience to users of dyestuffs not yet made in the United States. Great aggregations of capital and skill are concentrating their resources on the solution of the still unsolved problems. All that is needed are the enactment of the necessary protective laws and time in which to discover and perfect the chemical processes of producing certain dyestuffs. Complete success is certain if Americans stand together.

"If there is any hate propaganda it is made, not in America, but in Germany where hate is one of the manufactured products of Prussia, directed first against one nation and then against another, France, Russia, England, Japan, or the United States in turn, in order to serve the purposes of the German autocracy in its schemes for world dominion.

"Our correspondent complains that American importers can not get licenses from the English Government to bring English vat-dyes into the United States. That is not the fault of the United States Government, for the Washington authorities have been ready at all times to allow the importation of English vat-dyes. It is because the importers can not get licenses from the British Government to export these English vat-dyes. Of course they can not. The citizens of a country have the first right to the consumption of what they produce. England has had a bigger and far more bitter dose of German frightfulness than we have had, and has resolved never again to expose the empire to destruction industrially and politically by forces gathered in German chemical works. A good example for the United States to follow.

"Our correspondent also complains of the importation of Japanese cotton goods dyed with German dyestuffs. Well, let us shut them out by an adequate protective tariff. But what right have textile manufacturers to ask protection for the products they sell if they do not insist on protection for the products they buy? American industries stand or fall together. The citizens of a country have the first right to the production of what they consume.

"We hope that our correspondent and all who are in his state of mind will see their mistake and lose no time in getting on the right track. Let them write to the President and Members of both Houses of Congress and insist that party politics have no part in the settlement of this chemical and dyestuff problem; that Republican protectionists be broad enough to admit that this is a problem of which a tariff alone will not afford a complete solution; that Democratic supporters of a revenue tariff recognize that dyestuffs present a case involving the safety of the Nation in which Adam Smith himself would have supported the most rigid restrictions on imports. Let us all be for America first in order that in the years to come we may look back with pride to the part we took in protecting our country and civilization by the development of a complete and self-contained dyestuff and chemical industry in the United States."

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. LA FOLLETTE. Mr. President, I shall move at the proper time to strike from the treaty the provisions relating to labor, and I invite the attention of the Senate to the reasons, which I shall now give, for that motion.

It is a remarkable thing that certain of the very important and far-reaching provisions of the treaty have as yet been but little discussed. I refer to the labor articles appearing as article 23 of the covenant and Part XIII, from articles 387 to 427, inclusive, of the treaty. Labor throughout the United States has not been fully informed of the significance of this section of the treaty, but I am convinced that labor's interests and the interests of the American people generally are vitally affected by these provisions.

I am also of the opinion that Senators, engrossed in the consideration of other phases of this complex document, have not fully gauged the importance of the labor articles. Irrespective of the views of Senators regarding labor, the fundamental changes which Part XIII of the treaty will work in our political and domestic life should impel us to a critical and searching analysis of its provisions.

Article 23 of the covenant provides that members of the league agree:

(a) To "endeavor to secure and maintain fair and humane conditions of labor" in all countries to which their commercial and industrial relations extend, and will establish and maintain an international organization to accomplish that result. It is safe to say that no member nation of the league will be inclined to admit officially that it maintains within its own domains labor conditions that are not "fair and humane," so this provision, like most of the other provisions in this document, will be of no practical benefit to labor.

The next provision of article 23 is:

(b) Which provides that the members of the league "undertake to secure just treatment of the native inhabitants of territories under their control."

Like the previous article, this article is meaningless, because it does not suggest what "just treatment of the native inhabitants" means. It is not to be supposed that any nation will take kindly to the advice of some other country as to how it should treat the inhabitants of territories under its control, any more than it is likely to accept advice concerning its own labor conditions. Under the arrangement contemplated, the King of Siam and the King of Hedjaz would be official advisers to the United States concerning its labor conditions, as well as the way it should treat the Filipinos.

The next provision of article 23 is subdivision:

(c) Which provides that the members "will entrust the league with the general supervision over the execution of agreements with regard to the traffic in women and children, and the traffic in opium and other dangerous drugs."

It will be noted that it is not proposed to abolish the traffic in women and children nor the traffic in opium. But when we go into this arrangement, we are merely going to aid in "supervising" this traffic.

The next provision is:

(d) That the members "will entrust the league with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest."

I commend this provision to Ireland, India, and Egypt, and other peoples subject to Great Britain. Under this arrangement Great Britain will not need to trouble herself about keeping arms out of Ireland or any other of her rebellious Provinces, but the league—including, of course, the United States—will perform this service for her.

The next provision of article 23 is:

(e) That the members of the league "will make provision to secure and maintain freedom of communication and of transit and equitable treatment for commerce of all members of the league. In this connection, the special necessities of the regions devastated during the war of 1914–1918 shall be borne in mind."

It will be noted that according to this provision a nation is no longer to determine for itself what constitutes equitable treatment for its commerce. The members of the league propose to take over that job. It seems that this must involve the regulation of tariffs and international trade agreements, which up to the present time nations have been free to agree upon as their interest might seem to require. But the provision I have quoted, if it means anything, means that the whole subject, if this article goes into effect, will be regulated by the league of nations.

The next and last provision of article 23 is:

(f) That the members of the league "will endeavor to take steps in matters of international concern for the prevention and control of disease."

In connection with this provision, it is well to remember that by the blockade of Russia at the present time by the principal members of this league we are exterminating millions of people, largely women and children, through starvation and attendant diseases.

This is all of the so-called labor articles in the covenant. To pursue this subject further and arrive at the real significance of the labor provisions, it is necessary to turn to Part XIII of the treaty.

Without attempting to state the substance of the 40 long articles in the treaty, which create an international organization to control the labor of the world, I will briefly outline the scheme proposed.

Mr. THOMAS. Mr. President, the Senator from Wisconsin is addressing the Senate upon what I consider the most important part of the proposed treaty, and I ask, in deference to those of us who desire to hear what he says, that we have order in the Chamber.

The PRESIDENT pro tempore. The Chair will endeavor to maintain order.

Mr. LA FOLLETTE. I thank the Senator from Colorado.

Article 387, which is the first of the so-called labor articles, provides for a permanent organization, and that—

The original members of the league of nations shall be the original members of this organization, and hereafter membership of the league of nations shall carry with it membership of the said organization.

Article 388 is as follows:

The permanent organization shall consist of:
(1) A General Conference of Representatives of the Members, and
(2) An International Labor Office controlled by the Governing Body described in article 393.

For convenience, I shall hereafter refer to the above organizations as the conference and as the governing body.

Article 389 provides that the conference shall hold meetings at least once a year and oftener if the occasion requires, and that "it shall be composed of four representatives of each of the member nations, two of whom shall be Government delegates and the two others shall be delegates representing, respectively, the employers and the workpeople of each of the members."

It is nowhere disclosed how the delegates from the United States would be selected, whether by the President, without confirmation by the Senate, or in some other manner.

Article 390 provides that every delegate shall be entitled to vote individually on all matters considered by the conference. By article 391 it is provided that the conference shall be held at the seat of the league of nations, or at such other place as the conference may decide upon. Article 392 provides that the International Labor Office shall be established at the seat of the league of nations as a part of the organization of the league.

We now come to article 393, which provides for the governing body. This body is to consist of 24 persons, appointed in accordance with the following provisions:

The Governing Body of the International Labor Office shall be constituted as follows:
Twelve persons representing the Governments.
Six persons elected by the delegates to the Conference representing the employers.
Six persons elected by the delegates to the Conference representing the workers.
Of the 12 persons representing the Governments 8 shall be nominated by members which are of the chief industrial importance and 4 shall be nominated by the members selected for the purpose by the Government delegates to the Conference, excluding the delegates of the 8 members mentioned above.

The members of the governing body shall hold office for three years. The governing body, by article 394, is to appoint a director of the International Labor Office, which latter seems to be the organ through which the governing body largely functions. The principal duties of the International Labor Office are provided for by article 396 and consist in preparing the program for the conference, collecting and distributing information, and publishing a newspaper in French and English, and such other languages as the governing body may think desirable. Then follow numerous provisions concerning the details of organization immaterial to my discussion.

When the agenda or program, which is settled by the governing body, comes before the conference for action the conference, if it decides on the adoption of any proposal so submitted, will determine whether the proposal shall take the form—

(a) of a recommendation to be submitted to the members for consideration with a view to effect being given to it by national legislation or otherwise, or (b) of a draft international convention for ratification by the members.

I understand the language "draft international convention," as used in the above paragraph, to mean a treaty, which, so far as the United States is concerned, would become effective as a law for this country upon being adopted in the manner provided by the Constitution for making treaties.

It is further provided in article 405 that each of the member States will, if possible, within one year from the closing of the session of the conference, or at most within 18 months, "bring the recommendation or draft convention before the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action."

This means, I take it, that within the periods mentioned the respective Governments of the members of the league would be called upon to concur in or reject the recommendation or draft convention proposed by the conference.

If any member—that is, the Government of any member—of the league, having ratified any draft convention, does not enforce it, it is provided by article 414 that measures "of an economic character" may be taken by the other members against the member so defaulting. What these measures "of an economic character" are, is not specified.

By article 411 it is provided that any member may file a complaint with the Labor Office, charging any other member with nonobservance of any convention which it has ratified, and this sets in motion the machinery provided through a Commission of Enquiry to determine the fact, and if the fact is determined against the defendant member, then the penalty of boycott, embargo, or penalty of other "economic character" may be applied.

A member is not allowed to interpret for itself the labor provisions of this treaty or of any subsequent convention concluded by the members under it, but by article 423 any question or dispute relating to the interpretation thereof is decided by the Permanent Court of International Justice, and by article 417 the decision of the Permanent Court of International Justice on any complaint filed as above stated is made final. The Permanent Court of International Justice referred to in these articles is the court established by article 14 of the covenant of the league of nations.

Article 407 provides an additional method by which a draft convention may become binding upon members, namely, by agreement between certain members to make it effective as between themselves, even though it has not secured the necessary two-thirds vote in the conference to effect its adoption by that body.

I have now given, I believe, briefly but fairly and fully, a statement of the powers and procedure of the organizations which it is proposed to establish by the labor provisions of this treaty. There are, however, two provisions which, I understand, the defenders of the labor articles maintain will prevent possible injury to the cause of labor in the United States. But it has never been claimed by any representative of labor in this country, so far as I am aware, that this portion of the treaty can be relied on to benefit labor in the United States. Certain it is that Mr. Gompers, who presided over the commission which framed the articles, which, in a modified and much changed form, were embodied in the labor provisions of this treaty, has repeatedly stated, as I shall presently show, that he anticipated no particular benefit to labor in this country from these provisions, but expected them to benefit labor in other countries. Now, the provisions to which I refer are found in article 405, from which I have previously quoted. One of those provisions is as follows:

If on a recommendation no legislative or other action is taken to make a recommendation effective, or if the draft convention fails to obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the member.

It is claimed for this provision that if a recommendation or draft convention is offered for ratification in this country and we do not desire to ratify it, we have only to reject it and no obligation rests upon us concerning it. That is true, and it is equally true of every other member; therefore all that the most backward labor country has to do is to refuse to adopt the recommendation or draft convention, and its labor conditions, however deplorable, remain exactly where they were before. So that the best that can be said for this provision is that it nullifies the attempt to elevate labor conditions in the backward countries and brings to naught this whole high-sounding labor scheme and makes useless all this vast international labor machinery provided for in these articles.

But this is not the whole story. These articles are artfully drawn. Why is it provided that the recommendation may be presented to the respective Governments for adoption in two forms, one a recommendation for legislation and the other a "draft convention," to be adopted in such manner as treaties are adopted and made the law of the land?

I take it that any recommendation for legislation made to our Government would take the course of regular legislation. A bill would be introduced, debated publicly, hearings had upon it, discussed in the press, amended, finally passed by both Houses, and signed by the President. In this process the same protection would be given to the interests of labor as is given in the enactment of any other legislation. But in the case of a "draft convention" all this is changed. A "draft convention" is merely a proposed treaty, to be made effective as other treaties are made effective; that is, by concurrence therein of two-thirds of the Members of the Senate present and signature by the President. It would be debated in secret—I have no recollection of any treaty other than the one now under consideration having been debated publicly—and would not go to the more popular branch of the Congress for consideration at all. The reason for the different methods provided by the Constitution for making a treaty and enacting domestic legislation is obvious. Treaties are supposed to regulate intercourse between nations; legislation operates directly upon the rights of the citizen. Treaties, in theory at least, involve technical matters of international law and often secret and confidential matters, which in former times were not made public until ratified. None of these secret practices apply to legislation. I am not arguing that treaties should be considered in secret. I have always contended for publicity, but the method uniformly followed in the consideration of treaties has been one of secrecy. Now, the vice which goes to the very root of all the labor provisions of this proposed treaty is that they provide for the enactment of labor legislation by the secret and undemocratic method by which treaties are made.

Think of the possibility of putting through in the form of a "draft convention" a law against collective bargaining, against strikes, and combinations of labor, without any opportunity for labor to be heard or to resist such legislation!

Ah, but it will be said that there is another provision in this article which will prevent legislation of that sort in this country; and that brings me to the second of the provisions I previously referred to as being relied upon by some representatives of labor in this country to prove that the labor provisions of this treaty, at least, will not injure labor in the United States.

That provision is contained in the last paragraph of article 405, part 13, above mentioned. It reads as follows:

In no case shall any member be asked or required, as a result of the adoption of any recommendation or draft convention by the conference, to lessen the protection afforded by its existing legislation to the workers concerned.

This provision was drafted by Mr. Gompers and adopted by the international commission for labor legislation at Paris, Mr. Gompers leading the fight for it.

Mr. Gompers presided over that Commission. It made the first draft of the labor provisions of this treaty, which were afterwards revised by the plenary session of the peace conference as incorporated in the treaty.

It appears from Mr. Gompers's statement—made at the annual convention of the American Federation of Labor last June—that the work of that commission was a most unsatisfactory experience. In his efforts to make the labor provisions of this treaty a substantial benefit to the cause he serves he was voted down on nearly every proposition he presented.

Defeated, discouraged, baffled, he was on the point of refusing to sign the draft convention as president of the commission.

Evidently he could see nothing of promise in it for the American worker, and he was clearly apprehensive that it might prove harmful to the interests of the wage earners of the United States.

He then sought to shield and protect the labor of this country against the dangers which apparently he regarded as imminent, and he proposed and secured the adoption of the provision which now appears as the last paragraph of article 405, Part XIII, of the treaty before us.

Before it was adopted he says: "I declared that we could not be parties to the covenant as it then stood." He insisted, to quote his words, upon "some provision that would safeguard the rights and interests of the American wage earners."

His experiences in the legislative commission of which he was a member, and over which he presided, in drafting the protocol of the labor provisions of this treaty, had been such that he despaired of any benefit to American labor from it. At the conclusion of the work of that commission he decided that the best service he could render this country, if there were to be these labor provisions in this treaty, was to interpose a barrier between the body erected by these labor provisions and American labor, to prevent that body from striking down the benefits which American labor had secured in a long struggle for its betterment. So he proposed this amendment, and its adoption was really the condition upon which he, as president of that commission, consented to sign these labor articles. It is my purpose, Mr. President, to show how far the amendment falls short of protecting labor in this country.

Now, mark the language that was to safeguard American wage earners:

Mr. WATSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. LA FOLLETTE. I yield.

Mr. WATSON. Before the Senator goes on, I did not quite catch whether or not the Senator quoted the words that Mr. Gompers is alleged to have spoken as being used in the labor convention on the other side, or after it had adjourned, the language in which Mr. Gompers said that he did not hope for anything for the benefit of American labor, and that he insisted on this provision.

Mr. LA FOLLETTE. The language I used, Mr. President, let me say, is taken from the address Mr. Gompers made at the annual convention of the American Federation of Labor held in June last at Atlantic City. In that address Mr. Gompers stated what he said to his associates upon the legislative commission, which made the first draft of the provisions that we have here before us, modified somewhat by the plenary session of the Paris peace conference thereafter. It is the statement that he made to his associates, that he would not consent to sign as president, or to recommend the work of the legislative commission over which he was presiding, unless there was interposed this amendment, that should save the situation as it now exists in this country so far as legislation protecting labor is concerned. He had such an experience as led him to believe that there was nothing progressive, nothing to the advantage of labor, that could come out of the work of that commission, and at the end of the whole matter he finally concluded that if it was to go through at all the best he could do was to interpose a barrier against tearing down and taking away from labor in this country the little that it has already gained in its long struggle to improve labor conditions.

Mr. McCORMICK. Mr. President, will the Senator yield for a question?

Mr. LA FOLLETTE. Certainly.

Mr. McCORMICK. I merely want to ask the Senator if presently he is going to speak upon the possible membership of the conference?

Mr. LA FOLLETTE. I am.

Mr. THOMAS. Not the conference; the governing body.

Mr. McCORMICK. The governing body.

Mr. LA FOLLETTE. I shall take that up.

Mr. McCORMICK. In the governing body it seems to me that oriental powers might be of chief industrial importance.

Mr. LA FOLLETTE. I think before I get through I shall make a complete analysis of the different bodies that exercise power under these labor articles.

Mr. FALL. Mr. President, is it not a fact that after Mr. Gompers left Paris changes were made?

Mr. LA FOLLETTE. It is.

Mr. FALL. And that Mr. Gompers corresponded by cablegram with the President of the United States and received an assurance that there were no material changes that would hurt labor here? Was not that correspondence also directed to the substitution of a word in the labor constitution of this country?

Mr. LA FOLLETTE. I think that is absolutely certain, and I shall deal particularly not with the correspondence but with the change that was made before I get through.

Mr. FALL. And the fact is that the word "merely" was written into the constitution of labor, so that it read that "labor was not merely a commodity"?

Mr. LA FOLLETTE. Yes; after Mr. Gompers's connection with the legislative commission had ceased.

Mr. FALL. That is it.

Mr. LA FOLLETTE. Now, Mr. President, mark the language that was prepared by Mr. Gompers to safeguard American wage earners. I quote:

No member nation shall be asked or required to lessen the protection afforded by its existing legislation to the workers concerned.

But, Mr. President, another provision of this same article, article 405, provides that no member nation can be required to consent to any draft convention or legislative recommendation by the conference.

The paragraphs are not marked numerically, but counting them, and for definite designation, I say the eighth paragraph of article 405, which I have previously quoted in another connection, provides that—

If on a recommendation no legislative or other action is taken to make a recommendation effective, or if the draft convention fails to obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the member.

Manifestly, therefore, it is optional with any member nation of the league to adopt or reject any recommendation of the labor conference, and the word "required" in Mr. Gompers's amendment added nothing to the protection already provided for labor by the eighth paragraph of article 405.

Mr. President, I ought to say, in justice to Mr. Gompers, that I do not know, and I do not believe that any Member of the Senate has any means of informing himself, as to when the eighth paragraph of article 405 was incorporated in the treaty. It may not have been there when President Gompers offered his amendment. It may have been added. It may have been put in by the plenary session of the Paris conference, after it received the report of the legislative commission, over which Mr. Gompers presided, revised it and incorporated it in the treaty. But be that as it may, the last paragraph of article 405, which is paragraph 11, and which embodies Mr. Gompers's amendment made in the Paris legislative commission that drafted in the rough these provisions, provides that no member shall be asked or required to adopt any recommendation made by the legislative conference created by this treaty "to lessen the protection afforded by its existing legislation to the workers concerned."

I have been speaking only of the effect of the word "required" in this amendment. I come now to the word "asked." Mr. Gompers's amendment prohibits the labor conference from even making recommendations that shall lessen the protection afforded to any member nation by its existing legislation. The very first words of his amendment, now the eleventh paragraph of article 405, are:

> In no case shall any member be asked * * * to lessen the protection afforded by its existing legislation—

And so forth.

Does this not clearly demonstrate that Mr. Gompers, enlightened by his "depressing defeats," in the long struggle before the Commission for Labor Legislation at Paris, was fearful that the permanent labor conference created by this treaty would inevitably and habitually assail the advanced position of American labor?

Manifestly he was distrustful of the labor conference, in which we would have only 4 votes to Great Britain's 24, and but 4 votes out of 128, whenever the total vote of the conference is polled.

Think of it! Four American votes contending against 124 foreign votes most regardful of foreign interests.

Hence he sought to guard the labor of this country from even an attempt to deprive it of any protective legislation which it had already secured.

And so, with that grave fear stirring within the clear brain of this veteran leader of labor, he drafted his "safeguarding" amendment, designed to prevent this labor conference from even suggesting to this Government any legislation that should deprive labor of one syllable of its hard-won existing protection.

Mr. WATSON. Mr. President, will the Senator yield or will it interrupt the thread of his argument?

Mr. LA FOLLETTE. In just a moment.

But does it safeguard American labor from the danger of constant attack by the permanent conference which this treaty creates?

Is there not to be found, quietly tucked away among the folds of the numerous articles of Part XIII of this treaty, the deadly joker which may at any time sweep aside this "safeguard" and subject American labor to a direct attack upon its existing protective statutes?

Mr. KING rose.

Mr. LA FOLLETTE. I yield to the Senator from Utah.

Mr. KING. I thank the Senator——

Mr. LA FOLLETTE. However, I will take this up and go into it a little more fully later on.

Mr. KING. Then perhaps the Senator will discuss the point I have in mind?

Mr. LA FOLLETTE. If I do not, I shall be glad to yield to the Senator.

First I direct attention to the self-imposed limitations of this safeguarding provision.

By its terms you will observe that it affords protection to existing legislation only; that is, legislation existing at the time this treaty goes into effect.

But it leaves wide open the door, and by implication invites attack upon any new legislation proposed to be enacted for the further improvement of labor conditions.

Again, what do the words "lessen the protection" to labor mean? Take a single illustration: Would a law preventing strikes lessen the protection to labor? There is a great diversity of opinion upon that subject. Labor contends that such a law would put the wage earner in chains. Capital, as represented by Mr. Gary and his associates, claims that the result of such a law would ultimately afford labor greater protection, and this Congress is now asked to pass a law taking from one of the greatest and strongest labor organizations of the country—the railroad brotherhoods—the right to strike. So it is with the question of collective bargaining, with the right of labor to have some voice in fixing the wages to be paid in the industry in which it is engaged, and so it is with every one of the many measures now being brought forward by one side or the other dealing with the labor question. Neither side admits that the measures it champions will lessen the protection to labor, but each claims that it will increase such protection.

Now, sir, without this treaty and the labor provisions of it, who would determine whether proposed legislation lessened the protection which labor enjoyed under existing law? It would be determined by the Congress and the President as provided in the Constitution. It would be debated in open session of the House and Senate. It would undoubtedly become an issue in national campaigns. All sides would be heard, and eventually the people of the United States would decide it.

By the provision of article 423 of these labor articles, however, this whole matter is taken out of the hands of the people of the United States and is to be decided by whom? By an institution to be established by the league of nations, in which our vote and our influence represents a hopeless minority, and that institution is called the permanent court of international justice.

Listen to the language of article 423, Part XIII:

> Any question or dispute relating to the interpretation of this part of the present treaty—

What part? Part XIII, which contains the 40 labor articles—

> Any question or dispute relating to the interpretation of this part of the present treaty or of any subsequent convention concluded by the members in pursuance of the provisions of this part of the present treaty shall be referred for decision to the permanent court of international justice.

From this court there is no appeal. It would decide whether any recommendation lessens the protection afforded to labor by existing legislation in this country.

Now, then, suppose that a draft convention is adopted by the conference and the delegates from the United States raise the question that it will lessen the protection afforded by our existing laws to labor, and as such they shall not be required to ask our Government to adopt it. What is the result? The answer is plain, for we solemnly agree, if we ratify these provisions as drawn, that a tribunal not of our own choosing, the permanent court of international justice, shall settle that question.

Mr. THOMAS. Mr. President——

Mr. LA FOLLETTE. I yield to the Senator from Colorado.

Mr. THOMAS. Does not the Senator think that article 423, should it become operative, will deprive the Supreme Court of the United States and other tribunals of the constitutional right and duty of determining the constitutionality or the legality of laws affecting the people of this country?

Mr. LA FOLLETTE. Mr. President, I raise that question in the course of my discussion, and I think it is one of the gravest questions with which the Senate is confronted in connection with the provisions of the treaty now under discussion.

Mr. THOMAS. I fully agree with the Senator.

Mr. LA FOLLETTE. We are on very dangerous ground here; dangerous from the point of view of those who believe that labor already has too much, dangerous from the point of view of those who believe that labor is entitled to still further safeguards of its rights. So that from whichever side of opinion the Senators may be led to view this question, it behooves us to consider here, as solemnly as any phase of this treaty, the labor sections of the treaty and the position in which it will inevitably put us. We are bound to remember that effect of these labor articles will be felt all through our industrial life.

I now pass to a consideration of the representation of the various nations in the General Conference.

It has been stated that each nation will have four delegates in the conference. That is true, subject to one exception. The British Empire will have 24 delegates in the conference. The Empire will have 4 votes on its own account and each of the self-governing colonies which go to make up the Empire, namely, Canada, Australia, South Africa, New Zealand, and India, will have 4 more votes each. In addition to these 24 votes it is also fair to assume that Great Britain will exert some measure of control over the 4 votes of Hedjaz.

The President, in his attempt to explain Great Britain's preponderance of power in the league of nations, has been quoted as saying that while she would have six votes in the assembly, she would, like the United States, have but one on the council, and that the assembly is merely an "influential debating society."

This "explanation," from which I wholly dissent, is certainly not applicable to the situation presented in the General Conference. The General Conference created by the labor provisions of this treaty is more than a mere "debating society." It has full power, and is created for the express purpose of taking action which will ultimately and profoundly affect every workingman and woman in the world—and there is nothing in the peace treaty making its action subject to the revision of the council.

Hence the preponderance of British strength in the conference, in which she will have 24 and possibly 28 votes, while the United States and every other nation will have 4, must be considered.

But simply to say that Great Britain will enter the conference with six or seven times the number of votes of any other State would be falling short of the truth. Because she has a large block of votes, Great Britain will win the votes of other States to her support on every roll call—that is the practical side of having that voting strength in convention—just as States like New York, Pennsylvania, and Illinois, in our national conventions, by the very fact that they are strong, win additional strength through the support of small States, of inconsequential strength, which see the possibility of winning favor by adhering to the powerful.

Furthermore, in view of the present state of our international relations with Italy, Japan, and other nations, is it not possible that those countries and others like them will be more likely to vote with Great Britain than with the United States, particularly on questions of labor policy, in which their standards are nearer those of Great Britain than our own?

Mr. President, I impute bad motives to no nation; but all nations will be influenced by self-interest.

Should an occasion arise in the General Conference in which the interests of Great Britain and those of the United States were in conflict—and no Senator will deny a multitude of such occasions are likely to arise—I assume that Great Britain will choose to serve her own interests rather than those of the United States.

Mr. President, it is generally conceded, I believe, that the industrial and commercial strength of a nation, and its ability to compete with other nations for the world's trade, depends, in the final analysis, upon the intelligence and skill of its workmen.

The intelligence and skill of the workmen, in turn, depend to a large extent upon their standard of living; that is, the conditions of labor under which they work.

Assume that the General Conference has under consideration a proposal affecting the conditions of labor in the United States. Assume that the proposed recommendation or draft convention has for its object the improvement of conditions of labor in this country, and hence the strengthening of this Nation as a competitor for the world's trade. Is it not conceivable that Great Britain, as the leading competitor of the United States, might withhold its support from such a provision? Is it not, indeed, conceivable that she might lend her support to provisions which would gradually undermine the present supremacy of this country in the conditions afforded our workers—all perfectly in accord, mark you, with the ultimate aim stated in the labor articles of the proposed treaty: The securing of "fair and humane" conditions of labor throughout the world and the making of those conditions uniform?

Another feature of the make-up of the General Conference is noteworthy.

In choosing its representatives, each nation is required to name one delegate representing the workers, one representing the employers, and two representing the Government as such.

We have just witnessed the gathering of a conference to consider these important questions organized somewhat upon those lines, and we have witnessed the disaster which resulted from it.

I am going to assume now that those selected representing the public interest will be neutral as between labor and capital, though I think that is a pretty strong assumption in the face of some experiences we have had lately. In the case of a delegation selected by the President composed of members supposed to represent the public interest who have affiliations with the United States Steel Trust and with the great centralized monopolies of the country, I question just a wee bit whether they would be absolutely neutral as between labor and capital; but I start out on that assumption for a hypothetical case that I am going to present to the Senate. Let us assume the facts justify the assumption that the Government delegates from the United States will be neutral; but will the Imperial Government of Japan, in which country labor has few rights and practically no organization, select delegates who will be fair and impartial in their attitude toward labor? Will the Government delegates appointed for Belgium, Portugal, or Italy be amenable to the influence of the workers of their lands or to the influence of the bankers, exporters, and the powerful few of their respective countries? Is it not likely, in fact, that even the delegates selected to represent labor in many of the nations which will be members of the league will be subject to the latter influences? I am unable to understand by what system of interpretation or by what method of logic the advocates of this treaty contend that the labor delegate from the United States will be given an intelligent and sympathetic hearing in the General Conference. On the contrary, it is my earnest conviction that the American delegates to the conference provided for under this treaty, like the American delegates on the commission which framed this section of the treaty at Paris, will find themselves perpetually in a hopeless minority, unable to secure the passage of measures they believe to be beneficial and unable to prevent the adoption of measures they believe to be injurious.

I have said that no labor leaders in this country have claimed for this section of the treaty that it is likely to benefit labor in this country. The President, however, has predicted that American labor will reap many benefits from its adoption, and many Senators, taking literally the prophesy of the Chief Executive, have expressed fear lest these betterments should be of such magnitude that they should smack of the forbidden fruit of Bolshevism. After studying the make-up of the General Conference, and after considering the fact that the United States will be represented in the conference by only 4 votes out of a total voting strength of 128 votes, I neither join in the prophesy of the President nor share in the fear of certain Members of the Senate.

And I am strengthened in my independent judgment when I contemplate this possibility: Suppose the conference should adopt a recommendation or convention regarded as a boon to labor, and if such action should be made effective by legislation or ratification, labor in this country would have no redress in case such beneficent measures were not enforced. It is provided by articles 409 and 410 that labor organizations may protest against such nonenforcement, but the publication of the complaint and of the explanation of the defaulting Government, made in answer to the complaint, is the only "redress" provided for labor.

In marked contrast to this provision of the treaty, granting to labor the mere shadow of redress in case of injury suffered, is the opportunity afforded to other nations, when their own selfish interests dictate, to hold the United States to strict compliance with the provisions of draft conventions when once ratified by this Government.

I have already called attention to article 411, which provides that "any of the members shall have the right to file a complaint with the International Labor Office if it is not satisfied that any other member is securing the effective observance of any convention which both have ratified in accordance with the foregoing articles."

I have referred to the fact that a commission of inquiry, composed of three representatives of foreign nations, may, at its discretion, call upon every member of the league to enforce measures of an "economic character" against any defaulting nation. The only appeal from the action of the commission of inquiry lies to the court of international justice, and from the decision of this court there is no appeal.

Mr. President, I call the attention of the Senate to the dangerous possibilities wrapped up in this proceeding.

A hypothetical situation, which might easily arise, brings home the full effect of this provision.

Suppose that a Democratic administration in this country should ratify a draft convention of the General Conference which took from labor the unrestricted right to strike. Assume that the workers of this Nation immediately inaugurated a campaign which ended in driving from power the Democratic administration that approved that legislation. Assume that the Republicans were given control of the Government. If that Republican administration, elected by the people of the United States upon this issue, then refused to enforce the provisions of the convention, any foreign Government might thereupon file a complaint against our Government, and by the economic penalties provided in this treaty force the United States to comply with the provisions of the convention against the will of the American people as expressed at the polls.

To those Senators who would welcome a law restricting labor's use of the strike let me suggest that this situation would hold equally true if the law in question dealt with an entirely different subject in a manner entirely distasteful to them.

My point is that, regardless of the particular law involved, this article of the treaty not only takes from the American people the right to determine what laws they shall have upon their statute books, but by giving to an extranational authority the right to enforce laws within our territory it strikes at the heart of our sovereignty as a Nation.

Chief Justice John Marshall, in the case of Schooner *v.* McFadden (7 Cranch, 116, 136), delivered an opinion peculiarly applicable to this situation. He said:

The jurisdiction of the nation within its own territory is necessarily exclusive and absolute. It is susceptible of no limitation not imposed by itself. Any restriction upon it, deriving validity from an external source, would imply a diminution of its sovereignty to the extent of the restriction and in investment of that sovereignty to the same extent in that power which could impose such restriction. All exception, therefore, to the full and complete power of a nation within its own territories must be traced to the consent of the nation itself. They can flow from no other legitimate source.

Mr. President, this whole international structure is so obviously beyond the contemplation of the Constitution of the United States, which granted certain powers to the Government and expressly reserved all power not so delegated to the States and to the people, that I shall not dwell upon that phase of the subject. But the extent to which this provision of the treaty conflicts with our Constitution is startling. Imagine a situation in which the United States Senate should ratify a draft convention affecting labor policies in the United States. If the Supreme Court of the United States should decide that such action was unconstitutional, and if a member of the league of nations which had joined with us in the convention should, nevertheless, insist upon our enforcing its provisions, we would then be confronted with the alternative of abandoning our Constitution as interpreted by the Supreme Court or suffering the economic penalties which would immediately become operative against us.

I am impressed with another phase of this section of the treaty which is alien to the principles of democratic government.

These two international bodies—the General Conference and the Governing Body of the International Labor Office—will be free from any sort of democratic control. Unless our whole system of government by election is based upon a misconception, these two bodies will be unresponsive to the will of the people, and therefore ready instruments for oppressing the people.

The General Conference will be made up entirely of delegates selected by appointment, in which an arbitrary number of delegates will represent each nation, irrespective of population—Siam, Hedjaz, Portugal, and countries of similar size having equal representation with the United States. The Governing Body will be even further removed from the people. Its members will be chosen by the delegates in the conference, this selection constituting a redelegation of delegated power. The physical inaccessibility of these two bodies, meeting at Geneva, far removed from the masses of the population of the nations for whom they will legislate, intensifies their undemocratic character.

The possibility of labor actually initiating legislation under such circumstances is well-nigh hopeless. Labor delegates in the conference will even be denied the opportunity of bringing up pressing problems for consideration. The Governing Body, be it remembered, prepares the agenda for the conference. Should a delegate in the conference choose to have other matters included in the program of the conference, he must first muster a two-thirds vote of the conference; and it is then provided, under article 402, that "that subject shall be included in the agenda for the following meeting."

Thus labor, dissatisfied with the agenda prepared by the Governing Body, will be powerless to secure prompt consideration on even the most pressing matters.

Mr. President, I come now to section 2, article 427, of the portion of the treaty devoted to labor.

This section has been referred to by the President as "labor's charter." In my judgment, this portion of the treaty sheds a flood of light upon the whole scheme for regulating labor conditions throughout the world, and indicates the impossibility of reconciling such an undemocratic scheme with American principles.

With such broad grants of power as I have indicated, we might expect here, as in the Constitution of the United States, a "charter" or "bill of rights" limiting the abuse of that power and boldly proclaiming the inherent rights which must be reserved unimpaired to the working people of the world, and which must be taken as the first premise in any system of regulation.

But in this section of the treaty I find nothing remotely suggesting the Bill of Rights of the American Constitution.

In this section of the treaty, purporting to protect the interests of the working men and women of the world—which, of course, embraces the great mass of humanity—there is no provision that slavery shall not exist. On the contrary, such an article was voted down by the commission which framed this portion of the treaty.

There is nothing in these articles which recognizes the unqualified right of labor to organize and to make that organization effective by the legitimate use of its industrial weapon, the strike.

There is nothing in these articles insuring to the worker the rights of free speech, a free press, and the right of free assemblage, without which he is helpless.

Were these fundamental human rights omitted because they were taken for granted as the rights of free labor, or because the commission which drafted the labor articles did not feel that they could with propriety be included in such a charter?

No; quite the contrary. Mr. President, they were left out as a matter of principle by those who were framing this document as we have it in its final form. They were deliberately rejected when the Commission on International Labor Legislation, which drafted this portion of the treaty, refused to accept these fundamental declarations of rights when proposed by the American delegates to that body.

Oh, sir, that fact ought to proclaim to Senators here and to the workers of the United States in every field of industry the danger of binding up their interests with any body of superior voting strength and power representing the same strong foreign governments which rejected these elementary principles of freedom.

This commission met at Paris as a part of the peace conference. It was composed of two representatives from each of the five great powers and five representatives elected by the other nations represented at the peace table.

That is the body of men who drafted the labor provisions of this treaty, the so-called "charter of liberty" for labor. They passed their work on to the peace conference which, in plenary session, made some further changes in it, and it comes here as they left it.

Now, let us see what took place. I think it is all very instructive. I think it forecasts what is likely to take place in the permanent labor conference to be erected by this peace treaty if it is ratified.

Mr. Samuel Gompers, president of the American Federation of Labor, and Mr. H. M. Robinson, acting for President E. N. Hurley, of the American Shipping Board, were the representatives of the United States appointed by the President on this commission.

I quote the "Bill of Rights" offered by the American delegation for adoption by the commission on international labor legislation:

The high contracting parties declare that in all States the following principles should be recognized, established, and maintained:

1. That in law and in practice it should be held that the labor of a human being is not a commodity or an article of commerce.
2. That involuntary servitude should not exist except as a punishment for crime whereof the party shall have been duly convicted.
3. The right of free association, free assembly, free speech, and free press should not be denied or abridged.
4. That the seamen of the merchant marine shall be guaranteed the right of leaving their vessels when the same are in safe harbor.
5. That no article or commodity should be shipped or delivered in international commerce in the production of which children under the age of 16 years have been employed or permitted to work.
6. That no article or commodity should be shipped or delivered in international commerce in the production of which convict labor has been employed or permitted.
7. It should be declared that the workday in industry and commerce should not exceed eight hours a day, except in case of extraordinary emergency, such as danger to life or to property.
8. It should be declared that an adequate wage should be paid for labor performed, a wage based upon and commensurate with a standard of life conforming to the civilization of the time.
9. That equal wages should be paid to women for equal work performed.
10. That the sale or use for commercial purposes of articles made or manufactured in private homes should be prohibited.

Was this draft proposed by the American delegates as a bill of rights written into the peace treaty? It was not. The fight which was waged over this section of the treaty marked the first conflict between American principles and the Old World conception of the rights of labor, which will dominate the General Conference and outvote the United States in that General Conference just as our delegates were outvoted in the Commission on International Labor Legislation at the Paris conference.

With Samuel Gompers presiding over the Commission on International Labor Legislation, and with the representatives of but 10 nations to contend against, the Americans were beaten on every important point for which they fought.

In his report to the thirty-ninth annual convention at Atlantic City, N. J., on June 20, 1919, Mr. Gompers described the struggle. He said:

The contest that I had to make and felt impelled to make was one of the most depressing, and was almost crushing in character. * * *

Now, I can say this to you, that I was never placed in all my life in such an awkward and uncomfortable position as I was for nine-tenths of the time that I was presiding over the International Commission on Labor Legislation. I was elected by unanimous vote to its presidency, and immediately found myself in a minority, a minority upon nearly every proposition that I had submitted. * * * We had 37 sessions, lasting from four to six hours and sometimes longer. Presiding there, fighting there, opposed and defeated in nearly every proposition that I had submitted, where the recognition of labor would be greater than was accepted by these other delegates, I found myself continually depressed, though fighting on and on until the last moment.

The rejection of the bill of rights submitted by Mr. Gompers and his colleague, Mr. Robinson, in the Paris convention is a matter of history.

The second principle, the thirteenth amendment of the Constitution of the United States—prohibiting human slavery—was stricken out, the Right Hon. G. N. Barnes, M. P., the British representative, leading the opposition.

The third principle, guaranteeing the right of "free association, free assembly, free speech, and free press," was also defeated.

The fourth principle, emancipating seamen from involuntary servitude, as passed by the Congress of the United States in the seamen's act, was promptly voted down.

Mr. McCORMICK. Upon British initiative?

Mr. LA FOLLETTE. Certainly; upon British initiative. The United States and Cuba voted for the American principle. All the other delegates, under the leadership of Great Britain, voted against it.

Mr. FRANCE. May I ask the Senator whether the clause relating to a free press and free speech was cut out at the instance of this Government?

Mr. LA FOLLETTE. It was presented by the delegates from this Government, who strongly supported it.

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

Mr. LA FOLLETTE. Certainly.

Mr. McCORMICK. Is there any record to show upon the initiative of what power the rights of assembly and association and of free speech were stricken out?

Mr. LA FOLLETTE. I am not in possession of any, I will say to the Senator from Illinois, but I am assured of my facts in stating that Great Britain led the fight against many of the provisions that the United States delegates to the legislative commission proposed.

Mr. NORRIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. LA FOLLETTE. I do.

Mr. NORRIS. If I may ask the question, does the Senator get his information from the address of Mr. Gompers?

Mr. LA FOLLETTE. I get it in part from the address of Mr. Gompers, and I get it from others who were present during the sessions of the Commission.

Mr. NORRIS. I am asking the question, because I presume that the Senator has made an attempt, at least, to get what happened before the particular organization that framed this part of the treaty.

Mr. LA FOLLETTE. I have made that effort.

Mr. NORRIS. Was the Senator able to get a copy of the minutes or of the records in any way?

Mr. LA FOLLETTE. No, indeed, Mr. President. We are denied the records with respect to any provisions of this treaty.

Mr. NORRIS. I know we have been denied information as to other provisions, but I was wondering if there was any way in which publicity could be given to what actually took place. It seems to me the question suggested by the Senator from Maryland [Mr. FRANCE] is very pertinent; that is, who initiated the objection to and opposed putting into this particular part of the treaty the provision in regard to free speech and a free press, that most people everywhere in civilization regard as one of the fundamental corner stones of human liberty. It would be interesting to the entire world if we could know just what that discussion was and through what influences that provision was kept out of the treaty.

Mr. LA FOLLETTE. It would be very, very interesting, Mr. President; just as it would be interesting for us to know, and as I think it is vital for us to know, to what extent we are committing ourselves in voting for or against the provisions of this treaty without having before us all of the minutes showing the interpretation put upon the different provisions of the treaty by those who made it, and without having the many agreements that are related to the treaty we are being driven to pass upon, some of which are being made as we sit in session here now.

With reference to the matters connected with the sessions of the legislative commission that framed this first draft, I have been compelled to forage in such communiqués as were given out; I have been compelled to resort to the newspapers and the magazines, and even to get such assistance as I could from personal reports of those who were in Paris at the time, and who were either in the commission itself or in constant interchange of information with those who were in the commission. So that so far as I state any facts here, I have verified the accuracy of them and give them upon my own responsibility.

Mr. NORRIS. I did not question the Senator's statement. I do not want the Senator to get that idea. I did not doubt but what he had verified every statement he made; but it seemed to me it would be enlightening and throw a flood of light on this question if there were any way by which we could have complete publicity of the discussions that took place and have publicity in regard to the representatives of the various nations who prevented, for instance, the adoption of the clause providing for free speech and a free press.

Mr. KENYON. Mr. President——

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

Mr. LA FOLLETTE. I do.

Mr. KENYON. The Senator commenced his discussion of these various propositions, as I understood him, with No. 2. I was wondering if he was going to say anything about the first. I am anxious to know how it happened that the particular language was used that "labor should not be regarded merely as a commodity or article of commerce."

Mr. LA FOLLETTE. I shall come to that, and account for that a little further on.

I think I had stated, Mr. President, that the third principle, guaranteeing the right of free association and free assembly, free speech, and a free press, was also defeated.

Mr. NORRIS. I think the Senator referred to that, and I got the idea that he or the Senator from Maryland [Mr. FRANCE] said that the principle which the Senator has just now stated had only two votes, and that they came from our country.

Mr. LA FOLLETTE. I am not able to give the number of affirmative votes.

Mr. NORRIS. Is it true that the opposition to putting that clause in was led by the representatives of Great Britain?

Mr. LA FOLLETTE. I am not able to answer that question.

Mr. NORRIS. I have heard that statement made. I do not know whether it is true or not.

Mr. LA FOLLETTE. I know that the opposition to the adoption of the thirteenth amendment to our Constitution as one of the declarations of the bill of rights was led by the British representative.

Mr. NORRIS. That is the provision in regard to slavery?

Mr. LA FOLLETTE. Yes, sir. The opposition was led by Mr. Barnes.

The provisions against sweatshop labor and convict labor were rejected. The article providing that children should not be employed under the age of 16 years was changed by this commission to apply to children under the "age of 14 years." I will state shortly what ultimately happened to that provision after it got into the plenary session of the peace conference.

Thus, mangled and torn, stripped of their most vital clauses, the American principles finally emerged from the hands of the commission ready to be submitted at the plenary session of the peace conference.

The American labor representatives meanwhile left Paris. In the absence of Mr. Gompers and the other American labor delegates, who had fought desperately for the American principles, the commission was again called into session, and the sole article which the Americans had succeeded in putting through unimpaired was mutilated and robbed of its force. On motion of the British delegates, acting at the suggestion of Sir Robert Borden, premier of Canada, the word "merely" was inserted in the first article of the "charter." As adopted after the prolonged fight waged by Mr. Gompers the article had read, "Labor should not be considered a commodity or article of commerce."

That is as Mr. Gompers proposed it. But after Mr. Gompers and his associates had left Paris, and after they supposed the work of the commission was concluded, it was again brought together, and in their absence it was amended, and as amended by the commission, after the departure of Mr. Gompers, the article was made to read:

> Labor should not be considered merely a commodity—

And so forth.

This change negatived the whole meaning of the article and if accepted by the United States in this treaty will supersede the principle adopted in the Clayton Act.

The commission's draft of the labor articles was submitted to the plenary session of the peace conference and adopted April 28, 1919.

Mr. KENYON. Before the Senator gets away from that, does the Senator know why the word "merely" was put in; why that principle which we have enunciated here in statutes was not carried out?

Mr. LA FOLLETTE. Only by inference. The Senator will have to draw his conclusion, as I draw mine. Of course, it would have been actually better to leave it all out than to have put it in with that qualification.

Mr. KENYON. Of course, that is a statement of fact—that it is a commodity of commerce.

Mr. LA FOLLETTE. Certainly.

I come now to what the plenary session of the peace conference, of which the President was a member, did to this charter for labor after it got into its hands.

The plenary session went even further than the commission in rejecting the American principles. After accepting, in substance, the draft offered by the commission, the plenary council took the real heart from the child-labor article by striking out the definite age limit of 14 years set by the commission.

As proposed by our delegates, Senators will remember, this article fixed the age limit at 16 years. The legislative commission reduced it to 14 years, and passed it on to the plenary session of the peace conference, of which the President was a member, and there they wiped out the age limit altogether.

With these changes the "labor charter" was written into the peace treaty—and there it stands to-day, shorn of every American principle and falling short in every one of its nine articles of the rights long since won, and enjoyed to-day, by American workmen.

Finally, Mr. President, we find this "charter" preceded by a preamble, which makes it plain that the ultimate object of the labor section of this treaty is to secure "uniformity in the conditions of labor" throughout the world.

By ratifying this treaty we pledge our aid in working toward that uniformity on the alien principles set forth in this charter.

I am not willing to exchange for this charter, glittering with ornamental and seductive phrases, but lacking the virtue of plain and honest statement, the bold assertion of human rights embodied in the Constitution of the United States. I am not willing to exchange the common heritage of American citizens, won more than a century and a quarter ago, and since augmented and preserved at the cost of infinite effort and sacrifice, for a charter which expressly denies those human rights and stands in this treaty a monument to the defeat of American principles at Paris.

Mr. President, what is the broad significance of these labor provisions?

The practical effect of setting up international machinery of this kind is to crystallize the present industrial conditions and to perpetuate the wrong and injustice in the present relation existing between labor and capital.

As a substitute for natural evolution, which over a period of centuries has been bringing more and more recognition of the rights of labor, this treaty of peace sets up an arbitrary, artificial organization, clothed with definite powers and restricted by vague limitations, which has for its ultimate object the maintenance of the present system of a completely centralized control of industry. As stated in the preamble of the so-called "labor charter," varying conditions throughout the world make "strict uniformity in the conditions of labor difficult of immediate attainment"—but uniformity is the ultimate aim.

In working toward uniformity, there will be a general leveling process, which will inevitably destroy this country's present position of leadership in the struggle to gain further advantages for the great mass of workers.

It is my conviction that such a body as the General Conference, undemocratic as I have shown it to be, and with no direct contact with the masses of the people, armed with the immense prestige and moral force of international authority, will lay a restraining hand upon any efforts which may be made in America and elsewhere in the interests of the workers.

I am aware that the American Federation of Labor, meeting a few weeks after the adoption of the labor articles at Paris, gave its indorsement to the treaty, upon the appeal of Mr. Gompers.

But Mr. Gompers before the American Federation of Labor had been placed by the President in much the same position as the United States Senate, where the whole treaty as brought back from Paris must be accepted or the gravest responsibilities assumed in rejecting it.

In the adoption of this section of the treaty as it stands there is at least one source of immediate menace.

Mr. President, should labor in this country contend for a new concession, and by educating public opinion make it possible to secure action from Congress, will not the fight be carried by the opposition into the General Conference set up by this treaty?

Take, for example, the seamen's act, which was passed by Congress after 21 years of agitation.

This act, on the face of it, affects every nation in the world directly or indirectly, and since its passage in 1915 our State Department has been urged by Great Britain to alter its provisions or to curtail its enforcement.

I am tempted, of course, to turn aside and to lay before the Senate at this moment the tremendous benefits being wrought out month by month for the advancement of a merchant marine that will put America in the front rank of the maritime nations of the world, but I content myself with saying that many of the then strongest opponents of the seamen's act are now among its strongest advocates. I bring it forward as an illustration of what will happen to any suggestion for advanced legislation which directly or indirectly affects labor.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER (Mr. WOLCOTT in the chair). Does the Senator from Wisconsin yield to the Senator from Pennsylvania?

Mr. LA FOLLETTE. Certainly.

Mr. KNOX. May I ask the Senator from Wisconsin a question? I listened with the greatest interest to his speech until I was necessarily called out of the Chamber, at the time he was discussing the last clause of article 405. providing that—

> In no case shall any member be asked or required, as the result of the adoption of any recommendation or draft convention by the conference, to lessen the protection afforded by its existing legislation to the workers concerned.

I did not understand if the Senator indicated whether the words "existing legislation" had reference to legislation in existence at the time of the exchange of ratifications of the treaty or legislation existing at the time the proposition affecting workers might have been created. I am very anxious to know what the Senator's view is on that point.

Mr. LA FOLLETTE. It is my opinion that it would clearly mean legislation existing at the time of the exchange of the ratification of the treaty. That, I believe, would fix the interpretation of that provision. I should be very glad indeed to have the opinion of the Senator from Pennsylvania upon that subject.

Mr. KNOX. Unfortunately the Senator from Pennsylvania has not given this clause of the treaty the thought and study that the Senator from Wisconsin has given to it. I am only anxious to obtain the Senator's view; that is all. I have no disposition to challenge it in any respect.

Mr. LA FOLLETTE. Oh, no; I understood.

Mr. KNOX. I can see that there can be much said in favor of the proposition, although I am frank to say that I can see something to be said upon the other side.

Mr. LA FOLLETTE. That may be true. I present it as the matter appears to me. I may be in error about it, but be that as it may, it would still operate as a limitation.

If the seamen's act were introduced to-day, it would, in all probability, be referred to the General Conference, there to be considered by the representatives of thirty-odd nations.

Organized labor of America would then have the task of educating these representatives, acting for nations which are commercial competitors of the United States, and who would not be blind to the fact that the seamen's act would result, as it already has, in the building up of a merchant marine as an additional commercial advantage to this country or in advancing very rapidly along that course.

I am reminded, Senators, of the history of one phase of the long struggle to secure the seamen's act. That struggle began in 1894 and extended over a period of some 21 years. When it seemed that ultimate success was to come as a result of that long and persistent campaign, those who were opposed to the passage of the seamen's law brought about very much such an international conference, as is proposed here, as means of preventing that legislation in this country.

One of the high officials of this Government, who had through several administrations been the chief obstacle to the passage of the seamen's act—I refer to Mr. Chamberlain, Commissioner of Navigation—was instrumental in bringing about what was known as an "International Conference for Safety of Human Life at Sea," which was held in London. It assembled, I think, in November, 1913. In October, 1913, we had passed the seamen's act through the Senate. It was morally certain that it would become a law. It had been passed, though not in its present form, during the Taft administration, and suffered a pocket veto. But when the opponents of the seamen's act foresaw that they would be defeated and that the law would be written upon the statute books, they set in motion the machinery for an international conference. They knew that Great Britain would dominate that conference. They knew that she was opposed to the seaman's bill. And they relied upon that conference to make recommendations which would be prejudicial to the passage of the seamens' act in this country. That is precisely what happened. In the closing hours of the Congress, which terminated on the 4th of March, 1913, there was an intense struggle by the opponents of the seamen's act, who sought to push the London conference treaty through the Senate and have it ratified before the seamen's act could be passed and reach the President for his approval, and it was only by the

accidental fact that a quorum was absent at a time when the treaty might possibly have been concurred in that the seamen's bill passed Congress and was approved by the President before any action was had upon the London treaty.

Mr. LODGE. That was 1913, was it not?

Mr. LA FOLLETTE. Yes.

Mr. LODGE. The Senator said 1915. I thought it was 1913. The pact of London was before the war.

Mr. LA FOLLETTE. Yes.

Mr. NORRIS. It was 1913.

Mr. LA FOLLLETTE. Yes; certainly. It was 1913.

Is it contended that the 24 delegates of Great Britain would join with the 4 delegates from the United States in support of such a measure?

Indeed, it is not possible, with the seamen's act already on our statute books, that the General Conference may take action which will restrict its operation? The friends of the seamen's act in the United States, after spending 21 years in securing its adoption, and after seeing the Commission on International Labor Legislation reject the principle of the act, although it had the indorsement of American labor, fear just this contingency.

Mr. President, I have no doubt that the interests of the millions of men and women in industry are endangered by the provisions of the labor articles. But the effect of these articles does not stop with one class of our population. This section of the treaty, if it is accepted by the Senate as it stands, will profoundly affect our fundamental political institutions, and through them its influence will be felt by every man, woman, and child in the United States.

Whatever difference of opinion may exist as to the interpretation of the labor provisions of the treaty, no man can deny: The labor articles of this treaty set up an international legislative body, undemocratic in character, which has broad power to reach out into the internal affairs of this country, and which would be able to mass the weight of aggregate world pressure behind its program of legislation and write that program into our statutes against the unorganized will of the American people. I mean by that that the weight of the recommendation of the international body brought to bear upon Congress itself might be the means of putting through legislation against the will of the American people.

Mr. GRONNA. Mr. President——

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

Mr. LA FOLLETTE. Certainly.

Mr. GRONNA. Speaking of friends of the seamen's act, I wish to say to the Senator from Wisconsin that I had the privilege of listening to an address made by Mr. John H. Rossiter, who, I understand, is one of the men best qualified to speak upon the question of shipping. He stated that the seamen's act met with his unqualified approval. He said it was indispensable to the success of American shipping. So it is not only labor, I will say to the Senator, that begins to recognize what the seamen's act is doing not only for labor but for those who have their money invested in shipping.

Mr. LA FOLLETTE. I will ask the Senator from North Dakota to state, in that connection, what interests Mr. Rossiter represents and what his standing is in the world of commerce.

Mr. GRONNA. Mr. Rossiter was a member of the Shipping Board during the war, as I understand it. He is manager of large shipping interests on the Pacific coast. I have been told that he is one of the best—if not the best—posted men of the world on the question of shipping. They have hundreds of millions of dollars invested in the business of shipping.

Mr. LA FOLLETTE. I will ask the Senator, before he takes his seat, if it is not a fact that Mr. Rossiter, like a great many others of those who represent large investments in steamship lines, was originally very much opposed to the seamen's act?

Mr. GRONNA. Oh, yes.

Mr. LA FOLLETTE. And I will ask the Senator if he made any statement in that connection touching that point?

Mr. GRONNA. He went into detail and stated that before the bill was passed he was very much opposed to it; but, after having seen what the law has accomplished for our merchant marine, he has changed his mind. He now says he is willing to go further than the La Follette Seamen's Act goes, and that the law is not only in the interest of labor but it is in the interest of American shipping. I am simply bringing this to the attention of the Senate, because I know it has often been argued here that the law was detrimental to the American shipping industry.

Mr. LA FOLLETTE. I thank the Senator from North Dakota for making that contribution.

Mr. President, in our modern era of a highly organized industrial society, the movement for democracy in industry is tending to supersede at many points the old struggle for political democracy.

Competition between business men and manufacturers, which tended to lower prices and increase wages, has wholly disappeared. All the basic industries of the Nation and most of the subordinate industries have passed into the control of small groups of men. Their power is absolute, and they increase prices and lower actual wages at will.

The great mass of the people, meanwhile, have become wage earners, employed in industry. With these fundamental changes, the battle line in the struggle runs through the industrial life of the entire Nation.

By the labor section of this treaty we are giving to an international body—a superlegislature—an entering wedge through which it may intervene in the settlement of our industrial affairs.

At the very point where the fight for real democracy is most heated, where action is fraught with the most vital consequences to the mass of the American people, the treaty sets up an international body which has full authority and power to act.

Mr. President, I can not consent to that grant of authority and power. Believing, as I do, in democratic principles; believing that the best results in legislation and government are obtained when those who legislate are in closest touch with, and elected directly by, the people; believing, in other words, in the wisdom of the principles written into the American Constitution, which must be preserved if we are to save our free institutions; believing, finally, that America's best gift to the world and most effective aid to the cause of labor throughout the world would be the example of the perfection of our own democracy, unhampered and unrestrained by outside influences; believing, sir, these things, I shall move to strike out the labor articles of this treaty.

I thank the Senate for its attention.

Mr. GRONNA. 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:

Ball	Gay	Knox	Robinson
Bankhead	Gore	La Follette	Sheppard
Borah	Gronna	Lenroot	Shields
Brandegee	Hale	Lodge	Smith, Ariz.
Calder	Harding	McCormick	Smith, Ga.
Capper	Harris	McKellar	Smith, S. C.
Chamberlain	Harrison	McNary	Smoot
Culberson	Henderson	Moses	Spencer
Cummins	Hitchcock	New	Swanson
Curtis	Johnson, Calif.	Norris	Thomas
Dial	Johnson, S. Dak.	Nugent	Trammell
Dillingham	Jones, N. Mex.	Overman	Wadsworth
Edge	Jones, Wash.	Owen	Walsh, Mass.
Elkins	Kellogg	Page	Walsh, Mont.
Fall	Kendrick	Penrose	Williams
Fernald	Kenyon	Phelan	Wolcott
Fletcher	Keyes	Phipps	
France	King	Pomerene	
Frelinghuysen	Kirby	Ransdell	

The PRESIDENT pro tempore. Seventy-three Senators have answered to their names. There is a quorum present.

The question is upon the amendment proposed by the Senator from Tennessee [Mr. SHIELDS] to the amendment of the committee.

Mr. HITCHCOCK. On that I ask for the yeas and nays.

Mr. FALL. Mr. President, I had not intended to say anything upon this amendment, but I feel so strongly upon the subject that I am going to occupy the time of the Senate briefly with no prepared speech, but to offer a few remarks emphasizing some of the things I have said heretofore in the Senate.

The question now at issue, as to the equal voting powers or privileges of the nations under the proposed league of nations, is one of the concrete questions proving, to my mind, the classification of the character of the treaty which we are requested to enter into, and by its very nature emphasizing the conclusion at which I long since arrived, that the Senate has no power whatsoever to enter upon this treaty at all; that the President had no power or authority to negotiate it; that it is unconstitutional; and that if it comes before the Supreme Court of the United States in any of its phases, as inevitably it will, it will be so declared, in my judgment.

I have made an attempt at a legal argument upon this proposition once before. I do not intend to rehearse or rehash what I said at that time, but merely to call attention to the line of argument and the conclusions which I drew.

I called attention at that time to the fact that under the articles of confederation we had entered into two treaties, known as the treaties with France, the one a treaty of amity and commerce and the other a mutual treaty of alliance, offensive and defensive. I called attention to the fact that trouble had

arisen over these treaties prior to the action of the Constitutional Convention framing the Constitution under which this treaty is now submitted for the consideration of the Senate.

Of course when I use the word "treaty" here, I refer to the entire instrument, including the covenant of the league of nations, and it is to that portion of the treaty that I am directing my remarks.

I then called attention to the historical fact that already, under the declarations of Washington, as shown in his letters to Pinckney and to Henry when he asked Henry to take the position of Secretary of State after the resignation of Randolph, and under the declarations of our other statesmen of that time, we were entering upon the American policy of "no entangling alliances."

I called attention to the fact that by Article IX of the Articles of Confederation it was specifically provided that the United States of America could enter into treaties, compacts, and "alliances."

I then called attention to the fact that in the adoption of the Constitution of the United States the States are prohibited from entering into treaties, compacts, and "alliances."

I called attention at that time to the fact that there were different classifications of treaties laid down by all the writers upon the subject.

I called to your attention the fact that the international law writer of all ages, Vattel, was a contemporary of Thomas Jefferson, who knew him in Paris. You will find Vattel referred to and cited again and again in Jefferson's works, as you will find citations to him as an admitted authority in the declarations upon international law of practically every father of this country.

Vattel had commented upon all the works on international law issued up to his day. He is a recognized authority now in every civilized country upon the globe upon international legal propositions. Jefferson, as I understand, knew him personally, and, as his writings, letters, and speeches show, he read him constantly and relied upon him.

I then commented upon the fact that, excluding the definitions which had been given by Article IX of the Articles of Confederation and excluding the definition in the limitation upon the power of the States, the people of the United States empowered the President of the United States and the Senate to enter into treaties.

I called attention at that time to the classifications of treaties, those based upon natural law or the law of necessity in human affairs and international affairs, and the other classes of treaties promising future things to be done by one nation with the other. This classification was well understood by those who wrote the words into this Constitution. I was and have been surprised, I may say, in private conferences with Senators, to learn that the distinction which the fathers had in mind when they wrote this Constitution, in my judgment, founded upon my reading of history and my construction of the words used by them, has not been understood at all by various of the Senators here. For that reason, to make my purpose clear, as I simply drew conclusions and stated facts without quotations, I propose to occupy a few moments more of the time of the Senate in attempting to clarify the statements which I made, to the understanding of others who apparently have not understood what I meant.

I referred to Vattel. I have referred to the fact, and I refer to it again and ask you to bear it in mind, that Vattel was the author upon whom the fathers relied with reference to definitions of international law, and to the law itself, when they were considering it.

Vattel points out—and I am going to quote from him, quoting and following Grotius—the distinction which I then had reference to, and which I desire now to impress, for the purposes of the present and of the then argument. He says:

> Grotius divides treaties into two general classes, first, those which turn merely on things to which the parties were already bound by the law of nature. * * * By the former—

That is, the first, which he is defining—

> we acquire a perfect right to things to which we before had only an imperfect right, so that we may thenceforward demand as our due what before we could only request as an office of humanity. Such treaties * * * are useful * * * in order the better to secure the succors they may expect—to determine the measure and degree of those succors, and to show on what they have to depend—to regulate what can not in general be determined by the law of nature, and thus to obviate all difficulties by providing against the various interpretations of that law. * * * To this first class belong all simple treaties of peace and friendship, when the engagements which we thereby contract make no addition to those duties that men owe to each other as brethren and as members of the human society. Such are those treaties that permit commerce, passage, etc.
>
> Secondly, in this classification—

As Vattel is explaining that made by Grotius—

> those treaties by which nations enter into further engagements. Such last are either equal or unequal.
>
> Equal treaties are those in which the contracting parties promise the same things, or things that are equivalent, or, finally, things that are equitably proportioned, so that the condition of the parties is equal. Such is, for example, a defensive alliance, in which the parties reciprocally stipulate for the same succors. Such is an offensive alliance, in which it is agreed that each of the allies shall furnish the same number of vessels, the same number of troops, of cavalry, and infantry, or an equivalent in vessels, in troops, in artillery, or in money. Such is also a league in which the quota of each of the allies is regulated in proportion to the interest he takes or may have in the design of the league—

And so forth.

Mr. President, under the confederation, using the power vested in it under Article IX of the Articles of Confederation, allowing the Congress of the United States to enter into treaties, compacts, and alliances, they entered into the alliance with France which caused trouble from the moment it was entered into, or immediately after the close of the war, until the year 1798, when it was finally denounced by the Congress of the United States. These facts were known; and it was the purpose of the fathers when they wrote this Constitution, in my judgment, to prohibit this Government from entering into treaties of alliance. They understood the distinction, as Vattel and Grotius and all the writers understood it then and understand it now, between ordinary treaties defining human rights of trade, of commerce, of immigration, and matters of that kind and treaties of alliance by which one country promised under a given condition of affairs to go to the assistance of another or under which countries bound themselves mutually into a league.

In the discussion of this subject upon the former occasion to which I have referred I referred to the expressions of various of the fathers, and I quoted from Jefferson upon more than one subject; and I must say that I thought I had read practically everything Jefferson had said in all his voluminous writings, including his letters, upon this subject, but that I overlooked at that time his parliamentary manual upon the subject of the treatment of treaties in this body. My attention was called to that after I had delivered the speech. In conclusion, upon the subject of treaties, Jefferson says, as I have said, sir:

> The Constitution thought it wise to restrain the Executive and Senate from entangling and embroiling our affairs with those of Europe.

I said, in the conclusion of the argument which I made upon the occasion to which I have referred, that this treaty which we are now required to enter into was a treaty classified by the law writers as an "unequal treaty with sovereignty impaired."

Mr. President, I undertook at that time to make a further distinction. I referred then to the article of the Constitution concerning the power of the Supreme Court of the United States, and referring to the Constitution "the laws of Congress made in pursuance of the Constitution" and treaties entered into by "authority" of the United States.

I do not agree fully with Mr. Tucker, eminent lawyer as he was, in the argument which he has made, and which has been followed, as you all well know, by very many eminent lawyers in this country, that under no circumstances could the United States cede any portion of her territory. I think, sir, as I thought when I made the first argument upon the constitutionality of this instrument in this body, that "in extremis," if conquered, beaten to our knees by some foreign country, it became necessary for this country to sue for peace, and to yield, for instance, to the British Empire a portion of the State of Vermont to secure the safety of the other States of the Union, that not under the Constitution but in violation of the fundamental laws of the land, in accord with the great law of national self-preservation, the authority of the Congress of the United States might go to the extreme of ceding a portion of the territory of the Union. I say to you now that, in my judgment, the only possible authority which you may find for entering into the treaty now before you is not under the Constitution of the United States but only to be found in the last resort of a conquered nation to save the balance of its people and of its empire.

Mr. President, are we a conquered people? We entertained on yesterday one of our allies, and we engaged in mutual congratulations based upon the fact that instead of being a conquered Nation we were the victors in the greatest war which the world has ever known, and to our part of this war is largely due the fact that victory first perched upon the banners of the Allies, and that Belgium was redeemed.

I took the position before, and listening to the month's debate I have heard no challenge to it, and I have heard no words uttered here, nor have I read the utterances of others upon that subject, which have caused me in the slightest degree to change my then opinion, that this proposed covenant of the league of nations is a delegation of authority which we have no right to make, and is unconstitutional under the Constitution of the United States.

Not conquered; and yet let us see whether the definition that I then gave is the correct definition of an "unequal alliance with sovereignty impaired."

The Senate proposes to reject the amendment offered by the Senator from Tennessee [Mr. SHIELDS] and declare to the world that the United States is content to enter this league upon a parity with Liberia, and with the Kingdom of Great Britain exercising six times the power, through her voice and her vote, that the United States shall exercise. If there were no other objections, if there were no constitutional objections, if there were no objections resting upon policy, Mr. President, with due respect to those of my colleagues who differ from me in this matter, I say that as an American citizen I would walk out of the Senate, offering to you, sir, and telegraphing to my people, my resignation as a Senator before I would abase my Americanism by voting to reject an amendment to equalize the vote of this great Nation with the vote to be cast or the power or influence to be wielded by any other people or nation on the face of the earth. I say to you that in so voting to reject an amendment of equalization, you are voting for war and not for peace. If a peace, it is a dictated peace by Great Britain, and not an honorable peace, such as we, as equals, have always demanded and secured.

I say to you, sir, if there is Americanism left in the people of the United States, it will be only a few months until you meet this question in the conventions of the great parties, and then you will meet it upon the hustings, and those of you who vote to allow Great Britain six times the influence and six votes to our one will be explaining to your people the reason for your vote. I am not assuming to speak for the American people, but merely to voice my judgment of the genuine true American character, and if I know anything of it, they will denounce this treaty at the first opportunity if you place your seal of approval upon it, and that opportunity they will make at a very early date.

Mr. President, it is inconceivable to me how and I can not understand the process of reasoning by which an American can agree to enter into this unequal treaty, in the first place; and how he can enter into it upon unequal terms, in the second place. It is inconceivable to me that the people of the United States, in the face of the declaration which we hear every day that the other nations of the earth are bankrupt, should be led into a copartnership with seven or eight bankrupt nations for the purpose of restoring their solvency by the addition of ourselves among the number as a member of the firm, the only solvent, great, self-supporting nation upon the face of the earth to-day.

Now, Mr. President, I have nothing further to say upon the subject. I simply desired to make these citations as illustrating the argument which I made heretofore. I do not impugn the motives of any man who differs from me and votes differently from myself. It is simply a matter of impossibility for me to enter into his line of reasoning and appreciate his conclusions.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Tennessee [Mr. SHIELDS] as a substitute for the amendment reported by the committee.

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

The PRESIDENT pro tempore. The Secretary will call the roll.

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

Ashurst	Gay	Lenroot	Sherman
Ball	Gerry	Lodge	Shields
Bankhead	Gronna	McKellar	Simmons
Borah	Hale	McLean	Smith, Ariz.
Calder	Harding	McNary	Smith, Md.
Capper	Harris	Moses	Smith, S. C.
Chamberlain	Harrison	Nelson	Smoot
Colt	Henderson	New	Spencer
Culberson	Hitchcock	Norris	Sterling
Cummins	Johnson, Calif.	Nugent	Sutherland
Curtis	Johnson, S. Dak.	Overman	Swanson
Dial	Jones, N. Mex.	Owen	Thomas
Dillingham	Jones, Wash.	Page	Trammell
Edge	Kellogg	Penrose	Wadsworth
Elkins	Kendrick	Phipps	Walsh, Mass.
Fall	Kenyon	Poindexter	Warren
Fernald	Keyes	Pomerene	Williams
Fletcher	King	Ransdell	Wolcott
France	Knox	Robinson	
Frelinghuysen	La Follette	Sheppard	

The PRESIDENT pro tempore. Seventy-eight Senators have answered to their names. A quorum is present. The question is upon the amendment proposed by the Senator from Tennessee [Mr. SHIELDS] to the amendment of the committee.

Mr. HITCHCOCK. I call for the yeas and nays on that question.

The yeas and nays were ordered.

Mr. SMOOT. Mr. President, before the Secretary begins the calling of the roll, I should like to ask whether this is a substitute for the amendment offered by the Senator from New Hampshire [Mr. MOSES], or is it to be a direct vote upon the amendment?

The PRESIDENT pro tempore. The Secretary will state the amendment proposed by the committee and the substitute offered by the Senator from Tennessee.

The SECRETARY. The amendment of the committee proposes to insert, on page 31, after line 8, the following words (committee amendment No. 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.

In lieu of those words the Senator from Tennessee [Mr. SHIELDS] proposes to substitute the following:

Provided, 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.

The PRESIDENT pro tempore. The Secretary will call the roll on agreeing to the amendment to the amendment.

The Secretary proceeded to call the roll.

Mr. GRONNA (when his name was called). I am paired with my colleague [Mr. MCCUMBER] on this question. If he were present, he would vote "nay" and I would vote "yea." I am unable to secure a transfer and therefore withhold my vote.

Mr. HARDING (when his name was called). I have a general pair with the junior Senator from Alabama [Mr. UNDERWOOD], who is detained from the Chamber on account of illness. Therefore I withhold my vote.

Mr. JOHNSON of California (when his name was called). On this and the succeeding vote, I have a pair with the senior Senator from Virginia [Mr. MARTIN] and am therefore compelled to withhold my vote. If permitted to vote, I would vote "yea."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER]. I am informed that if he were present he would vote as I intend to vote upon this amendment, and because of that fact he was at liberty to pair and did pair with his colleague. I therefore vote "nay."

Mr. CURTIS (when Mr. TOWNSEND's name was called). I was requested to announce that the Senator from Michigan [Mr. TOWNSEND] is detained from the Senate on official business. If present, he would vote "nay."

Mr. BANKHEAD (when Mr. UNDERWOOD's name was called). I desire to announce that my colleague [Mr. UNDERWOOD] is detained from the Chamber on account of illness. He has a pair with the junior Senator from Ohio [Mr. HARDING]. If present, my colleague would vote "nay."

Mr. WALSH of Massachusetts (when his name was called). On this question I am paired with the junior Senator from Kentucky [Mr. STANLEY]. I transfer that pair to the senior Senator from Missouri [Mr. REED] and vote "yea."

The roll call was concluded.

Mr. SUTHERLAND (after having voted in the affirmative). I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. He is not present, and I am obliged to withdraw my vote. If permitted to vote I would vote "yea."

Mr. JOHNSON of California. I transfer my pair to the junior Senator from Michigan [Mr. NEWBERRY] and vote "yea."

Mr. HARDING. I transfer my pair with the junior Senator from Alabama [Mr. UNDERWOOD] to the senior Senator from Wyoming [Mr. WARREN] and vote "yea."

Mr. OVERMAN (after having voted in the negative). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the Senator from Nevada [Mr. PITTMAN] and let my vote stand.

Mr. HARDING (after having voted in the affirmative). I note that the Senator from North Carolina [Mr. OVERMAN] has made a transfer of his pair with the Senator from Wyoming [Mr. WARREN]. I am therefore obliged to withdraw my vote.

The result was announced—yeas 32, nays 49, as follows:

YEAS—32.

Ball	Elkins	La Follette	Penrose
Borah	Fall	Lodge	Phipps
Brandegee	Fernald	McCormick	Poindexter
Calder	France	McLean	Sherman
Capper	Frelinghuysen	Moses	Shields
Cummins	Johnson, Calif.	New	Wadsworth
Curtis	Jones, Wash.	Norris	Walsh, Mass.
Dillingham	Knox	Page	Watson

NAYS—49.

Ashurst	Colt	Edge	Gerry
Bankhead	Culberson	Fletcher	Hale
Chamberlain	Dial	Gay	Harris

Harrison	Lenroot	Ransdell	Sterling
Henderson	McKellar	Robinson	Swanson
Hitchcock	McNary	Sheppard	Thomas
Johnson, S. Dak.	Myers	Simmons	Trammell
Jones, N. Mex.	Nelson	Smith, Ariz.	Walsh, Mont.
Kellogg	Nugent	Smith, Ga.	Williams
Kendrick	Overman	Smith, Md.	Wolcott
Kenyon	Owen	Smith, S. C.	
Keyes	Phelan	Smoot	
King	Pomerene	Spencer	

NOT VOTING—15.

Beckham	Kirby	Pittman	Townsend
Gore	McCumber	Reed	Underwood
Gronna	Martin	Stanley	Warren
Harding	Newberry	Sutherland	

So Mr. SHIELDS's amendment to the amendment was rejected.

Mr. KIRBY subsequently said: Mr. President, I desire to announce that I was absent at lunch, about three blocks distant, when the Senate voted on the Shields amendment, and my line of communication did not hold well. The Sergeant at Arms phoned that a vote was about to take place, but the hotel operator failed to notify me in time to appear. I would have voted against the proposed amendment had I been present. I have been consistently taking the treaty straight, and would have continued to do so on that vote.

The PRESIDENT pro tempore. The question now is upon the amendment to the treaty proposed by the Committee on Foreign Relations.

Mr. JOHNSON of California. I ask for the yeas and nays.

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

Mr. HARDING (when his name was called). Making the same announcement as to my general pair with the junior Senator from Alabama [Mr. UNDERWOOD] that I made on the last roll call, I withhold my vote. If I were permitted to vote, I should vote "yea."

Mr. JOHNSON of California (when his name was called). I make the same announcement as on the previous vote relative to the transfer of my pair with the senior Senator from Virginia [Mr. MARTIN] to the junior Senator from Michigan [Mr. NEWBERRY] and vote "yea."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the senior Senator from Nevada [Mr. PITTMAN] and vote "nay."

Mr. SUTHERLAND (when his name was called). Making the same announcement as on the previous roll call regarding my pair with the senior Senator from Kentucky [Mr. BECKHAM], I am obliged to withhold my vote. If permitted to vote, I should vote "yea."

Mr. BANKHEAD (when Mr. UNDERWOOD's name was called). I desire to make the same announcement in reference to my colleague [Mr. UNDERWOOD] that I made on the last roll call.

Mr. WALSH of Massachusetts (when his name was called). Making the same announcement as to the transfer of my pair as on the previous roll call, I vote "yea."

The roll call was concluded.

Mr. GRONNA. Making the same announcement as on the previous roll call, I desire to say that on this question I am paired with my colleague [Mr. MCCUMBER]. If he were present, and I were permitted to vote, I should vote "yea" and he would vote "nay."

The result was announced—yeas 36, nays 47, as follows:

YEAS—36.

Ball	Fall	La Follette	Phipps
Borah	Fernald	Lodge	Poindexter
Brandegee	France	McCormick	Sherman
Calder	Frelinghuysen	McLean	Shields
Capper	Gore	Moses	Smoot
Cummins	Johnson, Calif.	New	Spencer
Curtis	Jones, Wash.	Norris	Wadsworth
Dillingham	Kenyon	Page	Walsh, Mass.
Elkins	Knox	Penrose	Watson

NAYS—47.

Ashurst	Harrison	McNary	Smith, Ariz.
Bankhead	Henderson	Myers	Smith, Ga.
Chamberlain	Hitchcock	Nelson	Smith, Md.
Colt	Johnson, S. Dak.	Nugent	Smith, S. C.
Culberson	Jones, N. Mex.	Overman	Sterling
Dial	Kellogg	Owen	Swanson
Edge	Kendrick	Phelan	Thomas
Fletcher	Keyes	Pomerene	Trammell
Gay	King	Ransdell	Walsh, Mont.
Gerry	Kirby	Robinson	Williams
Hale	Lenroot	Sheppard	Wolcott
Harris	McKellar	Simmons	

NOT VOTING—13.

Beckham	Martin	Stanley	Warren.
Gronna	Newberry	Sutherland	
Harding	Pittman	Townsend	
McCumber	Reed	Underwood	

So the amendment of the committee was rejected.

Mr. LODGE. Mr. President, that concludes the committee amendments. The treaty is now open to amendments to be offered by individual Senators.

The PRESIDENT pro tempore. The treaty is before the Senate as in Committee of the Whole and open to amendment.

Mr. SHERMAN. Mr. President, I now submit an amendment which was offered by me on October 11, 1919. I wish very briefly to state that the supreme worldly self-sufficiency of the Paris conference challenges the belief of mankind in an overruling Providence. I do not wish to discuss this matter save to say that the Declaration of Independence, the Articles of Confederation, the Emancipation Proclamation of 1863 all contain reference to an overruling Providence. This document does not, either in Part I or Part II. It is the most materialistic document of a creative epoch-making form ever known to civilized mankind. The most materialistic professor in a German university could not excel the ignoring of any overruling Providence aside from the agency of men if he were to try his utmost so to do.

To correct this, and being at most but an informal amendment, so far as its legal, international, or diplomatic significance is concerned, I have offered this amendment to the preamble or introduction to the document. I ought to say that it is not my composition; it is the exact language of the closing words of the Emancipation Proclamation of Abraham Lincoln.

Mr. KNOX. Mr. President, I only want to add to what has been stated by the Senator from Illinois [Mr. SHERMAN] that the invocation of the blessing of the Almighty upon great public documents is not confined to documents like the Declaration of Independence but has its precedents in the great treaties of the world. One of the most humane and beneficent treaties ever negotiated between the nations was the treaty of Brussels in 1840 against the African slave trade, and the first line of that treaty was, "In the name of God Almighty."

Mr. THOMAS. Mr. President, this document is one that represents the combined wisdom of the delegation representing 27 nations. Some of these nations are composed of people who believe in that form of world religion called Christianity; some of them do not. Japan is one of the principal allied powers recently engaged in the war with Germany, and the religion of her people does not conform to that of the United States or of Great Britain or of the other principal allied powers. The great British dependency of India, composed of nearly 400,000,000 people, is not a Christian nation.

Mr. JOHNSON of South Dakota. Mr. President, there is so much noise in the Chamber that we are unable to hear the Senator.

The PRESIDENT pro tempore. There must be order in the Chamber.

Mr. THOMAS. I wish to assure Senators that I do not propose to indulge in any very extended remarks upon the subject of religion, which, generally speaking, is foreign to our discussions. The purpose which I have in mind is to call attention to what seems to me to be the inappropriateness of the amendment proposed by the Senator from Illinois.

I can readily understand that if this treaty were a covenant between nations whose people professed belief in the Christian religion, whatever their practices may be, precedents could be found for the insertion of such a clause in the preamble. I think on several occasions in the past treaties which have been made between the United States and other Governments have been made in the name of Almighty God, or of the Holy Trinity, both, of course, representing the Deity in Christian conception. The vast number of our treaties, however, have made no reference whatever to that subject. Here, however, is a treaty which is designed to change the face of the world geographically, politically, and morally, the constituents of which represent various forms of religious belief. That fact, in my judgment, justifies the absence of such a reference in this treaty; and I can easily understand how its insertion here by way of amendment might be the cause of serious disagreement with regard to the ultimate acceptance of the document as affecting this country.

I do not think I misstate the position of the Senator from Illinois when I say that it is not his purpose to vote for the ratification of this treaty whether his amendment is adopted or not; for only a few days ago the Senator, who is always candid and courageous, declared, in substance—and if I misquote him I hope he will correct me—that he would vote for all amendments to this treaty, good, bad, or indifferent, and then, upon the final vote, he would vote to reject it. I think that is correct. Hence, even if we adopt this amendment and

insert it in the treaty, it will not command an affirmative vote from the senior Senator from Illinois.

I can see nothing but trouble from the adoption of this amendment, in view of the composite religious character of the peoples composing the nations that were represented at Paris, and of whose labors this is the fruit. But, Mr. President, I want to say also that I personally oppose this amendment, because I never have believed in saddling the Almighty with responsibility for the sins and wickedness and mistakes of humankind. I do not believe that any overruling Providence is responsible for this war. If I were a believer in a personal Deity, I should have too much reverence, love, respect, and affection for Him to suppose for a moment that He was even an accessory before the fact to this terrible calamity that has afflicted the civilized world; and I am equally sure that whatever the fate of this treaty—good, bad, or indifferent—may be, should it become an established document between the nations, it will not in anywise be affected by the inclusion or the exclusion of this amendment.

Germany, from the date of her declaration of war, imposed her cause upon the Almighty, and her Kaiser associated himself with that omniscient Being in terms of full partnership. To the Allies that seemed an impious thing, and to us as well. We repudiated the possibility of any such association, because I think we instinctively recognized the fact that if there could be such responsibility, the war could have been prevented, and would have been prevented, by the interposition of the same Supreme Power; and, of course, the other nations of the earth relied with equal implicitness upon the same Divine sustenance, and looked to it with faith and with prayer for victorious deliverance from the terrible Hun. Thus the same Deity was invoked by nations believing in Him, and at war with each other, to give them His assistance and divine aid in their work of cutting each others' throats and deluging the European world with blood; and there are many devout people in the world who think that their prayers were answered, and that the result of this war was due to the prayerful persuasion of the victorious hosts of the Allies. It may be so, but I am unable to accept the conclusion.

One of the many Chinamen who were imported to France to aid in the war, upon his return home announced that he had had a good time; that for the last 18 months he had witnessed Christians cutting each others' throats; and we can imagine with what cynicism this follower of Confucius regarded the spectacle.

I shall not refer to the numerous wars which religion has provoked, and which, in their aggregate, have been the fruitful source of more bloodshed upon the battle fields of the world than any other single cause; but the same belief which inspires us inspires also those of non-Christian nations with regard to their own deities and their own professions of religion. If it be true that an extraordinary supernatural power controlled this war, was the cause of it, and directed its result, then we can not escape the conviction of cooperation to a common end between our own God and all the other gods of the non-Christian countries; and upon that assumption the recognition of but one of them in the treaty can not be construed otherwise than as a reflection upon the others.

I do not think this has any place in the treaty. I shall not detain the Senate any longer, but shall ask for a roll call upon the amendment.

Mr. BORAH. Mr. President, I presume all Members of the Senate were reared in the atmosphere of Christian belief, and that in any cause in which any Member of the Senate felt a deep and an abiding interest, and wished for its success, it would be natural to invoke the presence of the Divine Being. It is very difficult to discuss this question without seeming to be satirical, but I beg the Senate to know that what I say I say in the utmost sincerity.

I would feel that if I should invoke the Divine blessing upon this treaty I would be guilty of sacrilege. It is founded in oppression. It depends and rests upon military force. If it is carried out, it will deprive millions of people of their liberty for all time to come; and in my judgment, while I know that men equally honest and sincere differ with me, if it is carried out it will destroy this Republic. I do not, therefore, propose to vote for an amendment which in any way recognizes or invokes Divine aid and agency in the execution of this kind of an instrument. From my standpoint it would be mockery.

Mr. President, look at the list of people who will survey the action of the United States Senate to-day in invoking the presence of Divine power for the successful maintenance and execution of this instrument. What will the millions in Shantung think? How will they hereafter look upon the Christian God—a god of oppression, a god which tears asunder peoples and distributes them to an enemy nation? What will the millions in Korea think? What will the people of Egypt, who have been tricked and robbed of their birthright, think?

This treaty effectuates the complete disposition of these people without their consent. It takes away the dearest rights which a people can have or enjoy upon this mundane sphere, and, if we are successful in writing into it the league of nations, we guarantee that that condition of affairs shall be eternal. We pledge the lives and the blood of generations yet to come to maintain the oppression and force which we are establishing over these subject nations. We are sending our missionaries into these countries for the purpose of teaching them the Christian religion and we write into our treaty a provision which deprives them of their rights as human beings; and now it is proposed to invoke the presence and blessings of our God. And yet we know that the people to whom we are giving dominion over the Koreans and the people of China, of Egypt, and of Ireland are persecuting and decimating those people day by day. If we are successful in writing into this treaty the covenant, we, as a Christian people, pledge ourselves to continue a status which will continue this condition of affairs.

Therefore, sir, as a believer in Christianity and accepting the divine guidance of an Omnipotent Being in the great affairs of the world, I do not propose, so far as I am concerned, to invoke His seal of approval upon a conditon of affairs which, in my judgment, means the oppression of nearly one-half of the inhabitants of the globe. The attributes of the Supreme Being I have been taught from childhood to reverence are to those of justice, of freedom, and of liberty. These things are by this treaty denied to millions.

Mr. SHERMAN. Mr. President, I have no pride of authorship or opinion in regard to this amendment. I have offered no amendment other than this, nor have I written any reservation. I have voted for a number of amendments and I shall vote for a variety and number of reservations, both those reported by the committee and others.

I have expressed myself as then being ready to vote to reject the treaty. I expect to do so, because I have no sovereign, abiding faith that any amendments will be adopted to remove what I consider the evil features of this document. I do not believe that even if all the reservations, the most radical in character, should be adopted, they would remove the evil contained in the league and the treaty. The adoption of those reservations will, as I have already stated, only serve, as I see it, to save us from the imputation of bad faith. As a change in any manner of the league or the treaty as adopted or ratified by the other nations of the world, it will be among them without significance or effect. Internationally, it will still be as it came from the peace conference, except as to us. I have no faith, Mr. President, in the virtue of the reservations after all these amendments may have been defeated. In that spirit I said I would vote to reject the treaty, and I expect to be compelled to do so, acting under my sense of duty.

This amendment, if adopted, would not cause the 23 nations' representatives, if assembled, any considerable difficulty in again ratifying the document with this change alone. I do not apprehend, even with the materialistic or agnostic sentiment of Germany, that she would make any vital trouble if she were again called to send her representatives to Paris to reaffirm or ratify the document as changed by this proposed amendment.

The Senator from Colorado [Mr. THOMAS] says, with truth, that this is our expression of our belief in an overruling power. It will be noted, however, on reading the amendment, that there is no such expression as would not be applicable to the belief of any nation or any creed having a belief in an overruling Providence or a future life. It applies to and embraces other religions as well as the Christian.

I once read in an assembly of preachers of the Gospel a criticism of Bishop Newman's hymn, "Lead Kindly Light." It was said that an assembly of pagans might chant this world anthem without regard to whether they had a belief in a Christian God or not. While I was raised in a Christian community and have a Christian faith, I am not identified with any religious organization; but I express my belief in the Christian form of a reliance upon an overruling Providence. Yet, if I had supreme power in the palm of my hand, I would not oppress nor would I hamper the exercise of any person's conscience under any creed in the world if it tended to make mankind better, to preserve public peace, or promote private happiness. Only when it interferes with those beneficent ends ought any alleged religion ever to be regulated by public authority.

I believe that the expression of faith by a Buddhist is as profound and worthy of respect as our own. I believe a devout Mussulman when bowing to the East expresses his belief in a

God as well as ourselves. When the muezzin calls to prayers from the lofty minarets of their country I believe their expression of confidence in a supreme being is as worthy of respect as mine.

I believe the orientals, fatalists as they are, yet have an abiding faith in an overruling power. Whether we be gentile or Jew, Catholic or Protestant, Christian, pagan, or Turk, whether we be of the crude belief of the North American Indian, bowing down before his primeval, barbaric altars, or whether we be an oriental, with his blind belief in his incarnated prophets on earth, whether it be the follower of Mohammed or the follower of Confucius, those who believe in Zoroaster, in the ancient seers and prophets of Israel or in the humane and more kindly doctrine taught by Christ after the star appeared upon His birth in the manger—all these beliefs, Mr. President, are intended to and do elevate and help mankind.

I believe, therefore, the criticism made of Bishop Newman's hymn, that it was not of a creed, that it was not sectarian in character, was improper. The fact that any person who believed in an overruling Providence might chant that hymn was enough to make it appear as one that was destined to do good around the world.

It has been said by the Senator from Idaho [Mr. BORAH], and I will admit there is some truth in it, that this treaty contains some features that tend to make it seem sacrilegious to adopt such an amendment. My suggestion on that is, Mr. President, that even thugs, before they strangle their victims, invoke the blessing of their god; even thieves, before they steal, and the bloody warriors of an antique age before they went out to loot, to desolate, and to burn have invoked the blessings of their god.

I will admit that if this were adopted it would make any satire of Juvenal appear as a kindergarten effort. Nevertheless, I believe if this document is to pass into the history of diplomacy as a treaty binding some of the sovereign nations of the world, we can afford to read this into the preamble or introduction of the document.

I offer it in no sacrilegious or sarcastic sense. I offer it in good faith. I offer it because there is some that is good in the treaty and the league. I offer it hoping that some time the evil may disappear, that it may be purged of that evil, and that with time, and in the experience of nations, there will be a better league.

I remember reading, in the records of 1864, of a certain convention that met in Cleveland, Ohio. It was conducted largely by Carl Schurz and those who believed with him. They were all opposed to the administration of Abraham Lincoln, opposed to Gen. McClellan, the candidate opposing Lincoln, and to every other candidate except the one they favored. Mr. Schurz and his fellow thinkers adopted a platform at Cleveland. A great many otherwise good men were at that convention. One at last noticed that the platform adopted made no reference to the Deity. He offered an amendment to the platform invoking the assistance of Almighty God upon their efforts. Carl Schurz and his colleagues were very much opposed to it, and with a great show of indignation they voted it down. They did not wish any help from the Almighty or anybody else. They felt that they were amply sufficient for all purposes, both public and private.

The remarks of the Senator from Colorado [Mr. THOMAS] made me think somewhat of the self-sufficiency of that historic band of men. Whatever we do with this document in the way of reservations does not injure us; it furnishes no pretext whatever, Mr. President, for any lengthy negotiations, if the assembly of delegates should reconvene to act upon it, and it does give it more standing. If it can be improved, I am in favor of improving it.

The treaty referred to by the Senator from Pennsylvania [Mr. KNOX] was a very striking illustration. All the epoch-making documents in the world's history of a vital, elemental kind, that create new conditions or seek to improve the conditions of the nations concerned, have not omitted some fleeting reference of the kind contained in this amendment.

When Lincoln penned his proclamation it was thought not unworthy to introduce some such reference. The Declaration of Independence refers to it where, "with a firm reliance on the protection of Divine Providence," pledging their lives, fortunes, and sacred honor, the fathers of the Republic concluded that document and subscribed their names.

If one reads back through English history, from whom we borrow and adapt much of our government and laws, the great elementary documents that make up the unwritten constitution of the British Empire, and especially the United Kingdom of Great Britain, those elemental documents when our English ancestors fought, with their lives in their hands, against the usurpation of tyrants that sometimes disgraced the English throne, from the first Charles, beheaded on the streets of London, to the abdicated, fleeing James II—in all those great historical documents or proceedings creating them there is a fitting reference to the Deity. In undertaking to frame a proper amendment I drew from the concluding words of the Emancipation Proclamation, composed and signed by Abraham Lincoln, these latter words, which are the exact language of this amendment, "invoking the considerate judgment of mankind."

What objection can be made to that? If there ever was a document presented to the Senate or ever a treaty proposed among sovereign nations that ought to provoke the considerate judgment of mankind, it is one that professes to be an evangel of peace and heralding the end of war.

We invoke, therefore, the considerate judgment of mankind and the gracious favor of Almighty God—

Not the God of the Christian, not the God of the Jew, not the God of the followers of Zoroaster, the Buddhist, or the Brahmin, not the God of the oriental, not the God of Mohammed, but the God that supervises the affairs of men, of whatever color, race, or creed. We can afford to adopt such amendment, but you gentlemen in this body can not afford to defeat it. Defeat it and take the consequences, as you will of many another provision of this epochal document.

The PRESIDENT pro tempore. The question is upon the amendment offered by the Senator from Illinois [Mr. SHERMAN].

Mr. THOMAS. I call for the yeas and nays.

Mr. WALSH of Montana. Mr. President, before the vote is taken upon this amendment, I desire to call the attention of the Senate to the fact that the Senator from Illinois [Mr. SHERMAN], in the list of documents in which reference is made to the Deity, did not include the Constitution of the United States, and quite properly, because it contains no reference to the Deity. The Senator has now been a Member of this body for something over five years, and if he has heretofore proposed an amendment to the Constitution of the United States correcting that document in that respect, my attention has not been called to it.

The fact is that when the people of his State, in the year 1818 under the authority of an act of Congress, undertook to frame their own organic law they omitted to make any acknowledgment of the interposition of the Deity in the affairs of man.

We must therefore look for some other purpose in the proposer of this amendment than a desire to perfect the document. With a very profound conviction that there is a just God who presides over the destiny of nations, I shall have no hesitancy at all in voting against the amendment.

Mr. LODGE. Mr. President, nobody can object, of course, to the first words of this proposed amendment invoking the considerate judgment of mankind, but I confess when it comes to invoking the blessing of Almighty God upon this treaty, which, however it may leave the Senate, will carry with it the infamy of Shantung, which, if there are not reservations or amendments put upon it of a drastic kind, will, in my opinion, shut the gates of mercy on a considerable portion of mankind, it seems to me, though I do not wish to reflect upon anyone else, that I at least can not do it. I can not bring myself to what would be in me hypocrisy. I do not ask, I am not ready to ask, the blessing of God on this instrument. I trust in His wisdom it may ultimately be turned to good purpose, but as it stands to-day I should personally think I were a hypocrite if I asked for the blessing of God upon it.

When Macbeth committed his great crime and the guards of the king turned in their sleep, and one of them said, "God bless us," Macbeth said:

> I could not say "Amen"
> When they did say "God bless us";
> * * * And "Amen"
> Stuck in my throat.

I think something does depend on the act we are about to do. I trust good may come out of this treaty. I hope it may. But in its present condition I should feel myself irreverent if I asked the blessing of Almighty God upon it.

Mr. KNOX. Mr. President, I only desire to make one observation. It seems to me that the remarks made by the Senator from Massachusetts [Mr. LODGE] constitute the strongest argument for the adoption of the amendment, because the worse the treaty is the more it needs the supervision of the Almighty. It ought to be carried out or construed or re-formed in order to make it a proper document.

Mr. SHERMAN. Mr. President, to those Senators who can not vote for the amendment, because it would seem to be a sacrilege or blasphemy because of the iniquitous character of the document, I have no reply to make. There is no answer to

one upon whose conscience it rests so heavily, and I respect even the vote of such Senators against the amendment upon that ground.

When the constitution of 1818 of my own State, and that of 1848 and that of 1870, was adopted, in each one of those constitutional conventions they opened with prayer. There was not a semblance of a clergyman, priest, rabbi, or any religious devotion of any character in the conference at Paris. There was not only an entire absence but it would have made the spirit of Voltaire rejoice if he could have seen the worldly self-sufficiency of that entire body of men. While there were creeds represented in the 23 nations known around the world, a general declaration referring to the Deity could not have aroused sectarian or racial controversy, and yet there was nothing of the kind attempted or even mentioned.

I have not understood that constitutional documents, since our Federal Constitution was created, leading the way, have referred to the Deity, but when this league of nations and treaty shall have been adopted we can afford to dispense with the Constitution, whether it is sacrilegious or otherwise, because we will have no use for it hereafter. Lord or no Lord, atheistical or Christian, when the league shall have been adopted and this treaty with its agnostic and materialistic provisions, we had as well cut loose from God Almighty and go our own atheistical, pagan way. That is where we are headed. That is what we will do.

A more Godless document and a more Godless body of men this world never saw than convened themselves in Paris. I shall not rebuke them; in this sense I have no right to, but I advert to the condition. I never prayed in my life. Born of Christian parents——

Mr. ROBINSON. Does not the Senator think it is about time he was beginning to pray?

Mr. SHERMAN. No, sir; not upon the appearance of any such antagonist as the Senator from Arkansas. I can take care of him by myself, if God will just leave us alone. [Laughter in the galleries.]

The PRESIDENT pro tempore. The occupants of the galleries must maintain order and obey the rules of the Senate.

Mr. SHERMAN. Mr. President, I do not care to discuss this problem or this wider question. I offered the amendment in a deeply reverential sense, with an idea that perhaps it might be adopted, that it could do no injury upon the final disposition of this document abroad, and that even against what appeals to me as the reason offered by the Senator from Massachusetts [Mr. LODGE] and the Senator from Idaho [Mr. BORAH], even if I were inclined to take that view of it, it puts upon us, with the provisions as I see them, almost a blasphemous statement. But others think it a great document, full of virtue and destined to work incalculable good for mankind. I can not myself see how they can vote for it. They have hitherto been a majority upon all amendments. Therefore, with a majority favoring such a document, it seems to me that they ought to improve it by adding this amendment to it.

Mr. THOMAS. Mr. President, I merely wish to add a word to the discussion. I have been a Member of this body for nearly seven years, and every morning of every session, except when we recessed from one day to the other, the blessing of Almighty God has been invoked upon the Senate from the lips of its Chaplain. If it has ever produced any material benefit up to this time, I have been unable to perceive it.

Mr. WALSH of Massachusetts. Mr. President, I hope there will be no division of the Senate upon this question. However we may differ upon political questions, I do not believe Senators ought to be asked to go on record in opposition to this amendment. There are many Senators here who honestly and consistently have opposed amendments being added to this treaty. I am not one of this number. I have voted for amendments to try to remove certain unmistakable injustices which I believe the treaty contains, but I sympathize with the position of Senators who believe in this principle, the existence and guidance of nations by a Supreme Being, and who, if we were ourselves originally framing this covenant, would favor the incorporation of this amendment. I do not believe such Senators should be forced to go on record on this religious question by voting for or against this amendment, when their policy is that of continuous opposition to all amendments. Therefore I hope that the Senate will not proceed so far with this question as to create a division and oblige Senators in the future to make explanations which may be difficult to make, because in years hence one can not explain all the motives and circumstances surrounding this issue. One can not always explain the motive which actuates or prompts amendments of this kind, and one can not always explain, without misunderstanding, his reasons for voting against amendments which ordinarily would be unanimously adopted. The Senate of the United States ought not to be obliged to go on record in opposition to the clear Christian principle which is expressed in this amendment and which we all believe in, and yet that will be the fact if this matter is pressed, because of the well-known opposition of many Senators to all amendments, on the theory that this treaty should not be changed so as to require its resubmission to the peace conference.

Mr. ROBINSON. Mr. President, I move to lay the amendment of the Senator from Illinois [Mr. SHERMAN] on the table.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Arkansas [Mr. ROBINSON] that the amendment proposed by the Senator from Illinois [Mr. SHERMAN] be laid on the table.

Mr. CURTIS. I ask for the yeas and nays on the motion.

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

Mr. HARDING (when his name was called). Repeating my announcement made on previous roll calls, I desire to state that I am paired with the junior Senator from Alabama [Mr. UNDERWOOD] and therefore withhold my vote.

Mr. JOHNSON of California (when his name was called). I have a pair with the senior Senator from Virginia [Mr. MARTIN] and therefore must withhold my vote. If permitted to vote, I should vote "nay."

Mr. SUTHERLAND (when his name was called). Making the same announcement as on previous roll calls regarding my pair, I desire to say that if permitted to vote I should vote "nay."

The roll call was concluded.

Mr. CURTIS. I am authorized to announce that the Senator from North Dakota [Mr. GRONNA] is absent on official business. If present, he would vote "nay." He is paired with his colleague, the senior Senator from North Dakota [Mr. MCCUMBER].

Mr. GERRY. The Senator from Kentucky [Mr. STANLEY] and the Senator from Missouri [Mr. REED] are paired on this vote. If present and at liberty to vote, the Senator from Kentucky would vote "yea" and the Senator from Missouri would vote "nay."

The Senator from Nevada [Mr. PITTMAN] is necessarily detained from the Senate.

The result was announced—yeas 57, nays 27, as follows:

YEAS—57.

Ashurst	Henderson	Nugent	Spencer
Bankhead	Hitchcock	Overman	Sterling
Borah	Johnson, S. Dak.	Owen	Swanson
Brandegee	Jones, N. Mex.	Phelan	Thomas
Chamberlain	Kellogg	Pomerene	Townsend
Colt	Kendrick	Ransdell	Trammell
Cummins	Kenyon	Robinson	Wadsworth
Dial	Keyes	Sheppard	Walsh, Mass.
Edge	King	Shields	Walsh, Mont.
Fletcher	Kirby	Simmons	Warren
Frelinghuysen	Lenroot	Smith, Ariz.	Williams
Gay	Lodge	Smith, Ga.	Wolcott
Gerry	McKellar	Smith, Md.	
Harris	McNary	Smith, S. C.	
Harrison	Nelson	Smoot	

NAYS—27.

Ball	Fernald	McCormick	Page
Calder	France	McLean	Penrose
Capper	Gore	Moses	Phipps
Curtis	Hale	Myers	Poindexter
Dillingham	Jones, Wash.	New	Sherman
Elkins	Knox	Newberry	Watson
Fall	La Follette	Norris	

NOT VOTING—12.

Beckham	Harding	Martin	Stanley
Culberson	Johnson, Calif.	Pittman	Sutherland
Gronna	McCumber	Reed	Underwood

So Mr. SHERMAN'S amendment was laid on the table.

Mr. HALE subsequently said,

Mr. President, I find that there is a slight misunderstanding on the part of some of my colleagues in regard to my vote on the motion to lay on the table the amendment of the Senator from Illinois [Mr. SHERMAN]. I was not in the Chamber when the motion to lay on the table was made, and when I came in and voted I supposed that I was voting on the amendment itself. I voted "nay." I did not change my vote, because I was entirely willing to have the motion to lay on the table defeated and then to vote on the amendment itself. In that case I should, of course, have voted "nay."

Mr. JOHNSON of California. Mr. President, I now offer the amendment which was presented by me on October 27, and which has been printed, with which, I presume, the Members of the Senate are more or less familiar; but, in order that its provisions may be understood, I desire very briefly to state wherein

it differs from the amendment presented by the committee upon which we voted the other day.

The amendment upon which we have already voted was an amendment whereby the United States was given six votes in equality with the six votes of the British Empire. I am not, of course, stating verbatim the amendment, but I am now stating its design and what was sought to be accomplished by it. The committee amendment upon which the Senate has passed proposed to give six votes to the United States in equality with the voting power of Great Britain. There were various objections to that amendment. Some of them were to the effect that it was not sufficiently drastic, that it did not go far enough, and that it did not accomplish fully its design. The amendment which is offered to-day goes very much further than the amendment which was presented by the committee, and in order that the amendment may be understood I want to read it and comment upon it for just a moment or two.

This amendment gives to the United States of America equal representation and equal voting power with the Empire of Great Britain in the assembly and in the council of the league of nations and as well gives the United States of America equal representation and equal voting power in the labor organization or labor conference under the league of nations. It goes yet a step further and precludes the voting of the colonies of Great Britain or Great Britain herself upon questions which affect those colonies or affect Great Britain. This amendment does everything that those who opposed the committee amendment desired that the committee amendment should do. It gives, I repeat, to the United States of America equal representation, equal voting power in the assembly and in the council of the league of nations, and equal representation in the labor conference and in the labor organization with the Empire of Great Britain.

There is just one question upon this amendment therefore: Does the Senate of the United States desire that the United States shall have equal votes and equal power and equal representation with the Empire of Great Britain, or does the Senate of the United States desire that Great Britain shall have six times the representation of the United States in the assembly, in the council, and in the labor conference? That is the issue; it is boiled down to that, and to that alone, by this amendment. That Senators may understand that fact I read the amendment to them:

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 are 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 liberally 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. President, for just a moment now I wish to address myself to the arguments which have been made on this side of the Chamber against this sort of representation.

The Senator from Wisconsin [Mr. LENROOT], who made a very able argument the other day, insisted—

There ought not to be this inequality between the British Empire and the United States upon matters affecting the vital interests of the United States.

And in that, of course, we thoroughly agree.

The Senator from Rhode Island [Mr. COLT], in stating his objections to the committee amendment, said:

I am in favor of some remedy for curing the inequality which the Johnson amendment seeks to cure, but I do not think the inequality can be cured by means of that amendment.

And then he stated, further, at the conclusion of his remarks:

I do not want to vote for the Johnson amendment * * *; further, because I believe that this inequality can be met by a reservation.

The Senator from New Jersey [Mr. EDGE] was very, very plain in his remarks, and he asserted:

Most naturally and properly, the intent of the amendment under consideration has been generally approved. Were I not convinced that a reservation to be later offered would provide even greater protection, or if I believed the question could not be covered by a reservation, I would without hesitation vote for the pending amendment.

And, again, he said:

I am impressed with the view that our object is more practically accomplished by, in effect, reducing Great Britain's voting strength, rather than by increasing our own.

And yet again:

When voting against this amendment I want it to be clearly and emphatically understood that I propose to vote for reservations covering the same subject, and which, in my judgment, will protect America even to a greater extent than does this amendment.

The Senator from Minnesota [Mr. KELLOGG], in presenting his remarks upon this subject, said:

I am not here to claim for Great Britain a preponderant vote in the assembly.

And again:

I believe that my country is entitled to the same representation as any other country in the world—

Mark the language, please:

I believe that my country is entitled to the same representation as any other country in the world, and I am willing that every other country should have the same representation as this country has. There is only one solution, and that is to provide that Great Britain, or the British Empire, shall have one vote, and only one vote.

The Senator from Maine [Mr. HALE], in pursuing the subject, however, took something of a different position from that of his colleague; and he said, in answer to me, during a colloquy in which we were engaged:

The Senator has said that I am trying to reach the same result that he is, and to give this country the same number of votes in the assembly and council that Great Britain has. I have never tried to reach that result.

So we may take it that when the Senator from Maine favors a reservation he is not doing it upon the theory that there shall be either equal representation or equal voting power in the United States. All of these Senators who thus opposed the amendment the other day insist that they will reach the result—that is, equal representation and equal voting power—by means of a reservation; and here is the reservation suggested by the Senator from Wisconsin, concurred in by the Senator from Minnesota, and, I presume, by other Senators as well:

That the United States assumes no obligation to be bound by any election, decision, or finding of the council or assembly in which any member and its self-governing dominions, colonies, or parts of empire, in the aggregate, have had more than one vote; or in case of any dispute between the United States and any member in which such member or any self-governing dominion, colony, empire, or part of empire united with it politically shall have voted.

That is, these Senators seek to cure the evil toward which I am directing my efforts by a reservation which gives to the United States the right, after a decision shall have been rendered, to repudiate that decision.

I insist that if you are seeking here, and if you believe in, the right of the United States of America to have equal representation with Great Britain not only in the assembly and in the council, but in the labor conference as well, then that evil that thus you seek to remedy can not be remedied by saying that you will adopt the evil and thereafter, when the evil shall have accomplished its purpose, you will repudiate the action in which, possibly, you may have participated. I insist that the reservation provides no remedy for inequality of representation. You will under it sit down at the board with these other nations, give to Great Britain six votes, six representatives at that board, when we have but one; that you will participate in the proceedings, but that you will be lying in wait until the decision shall have been rendered, and then you will exercise an option as to whether or not that decision shall be binding upon you. This is neither the frank nor the honest nor the courageous way in which this evil should be met and dealt with. The reservation provides no remedy. Indeed, it recognizes and adopts the wrong, merely according the sorry privilege of a repudiation of action, perhaps after long deliberation and discussion of which we have been a part.

The question is, Are we entitled to equal representation with Great Britain? If we are, why should we not give it to the United States of America? Are we entitled to the same number of votes as the Empire of Great Britain? Then, if we are, let us take the same number of votes as the Empire of Great Britain. If we are, let us take them, and why should we not; and why should we hesitate or fear to take an equal number of votes if we believe we are entitled to them?

In the labor conference with which this amendment now presented endeavors to deal, do you realize that the United States has four representatives, four votes, and that the empire of Great Britain has 24 representatives and 24 votes? In all

the conference there are 128 votes, and our great country has the disproportionate number of 4 votes out of that 128! If these Senators believe that the United States of America is entitled to equal representation and equal voting power, upon what theory, if, as they concede, the inequality exists in this document, do they continue the inequality and by a reservation dodge the whole question and touch not at all that inequality?

The question is not of repudiation after a decision shall have been rendered. That is not the point that we ought to reach, the point that touches all of us most nearly, and that touches our country. The question is as to the right in the first instance of representation, the right in the first instance of voting power, the right in the very first instance in this labor conference, which has tremendous power and deals with tremendous questions of importance, the right that America has to exactly the same representation and the same voting power as the Empire of Great Britain.

This amendment is offered, Mr. President, so that, so far as I am able to make it, the issue shall be plain. If it is sought to be amended in any particular to make it plainer, I will take any amendment that may be asked by any man who says he wants to correct this inequality. I will take any amendment that may be suggested to accomplish the desired result; but the question is, and every man must answer that question by his vote, Shall the United States of America have as many votes and as much representation in the league of nations and in the labor council as the Empire of Great Britain? That is the question; and there is not any sort of sophistry or specious reasoning concerning technicalities or attenuated interpretation that will enable that question to be avoided upon this issue. I submit to the Senate that our duty is—not only our duty, but it should be a duty which we perform with alacrity and enthusiasm—to give unto the country that is ours, and that we love, equal voting power and equal representation with any country on the fact of the earth, even with the Empire of Great Britain.

Mr. KELLOGG. Mr. President, I shall take but just a moment of the time of the Senate.

I claim that this amendment gives the United States no more votes than the first amendment. It provides—

> 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 liberally applied and construed to effectuate fully said intent.

Mr. President, of course that amendment will not give the United States a single vote where it is a party. If it does, it gives it something that no other nation has. Nor does it give the United States a vote, as I explained the other day, in any dispute between this country and a member having self-governing dominions, or between this country and any other country not having self-governing dominions, or between any two countries not having self-governing dominions, other than this country. It is exactly what the other amendment was in that respect.

Mr. JOHNSON of California. Will the Senator yield for a question?

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from California?

Mr. KELLOGG. I yield for a question.

Mr. JOHNSON of California. Without conceding at all what the Senator says in that regard, if it be amended exactly as the Senator says he wants it, will he vote for it?

Mr. KELLOGG. I will not vote for it.

Mr. JOHNSON of California. Of course not.

Mr. KELLOGG. Because it can be taken care of effectually, so far as this country is concerned, by a reservation, and so far as the labor provision goes, if it is not already taken care of by the reservation proposed by the Senator from Wisconsin [Mr. LENROOT], it can be taken care of.

Mr. LENROOT. Mr. President, I did not intend to speak further upon this subject, and I shall be very brief now. I would not speak now but for the belief apparently upon the part of the Senator from California [Mr. JOHNSON] that the amendment, as he now proposes it, will wholly accomplish the object sought by the reservation, as well as give equality in voting in cases which the reservation does not touch.

I made an argument the other day, Mr. President, attempting to show that so far as the vital interests of the United States are concerned, the amendment proposed by the committee does not afford protection, and that to secure such protection a reservation is necessary; and I suggested the form of a reservation that I believed would protect the interests of the United States.

I at no time, Mr. President, made any claim that the reservation that I suggested would do all the things that the amendment would accomplish. I fully appreciated that that was not so, and because it did not, I voted for the amendment proposed by the committee, and I shall vote now for the amendment proposed by the Senator from California, because the amendment does give equality of votes to the United States and the British Empire in advisory matters, in all meetings of the assembly or the league, under article 11 and other provisions of the treaty. While they have no power to bind anybody, they do have the power to make advisory recommendations. That the amendment will accomplish, which the reservation does not, and for that reason I favor it.

But neither the amendment proposed the other day, nor, in my judgment, the amendment now proposed, protects the United States where the assembly has the right to bind the United States. That, in my judgment, can be cured only by a reservation such as suggested, unless, Mr. President, we rewrite the entire text of that portion of the treaty. I do want to impress upon the Senate, if I can, that although this amendment be adopted, if the interests of the United States are to be protected, a reservation will be necessary.

To just follow that for a moment, the language of the new amendment is:

> Upon all matters whatsoever the United States shall have votes in the council and assembly * * * 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.

That language, in my judgment, would have the same construction as the language originally proposed by the committee, in that it would only give the additional number of votes, where, under the treaty, we were entitled to vote at all, and it would not cover a case where, by the treaty, the United States was excluded from voting.

I think the Senator from California will admit that his amendment would not give the United States six votes where the United States was a party to the dispute.

Mr. JOHNSON of California. That is not the point you are making, sir, at all.

Mr. LENROOT. I say, I think the Senator from California will admit that.

Mr. JOHNSON of California. Unquestionably that is true, but this amendment does mean exactly what you have been saying it does not mean.

Mr. LENROOT. Let me see. If the Senator, then, admits that, although the language says that we shall have votes upon all matters whatsoever, and yet admits that it excludes the United States from voting when it is a party to the dispute, it must be because the treaty itself, not this language, excludes the United States from a vote where it is a party to the dispute.

Mr. JOHNSON of California. Mr. President, do not misunderstand me. What I say is that the United States is excluded so far as the United States is concerned as a disputant; but the United States has in council and in assembly exactly the votes that Great Britain has under the very terms of the amendment.

Mr. LENROOT. Where it has any votes at all, I agree.

Mr. JOHNSON of California. Wherever Great Britain votes five votes, the United States has a right to vote five votes.

Mr. LENROOT. Where it is a party to the dispute?

Mr. JOHNSON of California. Wherever Great Britain votes five votes, the United States can vote five votes.

Mr. LENROOT. Let me understand the Senator. Does he, then, contend that his amendment would give the United States five votes where it was a party to the dispute?

Mr. JOHNSON of California. Wherever Great Britain votes five votes. That is what it does, exactly.

Mr. LENROOT. The Senator, then, contends that although we were in a dispute with Japan, where Great Britain would cast six votes in that dispute between the United States and Japan the United States would cast six votes? Is that correct?

Mr. JOHNSON of California. Certainly it will cast its votes, just as Great Britain will under similar circumstances; or, if Great Britain is excluded, the United States will be excluded.

Mr. LENROOT. Is it possible that the Senator from California then asks that in a dispute between the United States and Japan, where Japan is excluded from voting, if Great Britain votes, we shall have six votes? Is that the Senator's contention? I would like an answer from the Senator from California upon that question.

Mr. JOHNSON of California. Just pardon me——

Mr. LENROOT. If that is the construction, I must retract what I said a few moments ago when I stated that I would vote for the amendment.

Mr. JOHNSON of California. Pardon me. The Senator from South Dakota [Mr. STERLING] has stated to me that there was some misapprehension. Will the Senator ask his question again?

Mr. LENROOT. I want to know if the Senator from California contends that if the United States has a dispute with Japan, the United States——

Mr. JOHNSON of California. Oh, no; the Senator has misunderstood me, if he says that. I say that wherever Great Britain votes five votes, we will vote five votes under similar circumstances. Wherever we must stand aside as a disputant, very well; wherever Great Britain must stand aside, very well; but where Great Britain votes five votes, we vote five votes, on any question of any character whatsoever.

Mr. LENROOT. I think we now understand each other.

Mr. JOHNSON of California. Did you misunderstand me before, or did I misstate the case?

Mr. LENROOT. No; the Senator from California was certainly mistaken about it.

Mr. JOHNSON of California. Possibly I did not reply accurately to the question of the Senator from Wisconsin.

Mr. LENROOT. I fully understand now the position of the Senator from California, and I am in accord with that position. He takes the position now, with which I agree, that notwithstanding the language of the amendment, the treaty excludes the United States from any vote where the United States is excluded under the treaty and one of those cases where the United States is excluded by the terms of the treaty——

Mr. JOHNSON of California. Pardon me, now. I do not say anything of the sort. I say where the United States is a disputant.

Mr. LENROOT. Very well.

Mr. JOHNSON of California. But I do not say, in the Senator's technical construction of the word "other" that we would stand aside.

Mr. LENROOT. No; the Senator anticipates me. I am coming to that.

Mr. JOHNSON of California. That is not what I am saying, and because of the misunderstanding a moment ago, I do not want another misunderstanding. I think the Senator was inaccurately quoting me.

Mr. LENROOT. Possibly. The RECORD will show. But we have established now, I take it, that this amendment will not give to the United States any votes where the United States is one of the disputants.

Mr. MOSES. Mr. President, I think the Senator from Wisconsin is very clearly in error in his construction of the effect of the amendment. The assumption has been constantly made in the course of this debate that should a controversy arise between the United States and Great Britain, the one vote of Great Britain would be set aside together with the one vote of the United States, but the remaining five votes possessed by the self-governing colonies, dependencies, and parts of the British Empire would still continue to be cast.

Mr. LENROOT. That is an entirely different question.

Mr. MOSES. The proposal of the Senator from California, as I understand it, is that under similar circumstances the remaining five votes of the United States shall be cast.

Mr. LENROOT. That is an entirely different situation, which I am not discussing at this time. That is covered by the amendment known as the Moses amendment, and it is also covered by a reservation that has been proposed.

Mr. KNOX. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Pennsylvania?

Mr. LENROOT. I yield.

Mr. KNOX. The question propounded by the Senator from New Hampshire has cleared up that feature of it, but it is contended that if we have a dispute with Great Britain, neither Great Britain nor any of her colonies shall vote. It seems to me that there can not be any opportunity for difference of opinion between the Senator from Wisconsin and the Senator from California on the other proposition, because it is the whole theory of the treaty that disputants do not participate in the voting at all; and whether they have 1 vote or whether they have 5 votes or whether they have 50 votes, they step out of the arena. As I understood the Senator from California [Mr. JOHNSON], if under similar circumstances we had a controversy with Japan of course Great Britain would vote her 5 votes in that controversy; but if Great Britain had a controversy with Japan we would vote our 5 votes.

Mr. LENROOT. There is no misunderstanding now.

I now get to the point that the language of this amendment does not cover us when we are a disputant, or give us votes, because we will be excluded whenever we are a disputant. By the same reasoning we would not need any additional number of votes wherever in any other case we are excluded by the terms of the treaty from voting at all. That must be absolutely true, and that brings us again to article 15, which I discussed the other day, where a dispute is taken from the council into the assembly. The members of the league are divided into two groups, one group consisting of all the members who are also members of the council, and they must be unanimous. Then the treaty says there must be a majority of the other members of the league to sustain the action of the unanimous group who have representatives upon the council. So still the United States would be excluded from voting, because the United States does not constitute one of the other members of the league. So we would be excluded there exactly in the same way that we are excluded when we are a party to the dispute.

Mr. KNOX. Mr. President, may I ask another question of the Senator?

Mr. LENROOT. Certainly.

Mr. KNOX. The Senator must surely admit that there will be a vast number of questions coming before both the council and the assembly that you could not characterize as disputes between nations. The Senator will admit that the amendment proposed by the Senator from California would give us an equal number of votes with Great Britain in respect to those questions, which probably will occupy the bulk of the attention of both council and assembly.

Mr. LENROOT. I agree to that, and that is why I am for the amendment. I am only repeating this argument to-day for the purpose of establishing, if I can, that in all cases of dispute where the vital interests of the United States are concerned this amendment does not cure the evil, and the only way I know that it can be done, without rewriting that portion of the treaty, is by such a reservation as I have proposed. That is my only purpose in making this argument.

Mr. JOHNSON of California. Mr. President, I do not want any misunderstanding or misapprehension to be had concerning the colloquy which occurred between the Senator from Wisconsin [Mr. LENROOT] and myself. I say to him, and I say now to the Senate, that in a case where the United States is a disputant, of course it is relegated, just exactly as in the case where Great Britain is a disputant, to the provisions of the covenant that it can not vote. But I say that by this amendment it is upon an equality with Great Britain, and I deny, in cases which will come to the assembly then, in other instances where the United States is not a party, that it will be in any other position than Great Britain, and Great Britain alone.

The design of this amendment is to put the United States and Great Britain upon an equality and give them equal representation and equal voting power. The amendment does just that thing and does it fully and does it completely.

The Senator from Wisconsin argues that there are cases that will be taken to the council that will come to the assembly, and when they come to the assembly, because of the interjection of the word "other" in section 15 of the covenant, that the United States can not vote upon those questions. Not so, because under this amendment, upon those questions to which neither the United States nor Great Britain will be a party, the United States will be upon an equality with Great Britain, with equal voting power and equal voting force.

When I was answering the Senator from Wisconsin a moment ago I was referring in each instance to the case where the United States was a disputant. I had in mind his argument of the other day, which I have studied since that time, concerning the construction of the word "other" in article 15. I insist that it is only where the United States is a disputant that it must stand aside, but that in every other instance, in the assembly and in the council, the United States and Great Britain are on an inequality. That is what I am striving to cure; that is what I think this amendment accomplishes. It accomplishes it, even according to the Senator from Wisconsin, so far that he will vote for the amendment, and if he, with his construction, will vote for the amendment, how can any other man upon this floor decline to do so if he is seeking equality of representation and equality of voting power with Great Britain for his own country.

Mr. BRANDEGEE. Mr. President, I wish to ask the Senator from California [Mr. JOHNSON] if his amendment should read "under the league" or "under the treaty"? It refers to that in four places. In line 5, on page 1 of the amendment, is found the first instance. As I recall it, the labor organization is not sanctioned under the league at all.

Mr. JOHNSON of California. I think the treaty provides that they shall meet under the league. Am I not correct in that?

Mr. BRANDEGEE. Under the covenant, the Senator means?

Mr. JOHNSON of California. Under the covenant of the league of nations.

Mr. BRANDEGEE. There is some provision that report may be made to the league, I think, or that the council shall have

some jurisdiction of what the labor organization or the assembly, formed under the treaty, may do. But here is an amendment which refers to the council, the assembly, and this labor organization "under the league." I do not know whether the Senator considered it in drawing the amendment. I simply wanted to suggest to him that the labor provisions in the last part of the treaty itself——

Mr. JOHNSON of California. May I suggest to the Senator that if he will glance at the labor provisions on page 489 of the treaty print he will see that it is a matter that can very readily be determined.

Mr. BRANDEGEE. Yes; I have that page before me. I will say to the Senator that I am not giving any opinion upon it. I thought possibly the Senator had made a mistake or had not considered it. I admit that I have not, and so I can not give him any opinion upon it.

Mr. JOHNSON of California. I would be perfectly willing to perfect it by saying "under the treaty."

Mr. BRANDEGEE. Of course, if it does say "under the treaty" it includes both, because the covenant is a part of the treaty.

Mr. JOHNSON of California. Then, Mr. President, in order that there may be——

Mr. NORRIS. Before the Senator makes the change, may I interrupt him?

Mr. JOHNSON of California. Certainly.

Mr. NORRIS. The language in line 5, in which the labor conference is referred to, contains the modifying words "under the league." Those last words that I have read apply to the council, to the assembly and to the labor conference. As I understand it, the council and the assembly are provided for under the league, but the labor conference is provided for away back in the treaty.

Mr. JOHNSON of California. If the Senator will permit me, they were referring to the labor conference, and the punctuation would indicate that.

Mr. BRANDEGEE. Yes; there is a comma there.

Mr. NORRIS. Then it seems to me the word "league" ought to be changed to "treaty."

Mr. JOHNSON of California. I ask leave to perfect the amendment by adding the words "or treaty," so that it will read "under the league or treaty."

Mr. BRANDEGEE. It occurs in line 5 and in line 9 on page 1, and on page 2 in lines 1, 7, and 8. If the Senator will glance carefully at it, I think the same change should be made at those places.

Mr. JOHNSON of California. In each instance add the words "or treaty."

Mr. BRANDEGEE. Strike out the words "under the league" and substitute the words "under the treaty."

Mr. JOHNSON of California. I was going to use the words "under the league or treaty."

Mr. BRANDEGEE. That is all right.

The PRESIDENT pro tempore. The Secretary will state the modifications in the amendment proposed by the Senator from California.

The SECRETARY. On page 1, line 5, after the words "under the league," insert the words "or treaty"; the same amendment in line 9, after the words "under the league," insert the words "or treaty"; on page 2, line 1, the same amendment, after the words "under the league" insert the words "or treaty"; on page 2, lines 7 and 8, the same amendment, after the words "under the league," insert the words "or treaty."

Mr. COLT. Mr. President, it seems to me, as I said the other day, that the Johnson amendment is impracticable and unworkable. The argument seems to be founded upon the proposition that this is a treaty between the United States and Great Britain, and leaves out of consideration the fact that there are 32 parties to the treaty, and that the principle upon which the voting is based is membership voting, each member having a single vote.

Suppose the assembly were gathered here and they were voting upon the proposition of the admission of a new member to the league; 32 members are present, 31 of these members cast a single vote, and the United States casts six votes; 27 of these members are sovereign States, 5 or 6 of them world States. I wish to ask the Senator from California [Mr. JOHNSON] is it a practicable proposition, when the assembly meets, that the United States should cast six votes, as many as six of the other great sovereign States?

Mr. JOHNSON of California. Mr. President, does the Senator——

Mr. COLT. This is as an association of nations. We want an association that deals squarely with all nations. This proposed change must be submitted to the other parties. Will France or Italy or Japan or Brazil, or the other great powers, agree that the United States shall have six votes?

You could carry that illustration further: Suppose you have the neutral nations admitted, as contemplated by the covenant, and then the membership will be 45, and 44 cast a single vote, and 39 out of that 44 are sovereign States, some of them equal to the United States; under these circumstances should the United States have six votes? Again, suppose, as contemplated by the covenant, the membership consists of 50. Would it be right for 49 members to have one vote each and the United States six? The proposition that I maintain from a legal standpoint is that this covenant all the way through is constructed upon the principle of membership voting, with each member having a single vote.

Mr. NORRIS. Mr. President——

Mr. COLT. And that if you should inject this principle of one member having six votes, you will have to reconstruct the whole covenant. I ask the Senator whether it is fair by our associates in this league for us to insist upon having six votes and leave them only one vote?

The PRESIDENT pro tempore. Does the Senator from Rhode Island yield to the Senator from Nebraska?

Mr. COLT. I yield.

Mr. NORRIS. In the illustration the Senator is giving, where he said we are assembled here as a league, he assumes, I suppose, that Great Britain is one of the constituent members.

Mr. COLT. Great Britain is a member and the self-governing colonies and dominions are members.

Mr. NORRIS. How many votes in that assembly, in which the Senator says we only ought to have one vote, has Great Britain?

Mr. COLT. Great Britain, with her self-governing colonies and dominions, has six votes.

Mr. NORRIS. Does the Senator think it is any more unfair for us to object to Great Britain having six than it would be for France to object to us having six?

Mr. COLT. Certainly unfair, because there is something in the proposition that these self-governing colonies and dominions are entitled to representation in the league, and the Senator is asking the United States, without any self-governing colonies or dominions, to come in here and claim their six votes.

Mr. NORRIS. If the Senator will read the treaty and the names of those who sign the treaty and the names in which they do sign it, he will have to admit, I think, that His Majesty, the King of the United Kingdom of Great Britain and Ireland and the British dominions beyond the seas, the Empire of India, is, under the very terms of the treaty, given six votes. Every one of those self-governing colonies, as the Senator calls them, gets its authority, under the treaty which we are considering, by and through the King of the British Empire. Is not that true?

Mr. COLT. It is true. That language may be in the treaty, but the covenant itself entitles any self-governing colony or dominion to a vote, and it so happens that in the application of that principle it only applies to the British Empire. It would apply to us if the Philippines had that status.

I say it is a very difficult thing to meet. I want to meet it. I do not want that inequality. I believe it can only be met by a reservation.

I want to have some regard for the other nations that are members of the league. I repeat that you have either got to reconstruct the covenant as a legal document or else you have got to adopt some such broad reservation as that suggested by the Senator from Wisconsin [Mr. LENROOT], and say that in any case where we think there is inequality, where we think we are wronged, we will not be bound.

Mr. NORRIS. Mr. President, it seems to me that the Senator from Rhode Island [Mr. COLT] admits himself out of court. He admits that there is an inequality here. He first gives us an illustration of an assembly such as it is proposed here to organize, where each nation represented has one vote, but he has to admit that one of those nations, by virtue of having some so-called self-governing colonies, has six votes. He calls our attention to the condition that would exist if we were given six votes, and states that France might not like it and that Italy might not like it. That is an objection. I agree with the Senator that it brings us to a condition which is illogical; but we are already there under the Senator's own admission. We have already an assembly or council or a conference where one nation has six votes while we have only one. I admit with the Senator that it may be difficult to remedy the defect. It seems almost as though we ought to rewrite the document, as the Senator says. If that be true, then, we ought to throw the whole thing out of the window and let it be rewritten.

Mr. COLT. The question is not stated fairly when the changes are rung on six votes to one. It turns upon the principle of whether the self-governing colonies are going to be admitted as members.

Mr. NORRIS. They are now admitted; they are already in.

Mr. COLT. I say that may be a defect, and we want to try to cure it as far as possible. It will have to be cured in one of three ways, namely, by depriving the self-governing colonies and dominions of voting power, by reconstructing the covenant, or by safeguarding the United States through a reservation providing that the United States shall not be bound in any case where it is felt that injury has been done.

Mr. NORRIS. There is a great deal in what the Senator from Rhode Island says. The logical way to proceed would be to follow the theory on which he started; that every nation should have one vote, and if one nation had three representatives in the assembly all other nations should each have three representatives in the assembly. That would be the logical thing to do. The amendment which was offered by the Senator from Tennessee [Mr. SHIELDS] and voted down, in my judgment, would have accomplished that result. We must either give to the other nations as many votes as are given Great Britain or we must take away from Great Britain enough of her votes so as to put her on an equality with the other nations; one course or the other must be pursued.

As it now stands that inequality exists; Great Britain has six votes. If we ask six votes for ourselves and France wants six votes I am in favor of giving France or any other nation six votes. My personal judgment is, if we had agreed to the amendment suggested by the Senator from Tennessee that we would have taken away from Great Britain five of her votes. Then there would have been no difficulty.

Mr. President, I desire to call the attention of the Senate to the manner in which the signatories have signed the treaty. Let me refer to the manner in which the treaty was signed by the representatives of Great Britain; and that is as far as I shall have to go in order to show that she has six votes. How was Great Britain represented and who signed the treaty on her behalf? The treaty is before us signed by representatives of Great Britain and each one of her self-governing colonies. It was signed by the representatives of Great Britain in this way:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British dominions beyond the seas, Emperor of India, by the Right Hon. David Lloyd-George, M. P., first lord of his treasury and prime minister; the Right Hon. Andrew Bonar Law, M. P., his lord privy seal; the Right Hon. Viscount Milner, G. C. B., G. C. M. G., his secretary of state for the colonies; the Right Hon. Arthur James Balfour, O. M., M. P., his secretary of state for foreign affairs; the Right Hon. George Nicoll Barnes, M. P., minister without portfolio; and for the Dominion of Canada—

It is the same sentence, mark you; I have not come to a period as yet; I am reading the same sentence now with which I began—

for the Dominion of Canada, by the Hon. Charles Joseph Doherty, minister of justice; the Hon. Arthur Lewis Sifton, minister of customs——

Mr. OWEN. Mr. President——

Mr. NORRIS. Let me finish the sentence. When I come to a period I will yield to the Senator.

Mr. OWEN. I merely wanted——

Mr. NORRIS. I hope the Senator will wait until I reach a period; then I will yield to the Senator, but I want to finish the sentence—

For the Commonwealth of Australia, by:
The Right Hon. William Morris Hughes, attorney general and prime minister;
The Right Hon. Sir Joseph Cook, G. C. M. G., minister for the Navy;
For the Union of South Africa—

I have not reached a period yet—

by:
Gen. the Right Hon. Louis Botha, Minister of Native Affairs and Prime Minister;
Lieutenant General, the Right Hon. Jan Christiaan Smuts, K. C., Minister of Defense;
For the Dominion of New Zealand, by:
The Right Hon. William Ferguson Massey, Minister of Labor and Prime Minister—

There is no period as yet, Mr. President—

For India, by
The Right Hon. Edwin Samuel Montagu, M. P., his Secretary of State for India;
Major General, His Highness Maharaja, Sir Ganga Singh Bahadur, Maharaja of Bikaner, G. C. S. I., G. C. I. E., G. C. V. O., K. C. B., A. D. C.

His Majesty the King of Great Britain is represented by certain persons representing each part of the Empire, and the Empire is given one representative and one vote for each of these parts.

Those are the representatives of the King and Great Britain, every one of them claiming in and through the King of the United Kingdom of Great Britain.

Mr. McCORMICK. Mr. President, will the Senator yield for a question?

Mr. OWEN. Mr. President——

Mr. NORRIS. First, I yield to the Senator from Oklahoma, and then I will yield to the Senator from Illinois.

Mr. OWEN. The Senator has not come to a period.

Mr. NORRIS. No; but I have yielded.

Mr. OWEN. The Senator said he would yield when he came to a period.

Mr. NORRIS. I did better than I said I would; I yielded before I found one.

Mr. OWEN. The Senator did not find one, and that is the very point to which I intended to call the Senator's attention.

Mr. NORRIS. Very well; I can keep on until I reach one, if I have the breath.

Mr. OWEN. The Senator would have to read the names of the representatives of the French Republic and of the representatives of all the other signatories before he would come to a period.

Mr. NORRIS. Yes; because the representatives of the various powers that signed the treaty are included; but it will not be found when it comes to the French Republic, or any other nation signatory to the treaty, that the names of their representatives are connected by the word "and" as the self-governing dominions are connected up with Great Britain as a part of the same sentence.

Mr. MOSES. I call the Senator's attention to the fact also that the word "for" will not be found in connection with the signatures of the representatives of the other powers.

Mr. NORRIS. Yes.

Mr. SHIELDS. Mr. President, I should like to ask the Senator a question in that connection.

Mr. NORRIS. Very well.

Mr. SHIELDS. Does the Senator find any provision in the treaty that all of the self-governing colonies of Great Britain shall have ambassadors or ministers to the United States?

Mr. NORRIS. No.

Mr. SHIELDS. Is there any provision that we shall send ministers to them?

Mr. NORRIS. No.

Mr. SHIELDS. Is not that usual in the case of sovereign and independent governments standing on a plane of equality in the family of nations?

Mr. NORRIS. Yes, sir. I thank the Senator. His suggestion adds to the proof, if that were necessary, that all the colonies are only parts of one empire. I now yield to the Senator from Illinois.

Mr. McCORMICK. Mr. President, I am sorry the Senator could not yield before the Senator from Rhode Island [Mr. COLT] left the Chamber, because I think if the Senator from Nebraska would dwell a little on the democratic and representative character of the alphabetic statesman whose name is the last of those appended to the list of the representatives signing for the British Empire, it would be enlightening.

Mr. NORRIS. I can not go any further, I will say to the Senator; the alphabet was exhausted by the letters appended to the name of the statesman referred to.

Mr. KNOX. Mr. President——

Mr. NORRIS. I yield to the Senator.

Mr. KNOX. I merely wish to call the Senator's attention to another clause of the treaty which tremendously strengthens his argument that the various representatives to whom he has referred were signing for one Government, namely, the British Empire. The very first line of the treaty, defining who the principal allied and associated powers are, says:

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

Naming the British Empire as one entity.

Mr. NORRIS. Yes; the British Empire includes every one of the British colonies, the names of whose representatives I have read, and the treaty shows that affirmatively on its face. All of those colonies got into the league through the King. He is the King of one of them just as much as he is the King of the others. It seems to me that the wording of the document demonstrates beyond the possibility of doubt that this one Empire has in the league under this treaty six votes as against any other nation whose representatives signed the treaty and which becomes a member of the league under the treaty.

Suppose, Mr. President, the United States should become involved in war with Great Britain, where would Canada be; where would Australia be; where would New Zealand be; where would South Africa be; and where would India be? All against us. We know that they belong to that one nation.

I am aware that the question is asked—it was asked the other day by my colleague [Mr. HITCHCOCK]—why should we have

this jealousy against Canada? Why are we objecting to Canada? We are objecting to Canada for the same reason that we would object to the State of New York if it undertook to be a member of the league; because Canada is a part of the British Empire. She is not an independent nation, and everybody knows it. The treaty shows it, and nobody can successfully deny it.

I have no prejudice against Canada. I wish to say that I feel as friendly toward Canada as toward any nation on the face of the earth outside of our own. I have no jealousy of Canada. I would be glad to see Canada an independent nation, but if Canada wants to be a full-fledged member of this league, if she wants to have a full vote in the council or in the assembly, then let her throw off the shackles of the British Empire and be independent like any other nation. That is her business; I am not criticizing her because she does take such action. If she prefers to stay in the British Empire she has a perfect right to do so; it is not in my mouth to criticize her; but she can not in one breath say, "I am an independent nation entitled to a vote the same as every other nation," and in the next breath say, "I am a part of the British Empire." And then there is India, with a full vote. Everybody knows—it is an open secret—that the only reason on earth for putting India in this league and giving her a vote is to increase the power and influence of Great Britain. It simply adds another vote to Great Britain. Everybody knows and nobody denies it. The people of India will have no more voice in the league than the people of Mars, but this device increases the power of England, and America is asked to stand for it.

If we get into any dispute that may lead to difficulties with any one of these self-governing colonies that are part of the British Empire, we immediately face the British Empire—nothing else, nothing less—and I am not criticizing that. I am only stating it as a fact. Now, the question is, What shall be done to give an equality in this league, on the council, in the assembly, and in the labor conference, where under this treaty as it is written this Empire is given six votes to our one, six men to our one as representatives? How are we going to remedy it?

This amendment is not a full remedy. I admit it. I do not believe it is the logical way, but it seems to be the only outlet that we can have. It seems to be the only way in which we can say that we are entitled to as many votes and as many representatives on every one of these tribunals as any other nation. We are entitled to that; every man knows we are entitled to that; the whole world knows that we are entitled to it, and yet we hesitate to demand it; yet we are here saying we will not take it, we will go into this league handicapped in this way, and giving our chief competitor in the world an opportunity to outvote us with six votes to our one everywhere that we meet her.

Mr. President, it is not only that she has the six votes in these conferences; she gets another power by virtue of those six votes that is indirect, and that has a wonderful influence. The weak nation, the little nation, or perhaps any nation that is going to have controversies in the league, in the council, in the assembly, or in the labor conference, will naturally want to be successful in those controversies; and it therefore follows that they will court the favor of the nation or of the empire that can give them the most in return for their favors. We all know that in actual life, in political conventions and everywhere else, the State or the county that comes with a great, big delegation because of the very fact of its large delegation has a power over other counties and other States and other delegations that are not so large. So that it is an inequality all through. There is not any justice in it. I do not see how any American citizen can stand for it, can approve any treaty that will say, "We are only one-sixth of the importance of some other nation."

If this treaty has been so constructed, as the Senator from Rhode Island [Mr. COLT] says—and there is something in his argument—by these representatives over there at Versailles, so ingeniously wound up with this evil in it that it can not be remedied without rebuilding it all, then we ought to have the courage to throw it all out, and say that it must be rebuilt or we will have nothing to do with it.

Mr. OWEN. Mr. President, the Senator from Nebraska [Mr. NORRIS] laid great stress upon the coming to a period in reading the description of the representatives of the British Empire and the various self-governing dominions. It is not a matter of any particular importance whether there is a period there or not, but I simply called the attention of the Senator to the fact that these various self-governing colonies are separated by semicolons throughout the entire list, in the same manner precisely as every other member nation signatory thereto.

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

Mr. OWEN. I yield.

Mr. NORRIS. I think the Senator is right, as far as the period is concerned, but I want to ask him——

Mr. OWEN. I regard it as immaterial. It makes no difference.

Mr. NORRIS. I admit that. Now, let me ask the Senator this question: On page 5 of this treaty, just after the first representatives of Great Britain are mentioned, there is the word "And." What does that mean, if it does not mean that what follows is a part of the British Empire?

Mr. OWEN. If the Senator will permit me to have the floor for a few moments, I should like to address myself to this matter without being cross-questioned while I do it. I say that with all kindness and with all respect; but I want to make my own argument, and not have the argument made for me by questions.

Mr. NORRIS. Mr. President, will the Senator yield again?

Mr. OWEN. I yield; certainly.

Mr. NORRIS. Perhaps I owe the Senator an apology for interrupting him.

Mr. OWEN. Oh, not at all—not at all.

Mr. NORRIS. When the Senator has the floor I certainly would not interrupt him in any way except in the most courteous way, but I insist that I am not trying to make his argument for him. I asked him a fair question; I stated it as courteously as I knew how, and I hope he will treat me in the same way.

Mr. OWEN. I certainly intend always to treat with the utmost courtesy my very particular friend from Nebraska, for whom I have the warmest admiration and affection, as the Senator knows; but I want to make my own argument, and I do not want to be interrupted, and I shall not take over three or four minutes. I do not take much time on the floor.

Mr. President, the British Empire is, of course, a composite body, consisting of the original British Empire proper—the British Isles—and then the four great self-governing Dominions and India. I flatly deny that the British Empire has six votes, notwithstanding the assertion of Senators to the contrary. I say the British Empire has one vote, and only one vote, and that vote represents the British Isles and the parts of the British possessions which are not mentioned by specific terms as great, self-governing, modern democracies. Canada has one vote. Australia has one vote. South Africa, consisting of many States, has one vote. New Zealand has one vote.

India, which is in fact governed by the foreign office of Great Britain, has one vote, and it is quite possible that the nominee from India might be designated by the foreign office in London, although I do not believe that the foreign office would go so far as to deny India the right of nominating its own representative. But India has nearly 300,000,000 people. Surely no man would deny India the right to one vote when we have given one vote to Haiti, governed by our marines, just at our border, which has not one thousandth part as many people as India.

Canada has one vote, and no man will presume to say that the British Empire, under the direction of the prime minister, Mr. Lloyd-George, would undertake for one moment to tell Canada who the representative of Canada should be in the assembly. It would be an act of unbearable presumption on the part of Lloyd-George to attempt to do such a thing.

No man will contend that the government of the British Isles would venture to tell New Zealand or Australia or South Africa what representative citizens should be sent to represent them or under what instructions. They send their own representatives under their own instructions. They are self-governing people, entitled to self-government of right, just as much as the people of the United States are entitled to self-government. They send their own chosen and instructed representatives. They are severally progressive democracies. I speak of Australia, and of New Zealand, and of South Africa, and of Canada. If the English Government were Tory and reactionary in the extreme, those four votes would dominate the six votes if they attempted to vote as a unit, which they would not do. Gen. Smuts expressed his discontent with the conference at Paris. It did not fulfill his expectations. He was completely at liberty.

The trouble with the Senators who oppose this treaty is that they have no faith in the common honesty or the common sense of mankind or of the representatives who will be assembled around the council table of the assembly. All their arguments are based on this false and grossly unjust conception.

Mr. BORAH. Mr. President, this question of equalizing the power both as to voting and as to the influence of the United States in this league is a very difficult one. That is to say, it has been difficult to draw an amendment which would cover the

entire subject matter. There is no longer any doubt, I presume, that this amendment as it is now drawn covers a very important and vital feature of this problem of inequality which exists in the league. Whether it covers it completely or not, it seems to be conceded that there is a vital portion of the question which is effectually covered by this amendment.

I think the Senator from Wisconsin [Mr. LENROOT] is quite logical when he says that he is going to vote for this amendment and also vote for a reservation; but, assuming that Senators desired to equalize the influence and the vote, I do not see how they could vote against this amendment and rely alone upon a reservation, because no reservation which has been proposed and no reservation which can be proposed will cover the entire subject matter and completely solve the problem.

I believe, Mr. President, if it were not for the fact that Senators desire not to amend this treaty, if it were not for the fact that as a matter of expediency they do not care to send it back as an amended document, the amendment of the Senator from California would be accepted almost out of hand.

Senators seem to think that it is better to suffer this inequality than to take the chance of sending the treaty back. I do not agree with them; but if this matter were here as an original proposition, if the Senate were making this treaty and there were not involved the question of sending it back for reconsideration, as some of them view it, I venture to say that the amendment of the Senator from California would be accepted practically without a dissenting vote. It is inconceivable, it is unthinkable, that without some reason which a Senator thinks is a controlling reason he would deny to his country equality of voting, equality of influence, in a vast organization which is supposed to last not only for a decade, but for all time, and to deal with all the affairs of the world.

Mr. President, in refusing to send this treaty back we ought to take into consideration that we are building, if we are building at all, not for a day or for a year, but for all time to come, if this matter shall meet the expectations of those who are the authors of it. Is it a safe thing for us to proceed, to the disadvantage of our country, upon the theory that we do not desire to delay for a certain length of time the consummation of the league?

It has occurred to me, Mr. President, that such an able lawyer as the Senator from Minnesota [Mr. KELLOGG], if he were really concerned for the protection of his country, the preservation of her prestige and her power and her honor in this great organization, instead of expending his ingenuity in assailing this amendment, he would give us the benefit of his learning and his ability as a lawyer toward perfecting it. Nobody denies that his reservation takes care of only a small portion of it, and it leaves the control of this great assembly in the election of its members, and in all of these noncontentious matters, or nondisputable matters, to which the Senator from Pennsylvania referred, uncovered and uncontrolled by the question of equality. How is he going to leave it? What is his remedy? He offers nothing. And yet such Senators as the Senator from Wisconsin [Mr. LENROOT] frankly concede that this amendment is the only way to reach a certain vital part of this problem.

The Senator from Minnesota [Mr. KELLOGG], in speaking the other day, said:

> I do not claim that the British Empire should have six votes in the assembly or more than one representative in the council; I shall not defend the action of the President in granting the demands of the British Empire in this respect.

Why should he not defend the action of the President in granting the demands of the British Empire if he proposes to let them retain what they got? Having the power as a coordinate branch of the Government in the treaty-making power, and it being within his power to remedy it, why should he criticize the President or anyone else for giving Great Britain that which he as a Senator permits her to retain?

Further, he said:

> I do not think the President stood for all he should have, nor did he demand all he should have for his country at Versailles.

What is the Senator from Minnesota demanding in addition? What is he adding to that which the President came home with? Where is his ability as a lawyer that it is not devoted, while he is a public official, to the welfare of his country? It is easy, Mr. President, to find fault and criticize, but it would seem that he would strive to strengthen this amendment and protect his country against the injustice which he admits to exist. It would seem he would devote his ability to building up and strengthening this amendment, instead of tearing it down.

He said further:

> If he proposes to decrease the influence of Great Britain in the assembly of the nations of the world, he must either take from Great Britain her six votes, which he does not propose to do, or he must give every other nation in the world the same vote under all circumstances.

There is a disposition here to look after all of the other nations of the world. We can only do successfully and efficiently one thing, and that is look after the interests of the United States, and we need not suffer any remorse of conscience if we devote ourselves to that, and that successfully, because we learned at Versailles that the other nations look after their own interests, and that they do not need any guardian. The treaty as it came from Versailles demonstrates one thing beyond question, and that is that the representatives of the other nations took care of their interests perfectly and successfully.

The able Senator from Rhode Island [Mr. COLT] said that we must have regard for the other nations and that we must not place ourselves in a position where we seem to disregard their interests. The other nations can harmonize the situation to the welfare of the United States, and will undoubtedly do so rather than give up the idea that the United States is to underwrite the other nations. They can equalize their interests, and they will undoubtedly do so, and all we have to do is to take care, as best we may, of the interests of the United States. You can not do it in any other way than by an amendment. You can have a reservation, as the Senator from Wisconsin [Mr. LENROOT] says, which will take care of a portion of it, but you can not have a reservation which will take care of the entire portion. So the logical position to assume, it seems to me, for all except those who are opposed to amending the treaty under any consideration whatever, is to vote for the amendment, and then vote for reservations, and you will have done all within your power to equalize the British Empire and the United States.

I was talking to a distinguished Englishman the other day upon this particular question, and he was very frank to say that he recognized the inequalities of the provisions of the covenant in regard to this. But he said, "You understand the peculiar situation in which we are placed by reason of the fact that we have these self-governing dominions, who have certain ideas about their rights and about their dignity and about their authority, which we were compelled to recognize."

We do not seek to interfere with that in this amendment. It has been stated over and over again, and it can not be stated too often, that we have no desire to interfere with the peculiar situation with which Great Britain has to deal. We have no desire to shear anything away from the power of the self-governing dominions. We have not undertaken to do so by this amendment. But we have undertaken, in view of the peculiar situation of the British Empire, to equalize it by an amendment which places us upon an equality with her, both as to votes and as to influence, leaving the British Empire to take care of her self-governing dominions, interfering in nowise with her policy, but simply claiming for the United States that equality of power and influence to which she is entitled, as we think, under the league.

Mr. McCORMICK. Mr. President, during the course of the debate this afternoon the statement was made that objection had been made to the preponderant vote of the British Empire nowhere except in this Chamber. The Senator from Rhode Island [Mr. COLT] made that statement. I have seen it made in the press of this country. It must be, therefore, that Senators who share that view and editors of newspapers who represent it neither read the cables from Paris nor study the Journal of the French Chamber of Deputies.

The Senator from California [Mr. JOHNSON], when last he spoke, referred to the statement of Leon Bourgeois, once prime minister of France, and to be the first member for France of the council of the league of nations, in which he criticized the voting power accorded the British Empire under the covenant of the league.

M. Augagneur, speaking for the deputies on the left, in a bitter speech expressed an opinion like that of M. Bourgeois. Finally M. Franklin-Bouillon, whom some Senators met when he was in this country, who later became a member of the French Cabinet, and who is at this time chairman of the Foreign Relations Committee of the Chamber of Deputies, in terms which might well have been those of the Senator from Idaho [Mr. BORAH] or the Senator from California [Mr. JOHNSON], spoke in condemnation of the inequality and the injustice implied in according to one power six votes while other powers of the first rank have but one vote.

Indeed, Mr. President, while it is far from the fact that criticism has been uttered in no chamber other than this, it is a fact that only here in the Senate of the United States has unqualified indorsement of the six votes for the British Empire been heard. Not in any parliament of the British Empire has anyone made any such sweeping statement as has been made on this floor.

I have been able to read the Journal of the Chamber of Deputies and the Hansard, the official report of the debates in the Canadian Parliament, which, in part, have been quoted by other Senators. But I believe that no Senator has quoted from the long and interesting speech of a member of the House of Commons of Canada who for 16 years was a member of the Canadian cabinet. The speech, in part, was a reply to Sir Robert Borden, who argued that for Canada the arrangement made afforded all the advantages of independence and none of the disadvantages. Canada was to be a member of the league within the league; she would have her own representative as the representative of the Dominion in the assembly, and, if I read Sir Robert's speech aright, that Great Britain would yield the place in the council of the league to a representative of Canada if Canadian interests were at stake.

Replying, in part, to the speeches of Sir Robert Borden and Mr. Doherty, who had spoken for the Government, as they say in Canada, that is, for the administration, Mr. Fielding said:

I think the putting forth of the claim for representation of Canada separate and apart from the British Empire was not wise, and I think it is going to make for trouble in the future. It has already been the cause of trouble in the United States. * * * I think the claim * * * has a large measure of logic in it.

Behold, we have a member of the Canadian House of Commons answering Senators of the United States, and upholding, as against Senators in the American Senate, the right of the United States to equal representation. He continued:

I think the claim * * * has a large measure of logic in it, when they say it is unfair that they, a Nation of over 100,000,000 people, should have only one representative in the assembly of the league of nations, while the British Empire has six. I do not see any logical answer to them.

This is not a Senator from Minnesota nor a Senator from Maine who is speaking, although you may be astonished to hear me say so, but a member of the Canadian House of Commons. He continued:

I had suggested, as my honorable friends may remember, in a former session, that the State of New York would have as much reason to ask for special representation, in addition to the national representation at the peace conference as Canada would, because the State of New York is a big factor in the United States; much bigger, I think, than Canada is in the British Empire.

It is difficult to answer the contention that the State of New York, or any other great State, was as much entitled to separate representation as any separate section of the British Empire. The president of the council met that by this comment: "Why," he said, "the United States is one great nation, while the British Empire is composed not only of the United Kingdom but of five other nations, and therefore there is no comparison between them." A moment's reflection will show my honorable friend that that argument can not bear examination. He uses the word "nation" in the same breath in two ways as meaning the same thing, when it means entirely different things. The nation that he speaks of, the United States, is a sovereign nation subject to nobody, while the five nations that he speaks of are not nations at all, but dependencies of the British crown and subject to British authority.

Mr. President, perhaps because Mr. Fielding does not care to reflect upon the political status of another part of the empire, while he continues to argue regarding the independent sovereignty, the true national status of all of the dependencies of the empire, he makes no special allusion to India, the empire of India, for whom one of the signatories is Edwin Samuel Montagu, chosen doubtless, as the Senator from Oklahoma indicated, by the Indians under some very peculiar method of democratic representation. I think if we search for Mr. Montagu's Indian origin we should find it first in London, then perhaps in Harrow or Westminster, and so on through Cambridge to the Inns of Court, and then, thanks to activities of the Government whip, to a seat in the House of Commons until he was dispatched upon a mission to devise a homeopathic method of applying self-government and self-determination to India. I venture that perhaps he had never stepped upon the shores of the Indian empire of whom he was one of the representatives. Certainly, then, Indian democracy has its own exponent, its own representative, in the other signatory for the great Empire, Maj. Gen. His Highness Maharaja Sir Ganga Singh Bahadur—and I will ask leave that the balance may be printed in the RECORD, and therefore will not tax the attention of the Senate to read his titles and dignities enumerated.

The PRESIDENT pro tempore. Without objection, that will be the order.

The matter referred to is as follows:

Major-General His Highness Maharaja Sir Ganga Singh Bahadur, Maharaja of Bikaner, G. C. S. I., G. C. I. E., G. C. V. O., K. C. B., A. D. C.

Mr. McCORMICK. This democratic representative of 300,000,000 people is an autocrat, a very enlightened autocrat, sent to Europe, by the appointment of the viceroy whose origin is no more Indian than that of Mr. Montagu.

Mr. President, the truth is that there is no logic and there is no justice as between the principal powers in the representation accorded the British Empire. If you please, justice may require that the self-governing dominions should be given some voice, although that is moot, since their diplomatic representatives are the same persons who represent the foreign office in London. But, if you please, I will accept, and other Senators of my view will accept, the proposition that justice requires that they shall be represented in the assembly of the league. Political exigency, then, in order to present to the Indian masses the semblance of empire and nationality and self-determination, exigency, expediency required that India should not be denied what the dominions were accorded. If the other great powers are ready to assent to the inequality, although that is not true, if one may judge by the debates in the French chamber, it is not incumbent on us to assert their right to equal representation. If we succeed in securing for the United States as many votes as has the British Empire, and the other principal powers ask for the same number, surely no representative of this country would stand in their way.

The supporters of the amendment introduced by the Senator from California [Mr. JOHNSON] to-day, like those who supported the committee amendment which bore his name, have not wanted to disfranchise any of the self-governing dominions. They have not sought to belittle the civilization or growing industry or growing power or the sacrifices of South Africa or New Zealand or Australia or Canada. I shall be glad again to bear witness to the valor of their arms in the field, as I did when I returned from the front, where I had beheld the British armies assembled from all the Empire, engaged with incomparable sacrifice and gallantry in the struggle in which we finally had a part.

This is an issue, Mr. President, which will not down. It is not a mere legal abstraction. It will raise an issue in the league, if ever we enter it, that will touch the national pride and self-respect of the American people. The question will live with us, not only here in the Senate but throughout the country. In the States and in the counties, in the cities and at the crossroads, Americans will say to one another, "The Senate failed to do its duty and to secure 100,000,000 people a voting power equal to that accorded 60,000,000 of self-governing people."

A few days ago, Mr. President, I sought to make inquiry of one of the Senators who was speaking in opposition to the amendment offered by the Senator from California [Mr. JOHNSON], or, rather, the committee amendment which bore his name. I sought to learn from him his opinion regarding a situation which might develop through the appointment and finding of a committee, to which the council had failed to agree unanimously or to which the assembly had failed to agree by the vote required for binding action.

Under article 5 of the covenant a majority may appoint a committee to investigate particular matters. A committee appointed by a majority of the assembly may investigate an alleged tort, a dispute, or any matter affecting the peace of the world brought to the attention of the council or the assembly of the league.

Let us assume, as we may, that the committee has brought in its judgment; that it should be adverse to our interests directly, or, as touching some other power in South America or in Asia, almost equally adverse to our interests, indirectly. Certainly Senators can conceive that there might be a dispute on the shores of the Pacific or the Caribbean which would affect our interests almost as intimately as if it were a dispute with the United States itself.

Under article 15, if the council did not with the necessary unanimity or the assembly did not agree with the necessary vote to the report of the committee, members of the league "reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice." That means that the committee would have made up the case before the public opinion of the world, and the great powers, failing decision under the covenant, supported by public opinion, created, organized by the committee, would take such action as they saw fit "for the maintenance of right and justice." Here certainly, in a very real and material sense, the six votes held in fee by the British Empire and the four others held by mortgage would play a great part in the constitution of the committees whose findings would determine the public opinion of the world. Under those findings the nations should draw the sword, as provided in article 15. Until this injustice is cured, until the covenant, if it be adopted, be purged of this inequality, the American people, moved by self-interest and self-preservation, by pride in their patrimony, will never allow this question to rest.

SEVERAL SENATORS. Vote!

Mr. LODGE. Regular order!

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

The PRESIDENT pro tempore. The Secretary will call the roll.

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

Ashurst	Gerry	Lodge	Simmons
Ball	Gronna	McCormick	Smith, Ariz.
Borah	Hale	McKellar	Smith, Ga.
Brandegee	Harding	McLean	Smith, Md.
Calder	Harris	McNary	Smith, S. C.
Chamberlain	Henderson	Moses	Smoot
Colt	Hitchcock	Nelson	Spencer
Culberson	Johnson, Calif.	New	Sterling
Cummins	Johnson, S. Dak.	Newberry	Sutherland
Curtis	Jones, N. Mex.	Norris	Swanson
Dial	Jones, Wash.	Nugent	Thomas
Dillingham	Kellogg	Overman	Townsend
Edge	Kendrick	Owen	Trammell
Elkins	Kenyon	Penrose	Wadsworth
Fall	Keyes	Phelan	Walsh, Mass.
Fernald	King	Phipps	Walsh, Mont.
Fletcher	Kirby	Pomerene	Warren
France	Knox	Ransdell	Watson
Frelinghuysen	La Follette	Sheppard	Wolcott
Gay	Lenroot	Shields	

The PRESIDENT pro tempore. Seventy-nine Senators have answered to their names. There is a quorum present. The question is upon the amendment proposed by the Senator from California [Mr. JOHNSON].

Mr. HITCHCOCK, Mr. JONES of Washington, and Mr. LA FOLLETTE called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. SWANSON (when Mr. BANKHEAD's name was called). The senior Senator from Alabama [Mr. BANKHEAD] is unavoidably detained from the Senate. He is paired with the Senator from Vermont [Mr. PAGE]. If he were present, the Senator from Alabama would vote "nay" and the Senator from Vermont, if present, would vote "yea."

Mr. GRONNA (when his name was called). On this question I have a pair with my colleague, the senior Senator from North Dakota [Mr. MCCUMBER]. If he were present and I were permitted to vote, I should vote "yea" and he would vote "nay." Not being able to get a transfer of my pair, I withhold my vote.

Mr. HARDING (when his name was called). Because of a standing general pair with the junior Senator from Alabama [Mr. UNDERWOOD], I am unable to vote. If I were permitted to vote, I should vote "yea."

Mr. MOSES (when his name was called). In order that the Senator from California [Mr. JOHNSON] may have the privilege of voting on his own amendment, I have taken from him the pair existing between him and the senior Senator from Virginia [Mr. MARTIN], and, in the absence of the Senator from Virginia, I withhold my vote. If permitted to vote, I should vote "yea."

Mr. SIMMONS (when his name was called). I have a pair on this vote with the senior Senator from Oklahoma [Mr. GORE]. I transfer that pair to the senior Senator from Nevada [Mr. PITTMAN] and vote. I vote "nay."

Mr. SWANSON (when the name of Mr. SMITH of Arizona was called). The Senator from Arizona [Mr. SMITH] is paired with the Senator from Wyoming [Mr. WARREN]. If he were present, the Senator from Arizona would vote "nay." He is unavoidably detained from the Senate.

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. He being absent, I am obliged to withhold my vote. If permitted to vote, I should vote "yea."

Mr. SWANSON (when Mr. UNDERWOOD's name was called). The junior Senator from Alabama [Mr. UNDERWOOD], who is detained from the Senate on account of sickness, is paired with the junior Senator from Ohio [Mr. HARDING]. If the Senator from Alabama were present, he would vote "nay."

Mr. WARREN (when his name was called). I am paired for the afternoon with the senior Senator from Arizona [Mr. SMITH], as has been stated by the Senator from Virginia [Mr. SWANSON].

The roll call was concluded.

Mr. GERRY. I desire to announce that the junior Senator from Kentucky [Mr. STANLEY] is paired with the senior Senator from Missouri [Mr. REED]. The Senator from Missouri is in favor of the amendment and the Senator from Kentucky is against it.

Mr. SMITH of South Carolina. I have a pair on this vote with the Senator from Illinois [Mr. SHERMAN]. I transfer that pair to the Senator from Arkansas [Mr. ROBINSON] and vote "nay."

The result was announced—yeas 35, nays 42, as follows:

YEAS—35.

Ball	Fall	Lenroot	Poindexter
Borah	Fernald	Lodge	Shields
Brandegee	France	McCormick	Smoot
Calder	Frelinghuysen	McLean	Spencer
Capper	Johnson, Calif.	New	Townsend
Cummins	Jones, Wash.	Newberry	Wadsworth
Curtis	Kenyon	Norris	Walsh, Mass.
Dillingham	Knox	Penrose	Watson
Elkins	La Follette	Phipps	

NAYS—42.

Ashurst	Harrison	McNary	Smith, Ga.
Chamberlain	Henderson	Myers	Smith, Md.
Colt	Hitchcock	Nelson	Sterling
Culberson	Johnson, S. Dak.	Nugent	Swanson
Dial	Jones, N. Mex.	Overman	Thomas
Edge	Kellogg	Owen	Trammell
Fletcher	Kendrick	Phelan	Walsh, Mont.
Gay	Keyes	Pomerene	Williams
Gerry	King	Ransdell	Wolcott
Hale	Kirby	Sheppard	
Harris	McKellar	Simmons	

NOT VOTING—19.

Bankhead	McCumber	Reed	Stanley
Beckham	Martin	Robinson	Sutherland
Gore	Moses	Sherman	Underwood
Gronna	Page	Smith, Ariz.	Warren
Harding	Pittman	Smith, S. C.	

So the amendment of Mr. JOHNSON of California was rejected.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business with closed doors.

The motion was agreed to, and the doors were closed. After 10 minutes spent in executive session the doors were reopened.

ADJOURNMENT.

Mr. LODGE. As in legislative session, I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 40 minutes p. m.) the Senate, as in legislative session, adjourned until tomorrow, Thursday, October 30, 1919, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate October 29 (legislative day, October 22), 1919.

BUREAU OF FOREIGN AND DOMESTIC COMMERCE.

Herman G. Brock to be Second Assistant Director Bureau of Foreign and Domestic Commerce in the Department of Commerce.

UNITED STATES COAST AND GEODETIC SURVEY.

Roland D. Horne to be junior hydrographic and geodetic engineer.

UNITED STATES CIRCUIT JUDGE.

Maurice H. Donahue to be United States circuit judge, sixth circuit.

PROMOTIONS IN THE ARMY.

ORDNANCE DEPARTMENT.

William H. Tschappat to be colonel.

QUARTERMASTER CORPS.

Harry E. Wilkins to be colonel.

CORPS OF ENGINEERS.

Edgar Jadwin to be colonel.
Edward M. Markham to be lieutenant colonel.

To be majors.

Stuart C. Godfrey.
Francis C. Harrington.

CAVALRY.

To be captains.

Samuel V. Constant.
William C. Chase.
Norman E. Fiske.
Donald O. Miller.
Wilson T. Bals.
Cyrus J. Wilder.
Harold C. Fellows.
John T. Pierce, jr.
George M. Herringshaw.
Thomas F. Limbocker.
Cornelius M. Daly.
Richard B. Trimble.

To be first lieutenants.

Carleton Swasey.
Edwin W. Godbold.
Hugh Brooks.

John G. White.
Raymond C. Gibbs.
Leo F. Crane.
Rohland A. Isker.
Robert R. Maxwell.
Charles A. Horger.
Arthur D. Soper.
Conrad G. Wall.
Harold A. Davis.
Charlie E. Hart.
James T. Donald.
Edward G. Knowles.
Francis V. Terry.
Charles E. Dissinger.
Martin G. Charles.
Earl M. Abbott.
Samuel V. H. Danzig.
George F. Neilson.
Dean A. Jones.
Hugh F. Conrey.
Paul C. Febiger.
Alexander D. Mason.
Earle L. Hazard.
Paul J. King.
Harry E. Pendleton.
Benton F. Munday.
Gyles Merrill.
William C. Bowie.
Wilfred E. Willis.
John B. Seaton.
James M. Adamson, jr.
Charles E. Sheldrake.
Joe C. Rogers.
Frank A. Allen, jr.
Guy O. Kurtz.
Louis J. Compton.
Clarence A. Lefferts.
Read Wipprecht.
Claire M. Daugherty.
Ceylon O. Griffin.
Dimetrio P. Harkins.
Bruce M. McDill.
Loren F. Parmley.
Edward Herendeen.
Grayson H. Bowers.
Thomas W. Herren.
Harry G. Clarke.
Alden H. Seabury.
Fred W. Koester.
Clarence A. Shannon.
Alexander B. MacNabb.
William N. Todd, jr.
Walton W. Cox.
Dudley Miller.
John K. Egan.
Thomas R. Taber.
Ross E. Larsen.
Charles W. Burton.
Calvert L. Estill.
Nathan Cockrell.
Cecil J. North.
Robert M. Eichelsdoerfer.
James T. Watson, jr.
Edward B. Harry.
Herbert D. Bowman
Albert G. Klapp.
Fred P. Clark.
Harry Leroy Jones.
George S. Clarke.
Harold P. Stewart.
Harold LaR. K. Albro.
Darrow Menoher.
Mark A. Devine, jr.
Gerald FitzGerald.
William H. Killian.
Carl J. Dockler.
Olin C. Newell.
Lawrence T. Brown.

FIELD ARTILLERY.

To be lieutenant colonel.

Edgar H. Yule.

To be major.

Edmund L. Gruber.

To be first lieutenants.

John C. Miller, jr.
Walter A. Metts, jr.
Morgan F. Simmons.
Frank Camm.
Leonard H. Frasier.
Clifford B. Cole.
John S. Burrell.
Richardson L. Greene.
Roland MacGray.
Robert J. Horr.
John L. Grant.
Paul L. Deylitz.
Leo M. Kreber.
Edwin L. Sibert.
O'Ferrall Knight.
Charles C. Blanchard.
Paul E. Hurt.

POSTMASTERS.

MARYLAND.

Walter S. Wilson, Aberdeen.
Edward W. Ross, Pocomoke City.
Thomas D. Bowers, Chestertown.
Adelia E. Bowers, Millington.

NEW JERSEY.

Matthias C. Ely, Jersey City.
John Jenkins, Delanco.

PENNSYLVANIA.

Sadie R. Keffer, Clairton.
Besse M. McCauley, Dravosburg.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *October 29, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in heaven, teach us to know, respect, and dignify law—the laws which Thou hast made and the laws which men have enacted out of the experiences of life; that we may be obedient servants of the living God and law-abiding citizens of the State and Nation of which we are a part; that out of the reconstruction of life through which we are passing, brought about by a world-wide war, harmony, peace, and plenty may crown the efforts of our statesmen and bring back the normal. Through Him who taught us brotherly love, pure and noble life; and Thine be the praise forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALENDAR WEDNESDAY.

The SPEAKER. To-day is Calendar Wednesday.

FIRST DEFICIENCY APPROPRIATION BILL—CONFERENCE REPORT.

Mr. GOOD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GOOD. The conference report on the first deficiency bill has been agreed to by the Senate. The agreement was a unanimous agreement. I believe it would take but a very short time to dispose of it in the House, and I move, therefore, to dispense with Calendar Wednesday only long enough to take up and dispose of the conference report.

The SPEAKER. The gentleman from Iowa moves to dispense with Calendar Wednesday until the conference report referred to is disposed of——

Mr. BLANTON. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Is such a motion proper? Should it not be rather by unanimous consent?

The SPEAKER. The Chair thinks the motion is proper.

Mr. BLANTON. To dispense with Calendar Wednesday?

The SPEAKER. Yes. The rule provides, the Chair's recollection is, five minutes' debate on a side.

Mr. KAHN. I would like to ask the chairman of the Committee on Appropriations a question. How long will it take to dispose of this report?

Mr. GOOD. Mr. Speaker, it seems to me that the report can be disposed of very quickly. It has been published now for two days; everybody knows what it is. I think there is only one item about which there is any dispute, and it ought not to take an hour to dispose of the conference report.