

SENATE.

TUESDAY, February 17, 1920.

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

Almighty God, Thou dost rule all things through the changeless order of Thine own will and providence. Thou hast given to us the changeless principles upon which we are to build our lives. We lift our hearts to Thee that we may be put in accord with the divine will. We come to the source of truth. If any of us scorn the truth, we pray Thee to give us special illumination. If any of us doubt the ultimate triumph of the truth, give us the inspiration that Thy grace alone can supply. Help us to consecrate ourselves to the truth, that Thou hast revealed to us through Thy Son. We ask for Christ's sake. Amen.

On request of Mr. CURTIS, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

RELIEF OF CONTRACTORS (S. DOC. NO. 224).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, recommending that the proposed appropriation of \$500,000 in the pending second deficiency appropriation bill for "relief of contractors" be increased to \$1,000,000, which was referred to the Committee on Appropriations and ordered to be printed.

UNITED STATES HOUSING CORPORATION (S. DOC. NO. 225).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of Labor submitting supplemental estimate of appropriation in the sum of \$300,000 required by the United States Housing Corporation for operation of projects, fiscal year 1920, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 796) for furnishing water supply for miscellaneous purposes in connection with reclamation projects, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 2454) for the relief of certain members of the Flathead Nation of Indians, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 3037) to authorize the Secretary of War to transfer, free of charge, certain surplus motor-propelled vehicles and motor equipment to the Department of Agriculture, Post Office Department, Navy Department, and the Treasury Department for the use of the Public Health Service, and certain other surplus property to the Department of Agriculture, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a joint resolution (H. J. Res. 194) amending joint resolution extending the time for payment of purchase money on homestead entries in the former Colville Indian Reservation, Wash., in which it requested the concurrence of the Senate.

CALLING OF THE ROLL.

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

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

Ball	Harris	McKellar	Smith, Md.
Beckham	Harrison	McLean	Smoot
Borah	Henderson	McNary	Spencer
Brandegee	Hitchcock	Moses	Sterling
Calder	Johnson, S. Dak.	Nelson	Sutherland
Capper	Jones, N. Mex.	New	Thomas
Colt	Jones, Wash.	Norris	Townsend
Culberson	Kellogg	Nugent	Trammell
Curtis	Kendrick	Overman	Underwood
Dial	Keyes	Page	Wadsworth
Dillingham	King	Pittman	Walsh, Mont.
Elkins	Kirby	Pomerene	Watson
Fernald	Knox	Ransdell	Williams
Fletcher	Lenroot	Reed	Wolcott
France	Lodge	Sheppard	
Frelinghuysen	McCormick	Simmons	
Haile	McCumber	Smith, Ga.	

Mr. DIAL. I desire to announce that my colleague [Mr. SMITH of South Carolina] is detained by illness. I ask that this notice may continue for the day.

Mr. CURTIS. I wish to announce the absence of the Senator from Iowa [Mr. KENYON], the Senator from Delaware [Mr. EDGE], and the Senator from Louisiana [Mr. GAY] on business of the Senate.

Mr. SMITH of Maryland. I desire to announce that the Senator from Wyoming [Mr. WARREN], the Senator from Illinois [Mr. SHERMAN], and the Senator from Colorado [Mr. PHIPPS] are detained at a meeting of the Appropriations Committee.

Mr. McKELLAR. The Senator from California [Mr. PHELAN], the Senator from Arkansas [Mr. ROBINSON], and the Senator from Arizona [Mr. ASHURST] are absent on official business.

The Senator from Rhode Island [Mr. GERRY] is detained at home by illness.

The Senator from Virginia [Mr. SWANSON] and the Senator from Tennessee [Mr. SHIELDS] are detained by illness in their families. The Senator from Massachusetts [Mr. WALSH] is detained by the illness of a member of his family.

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

PETITIONS AND MEMORIALS.

Mr. KEYES presented a memorial of Carders' Local Union No. 1147, United Textile Workers of America, of Manchester, N. H., remonstrating against the spreading of propaganda proposing to overturn the present form of government in the United States, which was referred to the Committee on the Judiciary.

Mr. CAPPER presented a petition of Luka Post No. 304, Grand Army of the Republic, Department of Kansas, of Oak Hill, Kans., praying for the passage of the so-called Fuller pension bill, which was referred to the Committee on Pensions.

He also presented memorials of sundry citizens of McPherson County, Marion County, and Kiowa County, and of Spring Creek Union Grange No. 1682, Patrons of Husbandry, of Sedan, all in the State of Kansas, remonstrating against compulsory military training, which were ordered to lie on the table.

Mr. TOWNSEND presented a memorial of the Pattern Makers' Association, of Detroit, Mich., and a memorial of Cigar-makers' Local Union No. 22, of Detroit, Mich., remonstrating against the passage of the so-called Sterling sedition bill, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Michigan, praying for the speedy ratification of the League of Nations, which was ordered to lie on the table.

Mr. PHELAN presented a petition of Post No. 13, American Legion, of Pasadena, Calif., praying for the enactment of legislation giving rank to Army nurses, which was referred to the Committee on Military Affairs.

DEFICIENCY APPROPRIATIONS.

Mr. WARREN. From the Committee on Appropriations I report back favorably with amendments the bill (H. R. 12046) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, and I submit a report (No. 426) thereon. I wish to say that I shall undertake to call up the bill for consideration to-morrow.

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

BILLS INTRODUCED.

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

By Mr. JONES of Washington:

A bill (S. 3928) relating to the ships acquired from Germany, and for other purposes; to the Committee on Commerce.

By Mr. NUGENT:

A bill (S. 3929) permitting all members of the Officers' Reserve Corps of the Army, Regular Army Reserve, Naval Reserve Force, and the United States Marine Reserve Corps to purchase supplies from the commissary stores of the Army and Navy; to the Committee on Military Affairs.

By Mr. SPENCER:

A bill (S. 3930) authorizing the Secretary of War to donate to the city of Fulton, Callaway County, Mo., a captured German supergun; to the Committee on Military Affairs.

ARTICLE BY DR. CHARLES W. ELIOT.

Mr. FLETCHER. Mr. President, I ask to have printed in the RECORD an article appearing in the New York Times of Sunday last, by Dr. Charles W. Eliot, of Cambridge, Mass., on the subject of Senate obstructionists' estimate of the people.

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

[From the New York Times, Feb. 15, 1920.]

SENATE OBSTRUCTIONISTS' ESTIMATE OF THE PEOPLE—DR. ELIOT CALLS IT THE LOWEST EVER MADE BY NATIVE OR FOREIGNER, AND SAYS SENSELESS APPREHENSIONS HUMILIATE AMERICA.

[By Dr. Charles W. Eliot, president emeritus of Harvard University.]

The Senate obstructionists to ratification apparently hold the opinion that the American people are too dull to see that their interest in the travail of the world is now just what it was in April, 1917, when they went to war eagerly and unanimously on behalf of arbitration of international quarrels—a characteristic American doctrine for a century past—reduction of armaments, security for small nations, safety for all democracies, and strong international means of preventing war by physical force as well as public opinion. Three years ago the American people could draw the logical conclusion from the sinking of the *Lusitania*, the presence of German submarines off Nantucket, and the proposal of Herr Zimmermann that Japan and Mexico should unite to attack Texas, New Mexico, and Arizona. They then saw the menace of the German power to our freedom. They saw that Great Britain and France were staggering under the German assaults, and hurried to the rescue. But now the Senate obstructionists seem to think that they can lead the people of this country to believe that the objects for which America fought are attained, that the old despotisms are crushed, and the new ones will destroy themselves; that America has no interest in helping Europe or Asia to peace and order, and may safely withdraw to isolation and the care of her own material interests on her own territory. America first! This is the lowest estimate of the intelligence and good sense of the American people that has ever been made by native or foreigner. That such an estimate should be made by public men who had the means of watching the way the minds and hearts of the common and uncommon people in the United States worked in 1917 and 1918 would seem incredible, but is a humiliating fact.

The obstructionists also believe that the American people relapsed into gross selfishness when the fighting stopped, and are now ready to do the best they can for themselves, without concern for either the miseries and terrors or the trembling hopes of Europe and of humanity. The obstructionists actually urge the people to abandon the altruistic motives which have governed them for three years past, and to be henceforth selfish and hard-hearted. Safety first! Save yourselves! Never mind these others who have fallen among thieves and are left half dead. Never was a sympathetic and generous people more misunderstood and misinterpreted by a group of their own elected servants.

The obstructing Senators express great anxiety lest the assembly or the council of the league should in some way impair the rights of the American Congress or interfere with our domestic affairs. Such fears indicate that those who feel them either do not understand the meaning of the few short articles of the covenant of the League of Nations or have failed to attain to an adequate conception of the influence America has had in the preparation of the treaty and covenant or will have in carrying them into gradual execution, an influence solidly based on the immense resources of the country and the enterprising spirit of the people in both peace and war. What little Americans they are who harbor such baseless and fantastic fears! Did any power interfere with the United States before she proved herself the strong power she is now everywhere known to be? What power in Europe, Asia, or Africa will think it expedient to assail or try to circumvent the constitutional rights of the legislative branch of the most powerful and resourceful State in the whole league? One would suppose that these timorous Senators were thinking of what might happen to some weak or backward State at the hands of the big international association.

Some of the obstructing Senators are much concerned because the United States is to have only one vote in the international assembly, like France and Italy; whereas the British Empire is to have one vote, and Canada, Australia, South Africa, New Zealand, and India will also have one vote each, making six votes in all for the actual governments of British derivation. But what have we to fear from that equitable arrangement? Did not those peoples help to win the war? Canada, Australia, South Africa, and New Zealand are intense democracies which are much more likely to agree and act with us than with France or Italy, or even Great Britain, in the international discussions of the future. Moreover, decisions at any meeting of the assembly or of the council require unanimous consent, so that each single member has an absolute veto on any proposed action in either body. (Art. 5.) What a blind jealousy or faint-hearted apprehension must lie behind this objection to ratification!

The obstructing Senators have exhibited an extraordinary timidity about the means of withdrawing from the League of Nations. The covenant of the league contemplates a permanent league which is to carry out through a long series of years the

new international policies which are admirably described in the preamble to the covenant, as follows:

The high contracting parties, in order to promote international cooperation and to achieve international peace and security by the acceptance of obligations not to resort to war; by the prescription of open, just, and honorable relations between nations; by the firm establishment of the understandings of international law as the actual rule of conduct among Governments; and by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another agree to this covenant of the League of Nations.

Nevertheless, these high contracting parties, in order not to bind themselves to perpetual membership in the new League of Nations, provided in the last sentence of article 1, a natural, peaceful means of withdrawal from the league, as follows:

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

This is just such an amicable arrangement as reasonable partners in a business firm might make to provide for the withdrawal of any member of the firm who for any reason might wish to withdraw. At the proviso in this sentence the obstructing Senators took intense alarm and have insisted that no power but the United States should have any right to decide whether the obligations of the United States under the covenant shall have been fulfilled. The obligations of the United States which most excited their alarm resulted from article 10, which declares as follows:

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

The council is to "advise" only, not give orders. The obligation of members of the league to "respect and preserve as against external aggression the territorial integrity and existing independence of all members of the league" is, of course, essential to the effective promotion of "international cooperation" and to the achievement "of international peace and security." An essential part of the treaty relates to the new boundaries of European nations, old and new, and it is obvious that the fruits of the military victory won by the allied and associated powers will not be reaped unless these boundaries are substantially preserved. The objects for which America made her sacrifices of men and treasure will not be attained unless Alsace-Lorraine goes back to France, Poland is reconstructed, and Italia irredenta is restored to the Kingdom of Italy. Still, the freedom of action of the United States is not threatened; the council can only advise the cooperating nations what to do.

The obstructing Senators are appalled at the possible cost to America of this obligation to maintain these new boundaries, a cost, they think, which might be determined by the council and not by the Government of the United States. They declare that neither the assembly nor the council should be allowed to say whether or not the United States had fulfilled all its obligations when it wishes to withdraw from the league, or to determine the contribution the United States should make to the preservation of the new national boundaries which the treaty creates. They apparently can not see that the covenant and treaty do not abridge the future freedom of action of the people of the United States, or of any other people represented in the league. Suppose the council of the league entertains the opinion that the United States has not fulfilled all its obligations at the moment when it would like to withdraw from the league, what can the council do to prevent the withdrawal of the United States? No decision of the council can be made which the United States does not like, for the council can take no action whatever without the consent of the United States, since unanimity is required for council action. The United States has an absolute veto on every decision of the council. Suppose the council to entertain the opinion that in order to preserve the boundaries fixed by the treaty the United States ought to send over a million men to fight in Europe. If the Government or Congress of the United States does not assent to that measure the council can not enforce its own view. The obstructing Senators are not fighting any real danger to American institutions or American freedom. They are shuddering at spooks and bogies of their own summoning.

But perhaps one might conceive that this League of Nations, through its assembly, council, or international court, might nefariously contrive some amendment of the covenant or treaty to which they might hold that the United States was bound. Even this apprehension is absolutely excluded by article 26 of the covenant, which describes the careful mode in which amendments to the covenant may be effected. The last sentence of the article is as follows:

No such amendment shall bind any member of the league which signifies its dissent therefrom; but in that case it shall cease to be a member of the league.

Three reservations out of 14 are apparently intended to protect citizens of the United States from interference by the league with their personal business relations, property rights, and valued privileges of associations. Such interferences could only proceed from the council of the league or from commissions created or superintended by that council. But how could they possibly proceed from the council directly or indirectly? There sits at every meeting the representative of the United States of America, holding an absolute veto on every decision of the council. It is incredible that the American representative should allow to pass any measure which could possibly affect the property rights or legitimate privileges of citizens of the United States. Again, a senseless apprehension and futile precautions against imaginary dangers are exhibited without shame by American Senators! What a humiliation for the country before the wondering world!

The American people by a great majority wish to "carry on" heartily and strongly until the ends for which they went to war are measurably attained. They do not propose to count the money or the work which "carrying on" will cost. If they were disposed to do so, they would have to take account of the opinion held by competent economists, engineers, and sanitarians that the cost to America of "quitting" now would be vastly greater than the cost of "carrying on." They do not propose to abandon the cause for which thousands of American youth died on French soil in 1918. They mean to try resolutely and patiently to abolish militarism, prevent war, promote liberty under law, and so make the world a happier place to live in. They cry aloud to all obstructionists: We wish to get into the League of Nations and stay in. It is the best hope of the desolated and distracted world. We wish to help put into operation at once the ameliorating and restoring provisions of the league and treaty combined. Let us have no more heartless delays or meaningless discussions. Ratify the covenant and treaty, and let us Americans get to work at utilizing and multiplying the manifold good in them.

CHARLES W. ELIOT.

CAMBRIDGE, MASS., February 12, 1920.

PRICE OF WHEAT.

Mr. McCORMICK. Mr. President, I offer a letter which I ask to have printed in the RECORD.

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

CONTINENTAL AND COMMERCIAL

NATIONAL BANK OF CHICAGO,

Chicago, February 7, 1920.

HON. MEDILL McCORMICK,

United States Senate, Washington, D. C.

MY DEAR MR. SENATOR: It has been brought to my attention that the Committee on Agriculture of the United States Senate has favorably reported the Gronna bill, which, if passed, will do away with the Government guaranty affecting the price of wheat to June 1 this year. It seems to me that the Government is under a very strict moral obligation to abide by the guaranty which it made, covering the marketing until June of this year of the wheat crop grown in 1919. The farmer was encouraged greatly to increase his acreage by reason of the law fixing a minimum price, and it would be decidedly unjust to the farmer to repeal this statute and have the repealing act become effective as proposed.

Not only did Congress and the administration agree to protect the grower in the marketing of his wheat, but, through the inadequacy of transportation, it has been impossible to market the wheat produced last year, as we are reliably informed by our constituents that at least 200,000,000 bushels have failed to reach the markets because of lack of transportation facilities. The inability of the railroads to handle the grain offered has been due to several reasons, the principal ones being shortage of proper rolling stock, congestion at terminals, and the general disorganization growing out of the coal strike. Certainly the holders ought not to be denied the minimum guaranty on wheat held back for this reason.

Contracts have been entered into between elevator owners and millers which would in effect be abrogated by the passage of the bill now under consideration. If it should become law it would entail heavy loss by these interests, but still heavier and more widespread loss upon the agricultural community. The farmer would have every right to regard this as a breach of trust.

I very much hope that you will give this your earnest consideration, because I believe that the enactment of the Gronna bill would be very unfortunate.

Yours, very truly,

RALPH VAN VECHTEN,
Vice President.

SALE OF SHIPS.

Mr. WALSH of Montana. Mr. President, in the course of some remarks yesterday by the Senator from Arizona [Mr. ASHURST] reference was made to the disposition of certain German ships which for a time were sailed under the American flag, including the *Imperator* and other vessels of like character. Without saying so, perhaps the Senator left the impression that these ships had become the property of the United States, and that they had been given away, as the Senator expressed it, by the Shipping Board. I think a plain statement of the facts in reference to the matter will be helpful, and I desire to put into the RECORD at this time a letter addressed to me by Raymond B. Stevens, of the Shipping Board. We never did have any title to those ships. They never belonged to us in any sense whatever. They came to us under the terms of the armistice, which provided as follows:

In order to secure the provisioning of Germany and of the rest of Europe the German Government shall take all necessary steps to place the German fleet for the duration of the armistice under the control and the flags of the allied powers and the United States, who shall be assisted by a German delegate. This arrangement shall in no wise affect the final disposal of such vessels. The Allies and the United States shall, if they consider this necessary, replace the crews either entirely or in part, and the officers and crews so replaced shall be repatriated to Germany.

These, Mr. President, were not the ships which were seized by the United States in its ports or elsewhere. They were ships which were voluntarily turned over by the German Government, ships lying in her ports after the war was over, pursuant to the terms of the armistice, to be divided among the Allies as should be determined. The allocation of these ships was made by what was known as the allied maritime council, our representative upon that council in London being Mr. Raymond B. Stevens, a member of the Shipping Board, heretofore referred to. When these ships were thus turned over to the Allies the United States asked for a number of them to be used as transports to aid in the transportation of our soldiers abroad to their homes in this country. Pursuant to this request the *Imperator* and the other ships referred to by the Senator from Arizona were by the allied maritime council turned over to the United States for temporary use as transport ships. When they were no longer required for that purpose the ships, under the direction of the allied maritime council, were turned over to Great Britain for use until final disposition of them should be made by the treaty or the representatives of the allied powers.

The suggestion is made that they ought to be distributed, and probably they will be distributed, in the proportion in which the various allied countries lost ships by submarine warfare, credit being given to Germany on the reparation account. Of course, in any distribution upon such a basis Great Britain will receive a very high percentage and the United States a comparatively low percentage, the losses of American tonnage being relatively small.

Mr. JONES of Washington. Mr. President—

Mr. WALSH of Montana. I yield to the Senator.

Mr. JONES of Washington. As I understand it, the ships that are particularly involved in this controversy, and which it is proposed to sell, are the interned ships in our ports.

Mr. WALSH of Montana. Undoubtedly; the Senator is quite correct about that; but the Senator from Arizona, in making his argument yesterday in support of his resolution, stated that not only were those ships about to be sold at an inadequate price but that the Shipping Board had actually given away gratis a number of other ships, including the *Imperator*.

I ask to have printed in the RECORD the following letter from Mr. Stevens concerning this subject.

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

UNITED STATES SHIPPING BOARD,
Washington, February 16, 1920.

HON. THOMAS J. WALSH,

United States Senate.

MY DEAR SENATOR: One of the conditions of the extension of the armistice was that all German ships in German ports, both cargo ships and passenger ships, should be turned over to the Allies for their use pending the final disposition of the ships by the peace conference. It was further agreed among the Allies that pending such disposition the control of these ships should be in the hands of the allied maritime transport council or in the transport executive, which afterwards took the place of the transport council. The transport executive was authorized to distribute these ships among the different Governments for immediate use. It was distinctly understood that this did not carry with it any title to the ships or any right to retain them permanently. The nation receiving the ships, or any part of them, was to fly on the ships not only the flag of that nation

but the flag of the allied maritime transport council. Under this plan the transport executive assigned certain passenger ships to the United States Government for the purpose of transporting American troops. When this service was completed by the United States Government, these ships were turned over, at the direction of the transport executive, to Great Britain for use by that Government until their title was finally disposed of by the peace conference.

I understand the agreement arrived at for the final disposition of all these enemy ships, including the passenger ships in question, was that they should be put into a common pool and distributed among the European Allies in proportion to their submarine losses. Under this rule undoubtedly the greater proportion of these ships will eventually go to England, as England suffered by far the greatest losses through the submarine warfare. The United States does not share in that distribution, because we have retained, with the permission of the Allies, all the enemy ships seized in our ports at the time we entered the war. It can not be said that the United States has been treated unfairly in the distribution of the German ships, since the ships retained by us are greater than our total losses, whereas the share of the German tonnage received by other nations is substantially less than their losses.

The Shipping Board in surrendering these German passenger ships which had been used for the transportation of troops gave up no rights of the United States. It merely carried out an express agreement which had been entered into by all the Allies, including ourselves, previous to the assignment of these ships to us for our use.

Very sincerely, yours,

R. B. STEVENS,
Vice Chairman.

DEMOTION OF ARMY OFFICERS.

Mr. HARRISON. Mr. President, I ask unanimous consent to have printed in the RECORD the interview given by the senior Senator from Oregon [Mr. CHAMBERLAIN] on the policy of the General Staff in relation to the demotion of Army officers.

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

[From the New York Tribune, Jan. 25, 1920.]

INJUSTICE HAS DEMORALIZED THE ARMY, SAYS CHAMBERLAIN—CONDUCT OF THE WAR DEPARTMENT DECLARED TO BE CHARACTERIZED BY UNFAIRNESS—NOT MERELY POOR PAY IS THE CAUSE OF THE PRESENT DISSATISFACTION.

WASHINGTON, D. C.

That the morale of the Army can not long stand up under the injustices being committed in the matter of demotions and promotions is the belief of Senator GEORGE E. CHAMBERLAIN, of the Military Affairs Committee of the Senate. Senator CHAMBERLAIN has been one of the frankest critics of conditions in the Army, and it was for that reason the Tribune asked him for an answer to the question:

"What is the matter with the Army?"

One of the explanations most frequently heard is that the pay is too small. That is not the true one; or, rather, not the fundamental one, according to Senator CHAMBERLAIN. Asked just what the trouble was as he saw it, the Oregon Senator made the following statement:

"What is the matter with the Army? Why are so many officers resigning? Why are there such bitter complaints about the Army by the Army officers themselves? Many answers have been made, but the most frequent one is that the pay is too low. But is that the prime reason? I don't think so.

"The old Army of the eighties and nineties was poorly paid, poorly fed, poorly housed, and existed under other conditions that would seem barbarism to the present Army of to-day. And yet that old Army had a high morale, was proud of itself, and, when called upon to go into a war unprepared as to numbers and equipment, won the unstinted praise of every observer, foreign and domestic, by its superb bearing on the fever-haunted soil of Cuba, as well as on the western plains.

"The basis of morale in the Army, as everywhere else, is honesty and fair dealing by those in power. How, then, can we expect the Army to have any morale at all when it is the victim of unfairness so flagrant as to seem impossible except among savages?

THOUSANDS DEMOTED.

"Nearly one year ago the War Department began to demote Regular Army officers from their temporary rank and thus return them to their proper grades in the Regular Army. They began with major generals and brigadier generals, so that soon a number of Regular officers who had won distinction in France found themselves majors and lieutenant colonels, and even captains in a few instances, while hundreds—yes, literally thousands—of their juniors continued in the grades of lieutenant colonel and colonel. Complaint elicited only the reply that some

injustices must inevitably result during the demobilization of 3,500,000 men, but that all would be corrected before demobilization was complete. These officers were drawing \$50 to \$100 a month less pay than their juniors—some junior by as much as 19 years—and yet not a great deal of complaint was made, because they thought the War Department sincere in saying the condition would soon be corrected."

"But was it corrected? To the everlasting shame of the War Department it must be said that not only has the condition been unchanged but the unfairness of the demotions has been emphasized by still more unfair promotions.

"To-day there are hundreds of Regular majors and lieutenant colonels who served with the greatest distinction on every field in France who daily serve with juniors who outrank them by one or two grades and who draw from \$50 to \$100 more pay a month for doing work of far less importance and responsibility. And these older men are the ones who have grown families to support and those other extra expenses that come with advancing years and a growing acquaintance. Honesty and fair dealing! To these men those words are only a mockery.

"The Chief of Staff in February, 1919, refused to promote these demoted officers so as to put them in their relative places in the Army, saying it was not the policy to make any promotions. But what then? A little later the road was cleared for promotions 'where the officers were on work commensurate with the increased rank.' Did the demoted brigadier generals profit by this? I have heard of only two instances, both in the office of the Chief of Staff—Lieut. Col. John W. Barker, who was promoted to full colonel until he was relieved from the office of the Chief of Staff and ordered to the General Staff College, when he was again demoted to lieutenant colonel; also, the still worse case of the Chief of the Personnel, in the office division of the Chief of Staff, who was demoted to the grade of major from that of brigadier general October 31, 1919, and promoted back to the grade of colonel the next day, November 1, 1919.

"Lest you think this picture overdrawn, here are a few of those demoted from the grade of brigadier general, together with their present rank, while there are hundreds, and in some cases probably more than a thousand officers, both regular and emergency, from civil life, who still outrank the officers named.

"Lieut. Col. C. W. Kutz, at present Engineer Commissioner of the District of Columbia, was graduated from West Point in 1893 near the head of his class. He served with great credit and even distinction until the outbreak of the World War. He was sent to France in July, 1917, and did such excellent work with a regiment of American railroad engineers back of Verdun that the French decorated him and the United States made him a brigadier general. On February 5, 1918, he was demoted to lieutenant colonel, which grade he still holds.

A CONTRAST.

"Contrast his case with that of Col. James G. Steese, also of the Corps of Engineers, but who was graduated from West Point in 1907, 14 years after Lieut. Col. Kutz. Col. Steese served only in the United States in the personnel division, first of the Engineer Department, but later in the office of the Chief of Staff. Col. Steese was given a distinguished service medal and is still a full colonel. Then there is Col. John M. Wright, also of the Corps of Engineers, who did not serve outside the United States during the war, but who remained a full colonel until he resigned January 1, 1919.

"Maj. Leroy T. Eltinge, who served throughout the war on Gen. Pershing's staff, first on operations and then as brigadier general and assistant chief of staff of the American Expeditionary Forces, with all the responsibilities of that office, is now assistant commandant of the Army Staff School at Fort Leavenworth, Kans., with the rank and pay of a major. Justice and fairness?

"Maj. Hugh A. Drum, who served throughout the war, first on Gen. Pershing's staff and then as chief of staff of the First Army all through the terrible days of the Argonne, now commandant of the Army Staff School at Fort Leavenworth, with the rank of major.

"Maj. Malin Craig, brigadier general and chief of staff of the First Army Corps and later of the Third Army throughout the war and later occupation of Germany, now major at the General Staff College at Washington.

NOW AN INSTRUCTOR.

"Lieut. Col. Paul B. Malone, Infantry, served with great distinction in France, first in the training section of the General Staff and later, first as colonel and then as brigadier general, in the line through nearly all the heavy fighting of the war. Now a lieutenant colonel and assistant commandant of the Infantry school at Camp Benning, Ga., where at least one officer

is serving as instructor with the full rank of colonel, but who graduated from West Point 16 years after Col. Malone.

"Or, as a last example, Maj. Harold B. Fiske, West Point graduate, 1897, went to France as one of the very first. Served with great distinction first as assistant and later as chief of the training division of Gen. Pershing's staff with the rank of brigadier general. Now a major of Infantry somewhere in the South.

"These examples could be multiplied by the hundreds. And yet in Washington on the General Staff nearly all the officers still retain emergency rank of one to three grades above their actual rank.

"That the Army is not utterly disorganized speaks volumes for its inherent honesty and loyalty, but no organization under the sun can stand such glaring evidences of favoritism and unfairness for an indefinite period.

"And yet the Chief of Staff and the Chief of General Staff, who are responsible for these injustices, go before Congress and urge promotion by selection, saying that while in the past favoritism might have been practiced, it could not occur under present and future conditions. 'Oh, duty, honor, country'—the motto of West Point, and indeed the whole Army—what shameful days! What black ogres loom up in the future, when the uneducated and untrained in love of country shall realize the depths of infamy to which some have sunk, who for long years were trained in thy meaning!

"The Secretary of War has called into conference some of the higher officers of the Army to attempt to equalize this situation. They should be able to work out the problem, and every friend of the Army hopes they will be able to do so."

UNIVERSAL MILITARY TRAINING.

Mr. GORE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from Mr. H. H. Gross, of Chicago, to farmers of Oklahoma, and an answer to that letter from the president of the State Farmers' Union, Hon. John Simpson.

The VICE PRESIDENT. Without objection, it is so ordered. The letter and answer are as follows:

UNIVERSAL MILITARY TRAINING LEAGUE,
Chicago, January 19, 1920.

Mr. D. K. HIEBERT,
Weatherford, Okla.

DEAR SIR: I thank you very much for your letter of the 15th. I think I will have it framed and hang it in my office as a literary production. If there were not so many misspelled words in it, and so many meaningless sentences, one might have some respect for your opinion.

I question very much whether you have a copy of the bill, or, if you have, whether your judgment would be good regarding it. The American Legion, representing 4,000,000 boys, at their convention in Minneapolis, indorsed universal training. State after State convention did the same thing. I sent out circular letters to hundreds of boys in different parts of the country, and 95 per cent were favorable to the proposition. You do not know what you are talking about!

I know this: There is a definite and vicious propaganda being carried forward, with Russian and probably German money, to break down the morale of the American people, lull them into a sense of false security by the statement that there are to be no more wars and that we may as well chance the future as we did the past; and an effort is being made to get in their work in the various industries.

By the way, I was told a few days ago that quite a number of men in your neck of the woods came pretty nearly going to jail for attempting to interfere with the selective draft. Do you know who they are?

As to the merits of the question, the administration favors universal military and vocational training. Gen. Pershing does so, and every military man in the country. The Members of Congress who have been on the committees and spent months in investigating the subject all know it is the thing to do. Some of them are afraid of their constituents and so hesitate.

Do you not think you are assuming a great deal to pass arbitrarily upon one of the great questions of the world, that is being urged by men who are 100 per cent loyal—men of experience, men who know enough to realize that the safety of this Nation requires that it should be in a position to defend itself, and if it is in that position no other nation will trouble it?

I hope you know more about farming than you know about legislation. As far as I am concerned, this ends our correspondence; say what you like or do what you please.

Yours, truly,

H. H. GROSS, President.

FARMERS' EDUCATIONAL AND
COOPERATIVE UNION OF AMERICA,
OKLAHOMA DIVISION,
February 9, 1920.

Mr. HOWARD H. GROSS,
Chicago, Ill.

DEAR SIR: Your letter of January 19 to Mr. D. K. Hiebert, of Corn, Okla., is a splendid illustration of the arrogance and insolence of militarism. I know this old farmer. He and his wife and children in the heat and dirt of the long summer days produced wheat each year of the terrible war sufficient to feed 500 soldier boys every day of that time.

Now, during that awful two years you never produced a loaf of bread. All you did to win the war was hot-air service, four-minute speeches in 10-cent theaters. So far as whipping the Kaiser, it would have been easier to do if you had been dead, for what you ate would have fed a soldier.

Mr. Gross, there are so many old farmers in this country who spell like D. K. Hiebert that it spells defeat for the "compulsory military training" program you and your associates are trying to saddle on the taxpayers of this Nation.

Mr. Gross, the farmers are on the job, ready to meet you and your league in any kind of a contest from a spelling match up.

Yours, truly,

JOHN SIMPSON.

AMENDMENT OF THE RULES.

Mr. TOWNSEND. Mr. President, yesterday I gave notice of a proposed amendment to the rules, which went over. Pursuant to that notice I ask that the resolution which I send to the desk be referred to the Committee on Rules.

The VICE PRESIDENT. Will the Senator have it read?

Mr. NORRIS. Let it be read.

Mr. TOWNSEND. I shall be glad to have it read.

The VICE PRESIDENT. It will be read.

The resolution (S. Res. 308) was read, as follows:

Resolved, That Rule XXII, Standing Rules of the Senate, be, and the same is hereby, amended by adding a new paragraph, as follows:

"All debate when any matter is, under the rules, properly before the Senate shall be confined to such matter, and the question as to whether such debate is pertinent or not shall, when the point of order is made, be decided by the Presiding Officer without debate; and if his decision is not overruled on appeal, and is that the Senator having the floor is not speaking in order, such Senator shall take his seat and shall not speak again except upon the subject before the Senate."

Mr. KNOX. What is the procedure asked? Is the resolution to be referred?

The VICE PRESIDENT. It will be referred to the Committee on Rules and printed.

ACTIVITIES OF FOURTH ASSISTANT POSTMASTER GENERAL.

Mr. KING. I offer the following resolution and ask that it be read and referred to the Committee on Post Offices and Post Roads.

The resolution (S. Res. 309) was read, as follows:

Whereas it has been reported that the Fourth Assistant Postmaster General has circularized hundreds of thousands of agriculturists in the United States and submitted questionnaires to them relating to diverse subjects: Therefore be it

Resolved, etc., That the Postmaster General be, and he is hereby, directed to inform the Senate what authority said Fourth Assistant Postmaster General had for his said action and what appropriation had theretofore been made to cover the expenses of such proceedings upon his part.

Mr. KING. I merely wish to say, Mr. President, that I know of no authority to support what I understand has been done by the official referred to in the resolution and with respect to the matter to which the resolution refers. Officials are too prone to extend their authority and to engage in activities entirely outside of their legitimate field. I shall be glad if the committee will at an early date recommend the adoption of the resolution.

The VICE PRESIDENT. The resolution will be referred to the Committee on Post Offices and Post Roads.

HOUSE JOINT RESOLUTION REFERRED.

H. J. Res. 194. Joint resolution amending joint resolution extending the time for payment of purchase money on homestead entries in the former Colville Indian Reservation, Wash., was read twice by its title and referred to the Committee on Public Lands.

TREATY OF PEACE WITH GERMANY.

Mr. LODGE. I move that the Senate proceed, as in open executive session, to the consideration of the treaty of peace with Germany.

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

The VICE PRESIDENT. The pending question is the amendment offered to the first interpretation or reservation or amendment by the Senator from Massachusetts [Mr. LODGE].

Mr. THOMAS. Mr. President, the pending treaty with Germany comprises 15 separate parts, of which 2, part 1 and part 13, are devoted to the League of Nations. The importance of that subject during all discussions of the treaty, both in and out of the Senate, has largely overshadowed the remainder of the treaty, whose provisions are of equal concern to the country.

On the 22d of July last the senior Senator from New Hampshire [Mr. MOSES], and on the 29th of August following the junior Senator from Pennsylvania [Mr. KNOX], in two addresses of remarkable ability, directed the attention of the Senate to the political, military, and economic features of the treaty, which comprise the terms of peace between the Allies and Germany. Those speeches should have impressed the people of the United States with the great and controlling fact that the treaty comprises more—very much more—of concern to the peoples of the world than the mere subject of the proposed League of Nations, and that in and through the enforcement of its penalties the purposes to be subserved by the league would, in all probability, not only be defeated, but converted into an instrument making for a renewal of universal conflict.

Unfortunately, the public mind then, as now, absorbed by the problem of the league and unmindful of the parts of the treaty, either overlooked these graphic portrayals of the treaty for peace, or ascribed their luminous and accurate descriptions to a spirit of hostility to the league, or charged their authors with an unpatriotic sympathy for Germany, discreditable alike to their citizenship and their official duties. Hence it is appropriate that these features of the treaty be again reviewed, that the document in its entirety may be fully appreciated before a final vote is taken upon it.

The time which has elapsed between the presentation of the treaty to the Senate and the present is without precedent as regards final action upon an international document; but deplorable as this is said to be, I think that it has had at least one beneficial effect, in that the prejudices, the preferences, and the excitements aroused by its presentation and consideration by the Senate and people have partially subsided. They may now dispassionately concentrate their opinions and their reflections upon the treaty as a whole; and I am satisfied, Mr. President, when that shall be done, the insistence of the Senate upon full discussion, whatever the results upon the final determination of the treaty, will be commended and not condemned, for the treaty not only proposes to establish a League of Nations to which shall be committed the destiny of the peoples of the world, but it also makes final adjustment of all demands and controversies immediately affecting Germany and her allies. It therefore constitutes both a treaty of peace between the warring nations and a treaty designed to effectuate the permanent and lasting peace of the world; a treaty of penalties coupled with a treaty of universal and continuing international harmony; a treaty of penalties between combatants combined with a treaty of negotiation between all nations comprising vastly different objects and affecting the future of all the nations.

It is my purpose this morning, Mr. President, to direct the attention of the Senate once more, although I can not hope to do so as exhaustively and effectively as it has been done by others, to some economic features of the agreement imposed upon Germany, their character, and the probability or improbability of their ultimate execution, leaving to the judgment of the Senate the very important question whether, independently of the League of Nations, this document should command the assent of a two-thirds majority of the Senate of the United States.

On yesterday the distinguished Senator from North Dakota [Mr. McCUMBER], in his very illuminating and exhaustive address to the Senate, said:

I confess some surprise in noting what seems to me a very decided change in the attitude of some Senators from that indicated at the time the war was in progress as to what terms should be imposed upon the country which was responsible for the millions of deaths and the billions of indebtedness.

At the time the war was in progress the Senate seemed to be united in its conviction that there should be no terms of peace until Germany had been compelled to agree to a reparation to the full extent of her ability to make that reparation.

And that is true. From the commencement to the close of the war the people of the United States, their passions inflamed and their resentments aroused, took the attitude and made the demands which an individual under the influence of the same passions would assert against his adversary. Nay, the whole allied world, including nations great and small, their sensibilities influenced by repeated outrages, voiced a universal senti-

ment of vengeance and reprisals against the enemy. The spirit of *vae victis*, whose application in the centuries past has been the fruitful cause of nearly all the wars of civilization, then dominated all other considerations.

But from the 22d day of January, 1917, down to the conclusion of the armistice the voice of the President of the United States rose clearly and constantly above the universal chorus of retribution. He, speaking for America and the Allies, outlined the terms of peace to be demanded as essentials to the accomplishment of the objects of the conflict and to the permanent peace of the world. It was these sentiments which finally appealed to the conscience and the economic conditions of our enemies and forced their unqualified acceptance of his terms. When that acceptance became an accomplished fact the terms thereof bound each party to the compact legally and morally to the other. They formed, or should have formed, the clear, unyielding basis of every covenant to be written into the treaty which they foreshadowed. To understand clearly the situation, immediately preceding the armistice it is important that we should turn back for a moment to those utterances of the President which were translated into the preliminary formulas of peace. Four announcements at different times by Mr. Wilson constitute the composite conditions of an allied peace. These were accepted by the Central Empires, whereupon this war was terminated. Anterior to these utterances was one which the President made in this Chamber upon the 22d day of January, 1917, which, of course, antedated our entrance into the war. At that time he expressed the view that a lasting peace—

must be a peace without victory. It is not pleasant to say this. I beg that I may be permitted to put my own interpretation upon it and that it may be understood that no other interpretation was in my thought. I am seeking only to face realities and to face them without soft concealments. Victory would mean peace forced upon the loser, a victor's terms imposed upon the vanquished. It would be accepted in humiliation, under duress, at an intolerable sacrifice, and would leave a sting, a resentment, a bitter memory upon which terms of peace would rest, not permanently but only as upon quicksand. Only a peace between equals can last. Only a peace the very principle of which is equality and a common participation in a common benefit. The right state of mind, the right feeling between nations, is as necessary for a lasting peace as is the just settlement of vexed questions of territory or of racial and national allegiance.

I do not refer to this announcement to create, even by implication, the thought that it should have been binding upon the Allies in their negotiation with Germany, except as the sentiment was reflected in after-war announcements. But the statement contains the germs of an eternal truth, written upon the cenotaphs of every treaty in recorded history which ignored its verities.

After we entered the war the new conditions necessarily relieved the country and the President from any commitments theretofore made, and especially those made in the sincere desire that our neutrality might lead to the end of the bloodiest war in history; but after our declaration of war and on the 8th day of January of the following year the President delivered his address embodying the famous 14 points, about which the world has since heard so much and concerning which it seems to have done so little. Mr. Wilson then said:

The program of the world's peace, therefore, is our program; and that program, the only possible program, as we see it, is this:

I. Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view.

II. Absolute freedom of navigation upon the seas outside territorial waters alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.

III. The removal, so far as possible, of all economic barriers, and the establishment of an equality of trade conditions among all the nations consenting to the peace and associating themselves for its maintenance.

IV. Adequate guarantees given and taken that national armaments will be reduced to the lowest point consistent with domestic safety.

V. A free, open-minded, and absolutely impartial adjustment of all colonial claims, based upon a strict observance of the principle that in determining all such questions of sovereignty the interests of the populations concerned must have equal weight with the equitable claims of the government whose title is to be determined.

The sixth, seventh, and eighth points relate, respectively, to Russia, to Belgium, and to French territory which had been invaded, so it is not necessary to read them. The ninth and the tenth refer to the frontiers of Italy, and to—

The peoples of Austria-Hungary, whose place among the nations we wish to see safeguarded and assured, should be accorded the freest opportunity of autonomous development.

The eleventh relates to the Balkan States; the thirteenth to the establishment of an independent Polish State—

which should include the territories inhabited by indisputably Polish populations, which should be assured a free and secure access to the sea, and whose political and economic independence and territorial integrity should be guaranteed by international covenant.

The fourteenth point recites that—

A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small States alike.

On the 5th day of February of the same year Lloyd-George, speaking for the British Government, virtually accepted the President's peace principles, and on the 8th they were discussed, respectively, by the chancellors of Germany and of Austria-Hungary.

Thereupon the President, on the 11th day of February, addressed the two Houses in joint session regarding the attitude of the chancellors of the two Central Powers upon the subject. This, Mr. President, the second of the President's announcements, and to which I think reference has not been specifically made in our discussions, is very important, equally so with any of the series.

The President on that occasion, among other things, so declared himself:

I mean only that those problems each and all affect the whole world; that unless they are dealt with in a spirit of unselfish and unbiased justice, with a view to the wishes, the natural connections, the racial aspirations, the security, and the peace of mind of the peoples involved, no permanent peace will have been attained. They can not be discussed separately or in corners. None of them constitutes a private or separate interest from which the opinion of the world may be shut out. Whatever affects the peace affects mankind, and nothing settled by military force, if settled wrong, is settled at all. It will presently have to be reopened.

Is Count von Hertling not aware that he is speaking in the court of mankind, that all the awakened nations of the world now sit in judgment on what every public man, of whatever nation, may say on the issues of a conflict which has spread to every region of the world? The Reichstag resolutions of July themselves frankly accepted the decisions of that court. There shall be no annexations, no contributions, no punitive damages. Peoples are not to be handed about from one sovereignty to another by an international conference or an understanding between rivals and antagonists. National aspirations must be respected; peoples may now be dominated and governed only by their own consent. "Self-determination" is not a mere phrase. It is an imperative principle of action, which statesmen will henceforth ignore at their peril.

The President then formulated four principles, not differing from those previously declared, but rather supplementary to and a development of them. He says:

The principles to be applied are these:

First, that each part of the final settlement must be based upon the essential justice of that particular case and upon such adjustments as are most likely to bring a peace that will be permanent;

Second, that peoples and provinces are not to be bartered about from sovereignty to sovereignty as if they were mere chattels and pawns in a game, even the great game, now forever discredited, of the balance of power; but that

Third, every territorial settlement involved in this war must be made in the interest and for the benefit of the populations concerned, and not as a part of any mere adjustment or compromise of claims amongst rival states; and

Fourth, that all well-defined national aspirations shall be accorded the utmost satisfaction that can be accorded them without introducing new or perpetuating old elements of discord and antagonism that would be likely in time to break the peace of Europe and consequently of the world.

On the 4th of July following, the President, in an impressive discourse at the tomb of Washington, again announced certain conditions essential to a satisfactory and lasting peace. He said:

There can be but one issue. The settlement must be final. There can be no compromise. No halfway decision would be tolerable. No halfway decision is conceivable. These are the ends for which the associated peoples of the world are fighting and which must be conceded them before there can be peace:

I. The destruction of every arbitrary power anywhere that can separately, secretly, and of its single choice disturb the peace of the world; or, if it can not be presently destroyed, at the least its reduction to virtual impotence.

II. The settlement of every question, whether of territory, of sovereignty, of economic arrangement, or of political relationship, upon the basis of the free acceptance of that settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery.

III. The consent of all nations to be governed in their conduct towards each other by the same principles of honour and of respect for the common law of civilized society that govern the individual citizens of all modern states in their relations with one another, to the end that all promises and covenants may be sacredly observed, no private plots or conspiracies hatched, no selfish injuries wrought with impunity, and a mutual trust established upon the handsome foundation of a mutual respect for right.

IV. The establishment of an organization of peace which shall make it certain that the combined power of free nations will check every invasion of right and serve to make peace and justice the more secure by affording a definite tribunal of opinion to which all must submit and by which every international readjustment that can not be amicably agreed upon by the peoples directly concerned shall be sanctioned.

These great objects can be put into a single sentence. What we seek is the reign of law, based upon the consent of the governed and sustained by the organized opinion of mankind.

These great ends can not be achieved by debating and seeking to reconcile and accommodate what statesmen may wish, with their projects for balances of power and of national opportunity. They can be realized only by the determination of what the thinking peoples of the world desire, with their longing hope for justice and for social freedom and opportunity.

I come now to the President's fourth declaration, that of September 27, 1918, at New York. This is of special importance because of the emphasis laid upon it by the German authorities

in their acceptance of the President's terms of peace. I shall not attempt to quote the entire document, although it may well be considered from its beginning to its close as comprising the propositions and conditions which finally moved the powers warring against us to an acceptance of terms and to subsequent negotiations for ending the war.

The President here said, among other things:

It is of capital importance that we should also be explicitly agreed that no peace shall be obtained by any kind of compromise or abatement of the principles we have avowed as the principles for which we are fighting. There should exist no doubt about that. I am, therefore, going to take the liberty of speaking with the utmost frankness about the practical implications that are involved in it.

If it be in deed and in truth the common object of the Governments associated against Germany and of the nations whom they govern, as I believe it to be, to achieve by the coming settlements a secure and lasting peace, it will be necessary that all who sit down at the peace table shall come ready and willing to pay the price, the only price, that will procure it, and ready and willing, also, to create in some virile fashion the only instrumentality by which it can be made certain that the agreements of the peace will be honored and fulfilled.

That price is impartial justice in every item of the settlement, no matter whose interest is crossed; and not only impartial justice, but also the satisfaction of the several peoples whose fortunes are dealt with.

And so forth.

Later on, the President says—and these are noble words—

First. *The impartial justice meted out must involve no discrimination between those to whom we wish to be just and those to whom we do not wish to be just. It must be a justice that plays no favorites and knows no standard but the equal rights of the several peoples concerned.*

Second. *No special or separate interest of any single nation or any group of nations can be made the basis of any part of the settlement which is not consistent with the common interest of all.*

Third. *There can be no leagues or alliances or special covenants and understandings within the general and common family of the League of Nations.*

Fourth. *And more specifically, there can be no special, selfish, economic combinations within the league and no employment or any form of economic boycott or exclusion except as the power of economic penalty by exclusion from the markets of the world may be vested in the League of Nations itself as a means of discipline and control.*

Fifth. *All international agreements and treaties of every kind must be made known in their entirety to the rest of the world.*

The President then adds this profound reflection:

Special alliances and economic rivalries and hostilities have been the prolific source in the modern world of the plans and passions that produce war. *It would be an insincere as well as insecure peace that did not exclude them in definite and binding terms.*

Thus spoke the President upon the 27th day of September. Nine days afterwards the German chancellor dispatched his first note to the President. It bears the signature of Prince Maximilian:

The German Government requests the President of the United States to take in hand the restoration of peace, acquaint all the belligerent States of the request, and invite them to send plenipotentiaries for the purpose of opening negotiations.

It accepts the program set forth by the President of the United States in his message to Congress on January 8, and in his later pronouncements, especially his speech of September 27, as a basis for peace negotiations. With a view to avoiding further bloodshed, the German Government requests the immediate conclusion of an armistice on land and water and in the air.

Mr. President, I well remember the effect of that momentous communication upon the public opinion of America. In general, it was apprehensive lest the President conclude negotiations with Germany unfavorable to America and inconsistent with complete victory. I do not recall that this expression was voiced in the Senate. Many newspapers, however, expressed it, and it became a general, common sentiment.

The President replied upon the 8th of October, two days afterwards; and just here let me ask permission to insert this entire diplomatic negotiation in the Record, although I shall quote from it very briefly. It is of immense importance, however, and enables us properly to comprehend the economic features of the treaty, and their divergence from the preliminary agreement between the warring nations.

There being no objection, the matter referred to was ordered to be printed in the Record.

Mr. THOMAS. Mr. Lansing, on behalf of the President, acknowledges the note, and also propounds certain questions:

Does the Imperial Chancellor mean that the Imperial German Government accepts the terms laid down by the President in his address to the Congress of the United States on January last, and subsequent addresses, and that its object in entering into discussions would be only to agree upon the practical details of their application?

The President feels bound to say, with regard to the suggestion of an armistice, that he would not feel at liberty to propose a cessation of arms to the Governments with which the Government of the United States is associated against the Central Powers so long as the armies of those powers are upon their soil. The good faith of any discussion would manifestly depend upon the consent of the Central Powers immediately to withdraw their forces everywhere from invaded territory. *The President also feels that he is justified in asking whether the Imperial Chancellor is speaking merely for the constituted authorities of the Empire who have so far conducted the war.*

On the 12th of October, four days afterwards, the German reply was received, from which I quote:

The German Government has accepted the terms laid down by President Wilson in his address of January 8 and in his subsequent addresses on the foundations of a permanent peace of justice. Consequently, its object in entering into discussions would be only to agree upon practical details of the application of these terms.

The rest I will not read, but will print it in the RECORD.

On the 14th of October the President, through Mr. Lansing, made public his reply to the last note. He says:

The unqualified acceptance by the present German Government and by a large majority of the German Reichstag of the terms laid down by the President of the United States of America in his address to the Congress of the United States on January 8, 1918, and in his subsequent addresses, justifies the President in making a frank and direct statement of his decision with regard to the communications of the German Government of October 8 and 12, 1918.

The reply is quite elaborate, and refers to details which perhaps are not of sufficient importance to justify my detaining the Senate in reading all of them; but he says, also:

It is necessary, also, in order that there may be no possibility of misunderstanding, that the President should very solemnly call the attention of the Government of Germany to the language and plain intent of one of the terms of peace which the German Government has now accepted. It is contained in the address of the President delivered at Mount Vernon on July 4 last. It is as follows:

"The destruction of every arbitrary power anywhere that can separately, secretly, and of its single choice disturb the peace of the world, or, if it can not be presently destroyed, at least its reduction to virtual impotency."

He then insists that the old or prevailing form of government must be modified so as to comply with that condition, since otherwise there could be no safety in continuing the negotiation.

On the 20th of October, speaking for the German Government, Solf replied, accepting the condition of evacuation of occupied territory as a preliminary to peace negotiations.

The suggestions of the President are answered at length; some of his charges with regard to unlawful warfare are challenged, and the document concludes with this sentence:

The question of the President, with whom he and the Governments associated against Germany are dealing, is therefore answered in a clear, unequivocal manner by the statement that the offer of peace and an armistice has come from a Government which is free from any arbitrary and irresponsible influence and is supported by the approval of an overwhelming majority of the German people.

On the 23d of October the President answered this communication at length, from which I quote:

Having received the solemn and explicit assurance of the German Government that it unreservedly accepts the terms of peace as laid down in his address to the Congress of the United States on January 8, 1918, and the principles of settlement enunciated in his subsequent addresses, particularly the address of September 27, and that it desires to discuss the details of their application and that this wish and purpose emanated not from those who have hitherto dictated German policy and conducted the present war on Germany's behalf but from ministers who speak for a majority of the Reichstag and for an overwhelming majority of the German peoples; and having received also the explicit promises of the present German Government that the humane rules of civilized warfare will be observed both on land and sea by the German armed forces, the President of the United States feels that he can not decline to take up with the Governments with which the Government of the United States is associated the question of an armistice.

He then replies to the German communication at considerable length, and closes with this statement:

If it must deal with the military masters and the monarchical autocrats of Germany now, or if it is likely to have to deal with them later in regard to the international obligations of the German Empire, it must demand not peace negotiations but surrender.

On the 27th of October the German chancellor replied in a very brief note, saying that—

The German Government has taken cognizance of the answer of the President of the United States. The President is aware of the far-reaching changes which have been carried out and are being carried out in the German constitutional structure, and that peace negotiations are being conducted by a people's government in whose hands rests both actually and constitutionally the power to make the deciding conclusions. The military power are also subject to it. The German Government now awaits proposals for an armistice which shall be the first step toward a just peace as the President has described it in his proclamation.

At or before this time the President communicated these letters from the German Government to the allied powers, and prior to the 5th of November he had received appropriate replies. So upon that date he addressed a communication to the German Government which constitutes the understanding solemnly entered into between the United States and the allied powers acting through the agency of the President of the United States and all the powers engaged in war against the United States acting through the agency of the German chancellor. It is, therefore, important, Mr. President, that this entire document be fully considered. Fortunately, it is brief. It reads:

From the Secretary of State to the minister of Switzerland, in charge of German interests in the United States.

DEPARTMENT OF STATE, November 5, 1918.

SIR: I have the honor to request you to transmit the following communication to the German Government:

"In my note of October 23, 1918, I advised you that the President had transmitted his correspondence with the German authorities to the Governments with which the Government of the United States is associated as a belligerent, with the suggestion that if those Governments were disposed to effect peace upon the terms and principles indicated their military advisers and the military advisers of the United States be asked to submit to the Governments associated against Germany the necessary terms of such armistice as would fully protect the interests of the peoples involved and insure to the associated Governments the unrestricted power to safeguard and enforce the details of the peace to which the German Government had agreed, provided they deemed such an armistice possible from the military point of view.

"The President is now in receipt of a memorandum of observations by the allied Governments on this correspondence, which is as follows—

That memorandum is quoted in the letter. I read it:

"The allied Governments have given careful consideration to the correspondence which has passed between the President of the United States and the German Government. Subject to the qualifications which follow they declare their willingness to make peace with the Government of Germany on the terms of peace laid down in the President's address to Congress of January, 1918, and the principles of settlement enunciated in his subsequent addresses. They must point out, however, that clause 2, relating to what is usually described as the freedom of the seas, is open to various interpretations, some of which they could not accept. They must, therefore, reserve to themselves complete freedom on this subject when they enter the peace conference.

"Further, in the conditions of peace laid down in his address to Congress of January 8, 1918, the President declared that invaded territories must be restored as well as evacuated and freed, and the allied Governments feel that no doubt ought to be allowed to exist as to what this provision implies. By it they understand that compensation will be made by Germany for all damage done to the civilian population of the Allies and their property by the aggression of Germany by land, by sea, and from the air."

That is the end of the allied note. Its acceptance of the German offer is emphasized by the exceptions which they carved out of it. It is, if possible, made the more binding because of its reservation of the freedom-of-the-seas clause of the President's proposal and the construction it demands for the restoration proviso:

I am instructed by the President to say that he is in agreement with the interpretation set forth in the last paragraph of the memorandum above quoted. I am further instructed by the President to request you to notify the German Government that Marshal Foch has been authorized by the Government of the United States and the allied Governments to receive properly accredited representatives of the German Government, and to communicate to them the terms of the armistice.

Accept, sir, the renewed assurances of my highest consideration.

(Signed) ROBERT LANSING.
MR. HANS SULZER,
Minister of Switzerland, in charge of German interests in the United States.

Six days afterwards the armistice became an accomplished fact, because and only because these negotiations had finally led up to a distinct and specific understanding, a contract if you please, an agreement, a covenant mutually binding upon all of the parties to it, and which should have constituted the basis of all subsequent negotiations relating to the terms of settlement and the restoration of peace.

Mr. President, much has been said about the enormity of Germany's crimes, to all of which I gave the freest assent. Much has been said about the impossibility of the application of any adequate human punishment for them, and to that I also agree. Had the war terminated in a complete conquest, or had the German Government been told by the President during these negotiations that its unconditional surrender was demanded, that it was too late to accept his terms, that the changing fortunes of war had placed Germany and her allies at our mercy, and that they must therefore lay down their arms unconditionally and content themselves with any terms that we might offer, I could readily understand how a peace of penalties would have been justified by the dispassionate verdict of posterity; but we foreclosed ourselves against such an arrangement in the good moment that the President's letter of November 5 was delivered to the German authorities.

The President's terms of peace became by virtue of that fact the covenant between the warring nations, the measure and the limit of negotiations, the basis of all that should have proceeded therefrom.

In other words, the position of the United States in this particular was that of a contractor, an obligee, all of whose preliminary terms had been accepted and a few of which had been modified in the interest of its allies. If, therefore, the treaty of peace, which the Senate is called upon to ratify, squares with these conditions it is our duty to accept it. If, on the other hand, a treaty has been negotiated in disregard of many of these solemn covenants and obligations, then we must accept the treaty, if at all, upon some assurance or with the hope that in the future its penalties and severities may be mitigated, and that Germany shall not be held to the full and literal performance

of all that has been imposed upon her or accept the consequences embodied in its voluminous recitals.

Mr. President, this preliminary statement has been somewhat tedious, but I deem it essential to a full or even to a partial understanding of many of the terms of the document. We must judge it in the light of history and of obligation. We must test it by the supreme and everlasting principles of equity and international justice, and that we should do, as far as it is in human nature possible to accomplish the task, with our minds entirely free from the passions and animosities which the horrible events of the war engendered and probably perpetuated.

I should, perhaps, before proceeding with the terms of the treaty, call the attention of the Senate to one incident which I overlooked. It is the cablegram from Premier Lloyd-George to President Wilson almost immediately after his dispatch of the letter of November 5. Mr. George said:

My heartiest thanks for your kindly message. I am certain that the ideals of our two countries regarding international reconstruction are fundamentally the same. I feel sure that at the peace conference we shall be able to cooperate fruitfully to promote the reign of peace with liberty and true democracy throughout the world.

That is somewhat general, but nevertheless a reaffirmation of the acceptance by the British Government of the terms and conditions under which the armistice was finally declared.

I have not the slightest doubt in the world that at the time of the armistice and for some time subsequent the allied Governments fully intended to observe their obligations and to stand by the President's propositions of peace. Unfortunately early in the month of December the British minister concluded to go to the country, as they call it, and a general election was called for that month. Evidently the Government had taken no note of, or had little heeded, the state of British public opinion. Britain had just emerged breathless and almost exhausted from the greatest war of her history. A vast proportion of her property had been swallowed up in the great conflict. The angel of death had imprinted its bloody cross upon the lintels of almost every household, and the terrible passions and animosities engendered by that awful conflict were then perhaps at their climax. Public sentiment demanded revenge and mis-called it justice. This demand became so insistent that Mr. George, himself a candidate for reelection, bent before the storm, and receding from or forgetting the pledged word of his Government, assured his great constituency that in the making of the treaty Germany should be compelled to make reparation to the utmost farthing. One of his great subordinates declared that by the treaty Germany should be squeezed as a lemon; and, further, that she "should be squeezed so hard we could hear her pips squeak"—language not elegant but entirely expressive. The election resulted in the vindication of Mr. George and his ministry, but it also carried with it a virtual repudiation of many of the provisions of the agreement for peace.

France, smarting under the same conditions many times aggravated and in mortal terror of her hereditary foe, was similarly inspired. The feelings of her people found not perhaps an electioneering vent, but it found full expression in the columns of every newspaper and from the lips of every public speaker and statesman in the Republic.

This was the atmosphere which enveloped the President of the United States when he entered the great city of Paris amid the plaudits of its millions of grateful population. It was an atmosphere filled with every phase of bitterness against the conquered, and hostile to the demands of justice founded upon the terms and conditions of the surrender.

The congress met and after the deliberations of months it finally presented to the German Government, whose delegates were not given a hearing, the document which I hold in my hand. That Government was required to take it as it was offered or hostilities would be renewed and the armies of the Allies would occupy their country. The treaty in the latter part of June was accepted under those conditions, although vigorous protest was made against some of its provisions, to which I will later call attention.

Let me now, Mr. President, proceed to a consideration of some of the salient features of this mis-called negotiated peace.

The second part of the treaty is devoted to the Saar Basin; a bit of territory that has been German since the fourteenth century; a bit of territory which during that long period of time was under French domination for a few months only; a bit of territory as essentially German as Paris is essentially French; but a bit of territory containing inexhaustible quantities of coal, necessary for the proper development of the iron mines of Lorraine. France demanded it, not as reparation, the recitals of article 45 to the contrary notwithstanding, for the destruction of her own mines, because that is provided for elsewhere in the treaty; she demanded it because the coal measures

of that section were essential to the proper and prosperous development of the reacquired iron deposits of Alsace-Lorraine; and she got it; she is given it by article 45 of the treaty, which appears at page 24 of the Senate print of that document:

As compensation for the destruction of the coal mines in the north of France—

I have called your attention to the fact that that compensation is elsewhere provided for in the treaty—

and as part payment toward the total reparation due from Germany for the damage resulting from the war, Germany cedes to France in full and absolute possession, with exclusive rights of exploitation, unencumbered and free from all debts and charges of any kind, the coal mines situated in the Saar Basin as defined in article 48.

Under the annex it is provided:

1.

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

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

Again, on page 28, it is provided:

11.

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

There is a repurchase clause. Germany may, under certain conditions, of which France is largely the arbiter, after the lapse of 15 years, repurchase these deposits from France, upon a price to be agreed upon as provided in the treaty, by paying therefor the sum required in cash and in gold. The value of these mines is to be credited to Germany on the French indemnity by the reparation commission, which is the only provision favorable to Germany that can be found in the part covering the Saar Basin.

Mr. President, I think no man will question the right of the Allies to demand restitution and replacement from Germany. There is nothing in the agreement, there should be nothing in it, to militate against that proposition; but of the Saar Basin transaction it must be said that it is the application to Germany of the same character of restitution which she herself in 1871 imposed upon France. In other words, it is the repetition of the old Alsace-Lorraine episode with the parties reversed. I remember, as a young man, 21 years of age, reading French, British, and American press regarding the Alsace-Lorraine outrage. I recall the predictions then made that such a peace bred another war, and that war as soon as the recuperating energies of France justified her conviction that she could triumph.

The doctrine of revanche, passing from father to son from generation to generation among the French people, was born of that injustice, then and always condemned by the verdict of enlightened public opinion, and the righting of which became an essential to any peace which the Allies, through the fortunes of war, might be able to dictate. However, notwithstanding this fact, and in the face of the preliminary conditions of the peace which I have emphasized, the Versailles conference yielded to the demand of France, and more than three-quarters of a million of people, whose right of self-determination was not even suggested, together with this enormously valuable property, has passed, in my judgment, to the perpetual dominion of the French Republic, conditioned only upon the probability that Germany, when sufficiently powerful—Germany possessing the same elements of human nature—will inevitably renew hostilities, with Saar Basin instead of Alsace-Lorraine as the battle cry of her millions. I can find nothing, Mr. President, in all of the negotiations leading up to the proposed peace that, even by indirection, can justify the disregard of this principle.

What I say concerning the Saar Basin may be said with equal truth of the German colonies. Mr. President, the German colonies in Africa and in the Pacific aggregated 1,027,620 square miles, or about four times the area of the State of Texas. They are prolific in natural resources. They had been secured by the German people largely as the result of political negotiation; at any rate, they were confirmed by treaties between herself and other great powers possessing property in Africa. In one instance her possessions in the Pacific Ocean were recognized by negotiations with the Government of the United States. I refer to the Samoan Islands. The revenue of those colonies in 1914 aggregated \$14,297,000; the expenditures were \$35,375,000; their aggregate population was 13,777,300.

On the 8th day of January, 1918, the President declared as one of his 14 points that colonies should be dealt with from a standpoint of fairness and justice—I do not pretend to quote

his exact language—and with due consideration for the peoples inhabiting them.

I thought, and many others felt, that under the terms leading to the armistice, the colonies might have been very properly used to compensate some of the Allies for the damages inflicted upon them by the war, and that by such a solution of the problem the transfer would relieve Germany of a part of her indemnity and be more than satisfactory to the countries which were the recipients; but the treaty provides by article 119:

Germany renounces in favor of the principal allied and associated powers all her rights and titles over her overseas possessions.

And for which, of course, she gets no credit, either by the Reparation Commission or by any of the principal allied and associated powers.

Under the treaty the United States becomes the owner of an undivided one-fifth interest in all of this vast territory, and, of course, upon the assumption that they would be dealt with by a League of Nations for the benefit and welfare of the inhabitants thereof; but the unfortunate truth is that, owing to a secret treaty between Japan and Great Britain, the former Government has acquired possession and control of all of them north of the Equator. All the remainder—and if I make a misstatement here I hope some Senator better informed will correct me—have passed to the British. They are to-day held under the British flag and occupied by British garrisons, as much a part of the British Empire as any of her other African or South Sea possessions.

Mr. KNOX. Mr. President—

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Pennsylvania?

Mr. THOMAS. I yield.

Mr. KNOX. To indicate how partial that provision of the treaty is which gave over to the allied and associated powers all the overseas possessions of Germany, which treaty was signed in June, the fact is that on the 6th of May preceding the signing of the treaty the former German colonies were partitioned out to Japan, to Great Britain, and to France.

Mr. THOMAS. I thank the Senator for his valuable addition to the discussion, because it serves to emphasize the statements I have made concerning them.

These colonies owed an aggregate debt of \$32,410,000, which was not assumed by the allied powers; in other words, they took the colonies and left Germany to pay the debt.

If we are treating with Germany, Mr. President, as a conquered nation deserving all the punishment that the power and vengeance of the Allies can inflict upon her, well and good; if, on the other hand, by our negotiations based upon our own terms we had agreed to extend the benefit of these terms to her, then I contend that no man living can justify the disposition made of the German colonies by this treaty.

Mr. NORRIS. Mr. President, may I interrupt the Senator? The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Nebraska?

Mr. THOMAS. Certainly.

Mr. NORRIS. The treaty does not provide, does it, that Germany is to pay the debts of the various colonies?

Mr. THOMAS. It is silent on the subject, I think. I make that statement with some reservation. The treaty is so long and so involved that I can not retain it all in my memory.

Mr. NORRIS. Would it not follow, then, that the various colonies would assume their own debts?

Mr. THOMAS. That does not follow.

Mr. NORRIS. Does the Senator think, for instance, that if a colony in Africa had issued bonds, the colony would not owe the bonds but that Germany would owe them?

Mr. THOMAS. I do not understand that the colonial indebtedness is a bonded one, although it may be.

Mr. NORRIS. I may be mistaken about it. I should like to get correct information.

Mr. THOMAS. It is stated by a British author, whose book has recently attracted great attention—I allude to Mr. John Maynard Keynes—that, while the colonies are taken over by the Allies, the debt remains as a charge against Germany. It may be that this authority may not be reliable, but such as it is I give it to the Senate.

I come now, Mr. President, to the subject of reparation, and I may say that almost the entire treaty of peace with Germany may be translated in terms of reparation, restoration, restitution, and replacement. These four R's are made to spread over the entire nation, and under one or another of its forms all these demands may be postulated.

Reparation forms the subject of part 8, beginning at page 91, of Senate Document No. 49. By article 231—

The allied and associated Governments affirm and Germany accepts the responsibility of Germany and her allies for causing all the loss and damage to which the allied and associated Governments and their nationals have been subjected as a consequence of the war imposed upon them by the aggression of Germany and her allies.

This is obviously true.

By article 232—

The allied and associated Governments recognize that the resources of Germany are not adequate after taking into account permanent diminutions of such resources which will result from other provisions of the present treaty, to make complete reparation for all such loss and damage.

The allied and associated Governments, however, require, and Germany undertakes, that she will make compensation for all damage done to the civilian population of the Allied and Associated Powers and to their property during the period of the belligerency of each as an allied and associated power against Germany by such aggression by land, by sea, and from the air.

So far so good; that is a repetition of one of the 14 points accepted by Germany and as modified by the Allies on the 5th of November; but there is added to it this pregnant clause:

And in general all damage as defined in Annex 1 hereto.

That I will comment upon hereafter.

In accordance with Germany's pledges, already given, as to complete restoration for Belgium, Germany undertakes, in addition to the compensation for damage elsewhere in this part provided for, as a consequence of the violation of the treaty of 1839, to make reimbursement of all sums which Belgium has borrowed from the Allied and Associated Governments up to November 11, 1918, together with interest at the rate of 5 per cent per annum on such sums.

And we should make no complaint of that; it is a perfectly legitimate claim; it amounts in the aggregate to about twelve hundred and fifty millions of American dollars—or rather, I should say, dollars calculated in American coinage, because all the debt is not to us. The sum is larger than the indemnity imposed by Germany upon France in 1871, which, as I recall, was a thousand million dollars, or five milliards of francs.

This amount shall be determined by the reparation commission, and the German Government undertakes thereupon forthwith to make a special issue of bearer bonds to an equivalent amount payable in marks gold, on May 1, 1926, or, at the option of the German Government, on the 1st of May in any year up to 1926. Subject to the foregoing, the form of such bonds shall be determined by the reparation commission. Such bonds shall be handed over to the reparation commission, which has authority to take and acknowledge receipt thereof on behalf of Belgium.

In order to emphasize the power of the reparation commission, the next article, article 233, declares:

The amount of the above damage for which compensation is to be made by Germany shall be determined by an interallied commission, to be called the reparation commission and constituted in the form and with the powers set forth hereunder and in Annexes II to VII, inclusive, hereto.

Every demand that is to be recognized as a claim against Germany and made payable and paid under this treaty is to be determined by this commission, from whose conclusions there is and will be no appeal.

Mr. President, I do not pretend to be familiar with all history, and certainly not with the terms of treaties negotiated in the past between contending nations, but I think I am safe in asserting that never before have reparations and indemnities been thus provided for; that never before have the victors created an independent body and armed it with such tremendous and overwhelming authority over and control of the vanquished enemy. If there is anything in the letter of the President of November 5, 1918, to justify it, I have been unable to discover the passage. I shall refer, however, more fully to the reparation commission in connection with my consideration of Annex II.

Sections 234 to 242, inclusive, have reference to the subject of reparation. Section 236 makes Germany agree—

to the direct application of her economic resources to reparation as specified in Annexes III, IV, V and VI, relating, respectively, to merchant shipping, to physical restoration, to coal and derivatives of coal, and to dyestuffs and other chemical products; provided always that the value of the property transferred and any services rendered by her under these annexes, assessed in the manner therein prescribed, shall be credited to her toward liquidation of her obligations under the above articles.

In other words, the entire application of all her economic resources is pledged to the carrying out of the terms of the treaty, and by section 240 Germany further agrees to provide for the salaries and expenses of the commission—that is, the reparation commission—and of such staff as it may employ.

Now, when we consider the vast powers of this commission, which virtually constitutes a receivership for 70,000,000 people, exclusive of Austria, and which is required to keep in constant touch with and control over the economic structure of those people, not for one but for a nameless number of years, tell me, if you please, of what its civil-service list will comprise? Will it not be the equivalent of the German civil-service list? Can it keep in touch with the interests and resources of that

vast population unless it is represented, and fully represented, in every village, every community, every crossroads, and practically upon every man in the Empire? And when you consider that this reparation commission has also the same charge over Austria and Bulgaria and Hungary that it is given over Germany in this treaty, whereby both its power and its need of employment is increased by 50 per cent, tell me, if you please, what the burden upon Germany of all these expenditures will be without being permitted a voice in regard to either employment, or compensation?

I do not know what the experience of other Senators is, but my influence has been requested by more than a dozen individuals anxious to serve this commission as soon as it is appointed. I have no doubt that the unemployed of every nation, and many of those employed, will congregate around the headquarters of this commission—which, by the way, is to be in Paris performing its duties, therefore vicariously. I have an idea that the number of appointments will not be strictly limited to the needs of the service, especially when somebody else must make the compensation. If there is anything in the negotiations leading up to the armistice which justifies this situation I am unable to find it. If this is a peace of vengeance, so be it; for one can not too frequently reiterate the fact that the offenses of Germany are beyond the power of human punishment. If it is good policy for the Allies, that might justify it; but that it is not even good policy, if it were justice, can easily be demonstrated.

Article 233 indicates the indeterminate character of the indemnity; and that, to my mind, is its worst feature. The Allies do not know what they will obtain. Germany does not know what her exactions are to be. A determinate sum of dimensions beyond the power of the conquered to pay would, in my judgment, be infinitely preferable to an indeterminate amount to be hereafter fixed upon and ascertained by an independent commission before which Germany may be heard, but can not vote; for in the one the nation paying the indemnity knows precisely what it has to pay, as in the case of the Franco-Prussian treaty, where the Prussian exaction was 5,000,000,000 francs. What greater calamity can rest upon a nation, especially after waging a great war, than the consciousness of an overpowering obligation, the amount and the terms of which are absolutely unknown? If human ingenuity can devise any punishment for Germany at all adequate with her offenses against civilization, this would approach the standard.

Let me call attention now for a moment to article 241. So much in this document relates to pains, penalties, and conditions that it is impossible, even with elaborate notes, to observe everything; but section 241, although short, caps the climax of the reparations sections or part of the treaty:

Germany undertakes to pass, issue, and maintain in force any legislation, orders, and decrees that may be necessary to give complete effect to these provisions.

No matter what this reparation commission may determine, no matter what judgments it may pass, no matter how vast its staff of civil-service employees or how tremendous its possible exactions, Germany must crystallize them all into legislation of her own, and place behind their enforcement the sanction of her own laws and the authority of her own Government.

It may be necessary; I have no doubt it is essential if all these covenants are to be performed; but he who contemplates the possibility of a lasting and permanent peace by the establishment of friendly and amicable relations between the various nations of the earth, and bound together by a league wherein all may have a voice, and who at the same time imagines that a treaty of this character can comport with or produce these ideal conditions, is more of an enthusiast than am I; for I do affirm, Mr. President, that the basic principles of our poor human nature are immutable. Our loves, our hates, our passions, our sentiments, our emotions, are largely the same from generation to generation. Man has not the power to place such obstructions as these in a treaty and expect to overcome their inevitable consequences by any combination of nations, however constructed, or however lofty the sentiments upon which it may be founded. Just as surely as the restrictive and oppressive covenants of the Franco-Prussian treaty contained within themselves the germs of the last war, just so surely will their repetition against Germany bear the same bitter and bloody and awful fruit; the same causes operating upon the same human material must inexorably lead to the same result.

I recall that in 1870 the great German historian, Mommsen, was asked by a Frenchman what the immediate, concrete causes of the war were, and Mommsen replied: "You will find them in the history of the reign of Louis XIV." Prior to the days of Napoleon had the magnificent monarch sowed the seeds of that terrible harvest which culminated in the awful conflict of 1870-71; but we have learned nothing

from it. The same old human nature which inspired Bismarck to the accomplishment of his treaty inspired Clemenceau and Lloyd-George to the creation of this one. I will not include the President. I am satisfied that the lofty principles, the motives, purposes, and ideals punctuating the addresses of the President, which I quoted this morning, animated him throughout the negotiation of this treaty, and that he yielded with much reluctance to these conventions, hoping that they might be cured or corrected by the League of Nations, upon the creation of which his heart was then, and is now, irrevocably set.

Now, as to compensation. Bear in mind, if you please, the clarification of one of the 14 points in the letter of November 5. Perhaps I had better refer to it again:

Further, in the conditions of peace * * * the President declared that invaded territories must be restored as well as evacuated and freed, and the allied governments feel that no doubt ought to be allowed to exist as to what this provision implies. By it they understand that compensation will be made by Germany for all damage done to the civilian population of the Allies and their property by the aggression of Germany by land, by sea, and from the air.

That is perfectly plain—compensation to the civilian population as the result of German aggression by land, by sea, and from the air.

Annex I is devoted to compensation. It consists of 10 paragraphs. I will not read all of them. The first four have reference to damage caused to civilian population plus damages by any kind of maltreatment of prisoners of war. In other words, the first three items of compensation are in strict accord with the agreement of November 5 and made applicable to the civilian population, and also in accord with the President's assertion of February 7 that there should be no punishments and no indemnities, while the fourth indemnifies maltreated prisoners of war.

Subdivision 5, however, recites:

As damage caused to the peoples of the allied and associated powers—

All of them. That would include the people of the United States.

All pensions and compensation in the nature of pensions to naval and military victims of war (including members of the air force), whether mutilated—

And so forth.

(6) The cost of assistance by the Governments of the allied and associated powers to prisoners of war and to their families and dependents.

(7) Allowances by the Governments of the allied and associated powers to the families and dependents of mobilized persons or persons serving with the forces.

This annex thus enlarges the covenant of November 5 as to damages by extending it to all of the people and all the armies of the allied and associated powers. Not a pension, no financial assistance of any sort granted to any of their people by Great Britain, by France, by Italy, by Belgium, by the United States, by Japan, but that is to be returned in kind or in value under the provisions of paragraphs 5, 6, and 7 of Annex I, and based upon the French rate of pensions and allowances then existing.

It has been said here with much pride, in which I have participated, that, however bad the treaty may be, the United States has made nothing out of it. Yet the United States under these provisions may demand from Germany the return of every penny which they have advanced or which they may advance by way of pensions and allowances during the war and because of it.

I wish some mathematician would calculate for me the amount of compensation which these items will impose upon Germany if they are enforced, tell me how she is to pay them, and then tell me how they are to be squared with the negotiations to which we have been solemnly committed by the common consent of all the Allied powers engaged in the war.

So much, Mr. President, for the manner in which the Allied and Associated Powers have construed, if I may use so polite an expression, their covenant with the Central Powers. It can be neither condoned nor justified.

Annex II defines the powers of the commission. Before I refer to that subject I want to call attention to a pamphlet which was forwarded to me yesterday from the pen of Mr. Miller, who signs himself as the legal adviser of the American representatives to the Paris conference. The article is a criticism of some of the conclusions of Mr. John Maynard Keynes, to whose book I have referred. It is a wonderful book, Mr. President. I do not vouch for its authority, but I believe it can be read with profit by every man, woman, and child in the United States, who can verify its accuracy at their leisure.

Mr. David Hunter Miller, legal adviser of the American peace commission, takes issue with Mr. Keynes upon a subject which makes criticism of it appropriate in connection with Annex II.

I call attention first to the facts which Mr. Miller cites in extenuation of the character of the treaty. He says:

Public sentiment is a fact. To yield to a wrong public sentiment may be a crime, but to adopt a course which, without yielding, permits sentiment to change and passions to cool is the part of wisdom.

He then refers to the conduct of the British election campaign and to the excitements which it created, the animosities which it aroused against Germany, and then delivers himself of this remarkable utterance:

The question presented to the framers of the treaty was whether the existence of this delusion—

That is the delusion of the popular mind—

should be recognized by a form of the treaty which did not increase Germany's obligation to pay, but which left time for appreciation of realities by the allied peoples, or whether they should adopt another form of treaty and shock and enrage the sentiment of a public, suffering, depressed, and almost hysterical. The framers of the treaty chose the former course.

I do not wish to reflect upon Mr. Miller, whom I do not know, and who may be the ablest of advisers, but if this were a specimen of the counsel which he gave the commission I can better understand some of the conclusions which our delegates reached, because he virtually says that the Versailles congress on account of this hostile public sentiment had to do one of two things—defy it or deceive it; and under the circumstances they concluded to deceive it by pretending to comply with its requirements, feeling that they would be enlightened only when too late to help themselves. That may be a good thing in politics, although even there not entirely justifiable, but in a great congress dealing with the fate of nations I can not avoid the conclusion that it would have been better, far better, to have called the excited public mind of these countries to the unquestioned basis of the negotiations leading up to the armistice and adhering rigidly to their requirements.

But Mr. Miller continues:

Articles 231 to 233 relate simply to the total amount which Germany owes. As to payment, they are controlled wholly by annex 2 of part 8.

Which lead me to believe that Mr. Miller has forgotten the treaty, for the articles to which he refers are those which expressly clothe the reparation commission with authority to ascertain the amount owed by Germany, whether for restitution, for replacement, or for reparation, while annex 2 of part 8, instead of referring to payments, defines the powers and duties of the reparation commission.

Mr. Miller also declares that there is a practically fixed indemnity in the treaty amounting, according to his figures, to \$13,101,000,000. He gets at it by this remarkable process:

I have called this the real indemnity, for it is of the utmost importance to distinguish the debt of Germany from the payment prescribed by the treaty.

It is not what Germany owes us, but what she is going to pay that matters, and that payment he says is "solely by means of bonds—which are extinguished pro tanto by deliveries of coal, ships, and so forth.

It is this vital distinction which Mr. Keynes misses. No bonds other than the 60,000,000,000 marks can be issued until the reparation commission is satisfied that Germany can meet the interest and sinking fund obligations thereof.

Mr. Miller also says:

The debt, so far as it is not to be paid, either principal or interest, is a figment of the imagination. It is the payment that matters, and nothing else.

That is to say, what we propose to obligate Germany for is of no consequence. What we are making her pay in bonds is the measure and limit of her responsibility.

Yet I find among other things in Annex II that—

Further issues by way of acknowledgment and security may be required as the commission subsequently determines from time to time.

I also find on page 101, in paragraph 23 of Annex II, the provision that, not when all payment is made, but—

When all the amounts due from Germany and her allies under the present treaty or the decisions of the commission have been discharged and all sums received, or their equivalents, shall have been distributed to the powers interested, the commission shall be dissolved.

I again suspect that this very capable gentleman is either not familiar with or has forgotten certain provisions of the treaty which absolutely overthrow his conclusions. It is not the bonds that we propose to exact from Germany which constitute the limit of her obligation. If it were, we could understand the amounts, and so could she. If it were, paragraph 23, which I have just read, means nothing. If it were, then article 430 never should have appeared in the treaty. Let us read that for a moment:

In case, either during the occupation or after the expiration of the 15 years referred to above, the reparation commission finds that Germany refuses to observe the whole or part of her obligations under the present treaty with regard to reparation, the whole or part of the areas specified in article 429 will be reoccupied immediately by the allied and associated forces.

That article is in part 14 entitled "Guarantees" and succeeds the article which provides for the occupation of what I think is called Rhenish Prussia, or that part of Germany which lies west of the Rhine. Here provision is made that if Germany fails in the performance of her obligations, not in the payment of her debt but in the performance of her obligations, her territory may be reoccupied indefinitely or until she shall recognize and perform them.

I am unable to derive much comfort from this document, which, in the language of Mr. Lincoln on a memorable occasion, seems to be "explanatory of explanations previously explained."

But Mr. Miller emphasizes the fact that the commission can only act unanimously, and that there can be no increase of these bond issues or of other obligations except it acts unanimously. If that were strictly so, it would relieve the situation somewhat, but unfortunately it is not true as to the crux of my discussion.

I read from page 99 of the Senate document:

On the following questions unanimity is necessary:

(a) Questions involving the sovereignty of any of the allied and associated powers or the cancellation of the whole or any part of the debt or obligations of Germany.

(b) Questions of determining the amount and conditions of bonds or other obligations to be issued by the German Government and of fixing the time and manner for selling, negotiating, or distributing such bonds.

(c) Any postponement, total or partial, beyond the end of 1930 of the payment of installments falling due between May 1, 1921, and the end of 1926, inclusive.

(d) Any postponement, total or partial, of any installment falling due after 1926 for a period exceeding three years.

(e) Questions of applying in any particular case a method of measuring damages different from that which has been previously applied in a similar case.

(f) Questions of the interpretation of the provisions of this part of the present treaty.

All other questions shall be decided by the vote of a majority.

Turning back for a moment to article 233, where the commission is endowed with the authority and duty to determine the amount of damage, and so forth, there is no imposition of unanimity. In other words, in the fixing of obligations a majority of the commission control, but in the matter of postponing payment or an additional issue of bonds unanimity is required. How then can it be said that the debt can not be increased by the reparation commission unless they act unanimously, unless we confuse the term "debt" or "obligation" with the term "bond issue," which obviously are distinct and separate conditions?

Let me now hurriedly proceed with Annex II, fixing the powers of the commission. I shall not read it all. Paragraph 12, consisting of paragraphs (a) to (f) inclusive, gives specific power and also wide latitude as to its control and disposition of the whole reparation problem as dealt with in this part of the present treaty. I have read the provision as to voting. I shall refer to but one more of them, although comment might be made with profit on each of them.

Paragraph 21 provides that—

No member of the commission shall be responsible, except to the Government appointing him, for any action or omission as such member. No one of the allied or associated Governments assumes any responsibility in respect of any other Government.

The commission is made not only supreme but it is irresponsible. As a commission its reports may be revised by no man, the only restraint imposed upon it by the treaty being that each Government shall have control over its own member thereof. Is it to be supposed that Great Britain or France or Belgium or Italy or Serbia will punish its member of the commission because of its moderation? All France has been led to believe that her debts will be paid and her currency redeemed by the German indemnity, thanks to this policy of deception which Mr. Miller glorifies.

A great portion of the British public believe the same thing, and Italy very largely. It is because of that conviction, artificially and falsely stimulated, that the currency complexities and problems of those countries to-day so very seriously threaten the economic structure of these great powers. But when the fact appears, as it must appear, that the enormity of these exactions, instead of bringing compensation will, doubtless, result in bankruptcy, when these people learn, as they must learn, that they must meet their obligations by a system of severe and excessive taxation and that the golden stream will not flow perpetually from Germany into their coffers, the economic, social, and political consequence may be better imagined than described. That, indeed, Mr. President, may be said to be the first bitter fruitage of these covenants.

I have called attention to the fact that the reparation commission, consisting of seven in number, of which four or five—four, I believe—will constantly act, is to have its permanent bureau or headquarters in Paris. Its proceedings are to be

private; its powers are without limitation. Its members are given all diplomatic immunities. It is to be dissolved only when the last obligation imposed upon the Central Powers shall have been performed. It is required to keep in touch with and to acquire information regarding the whole economic life of the Central Powers—their manufactures, their agriculture, their banking, their transportation. In the event the Belgian indemnity is not paid in gold as required, they are given the power to seize any property, private or public, they please for that purpose—property existing before the war, property created during the war, or property amassed after war—and devote it to the liquidation of that demand.

This commission may enter the countinghouse of the merchant and take his goods; it may go into the banks and seize its coin; it may invade the manufactories and take possession of their product or machinery and remove them; it may acquire the remaining ships spared to Germany for her commerce. All these things it may do, so far as regards the Belgian indemnity, and it may do them with absolute impunity.

Did any commission or government, Mr. President, ever exist with its capital in an alien and hostile country, governing distant people without responsibility, the administration of whose powers was kept free from tyranny and oppression? Is it conceivable that such a government can be even popular?

The American Revolution was the glorious fruit of the tyrannies and oppressions of a distant governing power; yet, with that historical illustration to guide its footsteps, the Versailles congress placed the economic future, and therefore the political and industrial future, of 70,000,000 people in the hands of seven men, stationed in the capital of a hostile country, and given absolute powers of domination over a subject people. The Kaiser in the plenitude of his power, aye, Ivan the Terrible at the height of his infamous reign, the despotic administration of the Caesars—none of those approached either the assertion or the exercise of so tremendous authority. Here is an autocracy compared with which those that have been dethroned were graphic examples of liberty and moderation. Here is a power which, while it may not directly decree the right of life and death, may, through its administration, desolate cities, communities, and provinces. I do not say it will do so; I am satisfied it will not; but if I interpret history aright, it is a terrible truth, justified by the experiences of nations and of individuals and sanctified by the blood of generations, that absolute power can not safely be intrusted in the hands of any man or of any body of men; yet we have created an organization compared with which the League of Nations, the power of which so many regard with apprehension, becomes comparatively innocuous, for by this commission a receivership has been created for two insolvent nations, empowered to administer their affairs for the benefit of creditors, whose claims the receiver is required to fix, and which until fixed remain indefinite and indeterminate; not impartial receivers appointed by an impartial tribunal but receivers belonging to and representing the nationalities whose demands make the receivership a requisite to their realization. Human nature, Mr. President, may be proof against the temptations and requirements of such a proposition, but the great American Republic, which pledged its honor to our adversaries in the letter of its President of November 5, 1918, should never lend the sanction of its approval to the establishment of such an authority. No such stain should tarnish the escutcheon of our country. Yet that is what we shall do in the event we shall determine to approve this treaty.

I think it is self-evident that Germany can only pay as her resources permit her. She must pay in specie or commodities. If the specie now in the German banks is removed, the very small and insufficient support upon which her gigantic monetary system is based will have been removed. The mark to-day, worth upon its face 23.8 cents, passes current at from 2 to 3 cents. When the reparation commission requires, if it does require, the transfer of the remaining stock of gold in Germany—and, by the way, the treaty forbids her exportation of any gold during its continuance—the result not only upon her monetary system but upon her business condition is too obvious to require comment. So she must pay in commodities; in other words, she must pay with such surplus as she may be able to produce beyond her own bare means of existence; and this she must exchange with those countries which are needing them and which are able to pay for them. In order to do this, even in small degree, it is obvious that her industries must be rehabilitated. But the treaty deprives her of 75 per cent of her iron resources. I am not complaining of that; that is just; she is deprived of them because they are located in Alsace-Lorraine, which France has had returned to her as an element of complete and tardy justice.

Another key industry has been largely despoiled, and that is coal. If the plebiscite about to be held in Silesia shall result

adversely to Germany, then that depletion will be considerably in excess, as I now recall, of 30 per cent. The Senator from Illinois [Mr. McCormick] yesterday directed attention to the vast quantities of coal which Germany is required for a certain number of years to supply to France, to Belgium, to Luxemburg, and to Italy. It is not necessary, therefore, for me to repeat that; but all these things are cumulative upon Germany's powers of recuperation. If she has, comparatively speaking, no iron ore, her iron industries can only be revived by importations; if the great bulk of her coal must go by way of restitution—and that is all right also—the chances are that the 19,000,000 tons of coal hitherto furnished to Austria will be no longer available; and her manufacturing powers will be heavily curtailed; but the prime fact with regard to reparation is that this situation, instead of building up and stimulating, decreases and depresses all avenues of German production. If she must depend upon her commerce for reparation, she must not only produce the goods essential to that purpose but she must also be able to transport them, either in her own or in foreign bottoms. The treaty makes provision with regard to German shipping, however, and to that I will in this connection refer. Much of it was captured in foreign ports—foreign as regards to Germany—during the war; much of it she has since surrendered; but Annex 3, of part 8, provides:

The German Government, on behalf of themselves and so as to bind all other persons interested, cede to the allied and associated Governments the property in all the German merchant ships which are of 1,600 tons gross and upward; in one-half, reckoned in tonnage, of the ships which are between 1,000 tons and 1,600 tons gross; in one-quarter, reckoned in tonnage, of the steam trawlers; and in one-quarter, reckoned in tonnage, of the other fishing boats.

These are to be credited upon reparation account, but it can easily be perceived what the effect of stripping that country bare of her merchant marine will have upon her powers of recuperation. You can not expect the workman to measure up to his requirements if you deprive him of his tools, nor the merchant of his commerce if you deprive him of his customers.

The German Government will, within two months of the coming into force of the present treaty, deliver to the reparation commission all the ships and boats mentioned in paragraph 1.

But it may be said Germany may build ships; she has immense shipyards; she has men by the thousands skilled in the art of ship construction, and she can easily replace this tremendous drain upon her merchant marine. Paragraph 5, however, provides:

(a) Within three months of the coming into force of the present treaty the reparation commission will notify to the German Government the amount of tonnage to be laid down in German shipyards in each of the two years next succeeding the three months mentioned above.

They may, if they see fit, designate the entire productive capacity of the German shipyards for this reparation during that period. They must, as to each of the three succeeding years, produce an amount of tonnage not to exceed 200,000 gross tons.

Of course, the depredations of the submarines were terrible; they were inhuman; they were indefensible; they destroyed allied and neutral shipping by the millions of tons. Naturally replacement is desirable; but if it comes by way of replacement in kind instead of fixed indemnities of money, it can only come as the treaty provides, first, by taking possession of practically all of the shipping of the country, or, second, by new construction, or both; and here we have relied upon both.

Now, apart from the coal which is to be delivered—and which, as I say, was amplified yesterday—I call attention to certain other drains to be made upon Germany's natural resources; and I commend this part of the treaty particularly to that class of the public which to-day are shivering, actually or by pretense, over the specter of an aroused German competition. I read from Annex 6:

Germany accords to the reparation commission an option to require as part of reparation the delivery by Germany of such quantities and kinds of dyestuffs and chemical drugs as the commission may designate, not exceeding 50 per cent of the total stock of each and every kind of dyestuff and chemical drug in Germany or under German control at the date of the coming into force of the present treaty.

This option shall be exercised within 60 days of the receipt by the commission of such particulars as to stocks as may be considered necessary by the commission.

In addition to that she must deliver to France during the next three years 35,000 tons of benzol, 50,000 tons of coal tar, and 30,000 tons of sulphate of ammonia.

Oh, ye dye men, who before the Finance Committee of the Senate have drawn such gloomy pictures of the terrors of the coming German dye competition, whose imagination sees boatload after boatload steaming with full power across the wide waste of the Atlantic Ocean, who demand embargoes and prohibitory tariffs to protect and preserve their industry from this destructive competition—let me ask if you know anything about the economic clauses of the pending treaty? If you do, pray tell

me, if you can, after these deliveries to France, derived from a diminishing coal product, how much material Germany will retain in order to enable her to carry out and accomplish her fell commercial purpose?

But let us proceed:

Germany further accords to the reparation commission an option to require delivery during the period from the date of the coming into force of the present treaty until January 1, 1920, and during each period of six months thereafter, until January 1, 1925, of any specified kind of dyestuff and chemical drug up to an amount not exceeding 25 per cent of the German production of such dyestuffs and chemical drugs during the previous six months' period.

These clauses remind me of the old darky's coon trap. He set it in a peculiar way, and some one asked him why. "Because," he said, "I want to catch that animal if he is a-comin' or a-gwine"; and so with German chemicals.

Three. For dyestuffs and chemical drugs delivered under paragraph 1, the price shall be fixed by the commission, having regard to prewar net export prices and to subsequent increases of cost.

For dyestuffs and chemical drugs delivered under paragraph 2, the price shall be fixed by the commission, having regard to prewar net export prices and subsequent variations of cost or the lowest net selling price of similar dyestuffs and chemical drugs to any other purchaser.

Four. All details, including mode and times of exercising the options and making delivery and all other questions arising under this arrangement, shall be determined by the reparation commission. The German Government will furnish to the commission all necessary information and other assistance which it may require.

Five. The above expression, "dyestuffs and chemical drugs," includes all synthetic dyes and drugs and intermediate or other products used in connection with dyeing, so far as they are manufactured for sale.

That would seem to be ample; but, in order to make good measure, it is further provided that—

the present arrangement shall also apply to cinchona bark and salts of quinine.

Neither of which, I believe, is produced in Germany.

Will Germany be able to meet her indemnities, therefore, by her export trade in chemicals and dyestuffs? Before the war they amounted to a little over \$51,000,000 in the highest year of exportation. With this emasculated remainder it will be a remarkable performance, in my judgment, if during the period of the operation of this particular clause she will be able to manufacture enough for her own purposes.

Mr. President, modern commerce depends largely upon means of communication. In these days the thoughts of men are transported around the world in an instant of time; and Germany, as a commercial nation, provided and equipped herself with the modern methods of communication, to the end that her great business might prosper. But by Annex 7 she is made to renounce—

On her own behalf and on behalf of her nationals in favor of the principal allied and associated powers all rights, titles, or privileges of whatever nature in the submarine cables set out below, or any portions thereof.

Then follows a list of cables reaching almost every point of importance in the world. Under this treaty, those are taken absolutely from Germany and from her nationals, and the renunciation is made in favor of the United States, Great Britain, France, Italy, and Japan. She may communicate, of course, by using these lines under foreign control, by contributing to their exchequer on the one hand and revealing all of her commercial secrets upon the other. She may trade, but she does so at a disadvantage which places her completely at the mercy of her conquerors and diminishes pro tanto her powers either of recuperation or of replacement.

Part IX refers to financial clauses, or is so entitled. I shall take but little time regarding that and merely emphasize the recitals of one or two articles. The first provides that—

Subject to such exceptions as the reparation commission may approve, a first charge upon all the assets and revenues of the German Empire and its constituent States shall be the cost of reparation and all other costs arising under the treaty or any treaties or agreements supplementary thereto or under arrangements concluded between Germany and the allied and associated powers during the armistice or its extensions.

Then follows the prohibition against the export of gold to which I have referred.

All other of the above costs—

Says article 249—

shall be paid in gold marks.

Article 251 fixes priorities. The first is—

The cost of the armies of occupation, as defined under article 249, during the armistice and its extensions.

The second is—

The cost of any armies of occupation, as defined under article 249, after the coming into force of the present treaty.

The third is—

The cost of reparation arising out of the present treaty—

Which includes, of course, the expenses of the enormous civil-service force which the reparation commission must inaugurate if they are to perform their duties.

The fourth covers—

The cost of all other obligations incumbent on Germany under the armistice conventions or under this treaty or any treaties or conventions supplementary thereto.

The costs of the armies of Allies in occupation, the costs of the execution of the receivership; all these things are first liens upon the resources of Germany, and, of course, must precede the principal part of her burden, which is indemnification.

We have, therefore, concretely stated—

1. The payment of all advances to Belgium.

2. The cost to the Allies of the war, including pensions and allowances, whether they relate to their civil or their military populations.

3. The surrender of these various items to which I have referred, and others which might be mentioned; and, of course, she must also conduct her own civil administration, an expenditure which before the war was very considerable, even after you have excluded the cost of the Army and Navy. What wonder, therefore, Mr. President, that these indemnities should be so indefinite and so enormous in their aggregate?

But let me turn, because the tax upon my strength tells me that I must soon conclude, to the economic clauses found on pages 117 to 122, inclusive; and to these, also, I will refer very briefly.

Article 267 provides that—

Every favor, immunity, or privilege in regard to the importation, exportation, or transit of goods granted by Germany to any allied or associated State or to any other foreign country whatever shall simultaneously and unconditionally, without request and without compensation, be extended to all the allied and associated States.

In other words, if Germany for any reason sees fit to make a special arrangement or treaty with any country in the world, and it is to her interest to bestow some particular favor or privilege upon that nation in order to secure the agreement, the same privilege automatically applies to all the allied and associated powers. If Germany to-morrow should, in her extremity, see fit to make a treaty, we will say, with Denmark, a contiguous neighbor, and her necessity should require her to extend particular privileges to Denmark in order to secure a needed commerce, that privilege instantly becomes the property of all the allied countries; and I may say here that every provision is made for the entry into Germany, without excessive and sometimes without any tariffs, of all the goods of the allied nations, but corresponding privileges are not given to her. Indeed, under chapter 3 she is required—

To adopt all the necessary legislative and administrative measures to protect goods the produce or manufacture of any one of the allied and associated powers from all forms of unfair competition in commercial transactions.

We have heard much about unfair competition, and unquestionably Germany was a master hand at it before the war. Unfair competition should be repressed everywhere and under all circumstances.

But we do not agree to repress it in favor of Germany; we require Germany to repress it in favor of all of the allied countries. There is no reciprocity about it. On the contrary, article 251—in some respects one of the most remarkable articles in the treaty—provides in terms that—

If the German Government engages in international trade, it shall not in respect thereof have or be deemed to have any rights, privileges, or immunities of sovereignty.

In other words, German international trade, which must be the basis of her powers of reparation, must be conducted by Germany as a nation, if at all, just as the obscurest individual in France or Italy or the United States or England can do so. The advantages appertaining to nationality in commerce, the prestige to which every nation is entitled if endowed with any sort of power or self-respect, the individuality which it has the right to assume in all commercial transaction, is by this treaty taken from Germany; and the conclusion is and must be that under this treaty Germany as a commercial competitor of the allied nations is to be wiped out. We must conclude that under this treaty her reassertion of commercial supremacy will be absolutely impossible.

Unfortunately, Mr. President, this punishment, however merited, operates like a two-edged sword. I do not believe that it would make for the prosperity of Washington if 50,000 of its people were reduced to penury, or if they were forbidden, by practically prohibitive restrictions, from carrying on the ordinary affairs of life. Not only would our sympathy be aroused, but our self-interest would be quickened, as we perceived that such a condition, while terrible in its effects upon

those immediately concerned, is quite as serious to the rest of the community. Hence it would not be tolerated, and so with nations. If you destroy the power of a nation to sell you render it incapable of purchase. If you impoverish your neighbor from whatever motive, you deprive yourself and the community of the benefit of his prosperity. I do not think it would surprise the Senate to be told that Germany was our third best customer before the war, our exports to which amounted to over \$425,000,000 and our imports from which were about one-third of that sum. Perhaps Senators from the South may be interested in knowing that the year before the war Germany's imports of cotton were over \$151,000,000. Perhaps it will interest those living in the West to know that her imports of wool were \$118,000,000 and of hides and skins \$124,000,000, and that her total import trade was \$2,692,000,000 as against \$2,524,000,000 of her export trade.

Do you want to preserve that market or are our animosities so great and our disregard of our treaty obligations so complete that her destruction is preferable to her trade? If so, then the treaty should be ratified. If the people of the South desire to contract their market for cotton to the extent of over \$150,000,000, and if others desire to make similar restrictions, then what the treaty does to Germany will give them complete and supreme satisfaction. If, on the other hand, we want her to pay, as she should pay, a large round sum by way of indemnity, or call it what you please, if we are even selfishly interested in the prosperity of over 70,000,000 of people, regardless of their offenses against humanity, then this treaty should never become effective. You may look at it from the standpoint of national honor or from that of national selfishness, if you please, or both, but you can not escape the conclusion in either instance.

Now, let me refer for a moment to Part XII, regarding ports and waterways, beginning on page 157 of the Senate print. This part of the treaty requires practically free ports for all allied and associated shipping in Germany, where—

The seaports of the allied and associated powers are entitled to all favors and to all reduced tariffs granted on German railways or navigable waterways for the benefit of German ports or of any port of another power.

Free ports which are reciprocal are, in my judgment, a great international blessing. I wish they might have been established before the war. They can not be established too soon now in the interest of international trade. They can not be one-sided, however, for if they are it would be better not to create them at all.

This part of the treaty, however, is not wholly confined to the matter of free ports, but it internationalizes all the great rivers of Germany. It makes them open to the commerce of the world and practically without restriction. Jurisdiction over each of them is invested in a commission composed of nationals of all countries to which the rivers are tributary. But Germany is in the minority upon each commission, and therefore the Allies will control them. Our goods, our passengers, our commerce, destined to ports either in or on the other side of Germany, are given by the treaty the same facilities upon her great rivers that the American public to-day enjoys upon the Mississippi, that the people of Great Britain enjoy upon the Thames, or those of France upon the Seine.

Now, the internationalization of all the rivers in Europe controlled by impartial commissions would be a distinct international continental benefit, but the control by all others of the streams of one nation, subjecting them to burdens which can not be interfered with by the nation itself, may be punishment, and deserved punishment, but it is not justice if justice is to be considered, as it should be considered, in the preliminary arrangement of terms of peace.

There is one feature, however, of the river situation that I desire to emphasize before the Senate. Bear in mind that under the other provisions of the treaty 25 per cent of the river boats have been required to be surrendered by way of reparation.

Article 339 provides that—

Germany shall cede to the allied and associated powers concerned, within a maximum period of three months from the date on which notification shall be given her, a proportion of the tugs and vessels remaining registered in the ports of the river systems referred to in article 331—

That is, the internationalized rivers—

after the deduction of those surrendered by way of restitution or reparation. Germany shall in the same way cede material of all kinds necessary to the allied and associated powers concerned for the utilization of those river systems.

In addition to this 25 per cent we now take a proportion of the tugs and vessels and material of all kinds necessary to the allied and associated powers concerned for the utilization of the river systems. What that material is, its character, its locus,

the extent to which it can be used, are all indefinite. Let us see who determines it. Listen, Senators:

The number of the tugs and boats and the amount of the material so ceded and their distribution shall be determined by an arbitrator or arbitrators nominated by the United States of America, due regard being had to the legitimate needs of the parties concerned, and particularly to the shipping traffic during the five years preceding the war.

The United States, through the agency of whose President, representing all of the allied and associated powers, the preliminaries of the treaty were negotiated, and which pledged to the Central Powers before the armistice the application of the principles of the President's speech of January 8, and subsequently and particularly his address of September 27, 1918—this Government, whose sacred word was pledged to carry out the terms and conditions of that preliminary agreement, is by the treaty charged with the responsibility of determining how many of Germany's remaining tugs and boats and how much of this material essential for the utilization of these international streams shall be appropriated by the allied and associated powers. Is that consistent with the assurances which were given on the 5th day of November? If matters were reversed and this condition were made applicable to America by Germany, no argument would be required to convince the dullest mind in America of the irreconcilable inconsistency of such a provision with the understanding of November 5. Yet there it is written, and those who are prepared to accept the treaty and then trust in God and the League of Nations for justice regardless of our covenant are willing to take a greater chance than am I, for I do verily believe that if the treaty becomes effective under the sign manual of the Senate of the United States posterity will justly hold the Members of this body to full responsibility for accepting a treaty which in so many respects does violence to the understanding upon which, and upon which alone, any treaty could have been negotiated.

Mr. KING. Mr. President—

Mr. THOMAS. I yield to the Senator from Utah.

Mr. KING. I sympathize very much with some of the statements made by the Senator as to the severity of the terms of the treaty. But assuming for the sake of the argument that the armistice was based on the correspondence to which the Senator has referred and that the treaty utterly fails to live up to the letter and spirit of that correspondence and the declarations made by Mr. Wilson, to which the Senator has also referred, and assuming that the treaty is harsh and unduly severe upon Germany, does not the Senator believe that Germany's position will be very much better and that the terms of the treaty will be softened and its severities will be eviscerated if the United States becomes a signatory to the treaty and we enter into the league?

Mr. BORAH. Mr. President—

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

Mr. BORAH. May I ask the Senator from Utah, in all sincerity, how that mode of reasoning can be adopted when it was the United States which became a participant in the making of the treaty and imposing the terms? We had an infinitely better opportunity to refuse to make the terms than we will have to change the terms after they have been ratified.

Mr. THOMAS. I am obliged to the Senator from Idaho for answering the question, to which I will add another observation. I am not concerned about the severity of the terms of the treaty on Germany. So far as Germany is involved I do not care so much how severe they may be, because, as I have said, she merits any punishment that may be imposed upon her. I am concerned for my own country, for the position which it assumed and in consequence of which the surrender was effected. I am not much of a hand, Mr. President, to accept an unsatisfactory agreement and then to depend upon time and chance and Providence for its amelioration.

I have a lively recollection that in 1899 or 1900 the distinguished leader of the party to which I belong resigned his commission in the Army, came to Washington, and by his influence secured ratification of the treaty with Spain, which delivered to the United States 20,000,000 of reluctant people and a huge outpost in the Orient, and which, in my judgment, was our first abandonment of the Monroe doctrine. That very able and enthusiastic statesman not only labored under the delusion but made all over the country the assertion that with the ratification of the treaty the American people would recognize the independence of the Philippines, fill their purse with treasure, and tell them to go on their way rejoicing. Yet I have a lively recollection that we still own the Philippines. They have been a burden to us ever since, and I doubt whether we shall ever get rid of them.

No; take no chances. A burnt child dreads the fire. In my judgment the way to meet this difficulty is to tell the world

why we object to the treaty and quit pivoting our discussion upon Part I, because in doing so we have emphasized the importance of that part out of all proportion to the rest of the treaty, moreover, and have delivered an opiate to the American people, unconsciously, of course, and dulled their senses to the merits of this document as a treaty of peace with Germany.

Now, the German commissioners at Versailles thus concluded their protest against the economic covenants of the treaty.

German democracy is thus annihilated at the very moment when the German people was about to build it up after a severe struggle—annihilated by the very persons who throughout the war never tired of maintaining that they sought to bring democracy to us. * * * Germany is no longer a people and a State, but becomes a mere trade concern placed by its creditors in the hands of a receiver, without its being granted so much as the opportunity to prove its willingness to meet its obligations of its own accord. The commission, which is to have its permanent headquarters outside Germany, will possess in Germany incomparably greater rights than the German Emperor ever possessed; the German people under its régime would remain for decades to come shorn of all rights and deprived to a far greater extent than any people in the days of absolutism of any independence of action, of any individual aspiration in its economic or even in its ethical progress.

Mr. President, I have tried in my own mind to formulate a fitting answer to this conclusion. I have been unable to do so when I contrast these phrases with the diplomatic correspondence which preceded the armistice and to which I devoted some time this morning.

I contend, Mr. President, in conclusion, that the terms of the treaty can not be made to square with the German-Allied pre-armistice understanding. I contend that the injustices and oppressions of the Franco-Prussian treaty formed the source of the recent war, and these we have sanctioned and multiplied manifold in the economic clauses of the treaty. In the language of the President, have we been just to those to whom we did not wish to be just, or have we forgotten or disregarded the principles of that lofty and elevating sentiment? Have we considered what the blight of these conditions will be upon the enterprise and prosperity of the conquered peoples?

If, through an indefinite future, every dollar over the bare means of existence earned by every citizen of America were by some covenant, which we were obliged to accept, diverted from our pockets to a foreign treasury, there to be used to liquidate an obligation, the total amount of which no man could know, what effect would it have upon the morale, the integrity, the enterprise, and the future of the people of this Republic? Were we deprived of the energizing influence of the desire to succeed, which is the ambition of every free man and which underlies the foundation of progress and prosperity the world over, we would stagnate, then retrograde, then disappear as an independent people.

This treaty, in my judgment, must necessarily destroy the economic structure not only of Germany but of all the peoples of central Europe which are dependent upon and associated with it. Their means of progress and of production have been largely reduced, and in some instances have been almost totally destroyed. Their initiative must inevitably disappear under the oppressive burdens of these exactions. Their government will be a government in name only, for it is to be administered, subject to no protest or reproach upon their part, by this mighty commission, whose headquarters, by the treaty, are placed upon alien soil.

Do not forget, Senators, that these economic conditions are duplicated in the treaty soon to be laid before the Senate relating to Austria. That unhappy country, justly suffering in retribution for an awful crime, to-day presents a spectacle that must excite the sympathy and the commiseration of every well-directed mind.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER (Mr. WALSH of Montana in the chair). Does the Senator from Colorado yield to the Senator from Nebraska?

Mr. THOMAS. I yield.

Mr. NORRIS. I desire to suggest to the Senator from Colorado that before he concludes he put into his magnificent address, in order that those who will in the future read it may have it before them in the consideration of the other matters to which he has alluded, the constitution of the reparation commission, to which the Senator has referred.

Mr. THOMAS. Does the Senator mean the part of the treaty making provision for the reparation commission?

Mr. NORRIS. Yes. The Senator has referred to it very extensively, but he has nowhere stated exactly how that commission is constituted.

Mr. THOMAS. I shall be glad to do so, and I ask permission that I may insert it at this point.

The PRESIDING OFFICER. In the absence of objection, permission to do so will be granted.

The matter referred to is as follows:

ANNEX II.

1.

The commission referred to in article 233 shall be called "the reparation commission" and is hereinafter referred to as "the commission."

2.

Delegates to this commission shall be nominated by the United States of America, Great Britain, France, Italy, Japan, Belgium, and the Serb-Croat-Slovene State. Each of these powers will appoint one delegate and also one assistant delegate, who will take his place in case of illness or necessary absence, but at other times will only have the right to be present at proceedings without taking any part therein.

On no occasion shall the delegates of more than five of the above powers have the right to take part in the proceedings of the commission and to record their votes. The delegates of the United States, Great Britain, France, and Italy shall have this right on all occasions. The delegate of Belgium shall have this right on all occasions other than those referred to below. The delegate of Japan shall have this right on occasions when questions relating to damage at sea, and questions arising under article 260 of Part IX (financial clauses) in which Japanese interests are concerned, are under consideration. The delegate of the Serb-Croat-Slovene State shall have this right when questions relating to Austria, Hungary, or Bulgaria are under consideration.

Each Government represented on the commission shall have the right to withdraw therefrom upon 12 months' notice filed with the commission and confirmed in the course of the sixth month after the date of the original notice.

3.

Such of the other allied and associated powers as may be interested shall have the right to appoint a delegate to be present and act as assessor only while their respective claims and interests are under examination or discussion, but without the right to vote.

4.

In case of the death, resignation, or recall of any delegate, assistant delegate, or assessor, a successor to him shall be nominated as soon as possible.

5.

The commission will have its principal permanent bureau in Paris and will hold its first meeting in Paris as soon as practicable after the coming into force of the present treaty, and thereafter will meet in such place or places and at such time as it may deem convenient and as may be necessary for the most expeditious discharge of its duties.

6.

At its first meeting the commission shall elect, from among the delegates referred to above, a chairman and a vice chairman, who shall hold office for one year and shall be eligible for reelection. If a vacancy in the chairmanship or vice chairmanship should occur during the annual period, the commission shall proceed to a new election for the remainder of the said period.

7.

The commission is authorized to appoint all necessary officers, agents, and employees who may be required for the execution of its functions, and to fix their remuneration; to constitute committees, whose members need not necessarily be members of the commission, and to take all executive steps necessary for the purpose of discharging its duties; and to delegate authority and discretion to officers, agents, and committees.

8.

All proceedings of the commission shall be private, unless, on particular occasions, the commission shall otherwise determine for special reasons.

9.

The commission shall be required, if the German Government so desire, to hear, within a period which it will fix from time to time, evidence and arguments on the part of Germany on any question connected with her capacity to pay.

10.

The commission shall consider the claims and give to the German Government a just opportunity to be heard, but not to take any part whatever in the decisions of the commission. The commission shall afford a similar opportunity to the allies of Germany, when it shall consider that their interests are in question.

11.

The commission shall not be bound by any particular code or rules of law or by any particular rule of evidence or of procedure, but shall be guided by justice, equity, and good faith. Its decisions must follow the same principles and rules in all cases where they are applicable. It will establish rules relating to methods of proof of claims. It may act on any trustworthy modes of computation.

12.

The commission shall have all the powers conferred upon it, and shall exercise all the functions assigned to it, by the present treaty.

The commission shall in general have wide latitude as to its control and handling of the whole reparation problem as dealt within this part of the present treaty and shall have authority to interpret its provisions. Subject to the provisions of the present treaty, the commission is constituted by the several allied and associated Governments referred to in paragraphs 2 and 3 above as the exclusive agency of the said Governments respectively for receiving, selling, holding, and distributing the reparation payments to be made by Germany under this part of the present treaty. The commission must comply with the following conditions and provisions:

(a) Whatever part of the full amount of the proved claims is not paid in gold, or in ships, securities, and commodities or otherwise, Germany shall be required, under such conditions as the commission may determine, to cover by way of guarantee by an equivalent issue of bonds, obligations or otherwise, in order to constitute an acknowledgment of the said part of the debt.

(b) In periodically estimating Germany's capacity to pay, the commission shall examine the German system of taxation, first, to the end that the sums for reparation which Germany is required to pay shall become a charge upon all her revenues prior to that for the service or discharge of any domestic loan, and secondly, so as to satisfy itself

that, in general, the German scheme of taxation is fully as heavy proportionately as that of any of the powers represented on the commission.

(c) In order to facilitate and continue the immediate restoration of the economic life of the allied and associated countries, the commission will as provided in article 235 take from Germany by way of security for and acknowledgement of her debt a first instalment of gold bearer bonds free of all taxes and charges of every description established or to be established by the Government of the German Empire or of the German States, or by any authority subject to them; these bonds will be delivered on account and in three portions, the marks gold being payable in conformity with article 262 of Part IX (financial clauses) of the present treaty as follows:

(1) To be issued forthwith, 20,000,000,000 marks gold bearer bonds, payable not later than May 1, 1921, without interest. There shall be specially applied toward the amortization of these bonds the payments which Germany is pledged to make in conformity with article 235, after deduction of the sums used for the reimbursement of expenses of the armies of occupation and for payment of foodstuffs and raw materials. Such bonds as have not been redeemed by May 1, 1921, shall then be exchanged for new bonds of the same type as those provided for below (paragraph 12, c. (2)).

(2) To be issued forthwith, further 40,000,000,000 marks gold bearer bonds, bearing interest at 2½ per cent per annum between 1921 and 1926, and thereafter at 5 per cent per annum with an additional 1 per cent for amortization beginning in 1926 on the whole amount of the issue.

(3) To be delivered forthwith a covering undertaking in writing to issue when, but not until, the commission is satisfied that Germany can meet such interest and sinking fund obligations, a further installment of 40,000,000,000 marks gold 5 per cent bearer bonds, the time and mode of payment of principal and interest to be determined by the commission.

The dates for payment of interest, the manner of applying the amortization fund, and all other questions relating to the issue, management, and regulation of the bond issue shall be determined by the commission from time to time.

Further issues by way of acknowledgment and security may be required as the commission subsequently determines from time to time.

(d) In the event of bonds, obligations, or other evidence of indebtedness issued by Germany by way of security for or acknowledgment of her reparation debt being disposed of outright, not by way of pledge, to persons other than the several Governments in whose favor Germany's original reparation indebtedness was created, an amount of such reparation indebtedness shall be deemed to be extinguished corresponding to the nominal value of the bonds, etc., so disposed of outright, and the obligation of Germany in respect of such bonds shall be confined to her liabilities to the holders of the bonds, as expressed upon their face.

(e) The damage for repairing, reconstructing, and rebuilding property in the invaded and devastated districts, including reinstallation of furniture, machinery, and other equipment, will be calculated according to the cost at the dates when the work is done.

(f) Decisions of the commission relating to the total or partial cancellation of the capital or interest of any verified debt of Germany must be accompanied by a statement of its reasons.

Mr. THOMAS. Mr. President, Austria's indemnity also is indefinite; it is to be ascertained by the same commission in the same way, and the results, whatever they may be, are eagerly waited for by the countries which she has devastated, and particularly by Serbia and Italy. However much they may differ regarding Fiume, their interests and their hopes are identical when turned in the direction of Vienna. If ever a country, Mr. President, paid penance for its crimes, if ever a nation which drew the sword perished by the sword, if ever consequences due to the violation of the eternal laws of justice and of right were inflicted upon a great and mighty people, that people is the late powerful, puissant empire of Austria. To-day her people are starving, her women with their babes are perishing from hunger and cold and want in the streets of her mighty cities. Yet we are contemplating a treaty whose economic consequences must aggravate, if that be possible, the terrible measure of her misery and her want.

Mr. President, I was a boy at the close of the Civil War. I remember the passions of the Northern people aroused in fully as great a measure against the people of the South as were those of all our people against the Central Powers during and immediately after the recent war. It was seriously proposed in the Congress following Lee's surrender to reduce the Southern States to provinces; to make the Confederate uniform the badge of the convict in all the prisons of the land; to try and execute the late president of the Confederacy and his chief military officers for treason; to disfranchise the whites and to enfranchise the blacks; and to take the property left after war's destruction to remunerate the North for the tremendous expense of the war. Does anyone imagine that had that policy been effectuated, the integrity of the Union would long have been preserved? The great heart of the mighty people of the South responded to the music of the Union in the dread days of the Spanish and the German Wars; their sons and their treasures gladly and willingly merged with those of the North in upholding American institutions and the honor of the American ensign; but does anyone believe for a moment that that would have been possible had this policy of punishment and of vengeance been followed to its logical conclusions?

Mr. President, I can never forget the morning when the news flashed across the wires that the late president of the Confederacy had been fettered and imprisoned at Fortress

Monroe. The feelings of the people of the South everywhere rose in spontaneous protest, in vindictiveness, in animosity toward the National Government, and even to-day those feelings have not fully subsided. No; after the bitterness engendered by the war was over the great heart of the North responded in sympathy and affection, in assistance and cooperation, to and with their stricken brethren of the late Confederacy, and, like the good Samaritan, they finally ministered unto them and lifted them to their feet. It required but the cry of war in 1898 to exhibit to the world the spirit of a reunited people bound in one common destiny and owing allegiance to a single flag—the result of forbearance, of sympathy, and of forgetfulness. We may contrast the one condition with the other, with much benefit to ourselves, and, I think, with an almost certain prescience that like creates like in human nature everywhere.

Mr. President, I shall doubtless be accused of an undue sympathy with the conquered powers. I have never yet endured the reproach of pro-Germanism, but I have no doubt it will be cast upon me on the morrow. I do not question that the enormities of Germany's crimes will be sung in chorus throughout the land as a complete and effective rejoinder to anything that may be offered against the oppressive covenants of this treaty.

I have been a reluctant speaker, Mr. President, upon this subject; I have shrunk from its consideration and indulged the hope that the task might fall upon other shoulders; but, inasmuch as the treaty is again before the Senate for consideration, and inasmuch as I have given many painful and anxious hours to its consideration since it was disposed of in November and have reached the convictions I have just expressed, I have felt it my duty as an American Senator to review these treaty requirements, whatever the consequences to myself might be.

To-day the only forum in the world in which the provisions of this treaty can be freely and fearlessly discussed, the only body holding the fate of the world in its hands and upon whose decision rest consequences reaching to the remotest generation, is the Senate of the United States, endowed by the Constitution with the powers and responsibility of passing upon and approving all contracts with foreign governments. It is a duty, Mr. President, transcendentally beyond partisanship and personal considerations, the importance of whose proper performance, in my judgment, is the supreme requirement of an American Senator. All these considerations have conspired to induce me to make this poor presentation in the hope that before the document shall be ratified the Members of this body and the American people may understand that it comprises the League of Nations not only, but covenants and conditions which affect the future, the commerce, the economic integrity, the social structure, and, perhaps, the peace of the world, through those economic provisions which, in defiance of our pre-armistice agreement, have been crystallized into the body of this treaty, and which recognize and enforce we must, however odious the task, once we shall have pronounced our judgment in its favor and thus given it the sanction of our final approval.

APPENDIX.

PRINCE MAXIMILIAN'S NOTE, OCTOBER 6, 1918.

The German Government requests the President of the United States to take in hand the restoration of peace. *Acquaint all the belligerent States of the request and invite them to send plenipotentiaries for the purpose of opening negotiations. It accepts the program set forth by the President of the United States in his message to Congress on January 8, and in his later pronouncements, especially his speech of September 27, as a basis for peace negotiations.* With a view to avoiding further bloodshed the German Government requests the immediate conclusion of an armistice on land and water and in the air.

REPLY OF UNITED STATES THROUGH CHARGÉ D'AFFAIRES SWISS LEGATION. OCTOBER 8.

SIR: I have the honor to acknowledge on behalf of the President your note of October 6 inclosing the communication from the German Government to the President, and I am instructed by the President to request you to make the following communication to the Imperial German Chancellor:

Before making reply to the request of the Imperial German Government, and in order that that reply shall be as candid and straightforward as the momentous interests involved require, the President of the United States deems it necessary to assure himself of the exact meaning of the note of the Imperial German Chancellor. Does the Imperial Chancellor mean that the Imperial German Government accepts the terms laid down by the President in his address to the Congress of the United States on January last and subsequent addresses, and that its object in entering into discussions would be only to agree upon the practical details of their application?

The President feels bound to say with regard to the suggestion of an armistice that he would not feel at liberty to propose a cessation of arms to the Governments with which the Government of the United States is associated against the Central Powers so long as the aid of those powers are upon their soil. The good faith of any discussion would manifestly depend upon the consent of the Central Powers immediately to withdraw their forces everywhere from invaded

territory. The President also feels that he is justified in asking whether the Imperial Chancellor is speaking merely for the constituted authorities of the Empire who have so far conducted the war. He deems the answer to these questions vital from every point of view. Accept, sir, the renewed assurances of my high consideration.

ROBERT LANSING.

GERMAN REPLY, OCTOBER 12.

In reply to the questions of the President of the United States of America the German Government hereby declares:

The German Government has accepted the terms laid down by President Wilson in his address of January 8 and in his subsequent addresses on the foundations of a permanent peace of justice. Consequently its object in entering into discussions would be only to agree upon practical details of the application of these terms. The German Government believes that the Governments of the powers associated with the Government of the United States also take the position taken by President Wilson in his address. The German Government in accordance with the Austro-Hungarian Government for the purpose of bringing about an armistice declares itself ready to comply with the propositions of the President in regard to evacuation.

The German Government suggests that the President may occasion the meeting of a mixed commission for making the necessary arrangements concerning the evacuation. The present German Government which has undertaken the responsibility for this step toward peace has been formed by conferences and in agreement with the great majority of the Reichstag. The chancellor, supported in all of his actions by the will of this majority, speaks in the name of the German Government and the German people.

SOLF.

State Secretary of Foreign Office.

LANSING TO OEDERLIN.

OCTOBER 14.

SIR: In reply to the communication of the German Government dated the 12th instant, which you handed me to-day, I have the honor to request you to transmit the following answer:

The unqualified acceptance by the present German Government and by a large majority of the German Reichstag of the terms laid down by the President of the United States of America in his address to the Congress of the United States on January 8, 1918, and in his subsequent addresses, justifies the President in making a frank and direct statement of his decision with regard to the communications of the German Government of October 8 and 12, 1918. It must be clearly understood that the process of evacuation and the conditions of an armistice are matters which must be left to the judgment and advice of the military advisers of the Government of the United States and the allied Governments, and the President feels it his duty to say that no arrangement can be accepted by the Government of the United States which does not provide absolutely satisfactory safeguards and guarantees of the maintenance of the present military supremacy of the Armies of the United States and of the Allies in the field. He feels confident that he can safely assume that this will also be the judgment and decision of the allied Governments.

The President feels that it is also his duty to add that neither the Government of the United States nor he is quite sure the Governments with which the Government of the United States is associated as a belligerent will consent to consider an armistice so long as the armed forces of Germany continue the illegal and inhumane practices which they persist in. At the very time that the German Government approaches the Government of the United States with proposals of peace its submarines are engaged in sinking passenger ships at sea; and not the ships alone, but the very boats in which their passengers and crews seek to make their way to safety; and in their present enforced withdrawal from Flanders and France the German armies are pursuing a course of wanton destruction which has always been regarded as a direct violation of the rules and practices of civilized warfare. Cities and villages if not destroyed are being stripped of all they contain not only, but of their very inhabitants. The nations associated against Germany can not be expected to agree to a cessation of arms while acts of inhumanity, spoliation, and desolation are being continued, which they justly look upon with horror and with burning hearts.

It is necessary also, in order that there may be no possibility of misunderstanding that the President should very solemnly call the attention of the Government of Germany to the language and plain intent of one of the terms of peace which the German Government has now accepted. It is contained in the address of the President delivered at Mount Vernon on July 4 last. It is as follows:

"The destruction of every arbitrary power anywhere that can separately, secretly, and of its single choice disturb the peace of the world; or, if it can not be presently destroyed, at least its reduction to virtual impotency."

The power which has hitherto controlled the German nation is of the sort here described. It is within the choice of the German nation to alter it. The President's words just quoted naturally constitute a condition precedent to peace, if peace is to come by the action of the German people themselves. The President feels bound to say that the whole process of peace will in his judgment depend upon the definiteness and the satisfactory character of the guarantees which can be given in this fundamental matter. It is indispensable that the governments associated against Germany should know beyond a peradventure with whom they are dealing. The President will make a separate reply to the Royal and Imperial Government of Austria-Hungary. Accept, sir, the renewed assurances of my high consideration.

ROBERT LANSING.

GERMAN REPLY OCTOBER 20.

In accepting the proposal for an evacuation for occupied territories, the German Government has started from the assumption that the procedure of the evacuation and of the conditions of an armistice should be left to the judgment of the military advisers and that the actual standard of power on both sides in the field has to form the basis for arrangements safeguarding and guaranteeing this standard. The German Government suggests to the President that an opportunity should be brought about for fixing the details. It trusts that the President of the United States will approve of no demand which would be irreconcilable with the honor of the German people and with opening a way to a peace of justice.

The German Government protests against the reproach of illegal and inhumane actions made against the German land and sea forces and

thereby against the German people. For the covering of a retreat destructions will always be necessary and they are carried out in so far as is permitted by international law. The German troops are under the most strict instruction to spare private property and to exercise care for the population to the best of their ability. Where transgressions occur in spite of these instructions the guilty are being punished. The German Government further denies that the German Navy in sinking ships has ever purposely destroyed lifeboats with their passengers. The German Government proposes with regard to all these charges that the facts be cleared up by neutral commissions.

In order to avoid anything that might hamper the work of peace the German Government has caused orders to be dispatched to all submarine commanders precluding the torpedoing of passenger ships, without, however, for technical reasons, being able to guarantee that these orders will reach every single submarine at sea before its return. As a fundamental condition for peace the President prescribes the destruction of every arbitrary power that can separately, secretly, and of its own single choice disturb the peace of the world. To this the German Government replies: Hitherto the representation of the people in the German Empire has not been endowed with an influence on the formation of the Government. The constitution did not provide for a concurrence of representation of the people in decisions of peace and war. These conditions have just now undergone a fundamental change. A new government has been formed in complete accordance with the principle of the representation of the people, based on equal, universal, secret, direct franchise.

The leaders of the great parties of the Reichstag are members of this Government. In the future no government can take or continue in office without possessing the confidence of a majority of the Reichstag. The responsibility of the Chancellor of the Empire to the representation of the people is being legally developed and safeguarded. The first act of the new Government has been to lay before the Reichstag a bill to alter the constitution of the Empire so that the consent of the representation of the people is required for decisions on war and peace. The permanence of the new system is, however, guaranteed not only by constitutional safeguards, but also by the unshakable determination of the German people, whose vast majority stands behind these reforms and demands their energetic continuance.

The question of the President, with whom he and the Governments associated against Germany are dealing, is therefore answered in a clear unequivocal manner by the statement that the offer of peace and an armistice has come from a Government which is free from any arbitrary and irresponsible influence and is supported by the approval of an overwhelming majority of the German people.

SOLF.

PRESIDENT'S REPLY OCTOBER 23 TO SWISS CHARGÉ D'AFFAIRES.

SIR: I have the honor to acknowledge the receipt of your note of October 22, transmitting a communication, under date of October 20, from the German Government and to advise you that the President has instructed me to reply thereto as follows:

Having received the solemn and explicit assurance of the German Government that it unreservedly accepts the terms of peace as laid down in his address to the Congress of the United States on January 8, 1918, and the principles of settlement enunciated in his subsequent addresses, particularly the address of September 27, and that it desires to discuss the details of their application, and that this wish and purpose emanated not from those who have hitherto dictated German policy and conducted the present war on Germany's behalf, but from ministers who speak for a majority of the Reichstag and for an overwhelming majority of the German peoples, and having received also the explicit promises of the present German Government that the humane rules of civilized warfare will be observed both on land and sea by the German armed forces, the President of the United States feels that he can not decline to take up with the Governments with which the Government of the United States is associated the question of an armistice.

He deems it his duty to say again, however, that the only armistice he would feel justified in submitting for consideration would be one which should leave the United States and the powers associated with her in a position to enforce any arrangements that may be entered into, and to make a renewal of hostilities on the part of Germany impossible. The President has therefore transmitted his correspondence with the present German authorities to the Governments with which the Government of the United States is associated as a belligerent, with the suggestion that if those Governments are disposed to effect peace upon the terms and principles indicated, their military advisers and the military advisers of the United States be asked to submit to the Governments associated against Germany the necessary terms of such an armistice as will fully protect the interests of the peoples involved and assure to the associated Governments the unrestricted power to safeguard and enforce the details of the peace to which the German Government has agreed, provided they deem such an armistice possible from the military point of view. Should such terms of armistice be suggested, their acceptance by Germany will afford the best concrete evidence of her unequivocal acceptance of the terms and principles of peace from which the whole action proceeds.

The President would deem himself lacking in candor did he not point out in the frankest possible terms the reason why extraordinary safeguards must be demanded. Significant and important as the constitutional changes seem to be which are spoken of by the German foreign secretary in his note of October 20, it does not appear that the principle of a Government responsible to the German people has yet been fully worked out, or that any guarantees either exist or are in contemplation that the alterations of principle and of practice, now partially agreed upon, will be permanent. Moreover, it does not appear that the heart of the present difficulty has been reached. It may be that future war has been brought under the control of the German people, but the present war has not been, and it is with the present war that we are dealing. It is evident that the German people have no means of commanding the acquiescence of the military authorities of the Empire in the popular will; that the power of the King of Prussia to control the policy of the Empire is unimpaired; that the determining initiative still remains with those who have hitherto been the masters of Germany.

Feeling that the whole peace of the world depends now on plain speaking and straightforward action, the President deems it his duty to say, without any attempt to soften what may seem harsh words, that the nations of the world do not and can not trust the word of those who have hitherto been the masters of German policy, and to point out once more that in concluding peace and attempting to undo the infinite injuries and injustices of this war the Government of the United States can not deal with any but veritable representatives of the German people.

ple who have been assured of a genuine constitutional standing as the real rulers of Germany. If it must deal with the military masters and the monarchical autocrats of Germany now, or if it is likely to have to deal with them later in regard to the international obligations of the German Empire, it must demand not peace negotiations but surrender. Nothing can be gained by leaving this essential thing unsaid. Accept, sir, the renewed assurances of my high consideration.

LANSING.

GERMANY, October 27.

The German Government has taken cognizance of the answer of the President of the United States. The President is aware of the far-reaching changes which have been carried out and are being carried out in the German constitutional structure, and that peace negotiations are being conducted by a people's government, in whose hands rests, both actually and constitutionally, the power to make the deciding conclusions. The military powers are also subject to it. The German Government now awaits proposals for an armistice which shall be the first step toward a just peace, as the President has described it in his proclamation.

SOLF.

Mr. LODGE. I make the point of no quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

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

Ball	Harris	McNary	Smith, Ga.
Beckham	Harrison	Moses	Smith, Md.
Borah	Henderson	Nelson	Smoot
Brandeggee	Hitchcock	New	Spencer
Calder	Johnson, S. Dak.	Norris	Sterling
Capper	Jones, N. Mex.	Nugent	Sutherland
Colt	Jones, Wash.	Overman	Thomas
Curtis	Kellogg	Page	Townsend
Dial	Kendrick	Phelan	Trammell
Dillingham	Keyes	Phipps	Walsh, Mont.
Fernald	King	Pittman	Warren
Fletcher	Kirby	Pomerene	Watson
France	Knox	Ransdell	Williams
Gore	Lodge	Reed	Wolcott
Gronna	McCormick	Sheppard	
Hale	McKellar	Shields	

Mr. GRONNA. I have been requested to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent because of illness.

The PRESIDING OFFICER. Sixty-two Senators have answered to their names. A quorum is present.

Mr. BORAH. Mr. President, may I inquire how many Senators were found to be present?

The PRESIDING OFFICER. Sixty-two.

Mr. LODGE. Mr. President—

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

Mr. BORAH. I yield.

Mr. LODGE. I only desire to say that last evening when we adjourned we were considering the amendment which I have proposed to reservation No. 1, proposed simply with a view of making it effective in its second clause, it now being in my judgment ineffective, and I think the purpose of it will be perfectly clear to anyone who examines it. I do not desire to take any further time in discussing it myself, unless objections are made to it, when I may have something to say.

Mr. BORAH. So far as this particular amendment is concerned, I have not any desire to delay. It seems to facilitate getting out of this thing, if we are ever to get in. Therefore I have no objection to voting on it, if both sides are ready to vote.

Mr. KING. Mr. President, I think there are Senators absent who would like to be here when a vote is taken upon any of the reservations offered; and if the Senator from Idaho desires to submit some remarks I am sure they would be very glad, because it would give all an opportunity to be present when we proceed to vote.

Mr. BORAH. I suppose it is really fair, of course, that there should be a full attendance when we do vote. I did not know but that the amendment was going to be accepted without any controversy. If there is going to be a vote, I suppose there should be a full attendance.

Mr. BORAH. Mr. President, I shall occupy the time of the Senate for a short period only.

There was placed in the RECORD this morning an article by Dr. Charles W. Eliot, ex-president of Harvard University. In this article many statements appear which I assume the venerable professor intended to be derogatory of the Senate. Among other things he says:

Again, a senseless apprehension and futile precautions against imaginary dangers are exhibited without shame by American Senators! What a humiliation for the country before the wondering world!

One might reply to Dr. Eliot in language similar to that in which he chose to express his views in this article. I think perhaps there is a better reply by stating a few facts, not upon my own authority, but upon the authority of those who are in much better position to know the facts than I.

Dr. Eliot contends that the objections which have been made to the treaty are purely imaginary; that they are made for the

purpose of satisfying partisan feeling and personal antagonism, and are not based upon actual facts or conditions, or upon the real terms of the treaty or the covenant. Even while Dr. Eliot was writing his article the facts were fast transpiring which sustain all the contentions which have ever been made by those who are opposed to the treaty. He seems to have written his article several months ago, and perhaps only found an opportunity to publish it within the last few days, because the article has the appearance of writing upon the facts as they existed some five or six months ago, and is wholly a stranger to the facts as they exist at the present time. However, Dr. Eliot has never in all his writings disclosed any particular affection for facts. He is one of those voluminous contributors to the press who seem to think facts have no place in public discussions.

It has been contended by those who have advocated the league, particularly those outside of the Chamber, that those opposing the league have been uninformed, and have been acting from narrow partisan reasons. Day by day, however, those who are in a position to know the facts, who have studied the situation on the ground in Europe, who know the conditions as they exist there, are coming to sustain the view which has heretofore been advanced by the Senators who are now being so severely criticized by the doctor, I am going to call attention to statements from those who can not be charged with the motives which Prof. Eliot attributes to Senators, and who are in a much better position to know the facts than even those who have given study to the matter here on the floor.

A few days ago some one sent me this paper from Norway. It is an interview with the prime minister of Norway. It is rather an extended interview, and I am not going to insert it all in the RECORD—only a paragraph or so. He said, in regard to the Versailles treaty:

I have not yet seen anything of peace. In my opinion the Vienna congress and the Holy Alliance was an innocent idyl as compared with the Versailles product.

Mr. WALSH of Montana. Mr. President—

Mr. BORAH. I yield.

Mr. WALSH of Montana. I have the impression that Norway has ratified the treaty. Can the Senator advise us as to that?

Mr. BORAH. I could not say; perhaps for the same reason that the Senate is being urged to ratify it.

Mr. WALSH of Montana. If that is the case, apparently the Norwegian Parliament does not concur with the prime minister.

Mr. BORAH. I am quoting the prime minister, not the Norwegian Parliament. He perhaps expressed his real view, and that Parliament may be, like other Parliaments, expressing somebody else's view.

I have here the views of another distinguished gentleman in Europe who has lately written on this subject. I presume most readers in this country are quite familiar with Dr. Dillon's writings. He has been a student of European affairs for 40 years, an instructor in some of the great European universities, was at the peace conference, and has written a number of books on subject matters which relate directly or indirectly to the affairs of Europe. He has now written a book upon the peace conference itself. I invite the attention of Dr. Eliot to this book. He will find in it a complete answer to practically all of the suggestions which he made in his article which was to-day published in the RECORD.

In the foreword Dr. Dillon said:

The conference has transformed Europe into a seething mass of mutually hostile States powerless to face the economic competition of their overseas rivals and has left the very elements of society in flux.

Nothing has been said here which exceeds that as an indictment of the treaty. Yet it is stated by one who is now in Europe, who has lived there all his life, who has been a student of international affairs all his life, a man who has been and still is an advocate of a league of nations, who believes that a plan could be formulated by which peace could be reasonably permanently insured, and which could be successfully utilized for the purpose of settling disputes which might arise between the different nations of Europe. He is not, in other words, one of those persistently assailed characters who are known as irreconcilables. He is in favor of some kind of a league.

I read from page 384 of this book, which is something of a summing up of the entire situation:

It is practices like these which ultimately determine the worth of the treaties and the covenant which Mr. Wilson was content to take back with him to Washington as the final outcome of what was to have been the most superb achievement of historic man. Of the new ethical principles, of the generous renunciation of privileges, of the righting of secular wrongs, of the respect that was to be shown for the weak, which were to have cemented the union of peoples into one pacific if not blissful family, there remained but the memory. No such bitter draught of disappointment was swallowed by the nations since the

world first had a political history. Many of the resounding phrases that once foretold a new era of peace, right, and equity were not merely emptied of their contents but made to connote their opposites. Freedom of the seas became supremacy of the seas, which may possibly turn out to be a blessed consummation for all concerned, but should not have been smuggled in under a gross misnomer. The abolition of war means, as British and American and French generals and admirals have since told their respective fellow citizens, thorough preparations for the next war, which are not to be confined, as heretofore, to the so-called military States, but are to extend over all Anglo-Saxondom. "Open covenants openly arrived at" signify secret conclaves and conspirative deliberations carried on in impenetrable secrecy which can not be dispensed with even after the whole business has passed into history. The self-determination of peoples finds its limit in the rights of every great power to hold its subject nationalities in thrall on the ground that their reciprocal relations appertain to the domestic policy of the State. It means, further, the privilege of those who wield superior force to put irresistible pressure upon those who are weak, and the lever which it places in their hands for the purpose is to be known under the attractive name of the protection of minorities. Abstention from interference in the home affairs of a neighboring community is made to cover intermeddling of the most irksome and humiliating character in matters which have no nexus with international law, for if they had the rule would be applicable to all nations. The lesser peoples must hearken to injunctions of the greater States respecting their mode of treating alien immigrants, and must submit to the control of foreign bodies which are ignorant of the situation and its requirements. Nor is it enough that those States should accord to the members of the Jewish and other races all the rights which their own citizens enjoy—they must go further and invest them with special privileges, and for this purpose renounce a portion of their sovereignty. They must likewise allow their more powerful allies to dictate to them their legislation on matters of transit and foreign commerce. For the great powers, however, this law of minorities was not written. They are above the law. Their warrant is force. In a word, force is the trump card in the political game of the future as it was in that of the past. And M. Clemenceau's reminder to the petty States at the opening of the conference, that the wielders of 12,000,000 troops are the masters of the situation, was appropriate. Thus the war which was provoked by the transformation of a solemn treaty into a scrap of paper was concluded by the presentation of two scraps of paper as a treaty and a covenant for the moral renovation of the world.

At page 436, Dr. Dillon, in the concluding paragraph of his book, says:

Whatever the tests one applies to the work of the conference—ethical, social, or political—they reveal it as a factor eminently calculated to sap high interests, to weaken the moral nerve of the present generation, to fan the flames of national and racial hatred, to dig an abyss between the classes and the masses, and to throw open the sluice gates to the inrush of the waves of anarchist nationalities. Truth, justice, equity, and liberty have been twisted and pressed into the service of economico-political boards. In the United States the people who prided themselves on their aloofness are already fighting over European interests. In Europe every nation's hand is raised against its neighbor's and every people's hand against its ruling class. Every Government is making its policy subservient to the needs of the future war which is universally looked upon as an unavoidable outcome of the Versailles peace. Imperialism and militarism are striking roots in soil where they were hitherto unknown.

In a word, Prussianism, instead of being destroyed, has been openly adopted by its ostensible enemies, and the huge sacrifices offered up by the heroic armies of the foremost nations are being misused to give one-half of the world just cause to rise up against the other half.

Mr. President, if those paragraphs stood alone they might be regarded as merely the conclusions of one man, and therefore not of great weight, although they would have to be considered as the conclusions of a man peculiarly fitted to judge, but these conclusions are supported by some 400 pages of argumentative facts. While the Keynes book has been an exceedingly interesting and, to my mind, a very instructive and a very wonderful book, I think one may conclude that Dr. Dillon has traveled over a much larger territory, has exhibited a much wider knowledge of facts, and has presented an equally conclusive argument against the treaty itself.

I do not care how thoroughly a man has been committed to the idea that the treaty would bring peace, particularly as it is connected with the covenant, I venture to say that when he reads the facts as recorded in this volume, not the conclusions but the facts which support the conclusions, his faith will be greatly shaken. If such men as Dr. Eliot can find time to separate themselves from the fads and predilections of the past and conditions which they supposed to exist and which never did exist, to inquire into the real facts as they exist to-day, they will at least refrain from denouncing those who hold a different view. I recognize the right of any man to hold a different opinion than my own concerning this great question, but when men are denounced as insincere, as moved by mere partisan feeling and personal prejudice, it is not inappropriate to call attention to the fact that such statements are generally made by those who have no real information with which to entertain the public. At a time when the most independent and best-informed minds of Europe are revealing to the world an array of facts and conditions which condemn the whole treaty, which seem conclusively to show that unless the treaty is wholly and radically changed, and unless the league is built upon democratic instead of autocratic principles disaster must follow, Dr. Eliot and his kindred spirits indulge in querulous diatribes, and reiterate arguments long since refuted by current events.

These advocates of the league, ignoring the things which are happening as a result of the treaty, ignoring conditions indescribable, of famine and chaos superinduced by the treaty, continue to fondle theories long ago exploded by actual facts.

Mr. HITCHCOCK. Mr. President—

Mr. BORAH. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. The Senator speaks of many facts set forth by the author of that book. Do they relate to the League of Nations or to the terms of the treaty with Germany?

Mr. BORAH. They relate to both.

Mr. HITCHCOCK. Can the Senator give an illustration as to how the facts may affect the League of Nations?

Mr. BORAH. I am not sure that I can turn to it hastily, but I rather think I can find it.

Mr. HITCHCOCK. I rather assume from what the Senator has read that the injustices, animosities, and disturbed conditions in Europe to which he refers have nothing to do with the League of Nations but relate only to the terms of the treaty with Germany.

Mr. BORAH. The argument of the author has largely to do with the treaty. The Senator is correct in that proposition; but as the Senator goes through the book, and, I think, before I get through reading it, he will find that the author is of the opinion that the covenant itself is, first, wholly inadequate to remedy the situation, and, secondly, that it is based upon a wrong principle. For instance, he contends that the covenant utterly fails to provide for disarmament. He contends, secondly, that the whole theory of the covenant is that of force based upon the military power of the five great nations of the earth, that it is designed to hold 900,000,000 people in subjection to the dictation of some 300,000,000 people. You will find that interwoven through the book, because it does not hesitate to deal with the entire situation; in fact, he denounces most directly and vividly the interweaving of the two propositions together. He says that the treaty is founded upon vengeance, upon punishment; that the league is supposed to be founded upon the very opposite principle of arbitration and of equity and justice; and that, therefore, the two propositions are in direct conflict and irreconcilable, and that they should never have been associated together.

Mr. REED. Mr. President—

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

Mr. REED. I take it from the question of the Senator from Nebraska that he is of the opinion that this author's criticism is irrelevant because it is aimed at the peace treaty proper, and that, therefore, it can have no connection with the League of Nations.

I should like to call attention to the fact that on March 4, 1919, when the President started to return to Europe, he announced to the country that he proposed to go to Europe and bring back a League of Nations, and that Senators would find the league so interwoven with the peace treaty that they could not dissect the one from the other. If that is the case, then the treaty and the league being inextricably mixed and mingled together, the vice of one is necessarily the vice of the other.

Mr. HITCHCOCK. Will the Senator from Idaho tolerate another interruption?

Mr. BORAH. Certainly.

Mr. HITCHCOCK. I realize that what the Senator from Missouri says is true, but I understood that the Senator from Idaho was seeking to confound Dr. Eliot of Harvard by citing something by this author concerning conditions in Europe, and I was drawing attention to the fact that those conditions were not produced by the league which Dr. Eliot was discussing, but were produced, if at all, by the terms of the other parts of the treaty which Dr. Eliot was not discussing.

Mr. REED. And which the league is to enforce, and in the enforcement of which it is to become an active instrumentality.

Mr. BORAH. Mr. President, on page 409 Dr. Dillon says:

Such a system may be wise and conducive to the highest aims, but it can hardly be termed "democratic." The military powers who command 12,000,000 soldiers will possess a majority in the council. The secretariat alone will be permanent, and will naturally be appointed by the great powers.

Instead of abolishing war, the conference described its abolition as beyond the power of man to compass. Disarmament, which was to have been one of its main achievements, is eliminated from the covenant. As the war that was to have been the last will admittedly be followed by others, the delegates of the great powers worked conscientiously, as behooved patriotic statesmen, to obtain in advance all possible advantages for their respective countries by way of preparing for it. The new order, which in theory reposes upon right, justice, and moral fellowship, in reality depends upon powerful armies and navies. France must remain under arms, seeing that she has to keep watch on the Rhine. Britain and the United States are to go on building warships and aircraft, besides training their youth for the coming Armageddon. The article of the covenant which lays it down that the members of the league recognize that the maintenance of peace requires the reduction of national armaments to the lowest point

consistent with national safety," is, to use a Russian simile, written on water with a fork. Britain, France, and the United States are already agreed that they will combine—

Referring to the special alliance—

to repel unprovoked aggression on the part of Germany. That evidently signifies that they will hold themselves in readiness to fight, and will therefore make due preparation. This arrangement is a substitute for a supernational army, as though prevention were not better than cure; that it will prove efficacious in the long run very few believe.

One clear-visioned Frenchman writes: "The inefficacy of the organization aimed at by the conference constrains France to live in continual and increasing insecurity, owing to the falling off of her population." He adds: "It follows from this abortive expedient—if it is to remain definitive—that each member State must protect itself or come to terms with the more powerful ones, as in the past. Consequently, we are in presence of the maintenance of militarism and the régime of armament." This writer goes further and accuses Mr. Wilson of having played into the hands of Britain. "President Wilson," he affirms, "has more or less sacrificed to the English Government the society of nations and the question of armaments, that of the colonies, and that of the freedom of the seas." This, however, is an overstatement. It was not for the sake of Britain that the American statesmen gave up so much; it was for the sake of saving something of the covenant. It was in the spirit of Sir Boyle Roche, whose attachment to the British constitution was such that to save a part of it he was willing to sacrifice the whole.

The arbitration of disputes is provided for by one of the articles of the covenant; but the parties may go to war three months later with a clear conscience and an appeal to right, justice, self-determination, and the usual abstract nouns.

On page 421 he says:

By debarring the masses from participation in a grandiose scheme, the success of which depends upon their assent, the Governments are indirectly but surely encouraging secret combined opposition, and in some cases Bolshevism. The masses resent being treated as children after having been appealed to as arbiters and rescuers. For four and a half years it was they who bore the brunt of the war, they who sacrificed their sons and their substance. In the future it is they to whom the States look for the further sacrifices in blood and treasure which will be necessary in the struggles which they evidently anticipate. Well, some of them refuse these sacrifices in advance. They challenge the right of the Governments to retain the power of making war and peace. That power they are working to get into their own hands and to wield in their own way, or at any rate to have a say in its exercise. And in order to secure it some sections of the peoples are making common cause with the Socialist revolutionaries, while others have gone the length of Bolshevism. And that is a serious danger. The agitation now going on among the people, therefore, starts with a grievance. The masses have many other grievances besides the one just sketched—the survivals of the feudal age, the privileges of class, the inequality of opportunity.

On page 413 the author declares:

On the Monroe doctrine, in connection with the League of Nations, the less said the sooner mended. But one can not well say less than this: That any real society of peoples such as Mr. Wilson first conceived and advocated is as incompatible with "regional understandings like the Monroe doctrine" as are the maintenance of national armaments and the bartering of populations. It is immaterial whether one concludes that a society of nations is therefore impossible in the present conjuncture or that all those survivals of the old State system are obsolescent and should be abolished. The two are unquestionably irreconcilable.

Then he quotes the late Secretary of State, as follows:

I consider the League of Nations at present as entirely useless. The great powers have simply gone ahead and arranged the world to suit themselves. England and France, in particular, have gotten out of the treaty everything they wanted. The League of Nations can do nothing to alter any unjust clauses of the treaty except by the unanimous consent of the league members. The great powers will never consent to changes in the interests of weaker peoples.

In view of things lately transpiring, I think it unnecessary to comment.

Mr. HITCHCOCK. Is that attributed to Secretary Lansing?

Mr. BORAH. Yes; it is attributed to Secretary Lansing and he gives his authority in a footnote. I think the Senator will find that to be correct. Interesting, is it not?

Mr. BRANDEGEE. What is the date of the publication of the volume from which the Senator from Idaho is reading?

Mr. BORAH. The Senator from Connecticut asks the date of the publication of the book. The date of the publication does not appear, but it has just been printed; it has just come into the book stores. The title of the book is "The Peace Conference." It has a vast amount of information which seems to be in the possession of everyone except the Senate of the United States. If the Senate will indulge me, I want to read a rather extended discussion of the question of religious equality and racial equality.

The center of interest during the drafting of the covenant lay in the clause claiming the equality of religions, which Mr. Wilson was bent on having passed at all costs, if not in one form then in another. This is one example of the occasional visibility of the religious thread which ran through a good deal of his personal work at the conference. For it is a fact—not yet realized even by the delegates themselves—that distinctly religious motives inspired much that was done by the conference on what seemed political or social grounds. The strategy by the eminent American statesman to have his stipulation accepted proceeded in this case on the lines of a humanitarian resolve to put an end to sanguinary wars, rather than on those which the average reformer, bent on cultural progress, would have traced. Actuality was imparted to this simple and yet thorny topic by a concrete proposal which the President made one day. What he is reported to have said is briefly this: "As the treatment of religious confessions has been in

the past, and may again in the future be, a cause of sanguinary wars, it seems desirable that a clause should be introduced into the covenant establishing absolute liberty for creeds and confessions." On what, Mr. President," asked the first Polish delegate, "do you found your assertion that wars are still brought about by the differential treatment meted out to religions? Does contemporary history bear out this statement? And, if not, what likelihood is there that religious inequality will precipitate sanguinary conflicts in the future?" To this pointed question Mr. Wilson is said to have made the characteristic reply that he considered it expedient to assume this nexus between religious inequality and war as the safest way of bringing the matter forward. If he were to proceed on any other lines, he added, there would be truth and force in the objection which would doubtless be raised that the conference was intruding upon the domestic affairs of sovereign States. As that charge would damage the cause, it must be rebutted in advance. And for this purpose he deemed it prudent to approach the subject from the side he had chosen.

This reply was listened to in silence and unfavorably commented upon later. The alleged relation between such religious inequality as has survived into the twentieth century and such wars as are waged nowadays is so obviously fictitious that one can hardly understand the line of reasoning that led to its assumption or the effect which the fiction could be supposed to have on the minds of those legislators who might be opposed to the measure on the ground that it involved undue interference in the internal affairs of sovereign States. The motion was referred to a commission, which in due time presented a report. Mr. Wilson was absent when the report came up for discussion, his place being taken by Col. House. The atmosphere was chilly, only a couple of the delegates being disposed to support the clause—Roumania's representative, M. Diamandi, was one, and another was Baron Makino, whose help Col. House would gladly have dispensed with, so unacceptable was the condition it carried with it. Baron Makino said that he entirely agreed with Col. House and the American delegates. The equality of religious confessions was not merely desirable, but necessary to the smooth working of a society of nations such as they were engaged in establishing. He held, however, that it should be extended to races, that extension being also a corollary of the principle underlying the new international ordering. He would therefore move the insertion of a clause proclaiming the equality of races and religions. At this Col. House looked pensive. Nearly all the other opinions were hostile to Col. House's motion.

The reasons alleged by each of the dissenting lawgivers were interesting. Lord Robert Cecil surprised many of his colleagues by informing them that in England the Catholics who are fairly treated as things are, could not possibly be set on a footing of perfect equality with their Protestant fellow citizens, because the constitution forbids it. Nor could the British people be asked to alter their constitution. He gave as instances of the slight inequality at present enforced the circumstance that no Catholic can ascend the throne as monarch nor sit on the wool sack as lord chancellor in the upper house.

M. Larnaudé, speaking in the name of France, stated that his country had passed through a sequence of embarrassments caused by legislation on the relations between the Catholics and the State, and that the introduction of a clause enacting perfect equality might revive controversies which were happily losing their sharpness. He considered it, therefore, inadvisable to settle this delicate matter by inserting the proposed declaration in the covenant. Belgium's first delegate, M. Hymans, pointed out that the objection taken by his Government was of a different but equally cogent character. There was reason to apprehend that the Flemings might avail themselves of the equality clause to raise awkward issues and to sow seeds of dissension. On those grounds he would like to see the proposal waived. Signor Orlando, half seriously, half jokingly, reminded his colleagues that none of their countries had, like his, a Pope in their capital. The Italian Government must therefore proceed in religious matters with the greatest circumspection, and could not lightly assent to any measure capable of being manipulated to the detriment of the public interest. Hence, he was unable to give the motion his support. It was finally suggested that both proposals be withdrawn. To this Col. House demurred, on the ground that President Wilson, who was unavoidably absent, attached very great weight to the declaration—

We must have great respect for the discretion of Col. House, in view of things which have happened here lately—

to which he hoped the delegates would give their most favorable consideration. One of the members then rose and said: "In that case, we had better postpone the voting until Mr. Wilson can attend." The suggestion was adopted. When the matter came up for discussion at a subsequent sitting, the Japanese substituted "nations" for "races."

In the meantime the usual arts of parliamentary emergency were practiced outside the conference to induce the Japanese to withdraw their proposal altogether. They were told that to accept or refuse it would be to damage the cause of the future league without furthering their own. But the Marquis Salonji and Baron Makino refused to yield an inch of their ground.

A conversation then took place between the premier of Australia, on the one side, and Baron Makino and Viscount Chinda, on the other, with a view to their reaching a compromise. For Mr. Hughes was understood to be the leader of those who opposed any declaration of racial equality. The Japanese statesmen showed him their amendment and asked him whether he could suggest any modifications that would satisfy himself and them. The answer was in the negative. To the argument of the Japanese delegates the Australian premier is understood to have replied: "I am willing to admit the equality of the Japanese as a nation, and also as individuals man to man. But I do not admit the consequence that we would throw open our country to them. It is not that we hold them to be inferior to ourselves, but simply that we do not want them. Economically they are a perturbing factor, because they accept wages much below the minimum for which our people are willing to work. Neither do they blend well with our people. Hence we do not want them to marry our women. Those are my reasons. We mean no offense."

"Our restrictive legislation is not aimed specially at the Japanese. British subjects in India are affected by it in exactly the same way. It is impossible that we should formulate any modification of your amendment, because there is no modification conceivable that would satisfy us both."

The Japanese delegates were understood to say that they would maintain their motion, and that unless it passed they would not sign the document. Mr. Hughes reported that if it should pass he would refuse to sign it. Finally the Australian premier asked Baron Makino whether he would be satisfied with the following qualifying proviso: "This affirmation of the principle of equality is not to be applied to

immigration or nationalization." Baron Makino and Viscount Chinda both answered in the negative and withdrew.

The final act is described by eyewitnesses as follows: Congruently with the order of the day, President Wilson having moved that the city of Geneva be selected as the capital of the future league, obtained a majority, whereupon he announced that the motion had passed.

Then came the burning question of the equality of nations. The Polish delegate arose and opposed on the formal ground that nothing ought to be inserted in the preamble which was not dealt with also in the body of the covenant, as otherwise it would be no more than an isolated theory devoid of organic connection with the whole. The Japanese delegates delivered speeches of cogent argument and impressive debating power. Baron Makino made out a very strong case for the equality of nations. Viscount Chinda followed in a trenchant discourse, which was highly appreciated by his hearers, nearly all of whom recognized the justice of the Japanese claim. The Japanese delegates refused to be dazzled by the circumstance that Japan was to be represented on the executive council as one of the five great powers, and that the rejection of the proposed amendment could not therefore be construed as a diminution of her prestige. This consideration, they retorted, was wholly irrelevant to the question whether or not the nations were to be recognized as equal. They ended by refusing to withdraw their modified amendment and calling for a vote. The result was a majority for the amendment. Mr. Wilson thereupon announced that a majority was insufficient to justify its adoption, and that nothing less than absolute unanimity could be regarded as adequate. At this a delegate objected: "Mr. Wilson, you have just accepted a majority for your own motion respecting Geneva; on what grounds, may I ask, do you refuse to abide by a majority vote on the amendment of the Japanese delegation?" "The two cases are different," was the reply. "On the subject of the seat of the league unanimity is unattainable." This closed the official discussion.

Some time later, it is asserted, the Roumanians, who had supported Mr. Wilson's motion on religious equality, were approached on the subject, and informed that it would be agreeable to the American delegates to have the original proposal brought up once more. Such a motion, it was added, would come with especial propriety from the Roumanians, who, in the person of M. Diamandi, had advocated it from the outset.

But the Roumanian delegates hesitated, pleading the invincible opposition of the Japanese. They were assured, however, that the Japanese would no longer discountenance it. Thereupon they broached the matter to Lord Robert Cecil, but he, with his wonted caution, replied that it was a delicate subject to handle, especially after the experience they had already had. As for himself, he would rather leave the initiative to others. Could the Roumanian delegates not open their minds to Col. House, who took the amendment so much to heart? They acted on this suggestion and called on Col. House. He, too, however, declared that it was a momentous as well as a thorny topic and for that reason had best be referred to the head of the American delegation. President Wilson, having originated the amendment, was the person most qualified to take direct action. It is further affirmed that they sounded the President as to the advisability of mooted the question anew, but that he declined to face another vote, and the matter was dropped for good—in that form.

It was publicly asserted later on that the Japanese decided to abide by the rejection of their amendment and to sign the covenant as the result of a bargain on the Shantung dispute.

It is proper to say this conclusion is not fully accepted by the author.

Mr. REED. Mr. President—

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

Mr. REED. I desire to ask the Senator if he knows where the information came from as to the inner workings of the peace conference which this author is setting out? Is that part of the procès verbal that has been denied to the Senate?

Mr. BORAH. The author states here that it was by an eyewitness, but he does not name the witness.

Mr. PHELAN. Mr. President—

Mr. BORAH. I yield to the Senator from California, if the Senator from Missouri is through.

Mr. REED. I merely wanted to know whether the Senator from Idaho was aware of the source of the information.

Mr. PHELAN. Mr. President, I am in possession of that information, but I do not at the moment recall the source of it. I am advised that by reason of the attitude of the President and of the American representatives at the conference the request of the Japanese for favorable expression of racial equality was defeated. Do I understand from the reading of the Senator from Idaho that that is also his conclusion?

Mr. BORAH. Yes; it was defeated, although it carried by a majority vote.

Mr. PHELAN. Is the Senator disposed to believe that the American representatives opposed the resolution? The Senator does not reveal the vote by nations.

Mr. BORAH. No; the author does not. He simply says that the motion carried by a majority vote, but he does not state how they voted.

Mr. PHELAN. The Senator will recall that I asked him at the time this question was being discussed in Paris to join with me in a telegram on behalf of the Western States urging the American representatives to vote against the resolution, and I understand that the Senator from Idaho complied with that request and sent a telegram at that time. Is not that true?

Mr. BORAH. Yes; and I also sent one to the Senator. I replied to the Senator, stating what I would do.

Mr. PHELAN. I am well aware that I received a telegram from the Senator, but that is neither here nor there at this moment. The Senator is satisfied, however, from his reading of

this history of the transaction that the American representatives responded to our request favorably?

Mr. BORAH. No; Mr. President, I do not know that they did and I do not know that they did not. I would think the Senator's telegram would have a great influence with them. I did not assume that mine would.

Mr. PHELAN. I shall endeavor to lay before the Senate tomorrow some information I have on this subject.

Mr. BORAH. I do not know whether they voted against it, and this book does not undertake to say. If the Senator has any information which satisfies him, I assume it will satisfy me.

Mr. THOMAS. If the Senator from Idaho will permit me, I can contribute this circumstance to the discussion: In a magazine called "Asia," which is published, I think, in New York, and devoted to Far Eastern interests, there is a communication from the pen of a newspaper correspondent who attended the conference at Versailles, Mr. Gallagher, a very reliable man, as I am informed, who says that the adverse vote—that is, the vote against the Japanese resolution—was that cast by President Wilson and Lloyd-George.

Mr. BORAH. I presume that is true from the ruling which the President made with reference to requiring unanimity. [Laughter.]

Mr. REED. Mr. President, I should like to contribute this item to the discussion of a question that ought not to be in doubt and would not be in doubt if the proceedings of the peace conference had been laid before the Senate and had not been withheld. I read now from the CONGRESSIONAL RECORD, which contains an article from the Washington Post of April 20, 1919:

In an astonishingly frank interview Baron Goto declared that Japan considered herself the spokesman of all oriental peoples, and, having already obtained the support of President Wilson, would not give up her fight for racial equality.

"Both President Wilson and Col. House voted with Japan for racial equality at the peace conference," Goto said.

I do not know whether that newspaper statement is correct, but it was put in the CONGRESSIONAL RECORD as long ago as September 22 and has remained up to this day, so far as I know, without official denial. I do not stand sponsor for the statement now, because I do not know, but is it not manifest to Senators that we ought to have the minutes of the proceedings of the peace conference laid before us, to the end that we may act in the light of the facts as developed by those minutes and not be left to haphazard statements and to guesswork?

Mr. PHELAN. Mr. President, may I ask the Senator from what journal he read and by whom the article is signed?

Mr. REED. The quotation in the RECORD is from the Washington Post of April 20, 1919.

Mr. PHELAN. And who inserted it in the RECORD?

Mr. REED. I will answer the Senator in a moment. [A pause.] I believe I inserted it in the RECORD myself. I had not noticed that, but I hope that will not detract from the authenticity of the article in the Senator's opinion. [Laughter in the galleries.] At least I hope—

The VICE PRESIDENT. Just a moment. Demonstrations are not permitted in the galleries, and if repeated the Chair will instruct the Doorkeeper to clear the galleries.

Mr. REED. At least I hope it will not entirely destroy the reputation of the Washington Post for truth and veracity.

Mr. PHELAN. Mr. President, it seems from the remarks of the Senator from Idaho and from his various citations that the American representatives, including the President and Col. House, opposed the resolution of the Japanese for racial equality. I think the weight of the evidence which has been laid before us just now bears out that conclusion. The Senator from Missouri sees fit on top of that to introduce an unsigned article from the Washington Post of an ancient date. Of course, I do not reflect upon the Washington Post or upon the Senator from Missouri when I say that the Senate has evidently been imposed upon. The Senator from Missouri accepts his version, because he says that to date it has not been denied; but must the President and the peace conference take cognizance of everything that is published in the Washington Post? I was present—

Mr. REED. Mr. President—

Mr. PHELAN. One moment. I was present in the Senate long before I was a Member, when a Senator from California, Hon. Stephen M. White, was rebuked by John Sherman. John Sherman said:

You are a new Member of this body, and you have introduced a document which, upon investigation, I find is not authentic. I warn you that the Senate of the United States is a dignified body and that it is not accustomed to being imposed upon, nor will it brook such conduct in the future.

The old gentleman, the dean of the Senate, then sat down, and I am sure the Senator, new to this body, learned a lesson which would be very valuable to us in these days, when almost every-

thing, as the Vice President knows, is introduced into the RECORD without verification. I therefore resent the submission, in contradiction to what the learned Senator from Idaho has said, of a newspaper clipping to prove that the Senator from Idaho is probably in error. I am convinced, from documents I have, that the version given by the Senator from Idaho is the correct version, and I trust that it will stand upon the record of the Senate as demonstrating to us the loyalty which our representatives showed in a matter which is of vital importance to the United States.

Mr. REED. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho further yield to the Senator from Missouri?

Mr. BORAH. I do.

Mr. REED. I really regret that I was not in the Senate to hear this lecture, delivered by an ancient Senator to a modern Senator who happened to come in, so that I might have drunk from the same fountain of wisdom that has so long inspired the Senator from California.

If we do not have the evidence in the case at first hand, who is to blame? Who suppressed the evidence? The Foreign Relations Committee asked for the procès verbal. It was refused by the President. The legal inference arising from the suppression of a fact is well known. It is that the fact would injure if made known. In addition to that, when the President invited the Foreign Relations Committee to appear before him, he was interrogated directly with regard to this matter. From the testimony before the Foreign Relations Committee, on August 20, I read a quotation.

The President referred to the fact that the Japanese had presented a resolution for racial equality, but rather as an expression of opinion or hope, and it was not pressed for action:

Senator JOHNSON of California. May I ask, if permissible, how the representatives of the United States voted upon that particular proposition?

The PRESIDENT. Senator, I think it is very natural you should ask that. I am not sure that I am at liberty to answer, because that touches the intimacy of a great many controversies that occurred in that conference, and I think it is best, in the interest of international good understanding, that I should not answer.

Mr. WALSH of Montana. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Montana?

Mr. BORAH. I yield.

Mr. WALSH of Montana. I should like to remind the Senator from Missouri, while he is discussing these matters, of a circumstance which I am sure he will recall. At the very outset of the proceedings of the peace conference at Versailles the question came up as to what degree of publicity should be given to the proceedings there. It was universally stated in the papers at the time, and I have no doubt in accordance with the fact, that the President of the United States had voted to give the widest publicity to what was transpiring and that he had been outvoted by the other members.

Mr. REED. I am afraid the Senator from Montana has just violated the rule laid down by the Senator from California [Mr. PHELAN] by quoting newspaper accounts, and is liable to a lecture the same as I received.

Now, Mr. President, I agree with this proposition: We were all given to understand that the President was going over there to conduct these negotiations openly. It was to be "open covenants, openly arrived at." The first great disappointment we met with was that they were secret covenants, secretly arrived at, behind locked doors. We were then told that after the agreements had been made the public would be taken into confidence and the whole world would be advised of what had taken place, but that has never yet transpired. That hope died like so many other hopes.

Now, that leaves the Senate in this sort of situation: It asked for the records. They were refused. The President has been asked to speak and has declined. We have nothing left, then, to go to except newspaper statements or the statements of men who have some inside source of information. It is almost inconceivable to me that the Washington Post would print an absolute and unqualified statement that a great Japanese statesman in the city of New York had made a statement which he did not make, and print that statement when he was in the city of New York, where he could deny it, and would undoubtedly deny it, if it were untrue.

The statement I have read did not appear alone in the Washington Post, but, as my recollection goes, it was published broadcast throughout the country, having been sent out over the wires generally, and I have never heard it denied to this moment.

I do not know whether the Senator from Idaho has faith in the view that the Senator from California states, namely, that the author of this work leans to the opinion that the President

of the United States voted against the Japanese proposal of racial equality. I do not so understand him, but I possibly misunderstood him.

Mr. BORAH. The author does not assume to state how the President and the American delegates voted. I drew my inference from the proposition that the President declared that in order to carry it out it had to be unanimous. Whereas he had a short time before ruled that a majority could carry as to the capital, he held that it had to be unanimous so far as this question of racial equality was concerned. I naturally infer that the President was not in favor of racial equality, but the author does not say it. I am drawing my inference now from the author, leaving outside these facts which have been adduced by Senators on the other side.

Mr. PHELAN. But the Senator mentioned the President and Col. House by name as having voted against the resolution. Was he not quoting the author?

Mr. BORAH. Oh, no; I did not say that they had voted against it.

Mr. PHELAN. I think the Senator mentioned their names in that connection. I may have misunderstood him.

Mr. BORAH. I will look at the page, so that I will not make any mistake about it.

Mr. PHELAN. Well, of course, the inference is direct that if the Japanese objected to the ruling of the President in favor of unanimity on one vote and against unanimity on the other, they were resenting the vote which he had cast.

Mr. BORAH. That was the inference which I drew, but the author does not assume to state how the President or anyone else voted. He does state, however, that the President ruled that the vote had to be a unanimous vote, and from that I drew the inference which I stated to the Senator from California.

Mr. President, we have been discussing this question of secrecy, and I think it time to refer to a paragraph or two in regard to that, and then I will dismiss the subject for this evening, with the hope that all the ex-Presidents will read this book and get acquainted with the facts.

Mr. SMITH of Georgia. Mr. President, there are some of us who do not know much about the author. Could the Senator from Idaho, just in a word, tell us who the author is, besides his name?

Mr. BORAH. I stated in the beginning—

Mr. SMITH of Georgia. The Senator has mentioned the fact that he had lived in Europe and was a distinguished writer. To what nationality does he belong?

Mr. BORAH. I understand that he is an English-born citizen. He has spent a great deal of time in Russia. He lived in Russia for years, and was connected with a university there, and has since traveled about Europe, corresponding for journals all over the world. He has written a number of books, such as the Russian Collapse, and so forth.

Mr. SMITH of Georgia. He is an Englishman?

Mr. BORAH. Yes; I so understand. I know nothing about him except what I have gathered from reading his articles.

Mr. THOMAS. Mr. President, he is and has been for years an acknowledged authority on Russian facts.

Mr. BORAH. Yes; I think so.

Mr. MOSES. Mr. President, possibly I can shed some light on the subject from personal acquaintance with Dr. Dillon. He is the son of an Irish father and a French mother; was educated in various universities in Europe; for a time held the chair in Russia in the University of Kharkov; was for many years the Petrograd and Russian correspondent of the London Telegraph, and was the near eastern correspondent for that journal. He has traveled widely all over the world. He has been in this country many times, his longest sojourn being at the time of the Portsmouth peace conference. He has contributed to the Nineteenth Century and the Fortnightly Review, and has been known as an authority on Russian, near eastern, and European affairs for more than 20 years.

Mr. BORAH. I thank the Senator.

Referring to the question of secrecy, and before I read from the author, allow me to say that I have never undertaken to find out who was responsible for the secrecy at Versailles; and, so far as my view of the situation is concerned, it really does not concern me as to who was responsible. I only know that there was the utmost secrecy. Now, one of two things happened. Either the President consented to the secrecy and was a party to depriving the American people of the facts, or else the European delegates controlled the American delegation in regard to the matter; and, so far as the American people are concerned, the injury is just as great in one instance as in the other. It does not make any difference what particular individual or individuals was or were responsible for it. Just as

soon as we crossed the ocean and began to do business with the European diplomats, instead of Americanizing the Europeans, the Europeans Europeanized us; and that is precisely what will happen when we join the league.

Mr. BRANDEGEE. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Connecticut?

Mr. BORAH. I do.

Mr. BRANDEGEE. When the *procès verbaux*, which are the minutes of these proceedings, had been exhibited to the committee of the French Senate or House, I have forgotten which, they were about to be exhibited to the entire House; and I asked the late Secretary Lansing, when he appeared before the Committee on Foreign Relations, why they had not been exhibited, and he said it was because the President had cabled, through the State Department, to M. Clemenceau stating that he wanted them kept secret and did not want them shown.

Mr. BORAH. Mr. President, I thank the Senator from Connecticut.

Dr. Dillon, who was at Versailles, speaking of the question of censorship and secrecy, says:

Never was political veracity in Europe at a lower ebb than during the peace conference. The blinding dust of half truths cunningly mixed with falsehood and deliberately scattered with a lavish hand obscured the vision of the people, who were expected to adopt or acquiesce in the judgments of their rulers on the various questions that arose.

If the falsehoods circulated and the true facts suppressed were to be collected and published in a volume, one would realize the depths to which the standard of intellectual and moral integrity was lowered.

The censorship was retained by the great powers during the conference as a sort of soft cushion on which the self-constituted dispensers of fate comfortably reposed. In Paris, where it was particularly severe and unreasonable, it protected the secret conclave from the harsh strictures of the outside world, concealing from the public not only the incongruities of the conference, but also many of the warnings of contemporary history. In the opinion of unbiased Frenchmen no such rigorous, systematic, and shortsighted repression of press liberty had been known since the Third Empire as was kept up under the rule of the great tribune whose public career had been one continuous campaign against every form of coercion. This twofold policy of secrecy on the part of the delegates and censorship on the part of the authorities proved incongruous as well as dangerous.

Now, Senators, here is a statement of fact:

It was characteristic of the system that two American citizens were employed to read the cablegrams arriving from the United States to French newspapers. The object was the suppression of such messages as tended to throw doubt on the useful belief that the people of the great American Republic were solid behind their President, ready to approve his decisions and acts, and that his cherished covenant, sure of ratification, would serve as a safe guaranty to all the States which the application of his various principles might leave strategically exposed. In this way many interesting items of intelligence from the United States were kept out of the newspapers, while others were mutilated, and almost all were delayed. Protests were unavailing.

Now, Mr. President, this is what happened at Versailles. They had two Americans who read the news from America and eliminated from the French press that which they did not desire; they had two or more Frenchmen who eliminated the news that they did not wish to come to America; so that the facts were kept from the people upon the Western and upon the Eastern Hemispheres.

As I said a moment ago, I do not care who is responsible for it. I know that there sat a body dealing with a stupendous affair of more concern to the people at large than any other transaction which has taken place in a century, and there was a systematic, well-organized, and effectual scheme to keep from the people on both continents the facts in regard to it. No more secretive body ever convened. The conspirators at Vienna were not so secretive nor so determined that the facts should never be known to the people at large.

Mr. NORRIS. Mr. President—

Mr. BORAH. I yield to the Senator from Nebraska.

Mr. NORRIS. Will the Senator permit me to read an observation made upon that point by the Senator from Pennsylvania [Mr. Knox], who does not appear to be in the Chamber at this moment? It was made on the 11th of November, 1919, in the Senate Chamber in an interruption when I was talking on the treaty. I was speaking then of the secrecy of the Versailles conference, and the Senator from Pennsylvania said:

Mr. Knox. Did the Senator from Nebraska notice in yesterday's publications that Clemenceau's principal secretary in a public speech in Bordeaux had stated that the reason why the sessions were held in secret was because the President of the United States insisted upon it as against his own judgment?

Mr. LODGE. "His own judgment," meaning Clemenceau's?

Mr. NORRIS. The words "his own judgment" refer, of course, to Clemenceau.

Mr. BORAH. I remember that. I read from page 102:

Publicity was none the less strongly advocated by the plenipotentiaries in their speeches and writings. These were as signposts pointing to roads along which they themselves were incapable of moving. By

their own accounts they were inveterate enemies of secrecy and censorship.

During the fateful days of the conference preventive censorship was practiced with a degree of rigor equaled only by its senselessness. As late as the month of June the columns of the newspapers were checked with blank spaces. "Scarcely a newspaper in Paris appears uncensored at present," one press organ wrote. "Some papers protest, but protests are vain." "Practically not a word as to the nature of the peace terms that France regards as most vital to her existence appears in the French papers this morning," complained a journal at the time when even the Germans were fully informed of what was being enacted. On one occasion Bonsor was seized for expressing the view that the treaty embodied an Anglo-Saxon peace; on another, for reproducing an interview with Marshal Foch that had already appeared in a widely circulated Paris newspaper. By way of justifying another of these seizures the French censor alleged that an article in the paper was deemed uncomplimentary to Mr. Lloyd-George.

The editor replied in a letter to the British Premier affirming that there was nothing in the article but what Mr. George could and should be proud of. In fact, it only commended him "for having served the interests of his country most admirably and having precedence given to them over all others."

But that was the thing that Mr. George did not want known at that particular time.

The letter concluded: "We are apprehensive that in the whole business there is but one thing truly uncomplimentary, and that is that the French censorship, for the purpose of strangling the French press, should employ your name, the name of him who abolished censorship many weeks ago."

Every conceivable precaution was taken against the leakage of information respecting what was going on in the council of ten. Notwithstanding this, the French papers contrived now and again during the first couple of months to publish scraps of news calculated to convey to the public a faint notion of the proceedings, until one day a nationalist organ boldly announced that the British premier had disagreed with the expert commission and with his own colleagues on the subject of Danzig and refused to give way. This paragraph irritated the British statesman, who made a scene at the next meeting of the council.

There is—

He is reported to have exclaimed—

some one among us who is unmindful of his obligations.

And while uttering these and other much stronger words he eyed severely a certain mild individual, who is said to have trembled all over during the philippic. He also launched out into a violent diatribe against various French journals which had criticized his views on Poland and his method of carrying them in council, and he went so far as to threaten to have the conference transferred to a neutral country.

On page 107 the author says:

No secretaries were admitted to its gatherings—

That is, the council of five—

and no official minutes of its proceedings were recorded. Communications were never issued to the press. It resembled a gang of benevolent conspirators whose debates and resolutions were swallowed up by darkness and mystery. Even the most modest meeting of a provincial taxpayers' association keeps minutes of its discussions. The world parliament kept none. Eschewing traditional usages, as became naive shapers of the new world, and ignoring history, the five, four, or three shut themselves up in a room, talked informally and disconnectedly without a common principle, program, or method, and separated again without having reached a conclusion.

Then he gives illustrations. These paragraphs not only have their bearing upon the things which have gone by but they bear also upon the present situation. A few days ago, February 11, the council of the League of Nations met in London. The first step taken after that body of distinguished men met was to close the doors and to proceed absolutely in secrecy. They have now established a precedent that the body to which we are supposed to send a representative, and I presume to which we are supposed to send delegates, being a body representing different nations, if the same rule applies, will be carrying on its business from time to time in the utmost secrecy. That which is a quasi legislative body, a judicial body, a body which represents the most vital interests of our people and of other peoples, has initiated its historic beginning by establishing the same secrecy which prevailed at Versailles.

In my opinion, Mr. President, the rule which they invoked at Versailles and the reason why they invoked it will apply just as thoroughly to every meeting of the council. The reason why they invoked it was because they said they were dealing with the affairs of different nations, that discussions would lead to bitterness, to estrangement, and to ill-feeling. That rule will apply throughout the history of the league. So we are facing the proposition, Mr. President, of sending to Europe to sit in that conclave our representatives upon whom the doors will be closed just as completely as they were closed upon our representatives at Versailles. Not only did we disregard the rule with reference to "open covenants openly arrived at" at Versailles, but we have established a system which is to be based upon secrecy throughout its entire life. This league was born in secrecy, and it is to continue its business in secrecy. Here is a body of men whom the people can neither select, elect, or recall sitting in secret in one of the courts of Europe and dealing with

matters involving the lives of millions. Could autocracy go further! It is little wonder that the common people of Europe are everywhere turning against the whole scheme, as Dr. Dillon so graphically demonstrates.

Mr. LODGE. The hour of 5 o'clock having arrived, I move that the Senate, as in legislative session, adjourn.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 18, 1920, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 17, 1920.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Inbue us, we beseech Thee, our Father in heaven, with grace sufficient unto the needs of the hour, that these Thy servants may move forward to the tasks before them with clear perceptions, pure ideals, and unbiased minds, that their work may be to the good of our people and thus in harmony with Thy will. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

Mr. VINSON, by unanimous consent (at the request of Mr. CRISP), was granted leave of absence from Saturday indefinitely on account of illness.

HOUSE BILL WITH SENATE AMENDMENTS REFERRED.

Under clause 2 of Rule XXIV, House bill of the following title, with Senate amendments, was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

H. R. 11927. An act to increase the efficiency of the personnel of the Navy and Coast Guard through the temporary provision of bonuses or increased compensation; to the Committee on Naval Affairs.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Richmond, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 8819) to amend an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WADSWORTH, Mr. SPENCER, Mr. LENROOT, Mr. CHAMBERLAIN, and Mr. SHEPPARD as the conferees on the part of the Senate.

THE SEDITION LAW.

Mr. SHERWOOD. Mr. Speaker, I have a letter from the editor of the Toledo News-Bee, one of the largest circulating independent journals in northern Ohio, relating to the sedition bills now before Congress. This letter is short and terse and illuminating. I ask unanimous consent, therefore, to print it in the RECORD.

The SPEAKER. The gentleman from Ohio asks unanimous consent to print in the RECORD the letter to which he refers. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object—and I shall not object, inasmuch as the request comes from the distinguished gentleman from Ohio—I wish to say that I could offer many letters from many other editors of many other prominent newspapers who are in favor of a proper sedition bill being passed in order to rid this country of anarchy. I do not object.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The following is the letter referred to:

THE TOLEDO NEWS-BEE,
Toledo, Ohio, February 10, 1920.

Gen. I. R. SHERWOOD,
House of Representatives, Washington, D. C.

MY DEAR GENERAL: I have just read a communication from Attorney General Palmer to Chairman CAMPBELL, of the Committee on Rules, in which he acknowledges authorship of the bill introduced by Representative DAVEY, of Ohio, "defining sedition, the promoting thereof, providing punishment therefor, etc."

Defining sedition, the Davey bill says:

"Whoever, with the intent to levy war against the United States or to cause the change, overthrow, or destruction of the Government, or of any of the laws or authority thereof, or to cause the overthrow or destruction of all forms of law or organized government, or to oppose,

prevent, hinder, or delay the execution of any of the laws of the United States, or the free performance by the United States Government of any of its officers, agents, or employees of its or his public duty, commits or attempts or threatens to commit any act of force against any person or any property, or any act of terrorism, hate, revenge, or injury against the person or property of any officer, agent, or employee of the United States, shall be deemed guilty of sedition," etc.

By confining this definition of sedition to one of its causes, it would read as follows:

"Whoever, with the intent * * * to cause the change, overthrow, or destruction of the Government or any of the laws or authority thereof, * * * or to oppose, prevent, hinder, or delay the execution of any law of the United States, or the free performance by the United States Government or any one of its officers, agents, or employees of its or his public duty, commits, or attempts or threatens to commit, any act of force against any person or any property of any officer, agent, or employee of the United States, shall be guilty of sedition," etc.

Then section 2 says that—

"Whoever makes, displays, writes, prints, or circulates, or knowingly aids or abets the making, displaying, writing, printing, or circulating of, any sign, word, speech, picture, design, argument, or teaching which advises, advocates, teaches, or justifies any act of sedition as hereinbefore defined, or organizes, or assists, or joins in the organization of, or becomes or remains a member of, or affiliates with, any society or organization, whether the same be formally organized or not, which has for its object, in whole or in part, the advising, advocating, teaching, or justifying of any act of sedition as hereinbefore defined, shall be deemed guilty of promoting sedition," etc.

This bill is prepared by Attorney General Palmer and introduced in Congress at a time when the public mind is centered on an antired campaign that borders on hysteria. At the same time, efforts are being made in Congress to secure legislation that would make it a crime for workmen to strike. Also at a time when the Government is about to enforce the Volstead Act.

I cite these facts to illustrate the use that might be made of the proposed sedition law, in the hands of the legal department of the Government, with a fanatical Puritan at its head.

My own belief is that much of the antired hysteria is camouflage, and that the real purpose of such laws is to crush organized labor, to destroy the right of collective bargaining, and to strengthen the arm of the Anti-Saloon League, which comes mighty near being to-day the real Government of the United States.

You can see how even accidental force or violence in a labor disturbance, or even in political excitement during a campaign to change obnoxious laws, might result in prosecution and conviction for sedition. Or how assault and battery by one or a few excited individuals might lead to the prosecution and persecution of hundreds of innocent members of an organization because they had advocated the change of some law.

It is not necessary to go into all the particulars of how such a law might lead to the most outrageous tyranny and injustice. The danger stands out all through the bill.

To all intents and purposes the Anti-Saloon League to-day is a holding company for both old political parties. It has terrorized politicians and the press. It has resulted in mediocre Congresses and State legislatures by making the supreme test of a legislator's fitness either his wetness or his dryness. In this particular the booze traffic is quite as selfish and tyrannical as the dry machine, for in dependable wet districts all that was required of a legislator was that he be dependably wet, and in dry districts that he be dependably dry. Anyhow, I am not concerned here about the controversy between the wets and dries. I am more concerned about the larger matter of real democracy and liberty. And I consider these so-called sedition bills as a real menace to liberty.

There is another phase of the general situation to which I invite your attention. Consider first the fact that the Anti-Saloon League is the cleverest, shrewdest, and most efficient political machine ever built up in this country. Then consider this fact: Quite recently 880 Protestant preachers of up-State New York issued an address to the Protestant preachers of New York City, in which they scolded the New York City preachers for not doing their duty toward maintaining the Anti-Saloon League as "the agency of all the churches of State and Nation." Of the 880 up-State preachers, 421 were Methodists (the church in which I was born and raised), and next in strength came the Baptists and Presbyterians.

I do not question the perfect right of all of them to advocate and fight for prohibition, nor their right to insist on enforcement of the eighteenth amendment. I am merely dealing with political tendencies that may have to do with our larger liberties. And I suggest that if the Anti-Saloon League, with all its vast power, is the political arm of the organized evangelical churches, and at the same time controls the church organization, then we have in effect a combination of church and State in control of Government, and that combination always has been, and always will be, a menace to liberty, no matter what church it happens to be.

Isn't it about time somebody had the intelligence, the love of liberty, and the guts to stand up in Congress and fight for liberty—for the return to the real meaning of our constitutional guarantees—for the Democracy of Thomas Jefferson?

Sincerely,

N. D. COCHRAN.

REFERENCE OF NAVY PAY BILL.

Mr. KELLEY of Michigan. Mr. Speaker, I ask that the bill H. R. 11927, the Navy pay bill, be taken from the Speaker's table and referred to the Committee on Naval Affairs.

The SPEAKER. That will be done under the rule.

FRANCES C. PADGETT.

Mr. IRELAND. Mr. Speaker, by direction of the Committee on Accounts I ask for the consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The chairman of the Committee on Accounts submits a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 437.

Resolved, That there shall be paid out of the contingent fund of the House to Frances C. Padgett, widow of William L. Padgett, late an employee of the House of Representatives, a sum equal to six

months of his compensation as such employee, and an additional amount, not exceeding \$250, to defray the expenses of the funeral of said William L. Padgett.

Mr. IRELAND. Mr. Speaker, in offering this resolution I wish to direct the attention of the House to the fact that if it receives favorable action the House will be setting a precedent. Under the present arrangement the committee had no alternative save to regard the clerks to Members of the House as employees of the House, since they are now on the roll. The beneficiary in this instance is the widow of the former clerk of the Committee on Naval Affairs and later the secretary or clerk to the gentleman from Tennessee [Mr. PADGETT]. It is a clearly defined case. We have had only one other coming to the committee since the new arrangement as to clerks. This is in all points legitimate, in the mind of the committee, and we had no alternative under the conditions save to take the course we did in recommending favorable action.

Mr. WALSH. Will the gentleman yield?

Mr. IRELAND. I yield.

Mr. WALSH. What is the precedent where the clerk should happen to be unmarried?

Mr. IRELAND. It would go to the administrator of his estate or executor—the legal representative of his estate. There is no precedent in this instance. I have another resolution to offer, something on that order.

Mr. WALSH. Do you allow the funeral expenses in a case where the clerk dies unmarried?

Mr. IRELAND. We never have allowed them to any clerk in the past, but now they can not but be regarded as employees of the House and placed on the same basis as any other employee—a doorkeeper or a janitor or those serving in similar positions. And that has been the custom in the past as to the latter employees.

Mr. HASTINGS. Will the gentleman yield a moment to me?

Mr. IRELAND. Certainly.

Mr. HASTINGS. I am on the Committee on Accounts, and I wanted to supplement what the chairman has said. Now, in answer to the inquiry or suggestion made by the gentleman from Massachusetts [Mr. WALSH], the committee had decided that where there are no direct dependents the amount would not be paid in any case, and we wanted to establish that as a precedent, and I thought that the chairman ought to call the attention of the House to that. Now, if there is any employee of the House on the roll that has dependents, then the precedent we have heretofore followed in Congress unanimously, allowing six months' pay and funeral expenses, would be followed, and that would follow with reference to clerks of Members who are placed on the roll and who are employees. In other words, we place them in the same position as we do other employees here. But it is agreed by the committee that it would not recommend for anyone, either for clerks to Members or other employees of the House, to pay the six months' pay to the administrator or anybody else, unless they had dependents. In other words, if an employee were a single person and had no direct dependents, then we would pay nothing but the funeral expenses, and not the six months' allowance.

Mr. GARNER. Will the gentleman yield, so that I may ask the gentleman from Oklahoma a question?

Mr. IRELAND. Yes.

Mr. GARNER. The gentleman from Oklahoma understands that the clerks of the Members of the House are now in existence by virtue of a temporary law, one that is not permanent. I mean by that that on a point of order raised when the next legislative bill is under consideration, it would go out, if any Member of the 435 Members desires to make the point of order.

Mr. MANN of Illinois. What item?

Mr. GARNER. The item providing for clerk hire. And the result will be that the present law will authorize \$1,200, whereas under the present arrangement there is a provision for \$3,200 for clerk hire. Now, I want merely to suggest to the gentleman from Oklahoma and his colleague that this will not be considered as a precedent for relatives of clerks of Members provided these clerks are not on the roll.

Mr. HASTINGS. Certainly not.

Mr. GARNER. I am merely calling the attention of the gentleman to that. When you come back to the original law as it exists now, the law on the statute books authorizing clerk hire, you find it is \$1,200 a year, and the persons employed are not on the roll under the present law. But under the provision carried in the last bill there is a provision for \$3,200 for them, provided they go on the roll.

Mr. WALSH. May I ask the gentleman whether that was not done by resolution?

Mr. PARRISH. Mr. Speaker, I would say to the gentleman that in my opinion that is permanent law.

Mr. GARNER. I do not understand that it is permanent law.

Mr. IRELAND. Does not the gentleman from Texas regard them as employees of the House under the present arrangement?

Mr. GARNER. They are. I think the gentleman is correct. But if it is merely an allowance to the membership for clerk hire and they are not on the roll their dependents would not be entitled to this.

Mr. HASTINGS. I think the gentleman from Texas is becoming unduly excited about this. I have no doubt this will be made permanent law, and when that time comes I am sure the Committee on Accounts will follow the precedent that is established.

Mr. BLACK. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. BLACK. I want to ask the gentleman what annual compensation was this clerk receiving and what amount will this resolution entail?

Mr. IRELAND. That has nothing to do with it.

Mr. BLACK. It would have something to do with the amount. I understand it is six months' pay.

Mr. IRELAND. It is determined by the figure at which he was on the roll. I can not from memory tell the gentleman, although I had a memorandum of the amount in the committee.

Mr. BLACK. Under the present arrangement some Members have one clerk and some have two. Some Members will have a clerk on the roll at \$3,000 and another will have a clerk on the roll at \$2,000. In the event of the death of one who has dependents, under an arrangement of this kind the dependents in one case would get \$1,500, six months' pay, and the dependents in the other case would get only \$1,000, or one-half of \$2,000. When the bill was before the House I endeavored by an amendment to fix the salary of a clerk to a Member at a flat \$2,000 and then allow the maximum amount of the other clerk to be \$1,200. Under the other arrangement there is no uniformity at all.

Mr. IRELAND. That is probably true.

Mr. HASTINGS. There is no uniformity now. The committee has just followed the precedent established for many years in the House.

Mr. BLACK. That is to pay different employees of the same class.

Mr. HASTINGS. Whatever the employees get, their dependents are paid six months, whether it be much or little, whether \$50 a month or \$250.

Mr. BLACK. The point I want to emphasize is this: For instance, the stenographers of the House receive the same pay, and if they should die their dependents would receive the same compensation; but under the law that we passed in the House there is a widely different range of salaries, and I think we ought to amend the law and make these secretaries receive the same pay or a uniform salary.

Mr. KITCHIN. Mr. Speaker, will the gentleman yield for a question?

Mr. IRELAND. Yes, sir.

Mr. KITCHIN. Is the beneficiary in this case the widow of a deceased clerk?

Mr. IRELAND. Yes, sir.

Mr. KITCHIN. Does the resolution make the money payable to the widow?

Mr. IRELAND. Yes, sir.

Mr. KITCHIN. I understood the gentleman to say it was to go to the estate.

Mr. IRELAND. If I said so, it was in error. It is the widow.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. GARD. Under the new arrangement, is it a fact that this particular clerk is held to be a House employee under the rules of the House?

Mr. IRELAND. Yes, sir.

Mr. GARD. And therefore these rulings to which we have adhered in cases of death apply to this case?

Mr. IRELAND. Yes, sir; and I think that was the thought of the committee, and, I think, unanimously.

Mr. GARD. Persons in this class are appointed, and this man, I think, was appointed by the Representative in Congress. They are House employees only in the sense that they are on the rolls of the House.

Mr. IRELAND. Yes; but is not that sufficient?

Mr. GREENE of Vermont. Will the gentleman yield right there?

Mr. IRELAND. Yes.

Mr. GREENE of Vermont. That is exactly the point that occurred to me when this original legislation was on its passage, that if we ever consented that our secretaries and office employees should go on the rolls of the House, we by that much lost our jurisdiction over them as personal employees, in the sense and character originally intended, answerable to us and to our district. By that legislation they came on the way of eventually getting into the civil-service scheme and become gradually lost as a part of the public-office, public-patronage jobs, and the next step would be, instead of appointing them ourselves, they would have to take an examination, and some one else would appoint them for us.

Mr. IRELAND. The House alone is responsible, I may say to the gentleman.

Mr. GARD. I shall not object to the small amount of money involved in this case, which is probably an extreme case, but there is much in the contention of establishing a precedent here as to whether persons in this class are House employees or personal employees. My contention is that one's secretaries or employees in one's office are his personal employees, and that the House has no control over them and should not have any control over them. If putting them on the roll is sufficient to take them out of the personal-employees class and make them employees of the House, it should be so understood.

Mr. IRELAND. Yes; but their compensation is payable directly to the clerk and not to the Members. Probably the preponderance of the evidence proves they are employees of the House.

Mr. GARD. I do not think so. I do not think they should be, at least.

Mr. MANN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. MANN of Illinois. Are there any precedents in regard to the payment of this amount to clerks of committees? Of course we have had clerks of committees for a great many years. It would seem very singular if none had ever died while Congress was in session.

Mr. CLARK of Missouri. I would like to ask the gentleman a question. Is it not true that for several years—I have forgotten when the habit began—when one of these clerks died his widow or dependent got half a year's compensation?

Mr. MANN of Illinois. I made the inquiry as to whether there are any precedents to that effect. I do not recall. But the clerks to Members under existing law come within about the same purview as the clerks to the committees. The clerks to committees were never appointed by the House. They were appointed by the chairmen of the committees. It is true that under the rules of the House a committee could override a chairman, although I think that never was done. When I was chairman I never consulted the committee about the appointment of a clerk.

Mr. KITCHIN. I do not recall myself, but I recollect that when Mr. Courts, the clerk to the Committee on Appropriations, died, did we not appropriate something?

Mr. GARD. We did.

Mr. MANN of Illinois. I was not here at the time. The gentleman from Ohio says we did. Certainly it was proper that we should have.

Mr. MADDEN. In the case of Mr. Courts, late clerk to the Committee on Appropriations, a year's salary was given.

Mr. GREENE of Vermont. If the gentleman will permit me to follow what he has just said, the relations of a clerk to a committee are more naturally toward the organization of the House itself, but the relations of a clerk to a Member are peculiarly and exclusively personal, and the relation of both of them is to the district from which they come.

Mr. KITCHIN. But under the joint resolution passed in the last session the clerks to Members go on the pay roll and they become employees of the House.

Mr. GREENE of Vermont. I understand that is a technicality which once admitted we put it out of our hands to have the opportunity to recover our personal control and our personal relationship.

Mr. KITCHIN. Not at all, because the resolution provides that the Member may remove his clerk at any time. I want to call the attention of the gentleman to the fact that we ought to have a law on this subject. The gentleman from Texas [Mr. GARNER] called attention to the fact that there is no law, and this should impress us with the fact that we ought to have a law carrying out in substance the joint resolution passed at the last session.

The joint resolution of July 11, 1919, simply purported to control the appropriation made in the preceding legislative appropriation bill. That joint resolution reads:

That the appropriation in the legislative, executive, and judicial appropriation act approved March 1, 1919, for clerk hire for Members, Delegates, and Resident Commissioners may be paid by the Clerk of the House of Representatives to two persons to be designated by each Member, Delegate, and Resident Commissioner, the names of such persons to be placed on the roll of the employees of the House—

And so forth.

Showing that that joint resolution applied only to that legislative act, which appropriated \$3,200 for clerk hire for each Member. So this impresses me with the fact that the House ought really to have a law on the statute books defining what the clerks should be, what they should get, and what appropriation we should make; and I suggest to the gentleman from Illinois [Mr. IRELAND] that his committee prepare a bill and submit it to the House.

Mr. HASTINGS. The Committee on Accounts has no jurisdiction over such a bill as that. Such jurisdiction belongs to the Committee on Appropriations.

Mr. KITCHIN. That committee has jurisdiction of appropriations only. I suggest that the Committee on Accounts take it up and give the House something to work on.

Mr. IRELAND. We have such a bill prepared.

Mr. MANN of Illinois. I suggest to the gentleman from North Carolina that since we abolished the Committee on Acoustics there is no committee of the House which under the rules would have jurisdiction of that matter. I do not know whether the Committee on Acoustics would have had or not.

Mr. KITCHIN. I think the Committee on Accounts can assume that jurisdiction and no other committee will try to take it away from it.

Mr. GARNER. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. GARNER. If the gentleman from Illinois will introduce a bill embodying the suggestions of the gentleman from North Carolina, the Speaker will have to refer that bill to some committee.

Mr. MANN of Illinois. I suppose so, and that would give the committee jurisdiction, but the main trouble in the past about this matter has been the fact that it has come before the House in an appropriation bill, the Committee on Appropriations not having jurisdiction of legislative matters, and no other committee of the House having jurisdiction of this matter under the rules, so that no one has paid any attention to it. If somebody introduces such a bill, the Speaker will have to refer it.

Mr. GARNER. If some gentleman makes a point of order against this item in the legislative bill, I think the simplest way to get at it is for the Appropriations Committee to draw a proper legislative provision and let the Rules Committee bring in a rule making it in order, and let every man take his responsibility then as to voting for that particular provision in the bill.

Mr. KITCHIN. I do not think any Member of the House will object to the Committee on Accounts taking jurisdiction. My opinion is that it would be better for that committee to take jurisdiction rather than the Appropriations Committee.

Mr. MADDEN. They are very liberal.

Mr. MANN of Illinois. If they bring out a bill they will probably have to get a special rule in order to get it considered. It might be reached after a while.

Mr. KITCHIN. While the Committee on Rules are not as active or diligent as they ought to be, I think they would give a special rule for it.

Mr. MANN of Illinois. What delights me is to have my Democratic friends urge that matters be brought before the House by special rule.

Mr. KITCHIN. Nor do I think anyone would object to a unanimous request to consider such a bill. I do not want to reflect on the Committee on Rules, but I must say it does seem to me that they are mighty dull of comprehension. They do not seem to understand the plainest, simplest bills before them.

Mr. MANN of Illinois. Then why do you want them to pass upon these matters?

Mr. KITCHIN. I am going to urge them now to attend to their business more diligently. For instance, the Ways and Means Committee unanimously reported out a bill to appropriate \$50,000,000, being the profits that the Grain Corporation made in selling wheat to Europe—to appropriate that \$50,000,000 for the relief of the starving people in Austria and Armenia.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. KITCHIN. Yes.

Mr. MADDEN. I should like to ask the gentleman from North Carolina whether the Committee on Ways and Means unanimously certified to the profit which they said was made?

Mr. KITCHIN. The Ways and Means Committee of course did not certify to that, but we had the evidence of the Treasury Department and of Mr. Hoover.

Mr. MADDEN. What evidence did the committee have; just a statement of somebody?

Mr. KITCHIN. Just the statement of Mr. Hoover and of the Treasury Department, which was the best evidence we could get, and all that was necessary, that the Grain Corporation had a profit of \$50,000,000.

Mr. MADDEN. I should like to ask a further question.

Mr. IRELAND. This has very little to do with the question under consideration. Mr. Speaker, I move the adoption of the resolution.

The SPEAKER. This is all out of order.

Mr. KITCHIN. I want the Committee on Rules to report out a rule making that bill in order, but they will not consider it.

Mr. IRELAND. Mr. Speaker, I ask for a vote on the resolution.

The SPEAKER. The question is on agreeing to the resolution.

The question being taken, on a division (demanded by Mr. IRELAND) there were—ayes 116, noes 13.

Accordingly the resolution was agreed to.

SPECIAL EMPLOYEE OF THE HOUSE.

Mr. IRELAND. Mr. Speaker, I present the following privileged resolution.

The Clerk read as follows:

House resolution 325.

Resolved, That the salary of one special employee of the House be \$1,800 per annum: *Provided*, That the said salary be paid out of the contingent fund of the House of Representatives until otherwise provided for by law.

Mr. WALSH. Mr. Speaker, I make a point of order that that is not a privileged resolution.

Mr. IRELAND. Why?

Mr. WALSH. Mr. Speaker, I will reserve the point of order.

Mr. IRELAND. This has to do with one of the doorkeepers that has been employed in the House a great many years, and was, I believe, through a special act put on the roll. He is at present drawing a compensation of \$1,500. This increases his salary \$300 and makes it \$1,800.

Mr. DOWELL. Will the gentleman yield?

Mr. IRELAND. Certainly.

Mr. DOWELL. Why does not the resolution name the employee? Why is it so indefinite?

Mr. IRELAND. The resolution was passed last November when I had been called home on a sad mission, and I can not give the gentleman the information.

Mr. DOWELL. It seems to me that as the resolution reads it could apply to anyone. I think it ought to be specific, so that we would know where it applied.

Mr. IRELAND. I think so, too, but the committee did not amend it.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. IRELAND. Yes.

Mr. GREEN of Iowa. It seems to me that instead of naming the employee it should name the position.

Mr. DOWELL. That is what I mean.

Mr. MANN of Illinois. It does name the position—a special employee. Is this a minority employee?

Mr. IRELAND. No.

Mr. MANN of Illinois. If it was I should be perfectly willing to pay what is necessary. The resolution is not privileged. The Committee on Accounts does not have jurisdiction to fix the salary of employees. It can not report a privileged resolution fixing a salary. The Committee on Accounts could provide that there should be a certain amount paid out of the contingent fund, which would increase the salary of this employee. Automatically, under the rules of the House, that would authorize the Committee on Appropriations to provide an appropriation at an increased salary. But this is legislation; it fixes the salary of the employee at \$1,800 and is not privileged. Who is the employee?

Mr. IRELAND. George Jenison.

Mr. MANN of Illinois. He has been here ever since the Republicans came in in the Fifty-fourth Congress.

Mr. KINCHELOE. Will the gentleman yield?

Mr. IRELAND. I will.

Mr. KINCHELOE. What is the salary of the other doorkeepers?

Mr. IRELAND. They may not all be drawing the same, but I think it is \$1,800.

Mr. KINCHELOE. Do not some get \$1,500?

Mr. IRELAND. Yes.

Mr. KINCHELOE. They also get the bonus.

Mr. IRELAND. Yes. I want to say that I am not responsible for the phraseology of the resolution.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent that the resolution may be considered now.

Mr. MADDEN. I object to that.

Mr. WALSH. Mr. Speaker, I make the point of order that the resolution is not privileged.

The SPEAKER. The gentleman from Massachusetts makes the point of order that the resolution is not privileged. The Chair sustains the point of order.

JAMES CLARK.

Mr. IRELAND. Mr. Speaker, I present the following privileged resolution.

The Clerk read as follows:

House resolution 305.

Resolved, That James Clark be appointed special messenger to serve in and about the House, under the direction of the Doorkeeper, at a salary of \$125 per month, to be paid out of the contingent fund of the House, until otherwise provided for.

Mr. WALSH. Mr. Speaker, I make the point of order that the resolution is not privileged.

Mr. MANN of Illinois. Clearly the resolution is a privileged resolution.

The SPEAKER. The Chair will hear the gentleman from Massachusetts.

Mr. WALSH. As I caught the reading of the resolution, it provides by legislation for a new position, naming the incumbent.

Mr. MANN of Illinois. Mr. Speaker, it provides for a new position, naming the incumbent, the compensation to be payable out of the contingent fund of the House, which is the very purpose of the Committee on Accounts. They have the right to bring in resolutions of that kind.

The SPEAKER. The Chair will overrule the point of order.

Mr. WALSH. Mr. Speaker, I raise the question of consideration.

The SPEAKER. The gentleman from Massachusetts raises the question of consideration.

The question was taken; and the Chair being in doubt, the House divided, and there were 126 ayes and 5 noes.

Mr. WALSH. I make the point of no quorum.

The SPEAKER. The gentleman from Massachusetts makes the point of no quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 318, nays 8, answered "present" 3, not voting 99, as follows:

YEAS—318.

Ackerman	Dale	Hamilton	Lea, Calif.
Almon	Dallinger	Hardy, Colo.	Lee, Ga.
Anderson	Darrow	Hardy, Tex.	Little
Andrews, Nebr.	Davis, Minn.	Harrison	Lonergan
Anthony	Davis, Tenn.	Hastings	Luce
Ashbrook	Denison	Haugen	Lufkin
Aswell	Dewalt	Hawley	Luhling
Ayres	Dickinson, Mo.	Hayden	McAndrews
Babka	Dickinson, Iowa	Hays	McArthur
Baer	Dominick	Heflin	McClintic
Bankhead	Donovan	Hernandez	McDuffie
Barbour	Doremus	Hersey	McFadden
Barkeley	Doughton	Hersman	McGlennon
Bee	Dowell	Hickey	McKenzie
Benham	Drane	Hicks	McKeown
Benson	Dunbar	Hoch	McLane
Black	Dupré	Holland	McLaughlin, Mich.
Bland, Ind.	Eagle	Howard	McLaughlin, Nebr.
Bland, Mo.	Echols	Huddleston	MacCrate
Bland, Va.	Edmonds	Hudspeth	Magee
Blanton	Elliott	Hull, Iowa	Major
Boies	Elston	Hull, Tenn.	Mann, Ill.
Bowers	Emerson	Humphreys	Mansfield
Briggs	Evans, Mont.	Husted	Mapes
Brinson	Evans, Nebr.	Igoe	Mays
Brooks, Pa.	Evans, Nev.	Ireland	Mead
Browne	Fairfield	Jacoway	Merritt
Browning	Fess	Johnson, Ky.	Michener
Brumbaugh	Fisher	Johnson, Miss.	Miller
Buchanan	Focht	Johnson, S. Dak.	Minahan, N. J.
Burdick	Foster	Johnston, N. Y.	Monahan, Wis.
Burke	Frear	Jones, Pa.	Montague
Burroughs	Freeman	Jones, Tex.	Moon
Byrnes, S. C.	French	Kahn	Mooney
Byrns, Tenn.	Fuller, Ill.	Kearns	Moore, Ohio
Campbell, Pa.	Gallagher	Keller	Moore, Va.
Candler	Gandy	Kelley, Mich.	Moore, Ind.
Carss	Gard	Kelly, Pa.	Morgan
Carter	Garland	Kendall	Morin
Casey	Garner	Kettner	Mott
Chindblom	Glynn	Kless	Mudd
Christopherson	Godwin, N. C.	Kincheloe	Murphy
Clark, Mo.	Goodall	Klag	Neely
Classon	Goodwin, Ark.	Kinkaid	Nelson, Mo.
Cleary	Goodykoontz	Kitchin	Nelson, Wis.
Coady	Graham, Ill.	Klecza	Newton, Minn.
Cole	Green, Iowa	Lampert	Newton, Mo.
Collier	Greene, Mass.	Langley	Nichols, S. C.
Connally	Greene, Vt.	Lanham	Nichols, Mich.
Copley	Griest	Lankford	Nolan
Cullen	Griffin	Layton	O'Connell
Currie, Mich.	Hadley	Lazaro	Ogden

Oldfield	Riddick	Smithwick	Vare
Oliver	Robinson, N. C.	Stegall	Venable
Olney	Robson, Ky.	Stedman	Vestal
Osborne	Rodenberg	Steele	Voigt
Padgett	Rogers	Steensson	Volstead
Paigett	Romjue	Stephens, Miss.	Ward
Park	Rose	Stephens, Ohio	Wason
Parrish	Rouse	Stevenson	Webster
Peters	Rubey	Stiness	Welty
Phelan	Rucker	Stoll	Whaley
Platt	Sabath	Strong, Kans.	Wheeler
Porter	Sanders, Ind.	Strong, Pa.	White, Kans.
Pou	Sanders, La.	Summers, Wash.	White, Me.
Purnell	Sanford	Summers, Tex.	Williams
Quin	Saunders, Va.	Sweet	Wilson, Ill.
Radcliffe	Schall	Swope	Wilson, La.
Rainey, J. W.	Scott	Tague	Wilson, Pa.
Raker	Sells	Taylor, Ark.	Wingo
Ramsey	Sherwood	Taylor, Colo.	Winslow
Ramseyer	Shreve	Taylor, Tenn.	Wise
Randall, Calif.	Sims	Thomas	Woods, Va.
Randall, Wis.	Sinclair	Thompson	Wright
Rayburn	Sinnott	Tillman	Yates
Reavis	Slemp	Tilson	Young, N. Dak.
Reed, N. Y.	Small	Timberlake	Young, Tex.
Reed, W. Va.	Smith, Idaho	Tincher	Zihlman
Rhodes	Smith, Ill.	Upshaw	
Ricketts	Smith, Mich.	Valle	

NAYS—8.

Bacharach	Good	James	Madden
Box	Harrelld	Longworth	Walsh

ANSWERED "PRESENT"—3.

Clark, Fla.	Crisp	Hulings
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NOT VOTING—99.

Andrews, Md.	Dunn	Kennedy, R. I.	Riordan
Begg	Dyer	Knutson	Rowan
Bell	Eagan	Kraus	Rowe
Blackmon	Ellsworth	Kreider	Sanders, N. Y.
Booher	Esch	Larsen	Scully
Brand	Ferris	Lehlbach	Sears
Britten	Fields	Leshner	Siegel
Brooks, Ill.	Flood	Linthicum	Sisson
Butler	Fordney	McCulloch	Smith, N. Y.
Caldwell	Fuller, Mass.	McKinley	Snell
Campbell, Kans.	Gallivan	McKinley	Snyder
Cannon	Ganly	McPherson	Sullivan
Cantrill	Garrett	MacGregor	Temple
Caraway	Goldfogle	Maher	Tinkham
Carew	Gould	Mann, S. C.	Towner
Cooper	Graham, Pa.	Martin	Treadway
Costello	Hamill	Mason	Vinson
Crago	Hill	Mondell	Walters
Cramton	Hoey	O'Connor	Watkins
Crowther	Houghton	Overstreet	Watson
Curry, Calif.	Hutchinson	Parker	Weaver
Davey	Jeffers	Pell	Welling
Dempsey	Johnson, Wash.	Rainey, Ala.	Wood, Ind.
Dent	Juhl	Rainey, H. T.	Woodyard
Dooling	Kennedy, Iowa	Reber	

So the House determined to consider the resolution.

The Clerk announced the following pairs:

Until further notice:

Mr. KNUTSON with Mr. BELL.

Mr. FORDNEY with Mr. CRISP.

Mr. TOWNER with Mr. GARRETT.

Mr. McKINLEY with Mr. PELL.

Mr. ANDREWS of Maryland with Mr. CLARK of Florida.

Mr. GRAHAM of Pennsylvania with Mr. BLACKMON.

Mr. MONDELL with Mr. SISSON.

Mr. KRAUS with Mr. MANN of South Carolina.

Mr. SANDERS of New York with Mr. CALDWELL.

Mr. FULLER of Massachusetts with Mr. WELLING.

Mr. SNELL with Mr. BRAND.

Mr. LEHLBACH with Mr. EAGAN.

Mr. HUTCHINSON with Mr. SEARS.

Mr. McPHERSON with Mr. HAMILL.

Mr. PARKER with Mr. ROWE.

Mr. COOPER with Mr. GALLIVAN.

Mr. JOHNSON of Washington with Mr. RAINEY of Alabama.

Mr. KREIDER with Mr. CARAWAY.

Mr. ELLSWORTH with Mr. WEAVER.

Mr. BUTLER with Mr. SMITH of New York.

Mr. KENNEDY of Iowa with Mr. DAVEY.

Mr. TINKHAM with Mr. FIELDS.

Mr. TREADWAY with Mr. BOOHER.

Mr. WATSON with Mr. LARSEN.

Mr. SNYDER with Mr. FERRIS.

Mr. MASON with Mr. CANTRILL.

Mr. BEGG with Mr. OVERSTREET.

Mr. ROWE with Mr. LESHNER.

Mr. GOULD with Mr. McKINIRY.

Mr. ESCH with Mr. DENT.

Mr. COSTELLO with Mr. VINSON.

Mr. McCULLOCH with Mr. CAREW.

Mr. WALTERS with Mr. DOOLING.

Mr. WOOD of Indiana with Mr. MAHER.

Mr. JEFFERIS with Mr. LINTHICUM.

Mr. CRAGO with Mr. SULLIVAN.

Mr. WOODYARD with Mr. SCULLY.

Mr. CAMPBELL of Kansas with Mr. WATKINS.

Mr. DEMPSEY with Mr. RIORDAN.

Mr. BROOKS of Illinois with Mr. O'CONNOR.

Mr. DUNN with Mr. HENRY T. RAINEY.

Mr. CANNON with Mr. FLOOD.

Mr. CRAMTON with Mr. GOLDFOGLE.

Mr. BRITTON with Mr. MARTIN.

Mr. CURRY of California with Mr. GANLY.

The result of the vote was announced as above recorded.

The doors were opened.

Mr. IRELAND. Mr. Speaker—

Mr. MANN of Illinois. Mr. Speaker—

Mr. IRELAND. Mr. Speaker, I yield to my colleague.

Mr. MANN of Illinois. Was this resolution presented at the request of the minority side of the House? Has it the approval of the minority leader?

Mr. IRELAND. I think so; I am positive.

Mr. MANN of Illinois. It is to give an additional minority employee of the House?

Mr. IRELAND. That is the purpose of it; yes, sir.

Mr. MANN of Illinois. I take it that the minority now have the same number of employees which the Republican minority had when the Democrats were in control of the House. Now, what reason is there for an additional minority employee? I hope some minority Member will give us the information.

Mr. KITCHIN. Will the gentleman yield?

Mr. MANN of Illinois. I will yield.

Mr. KITCHIN. I will say to the gentleman that this gives the minority of this Congress exactly the number which the minority had in the last four Congresses under such a resolution, except for two Congresses, the Sixty-third and Sixty-fourth, the minority had one more than this resolution gives. When the Democrats came in, they found two gentlemen on the roll under a resolution similar to this—Mr. Jennison and Mr. Chauncey, as I remember. The Democrats kept them on under that resolution. They have been here for some time. We knew they were Republicans, but we felt that we ought not to put them out.

Mr. MANN of Illinois. Oh, well, neither Mr. Jennison nor Mr. Chauncey was a minority employee of the House. They never were under the jurisdiction in any way whatever of the minority leader of the House.

Mr. KITCHIN. Nor will Mr. Clark be under the jurisdiction of the minority leader, but under the jurisdiction of the House, just as Mr. Jennison and Mr. Chauncey were. This resolution, as I understand it—I never looked at it—is in exactly the same language as the resolution under which Mr. George Jennison was appointed.

Mr. MANN of Illinois. I know Mr. George Jennison was appointed as a special employee of the House by resolution appointing him as a special employee or providing for a special employee—I do not remember now—as far back as the Fifty-fourth Congress. That is before I was a Member of the House; and under the rulings of the Chair allowing the Committee on Appropriations to make appropriations for special employees an appropriation for years was made to pay the special employee named in the resolution of a certain date, and he stayed on during the Republican rule in the House. When the Democrats came in they never discovered there was such a place, and I did not call it to their attention, but saw to it that the appropriation was made. Now he is kept as Doorkeeper; nobody was opposed to it. Mr. Chauncey was kept here because he had been here 50 years under both Republican and Democratic rule—was not charged to the minority. Now, I am perfectly willing, as far as I am concerned, always to give the minority all the employees it wants, and I thought, to be frank with you, when I was the minority leader that I had all the minority employees that the minority could well make use of. Now you want more.

Mr. KITCHIN. Now, will the gentleman just let me make a statement? The gentleman does not exactly know all that the Democrats knew when they got control of the House in 1910. The Democrats knew Mr. George Jennison, a life-long Republican, held a place under a resolution, and they knew that Mr. Chauncey, a life-long Republican, held a place until he died, under a resolution. Let me tell the gentleman the facts. When we first organized the House, when we got control in the Sixty-second Congress, I asked Mr. UNDERWOOD to call the Ways and Means Committee together, which was the organization committee of the Democrats, to consider the status of Mr. Jennison and Mr. Chauncey. I told the committee about these two old employees. I told it that they were Republicans and that they had been here so long that it would seem cruel to turn them out or to stop the appropriations, and I got a resolution through the Ways and Means Committee appointing me a committee of one to go to the patronage committee, consisting of Dr. FOSTER, Mr.

HUMPHREYS, and Mr. DOREMUS, and insist to them upon not considering those two places as patronage for distribution, and to recommend to the caucus the continuance on the rolls of those two gentlemen. I went before the patronage committee in behalf of Mr. Jennison and Mr. Chauncey. They were kept on the rolls. I then went to the Committee on Appropriations in that Congress in their behalf. Mr. Jennison remembers, and every year while the Democrats had control of the House I went in person to the chairman and asked him to take care of the appropriation for them until Mr. Chauncey died, and thereafter every year in behalf of the appropriation for Mr. Jennison. Now, these are the facts about it.

Mr. MANN of Illinois. Oh, well, I went to the Committee on Appropriations, too, and the Committee on Appropriations in this matter follow in their appropriations the appropriations of the preceding year as far as the employees of the House are concerned. Now, Mr. Jennison was a good employee of the House and was no older an employee than a large number of the other employees of the House when the Democrats came in. Very many of them had been here since the Fifty-fourth Congress. Mr. Chauncey was an employee of the House for 50 years, under both Republican and Democratic rule—

Mr. KITCHIN. And I saw to it that he was kept in the manner I have explained.

Mr. MANN of Illinois. The Democrats did not know, and I think nobody else knew. What is this employee for? I may say to the gentleman we have kept a Democratic employee of the House as a reading clerk, and I suppose having done that if we come in again after a while somebody will say we ought to have three reading clerks because we kept a Democratic employee.

Mr. KITCHIN. I will say this: That as I understand it—and I am pretty certain it is true, because I have been told it is—this resolution is in the exact form under which Mr. Jennison got his place and held it and the resolution under which Mr. Chauncey held his place until he died. Now, they were both Republicans. Mr. Clark has been in the employ of the House for 8 or 10 years when the Democrats were in. It is now asked that the Republicans of the House put and keep Mr. Clark in under the identical kind of resolution under which the Democrats kept two Republicans in. I think we should have some comity between this side and that and let this resolution pass.

Mr. MANN of Illinois. The gentleman knows how I feel about it. The gentleman says it is the same form of resolution. That has nothing to do with it. It is the same form of resolution that provides for—

Mr. KITCHIN. If we keep Mr. Jennison, and we should keep him, we can put this Mr. Clark on, and he would not be a minority employee controlled by the minority, but a House employee, like Mr. Jennison.

Mr. MANN of Illinois. It is the form of resolution under which the present minority employees of the House are employed.

Mr. KITCHIN. But they are given to the minority as such and controlled by the minority.

Mr. MANN of Illinois. That is what we want to get at. So far as the majority side of the House is concerned, I doubt very much whether they need the services of Mr. Clark.

Mr. KITCHIN. We knew that we did not need actually the services of Mr. Jennison or Mr. Chauncey, but we kept them on, and their services were rendered to the House, not to the majority or to the minority.

Mr. MANN of Illinois. But the gentleman seeks to say that the minority does not need his services, but wants to charge him to us.

Mr. KITCHIN. I do not say that. He will be a House employee, not named by the minority, not controlled by the minority, not serving the minority, but, like Mr. Jennison, controlled by the House and serving the entire House.

Mr. MANN of Illinois. They are all under the control of somebody.

Mr. KITCHIN. But the others are given to the minority, and the minority controls them.

Mr. MANN of Illinois. This resolution will remain the resolution of the House not merely until the end of this Congress but until the end of time, unless it is repealed by the recipient himself.

Mr. KITCHIN. So with Mr. Jennison and so with Mr. Chauncey. It can only be binding on this Congress. Each Congress must act on it on the appropriation. And we can repeal it at any time we desire. This Congress can stop the appropriation at any time.

Mr. HUMPHREYS. The gentleman from Illinois understands that the two gentlemen just named are not the only

Republicans that were kept in the organization. There were numbers of them.

Mr. KITCHIN. We kept five or more Republicans in. I do not recall all now; Mr. Sabine is one.

Mr. MANN of Illinois. The illustration given by the gentleman from North Carolina [Mr. KITCHIN] that those were kept in is given only to fool those who do not know. It does not fool me.

Mr. KITCHIN. Does the gentleman deny what I stated about going to the committee and getting the committee to make an appropriation for them?

Mr. MANN of Illinois. It certainly would be far from me to deny any statement of fact which the gentleman makes.

Mr. HUMPHREYS. I want to say this, that the Republicans have done it and the Democrats did it in recent years when they controlled the House. We kept quite a number of Republicans on the roll.

Mr. MANN of Illinois. It would have been wiser had you kept more of them.

Mr. HUMPHREYS. I do not say that to influence gentlemen in this particular instance. We had Mr. Grayson and Mr. Sabine and Mr. Cook and a number of them.

Mr. MANN of Illinois. I understand you had a number kept on. Do you remember any instance where you by special resolution named a Republican employee of the House during your eight years of administration?

Mr. HUMPHREYS. Well, we named minority employees.

Mr. MANN of Illinois. Well, I offered the resolution for that. But this is not to appoint a minority employee.

Mr. HUMPHREYS. We created an additional place, at the earnest request of the Republican side, in the cloak room, to look after the telephones, at a salary of \$1,500. The gentleman understands that.

Mr. MANN of Illinois. Certainly.

Mr. HUMPHREYS. My recollection is that there were two pair clerks on that side and one on this side.

Mr. MANN of Illinois. Yes. We had two pair clerks and you had one, theoretically. They were minority employees, and you have the same now.

Mr. HUMPHREYS. We do not have them now, but we hope to have them in the future.

Mr. KITCHIN. This report was unanimous, and it was also unanimous in giving the Sergeant at Arms an extra man two or three months ago.

Mr. KING. Will the gentleman from Illinois [Mr. IRELAND] yield?

Mr. IRELAND. Certainly.

Mr. KING. Who is this Mr. Clark that is mentioned? Is he the gentleman that served in the Members Gallery for so long?

Mr. IRELAND. Yes.

Mr. KING. I do not know what his politics are, but I know he is the best man that has ever been up in the gallery. He has been courteous and kind and efficient to the Members' wives and their relatives, and others, and everyone of them, so far as I have had converse with them, would like to see this old gentleman have his place back, and I think it is fair and square that he should have it.

Mr. McLAUGHLIN of Michigan. Will the gentleman from Illinois yield?

Mr. IRELAND. Certainly.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, when the first session of this Congress began I was, unfortunately for myself, made a member of the committee on patronage. We found that Mr. Clark was employed as one of the doorkeepers in the gallery; that he had been faithful and efficient, his services satisfactory to all those who had come in contact with him. But that he was more so than the rest of the doorkeepers I deny. Others were and are as good as he, every one of them. Now, it was up to our committee necessarily to determine whether or not Mr. Clark should remain. Pressure was brought to bear on us to keep him, and as long as we could keep him we did. He remained in his place until the pressure naturally made from this side of the House for the appointment of a Republican became so strong that the place had to be given to one entitled to Republican patronage. I learned at that time that the question of whether or not Mr. Clark should be retained in some position in the House as one of the minority employees was brought up in the minority caucus and it decided in favor of another man.

Mr. KITCHIN. The gentleman is mistaken. We had no caucus on that matter.

Mr. McLAUGHLIN of Michigan. It was in some way taken up and determined by minority Members, and they decided that of all places at their disposal there was none for Mr. Clark. However, since leaving the door up there he has been employed

on one of the doors in the House Office Building, and he is there now. The position he occupied as doorkeeper in the gallery pays, as all others of similar character are paid, \$1,180 per annum, with a bonus of \$240, which increases the salary to that extent. I have no objection to this resolution. I am willing to see the minority receive another appointment if they show they need it, but inasmuch as Mr. Clark was so long employed at the salary of \$1,180 and was so anxious to keep it, and evidently will be satisfied with that salary, I question very much the wisdom of providing by resolution for his employment at \$125 per month, certainly as his employment will be permanent; and if a motion to amend is in order, I shall move to amend by making the salary \$1,180 per annum instead of \$125 per month.

The SPEAKER. The gentleman from Michigan offers an amendment, which the Clerk will report.

Mr. MANN of Illinois. Mr. Speaker, the gentleman has not yielded the floor to offer an amendment.

The Clerk read as follows:

Strike out "\$125 per month" and insert "\$1,180 per annum."

The SPEAKER. The Chair did not hear the gentleman from Illinois.

Mr. MANN of Illinois. I say the gentleman did not get the floor to offer an amendment.

The SPEAKER. That is correct.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. BLANTON. Mr. Speaker, it is an extraordinary circumstance when any man appreciates attention paid to his wife by some other man. [Laughter.] But I am sure that there is not a married Representative in this House who sat in the Sixty-fifth Congress who does not highly appreciate the special, courteous attention that Mr. Clark paid to his wife and to the wife of each one of us in finding them seats in the gallery during the last session. You can not find any Member's wife who sought seats up in the gallery who was not accommodated frequently by Mr. Clark at times when seats were at a premium. I am sure the House will do as little as could be expected in passing this resolution.

Mr. UPSHAW. Mr. Speaker, will the gentleman yield?

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes; I first yield to the gentleman from Massachusetts.

Mr. WALSH. I do not question the fact that Mr. Clark is a very courteous and accommodating employee, but I doubt, Mr. Speaker, if we are justified in appropriating money on the basis that some employee was courteous and accommodating to members of our families. We ought to look further than that. I think if gentlemen will inquire into this a little further they will find there has been in the past quite a fair sized row on the minority side of the House over this particular piece of patronage, a row in which some other employee is involved, and that the minute this gentleman goes on the roll some other gentleman as a minority employee will go on the roll at \$1,800 per annum. Gentlemen, of course, must realize that this man is being appointed as a special messenger at \$125 per month when all the veterans who are carried on the soldiers' roll under that title are getting \$1,180 per annum.

Now, I want to say this: I have seen no indication of a need of further special employees round about the House. We have got a great many of them here now, even on the majority side, that are incompetent, and I think if we could get a little more efficiency out of some of these employees that we already have we would do well to insist upon it rather than to increase their number. I have not heard one suggestion made that there is need for an additional employee.

Oh, it is a small matter, \$1,500 plus the bonus. It does not amount to very much. This has been pending since September 2, 1919, and the pressure is so great that it is strange that we have not terminated it heretofore. It may be that the lack of authorization for this special employee is what is the matter with the minority side of the House, and what has been the matter with them during all these months since September. But I submit that the time has come for us to indicate a little real economy, even though it involves a curtailment of our expenses for our own convenience and comfort here as Members of the House, and unless there is some urgent reason given why we should embark upon this policy in order to settle some disagreement upon the minority side and create an additional position I intend to vote against the resolution, and in doing so I do not believe that I can be considered as not appreciating the faithful service of the gentleman as doorkeeper in the Members' gallery in the Sixty-fourth Congress and prior to that. But there has not been a bit of evidence given to the House that I have

heard—I have listened to the discussion—of any need for another special messenger to be employed at the request of the minority, particularly when you mention him by name, and even if there is, there has been no sufficient reason given why he should receive a larger salary than those who are carried on the roll under the same name, including some of the veterans of the Civil War who are getting only \$1,180. I am opposed to the resolution.

Mr. KITCHIN. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. KITCHIN. Who introduced this resolution? Was it the gentleman from Illinois [Mr. RODENBERG]?

Mr. IRELAND. The gentleman from Illinois [Mr. RODENBERG].

Mr. KITCHIN. Special messengers holding positions similar to this are not drawing \$1,180, but \$1,500, are they not?

Mr. IRELAND. Yes, sir.

Mr. UPSHAW. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

The SPEAKER. How much time does the gentleman yield?

Mr. UPSHAW. I want only two minutes.

Mr. IRELAND. I yield two minutes.

Mr. UPSHAW. Mr. Speaker and gentlemen, I think it has been a very beautiful indication to see the disposition of mind and heart, irrespective of party lines, to honor this noble old man who has walked into the hearts of all of us for many years. If the women of Washington could vote, they would all vote for Uncle Jimmie Clark. His heart is as golden as his hair is white. Let us honor him with this beautiful recognition. [Applause.]

Mr. LITTLE. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. I yield three minutes to the gentleman.

The SPEAKER. The gentleman from Kansas is recognized for three minutes.

Mr. LITTLE. Mr. Speaker, there is a feature of this matter which I think should challenge the attention of the House, and I think the time has come when the House should understand it. This thing of putting an employee permanently on the roll very often results in losing a very good employee, who ceases to be an employee of the House in the sense in which it should be understood and becomes a permanent attendant to the House, but independent of the House.

I have found, unfortunately, not personally but through a representative, that some of these people who are put on the roll permanently by law get an idea that they are permanent factors here, far surpassing the Members themselves. The other day a lady from my office went to one of these men and inquired for something that my office was entitled to, and was rather rudely told that there was not any there. On a further inquiry as to why there should not be something of that kind as the law provided for each Member of Congress she was told very impudently that there were too many Members of Congress around here now. That seemed to please the deputies under that employee and brought a loud laugh, and the lady was further insulted by a repetition of the remark, "There are too many Members of Congress around here now." Now, I begin to think that there are too many clerks around here now who have life jobs; that if the clerks of this House were amenable to appointment at each Congress, just like everybody else, some of them might have more manners and more sense and be more inclined to think they were servants of the House and not masters. This man to whom I refer is put on by law to stay as long as he lives, and he ought to be put off. I shall probably not seek to have it done, because he is like some of the rest, a poor old man dependent upon his job; but, gentlemen, we make a mistake when we put anybody on this roll for life. By doing that you lose a very good clerk, and he thinks he is running the House and ceases to be a servant of the House. We ought to conduct our business here according to law and treat all men alike. If this employee knows a lot of Congressmen who are superfluous, he should give us the benefit of his judgment and perhaps all can persuade our extra men to go home. If he can not, he should be given a chance to retire himself. He simply has a bad case of swelled head.

Mr. KEARNS. Will the gentleman mind stating to the House the name of that employee?

Mr. LITTLE. I had rather not. I do not care to seem to criticize a poor old man, but I think there ought to be a general rule adopted.

Mr. KEARNS. The gentleman ought to give the name of the man who insulted this lady in this way, and he ought to be removed from office.

Mr. LITTLE. Well, if the circumstances were different, I would see him about that myself.

Mr. UPSHAW. The gentleman makes the best kind of an argument why Mr. Clark should be put in this place.

Mr. LITTLE. Oh, Mr. Clark has always been a perfect gentleman.

Mr. UPSHAW. Absolutely so.

Mr. LITTLE. I am not arguing against Mr. Clark. He is one of the men that ought to be put on.

Mr. IRELAND. Mr. Speaker, I ask for a vote on the resolution.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield to me for the purpose of offering an amendment?

Mr. IRELAND. In a few moments. Gentlemen of the House, I would like to go on record as strictly opposed to this sort of a resolution in principle, or anything approaching it, as I was opposed at heart to the one previously offered. There is no reason on earth why unusual courtesy to our wives or our visitors in the galleries should be such a rare thing that it must be rewarded. It should be the rule and not the exception, though, as the gentleman has said, it is most commendable. I am sure also that we will never get anywhere with such matters so long as almost every Member of the House has some special pet whose salary he wants raised, or for whom he wants a special position created. I have found out that the Committee on Accounts is the football for the House to kick all over the lot whenever it pleases, and for almost any purpose. But the circumstances of this particular case are peculiar. An agreement or purported agreement was said to exist between the leaders of the House, and there is a disagreement on the part of the leaders of the House and their 200 assistants on each side as to just what that agreement was; and I am very strongly determined to preserve the good faith of the situation and favor this resolution. Just so long as this House indulges in this practice of special resolutions, just so long we are going to have this continual wrangling every time one of them comes up. I am sure that if the beneficiary of this resolution knew of the commotion he was creating this morning he would, in his modest and humble nature, be very much embarrassed.

Resolutions have been offered, and are pending, by the Committee on Accounts for a survey of the employees of the House and an effort to catalogue them, to establish some system to better define their salaries and duties; but apparently the attitude of the House is decidedly against any systematic or business management of its own immediate affairs. As far as the question of economy is concerned, you could dissipate the entire contingent fund of the House and not save to your Government any appreciable fraction of what you might save by lopping off some single item in some appropriation bill.

The situation as it stands is anything but agreeable and is very regrettable, but the House is to blame for it. Just so long as we continue this practice we are going to have this same trouble that has risen here to-day.

I hope this resolution may pass and that we may be relieved from similar occurrences in the future, and that they will not come up again to the embarrassment of the committee.

Mr. SMITH of Idaho. Will the gentleman yield?

Mr. IRELAND. I promised to yield to the gentleman from Michigan to offer an amendment.

The SPEAKER. The gentleman from Illinois yields to the gentleman from Michigan [Mr. McLAUGHLIN] to offer an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McLAUGHLIN of Michigan: Page 1, line 2, after the word "serve," insert the words "during the Sixty-sixth Congress."

The SPEAKER. The question is on agreeing to the amendment.

The question being taken, the amendment was agreed to.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I offer another amendment.

The SPEAKER. The gentleman offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. McLAUGHLIN of Michigan: Line 3, page 1, after the word "of," strike out "\$125 per month," and insert in lieu thereof "\$1,180 per annum."

The SPEAKER. The question is on agreeing to the amendment.

The question being taken, on a division (demanded by Mr. McLAUGHLIN of Michigan) there were—ayes 53, noes 163.

Accordingly the amendment was rejected.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. WALSH) there were—ayes 218, noes 25.

Accordingly the resolution was agreed to.

JOSEPH HAGBERG.

Mr. IRELAND. Mr. Speaker, I present the following privileged resolution.

The Clerk read as follows:

House resolution 277.

Resolved, That there shall be paid, out of the contingent fund of the House, to Joseph Hagberg, brother of Julia Hagberg, late an employee of the House of Representatives, a sum equal to six months of her compensation as such employee, and an additional amount, not exceeding \$250, to defray the expenses of the funeral of said Julia Hagberg.

With the following committee amendment:

Page 1, line 4, strike out the words "equal to six months of her compensation as such employee, and an additional amount."

Mr. MADDEN. Will the gentleman yield?

Mr. IRELAND. Yes.

Mr. MADDEN. I would like to ask the gentleman whether he considered that Joseph Hagberg was a dependent of Julia Hagberg.

Mr. IRELAND. Certainly not.

Mr. MADDEN. It seems to me that there ought not to be such a resolution as this reported.

Mr. IRELAND. This resolution is exactly in line with the one previously voted on, save, as the gentleman from Oklahoma explained, it gives no additional compensation to the legal representative of the deceased, and only pays the funeral expenses up to an amount not exceeding \$250. It is a case where we did not believe there were dependents.

Mr. CHINDBLOM. Mr. Speaker, this clerk was employed in my office. She came from Chicago in May last and she died in the month of August. Her surviving relatives are two brothers and a niece, all of them of the working class. I do not know whether she contributed anything in her lifetime to the support of any of them, but I do know that out of her little estate, amounting to a few hundred dollars, the funeral expense was a large item. Two hundred and fifty dollars here allowed will not exceed the additional expense of caring for and shipping her remains to her home.

Mr. IRELAND. Mr. Speaker, I move the adoption of the amendment.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

W. L. BRAGG.

Mr. IRELAND. Mr. Speaker, I present the following privileged resolution.

The Clerk read as follows:

House resolution 442.

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to W. L. Bragg, clerk to the late Hon. Walter A. Watson, a Representative in Congress from Virginia at the time of his death, December 24, 1919, the sum of \$266.67, being an amount equal to one month's salary of a clerk of a Representative in Congress.

Mr. BLACK. Will the gentleman yield?

Mr. IRELAND. I will.

Mr. BLACK. That illustrates the point that I wanted to emphasize a while ago, that this clerk was evidently on the roll at \$3,000 a year, and receives \$266.67, whereas a great many of the Members' clerks are on the rolls at \$2,000, and in a similar case would receive \$166.67.

Mr. IRELAND. This is the usual resolution to pay one month's salary to the clerk of a deceased Member.

Mr. BLACK. I simply wanted to emphasize the lack of uniformity in the pay of these clerks.

Mr. IRELAND. It is the fault of the House and not of the committee. We had no other way than to provide for one month's salary at the rate at which the clerk was on the roll.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

EXTENSION OF REMARKS.

Mr. ANDREWS of Nebraska. Mr. Speaker, I ask unanimous consent to print in the Record an address delivered before the Nebraska constitutional convention last Friday by my colleague [Mr. REAVIS].

The SPEAKER. The gentleman from Nebraska asks unanimous consent to print in the Record an address by his colleague [Mr. REAVIS] before the Nebraska constitutional convention. Is there objection?

Mr. GARD. Reserving the right to object, upon what subject?

Mr. ANDREWS of Nebraska. In relation to the subject matter under consideration by the constitutional convention, and incidentally the legislation now pending in Congress.

Mr. GARD. Yes; but upon what subject?

Mr. ANDREWS of Nebraska. Particularly railroad legislation from a constitutional standpoint.

Mr. GARD. Does it incorporate the gentleman's report on war expenditures?

Mr. ANDREWS of Nebraska. It does not.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICKETTS. Mr. Speaker, I ask unanimous consent to print in the RECORD a speech made by my colleague [Mr. THOMPSON], of the fifth district of Ohio, at the Lincoln day banquet on February 12.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McDUFFIE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Agricultural appropriation bill.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD on the Agricultural appropriation bill. Is there objection?

There was no objection.

Mr. FOCHT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on Lincoln's anniversary.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

MILITARY ACADEMY BILL.

Mr. ANTHONY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 12467) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1921, and for other purposes.

The motion was agreed to.

Accordingly the committee resolved itself into Committee of the Whole House on the state of the Union, with Mr. HUSTED in the chair.

The CHAIRMAN. General debate on the bill having been concluded, the Clerk will read the bill for amendment under the five-minute rule.

The Clerk read as follows:

PERMANENT ESTABLISHMENT.

For pay of seven professors, \$26,500.

Mr. LITTLE. Mr. Chairman, I make a point of order that there is no law authorizing that appropriation, and I do so for the purpose of getting some information.

The CHAIRMAN. Will the gentleman from Kansas state his point of order?

Mr. LITTLE. I make the point of order that there is no law authorizing the appropriation, and I do so primarily for the purpose of securing the idea of the committee as to what they base it on.

Mr. ANTHONY. I think the gentleman will find that there is abundant law for the payment of the salaries of the seven professors, and has been even as far back as the founding of the academy, and amplified by legislation from time to time.

Mr. LITTLE. Yes; but as to the amount.

Mr. ANTHONY. The amount of the pay is based on supplementary legislation that specifies that the professors at the Military Academy shall have the pay and rank of a lieutenant colonel for less than 10 years' service and of a colonel for more than 10 years' service.

Mr. LITTLE. I hardly think that is the law that governs this.

Mr. ANTHONY. I think it is.

Mr. LITTLE. It may be that I am wrong, but I have been unable to find it. It was the law some years ago, but I find here in the act of August 29, 1916, that the Secretary of the Navy is authorized to employ at the Naval Academy such number of professors and instructors, including one professor as librarian, as, in his opinion, may be necessary for the proper instruction of the midshipmen, and that the professors and instructors so employed shall receive such compensation for their services as may be prescribed by the Secretary of the Navy. That is the only authority I can find.

Mr. ANTHONY. The gentleman is now talking about the Naval Academy.

Mr. LITTLE. Yes.

Mr. ANTHONY. This item refers to the Military Academy.

Mr. LITTLE. I understand; but where is a similar provision for the Army?

Mr. ANTHONY. Section 1336, as amended by section 4 of the act of June 23, 1879, provides that each of the professors at the Military Academy whose service as professor at the academy exceeds 10 years shall have the pay and allowances of a colonel, and all other professors shall have the pay and allowances of a lieutenant colonel, and that the instructors of ordnance, science of gunnery, and of practical engineering shall have the pay and allowances of a major.

Mr. LITTLE. Will the gentleman give me the date of that law?

Mr. ANTHONY. June 23, 1879.

Mr. LITTLE. There is a later law than that on the subject. Is that the law under which the gentleman bases this?

Mr. ANTHONY. I think it is.

Mr. LITTLE. As I said primarily, I do not do this for the purpose of obstructing the legislation, because I think those men ought to be paid, but I would like to know on what authority they pay them. I withdraw the point of order on this item, and I shall investigate it. Of course, I understand that when I withdraw the point of order I waive it.

The CHAIRMAN. The gentleman from Kansas withdraws the point of order, and the Clerk will read.

The Clerk read as follows:

For pay of one commandant of cadets (colonel) in addition to his regular pay, \$1,000.

Mr. LITTLE. Mr. Chairman, I make the point of order against this item for the pay of the commandant, and I would like to know on what authority it is based.

Mr. ANTHONY. The law authorizes the pay and rank of a lieutenant colonel at the academy for the officer in command of the cadet corps.

Mr. LITTLE. Will the gentleman please cite the law?

Mr. ANTHONY. I am not an index of the laws of the United States. The corps of cadets has been almost doubled in number, until the commandant of the corps of cadets now commands 12 companies, the command of a colonel. Therefore, we are providing that he shall have the pay of a colonel instead of the pay of a lieutenant colonel. We are doing that because of the enlargement of the corps.

Mr. LITTLE. Where is the law that authorizes the committee to do that? It is in the books somewhere if there is such a law.

Mr. QUIN. I would say to the gentleman that that is a decrease of \$100 over what it has been before.

Mr. LITTLE. That does not answer the point of order at all. Perhaps they did not have any authority to give him any money at all.

Mr. QUIN. Oh, yes.

Mr. LITTLE. If there is such a law, just cite it to me.

Mr. ANTHONY. What does the gentleman want to know?

Mr. LITTLE. I want to know where any law exists that authorizes the committee to pay the commandant at the rate of the pay of a colonel, in addition to his regular pay, \$1,000.

Mr. ANTHONY. I just told the gentleman that the law authorizes us to pay him the compensation of a lieutenant colonel, but we are changing that in this bill so as to give him the pay of a colonel because his command has been increased to the command of a colonel.

Mr. LITTLE. Do I understand, then, that the gentleman realizes that there is no authority of law for this, and that this is a change made here?

Mr. ANTHONY. That is correct.

Mr. LITTLE. Very well. I just wanted to call the attention of the Chair to the fact that gentlemen are doing this in violation of law, and that they are making law in this bill. Under the circumstances I do not insist on the point of order. But the War Department should ask and the Military Committee should propose laws to authorize the appropriations necessary. The military arm of this Government must learn to obey the law.

Mr. STEVENSON. Mr. Chairman, I want to ascertain if it is the proposition of the Military Affairs Committee to give this colonel \$1,000 additional, and if it is their expectation that he will get the thousand dollars additional after they pass this bill, and to give him another thousand dollars for which there is a bill pending.

Mr. ANTHONY. Let me say to the gentleman that the officer who holds the present place of commandant at West Point has the rank of major in the Regular Establishment, and this thousand dollars makes up the difference between the pay of a major, which he has anyway, and the pay of a colonel, which he would have under this provision as commandant, during his service at West Point only.

Mr. STEVENSON. Why is it worth more to serve at West Point than it is to serve in Washington?

Mr. ANTHONY. It is considered a little more arduous and to be a more important position.

Mr. STEVENSON. I think it is a very choice place; a very easy place. Do I understand that the man who actually discharges that duty is a major?

Mr. ANTHONY. He is a major in the Regular Establishment. Mr. STEVENSON. And he is to have the pay of a major plus \$1,000?

Mr. ANTHONY. No; he is to have the temporary rank of a colonel while in command of the corps at West Point and also the pay of a colonel, and the difference between his pay as major and the pay of a colonel is \$1,000.

Mr. STEVENSON. Then he gets the pay of a colonel now, which, along with his commutation of quarters, heat, and light, makes him get about \$6,127; is that right?

Mr. ANTHONY. No; it is not. He would have to be of the longest length of service to get such pay as that.

Mr. STEVENSON. Mr. Chairman, I move to strike out the paragraph.

Mr. ANTHONY. If he is furnished quarters by the Government, he would get no commutation at all, and he is furnished quarters.

Mr. STEVENSON. Then, instead of commutation of quarters, he gets \$3,500 and \$290 heat, and you propose to add \$1,000 to that?

Mr. ANTHONY. He is provided with heat by the Government at West Point.

Mr. STEVENSON. Then he is not out anything for quarters or heat or light, but he is paid at least \$4,000; that is the base pay—

Mr. ANTHONY. Of a colonel.

Mr. STEVENSON. Of a colonel, and then you give him another \$1,000 and that is \$5,000—

Mr. ANTHONY. No; the gentleman is in error. The officer in question is a major in the Regular Establishment. He would draw \$3,000 a year as major, and while he is on duty at West Point in the grade of colonel we provide that he shall have \$1,000 a year more, making up the difference in the pay.

Mr. BEE. That is giving him a colonel's pay?

Mr. STEVENSON. Under a proposed bill, which is on the calendar for action, he will have another \$1,000 added if we pass that bill increasing the salary. Is not that true? Are you going to give that salary increase and then increase his salary as colonel or major?

Mr. ANTHONY. I suppose this officer would get any proportionate increase Congress would make, but I do not know what Congress is going to do.

Mr. STEVENSON. There is a bill pending recommending a 20 per cent increase.

Mr. ANTHONY. In the event it passed, then he would get 20 per cent increase in the grade of major.

Mr. QUIN. If the gentleman will yield, the reason this man is in the position of colonel is because of the increased corps at West Point. He is a commander not of a battalion, as formerly, but of an increased corps, making it necessary for him to have the title of colonel. That is the reason this is done, and this is not an additional salary at all—

Mr. BEE. Will the gentleman permit?

Mr. QUIN. I will.

Mr. BEE. Do I understand this man now on duty at West Point is a major, drawing a major's pay, and he is serving as colonel?

Mr. QUIN. That is the idea.

Mr. BEE. This simply adds \$1,000 to his major's pay which he otherwise would not get?

Mr. QUIN. Certainly; he would be deprived of the \$1,000.

Mr. BEE. He would be doing a colonel's work as commander of the entire Corps of Cadets on a major's pay?

Mr. QUIN. That is the idea.

Mr. HARRISON. I will say to the gentleman this item has been carried in every appropriation bill for the Military Academy for years; that is, there has been an increased allowance made between the pay the man actually has in the Army and that of the temporary rank which he holds at West Point. This has been carried every year. The commandant up there has a great many duties to perform that an ordinary colonel does not and he has a great many expenses to incur which other colonels do not. This item is an actual decrease made in the appropriation of last year.

Mr. STEVENSON. Mr. Chairman, I wanted to get at how sincere this spasm of economy is which has denied a hearing before this House of the disabled emergency officers who have come back from France and are languishing around in the hospitals all over the country and who are getting allowances when discharged of about \$75 a month. I want to know how this spasm of economy is going to be applied to the balance of the Army when these officers are being discriminated against in the way they are and not being allowed anything like the compen-

sation that the officers of the Regular Army who are disabled are allowed. I have had a bill pending before the Committee on Military Affairs for two months, and now they are like Pontius Pilate. When he did not want to do anything, he raised the question of jurisdiction and sent the prisoner to Herod, in this case the steering committee, and because of the great cry for economy at this time I can not get any action anywhere for about 3,000 officers of the emergency Army who have been disqualified for any service at all, and I wanted to see if this economy was going to be applied all down the line.

Mr. Chairman, I withdraw the pro forma amendment now, because I have the information which I desired.

Mr. MONDELL. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, the gentleman stated that his bill, to which he referred, had been referred to the steering committee. The gentleman is in error. The steering committee has no jurisdiction over bills before the committees of the Congress. The steering committee has not considered that bill in any way. The bill was referred, I think, erroneously to the Committee on Military Affairs. My understanding is that there is still some question between the members of the Committee on Military Affairs and the Committee on Interstate and Foreign Commerce relative to jurisdiction over the measure. My personal opinion is that it belongs properly to the Committee on Interstate and Foreign Commerce, and I am sure that just as soon as the question of jurisdiction shall be settled that the matter will be taken up for consideration by the committee to which it is finally referred. But I want to say to my friend who introduced that bill, without definitely expressing an opinion as to what should be done with it, that the proposal it involves is no such simple matter as he seems to imagine. I think if he will go back into the Records of the Congress following the Civil War he will find just such legislation as that was proposed relative to volunteer officers of the Civil War, and that legislation is still before the Congress unacted upon. In other words, the Congress of the United States refused to retire the volunteer officers of the Civil War, and the Congress refused to do it because of facts like this: Two men from a community in an emergency join the Army to serve their country. Through good fortune, one becomes an officer and the other remains a private. They both serve well. They are both wounded. Their disability is equal. I think there is a good deal of question whether there is any change of sentiment in America now from the sentiment so often expressed in the past in regard to such a case. The men having volunteered to serve their country, or having been called to serve their country in an emergency, not being men of the Regular Establishment, shall the one who wore the shoulder straps receive compensation four or five times as great as that of his brother and his friend who served in the ranks?

I express no final, conclusive, or definite opinion on the subject. But I want to suggest to my friend that it is a matter with regard to which there is something to be said on both sides. I am inclined to think we are not giving sufficient compensation to the men who bore the brunt of the battle and were incapacitated, but I am strongly inclined to think that the compensation should be the same to every man who went into the National Army, without regard to what his rank happened to be.

It will, of course, be claimed that the officers of the National Army should be placed on an equality with the officers of the Regular Establishment as regards retirement or retirement pay. We can only do that by giving that status to all officers whether incapacitated or not. If we do that, we emphasize rather than reduce the inequality among the men of the National Army.

Mr. MCKENZIE. Mr. Chairman, I move to strike out the last three words.

I do not take the floor, Mr. Chairman, for the purpose of making a defense of the Committee on Military Affairs, but I do deny that that committee is trying to "pass the buck" to some other committee on the matter of taking care of the wounded and diseased soldiers of our Army. The gentleman from South Carolina [Mr. STEVENSON] well knows that when we entered the war the Committee on Interstate and Foreign Commerce was given jurisdiction of the compensation to be paid to soldiers, and, as a matter of fact, the Committee on Military Affairs has no jurisdiction over a man when he is once discharged from the Army. That committee has jurisdiction of soldiers and officers. But if we are permitted under the rules of the House to take jurisdiction of the matter of giving greater care to the unfortunate of our Army, we would gladly accept the responsibility.

But I want to say to the members of this committee that the gentleman from South Carolina in his first bill provided that all the disabled officers of the Great War should be given a

retired status the same as if they had been officers in the Regular Army. That is a proposition that is not sound in principle, and I doubt very much whether that bill will ever be enacted into a law any more than the bill which the gentleman from Wyoming [Mr. MONDELL] spoke of, and that has been pending before Congress almost since the close of the Civil War, providing for putting the officers of the Union Armies upon the retired list and giving them the same pay as men who are commissioned in the Regular Army.

When our friend found that that would not work he introduced another bill, and that bill has in it, in my judgment, the germs of injustice and inequality, for it provides that these officers, while they shall not be placed upon the retired list, shall receive the pay of a retired officer in the Regular Establishment of the same grade. That means that the man who was fortunate enough, through friends or through pull, to get a commission as a colonel would get as retired pay the compensation of a retired colonel, while the man who lived next door to him and served as a captain in the Army and suffered the same character of disability would get the pay and allowances of captain. To me that would be an injustice between the officers.

All this talk about the fact that an officer holding a commission of a higher grade entitles him to greater compensation for wounds received in battle does not appeal to me. There should be no distinction between the officers and the privates when it comes to paying them for loss sustained in the defense of this great Government of ours. And the private soldier who lost a limb in the Argonne Forest is entitled, in my judgment, to as much compensation as the officer who ordered him to go over the top for like disability. And when that legislation comes up in this House, and I hope it will come up soon, to give these unfortunate citizens of ours who were our soldiers greater consideration than they are given at present, I trust they shall be treated all alike as citizens who have received the same character of injury in the defense of our country, and that the bill introduced by the gentleman from South Carolina will be laid upon the table, and a bill representing justice and equity to all these men shall be enacted into law by this Congress. [Applause.]

Mr. STEVENSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am delighted at least to have some information. The gentleman from Wyoming said that the steering committee had nothing to do with the bill to which I referred. The clerk of the Committee on Military Affairs informed me two weeks ago that the question of whether that committee should consider it or whether it should be referred to some other committee had been submitted to the steering committee, and up to this good morning he was unable to inform me whether they had ever gotten a decision, but informed me—at least he sent me word—that they had gotten no decision from the steering committee.

Mr. MONDELL. Will the gentleman yield?

Mr. STEVENSON. I will.

Mr. MONDELL. My personal opinion was asked in regard to the matter some time ago, and I immediately said that in my opinion the bill belonged with the Committee on Interstate and Foreign Commerce, and I so stated to the chairman of the Committee on Military Affairs and the chairman of the Committee on Interstate and Foreign Commerce. There is no question about it.

Mr. STEVENSON. I did not know that the gentleman was the steering committee. Having received the information that the steering committee had done nothing, I took it that they had eliminated him. However that may be, the gentleman says he wants a proper bill brought up and discussed; that everybody must be put on an equality. Let us see for a minute. The man in the Regular Army who is a private and the man who was in the emergency Army as a private and a drafted man, get exactly the same compensation to-day. There is no discrimination. But the officer in the Regular Army, a first lieutenant, if you will, who lost his arm, and a first lieutenant who has served in the emergency force and lost an arm, are not put on the same basis. He gets about \$30 a month. The first lieutenant in the Regular Army, who has gotten a knee hurt, for instance, in the same regiment, is retired at \$157 a month. Now, you talk about injustice. My proposition is to put the officers who suffered disability in the Army all on the same footing in so far as compensation is concerned, and if that is injustice I will meet the gentlemen wherever they want to make it an issue.

How many would it amount to? The gentleman says there has been a bill here to retire the officers of the Civil War. Yes; to retire all the officers, not the wounded and disabled, but to retire them all. That has always been the proposition. The

proposition that I make is to compensate those only who are disabled. How many of them are disabled? Thirty-one hundred altogether of officers were disabled, according to the report made the other day, and a certain per cent of them, probably 1,000 of them, were Regular Army officers, leaving about 2,100 of them to be provided for. And yet you say to a young man like this one poor boy we have back here, "Your injuries, because you were only in the emergency Army, do not entitle you to but a third of what your companion, who happened to be a professional officer, is entitled to for a much less injury."

Now, is there justice in that? I say there is not, and the distinguished gentleman from Illinois [Mr. McKENZIE] knows there is not, and he knows that his position is fallacious absolutely.

There is another reason why it is improper to make that arrangement, and that is this: Most of the Army were drafted men. The volunteers who were in the private ranks went into the Regular Army and the drafted men went into the emergency Army. The officers were older men, who largely volunteered and won their commissions, have greater responsibilities and greater incumbrances, and they are not in the same class as those who were called, because when the executive boards who drafted the men called the men before them the man who had dependents was excused, and therefore the men who went into the ranks as privates in the emergency Army were not men who have dependents, like most of the officers.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. STEVENSON. Mr. Chairman, I would like to have three minutes more.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to proceed for three minutes more. Is there objection?

Mr. MONDELL. Mr. Chairman, of course this is all out of order. The gentleman discussed the matter for five minutes, and I made a five-minute statement. He has replied in five minutes. It seems to me that is about all that the gentleman should ask out of order.

Mr. STEVENSON. I just wish to complete my statement. I have taken less than 60 minutes in the Sixty-sixth Congress.

The CHAIRMAN. Does the gentleman from Wyoming object?

Mr. MONDELL. No; I do not. Let the gentleman conclude his statement.

Mr. STEVENSON. Do not, then.

Mr. MONDELL. But I shall have to object, Mr. Chairman, if there is any further discussion outside of the bill.

Mr. STEVENSON. Mr. Chairman, the drafted man, if he was brought before the exemption officers and showed that he had a dependent, was excused. The officers who went to the training camps went there voluntarily, and most of them had dependents, and most of them had large responsibilities, and therefore they are not in the same class.

Now, I just want to call the attention of the distinguished gentleman from Illinois [Mr. McKENZIE] to the fact that they are right now proposing to increase by 20 per cent the pay of the officers of the Regular Army. They are here every day working for an increase in the pay of the officers of the Regular Army, and they have got a schedule here that will run a captain up to something like \$3,683 a year. Now, does he think it fair that a captain who lost his right arm, who had his power to make a living destroyed, who goes back and finds his business gone and himself incapable of reestablishing it, should be set down to \$1,200 a year while these captains of the Regular Army are going to be increased?

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. McKENZIE. I will say to my friend that I do not think that would be just, but I think it would be unjust to send that captain home with the pay that he has got, and send a private home, suffering from the same affliction, and give him only one-fourth of what you give the captain.

Mr. STEVENSON. It is an impossibility to give him one-fourth. If the man is a private in the ranks and is totally disabled and has dependents he would get \$100 a month. If a first lieutenant is totally disabled and gets the pay of a retired lieutenant in the Regular Army he will get \$157 a month until you increase it, as you propose to do, and then he would get \$180 per month. You are setting an example of injustice which this country is rendering to about 2,500 men who led their men in the front ranks in France and went down before the enemy's guns and suffered irremediable injury by saying that they are not entitled to the compensation of the rank at which Regular Army officers are retired, and it is a matter that will not be sanctioned by a just populace. You also say that it is unjust to give an emergency officer who is disabled more than an emer-

gency private. You give the Regular Army officer who is disabled the same increase over the private of the Regular Army, which you criticize in my bill as to emergency officers and men. How can you justify one and condemn the other?

The CHAIRMAN. The time of the gentleman from South Carolina has again expired. The Clerk will read.

The Clerk read as follows:

For pay of three battalion commanders (majors) in addition to pay as captains, \$1,800.

Mr. LITTLE. Mr. Chairman, I make a point of order on this paragraph. There is no authority of law for making this appropriation. I make the point of order that there is no authority of law for keeping battalion commanders there at all.

Mr. MORIN. The law provides for the salaries of officers detailed and on duty at West Point. Their salary is fixed. This salary is fixed at the pay of captain. The salary there is authorized under the same law as was quoted by the gentleman from Kansas [Mr. ANTHONY], which gives the officers detailed at West Point the pay specified and increased rank. He is now a captain, and he is authorized to be paid as of the rank of major.

Mr. LITTLE. What is the authority for the battalion commanders?

Mr. MORIN. The corps of cadets is organized there as a battalion.

Mr. LITTLE. How many cadets are there at West Point now?

Mr. MORIN. After the last examination, when about 100 were found deficient, there were 660 cadets.

Mr. LITTLE. That would not make a battalion, let alone three battalions.

Mr. MORIN. Three classes graduated last year, which materially reduced the number of cadets at the academy. In June we expect to enter about 500 cadets, to bring the Corps of Cadets up to about 1,200.

Mr. LITTLE. That would be all the law provides. That would be a battalion. The law is found in Eleventh Statutes, page 333. I have it in my hand. The commandant of cadets is a man whose salary we raised by \$1,000. It is provided in the law that he shall have immediate command of the battalion of cadets and shall be instructor in the tactics of artillery, cavalry, and infantry. In violation of the law we have raised his salary \$1,000. I think that would be all right if he is worth anything. There is only one battalion at West Point that I ever heard of. The gentleman from Pennsylvania [Mr. MORIN] says they are going to fill it until they have a battalion. I find here that the commandant of cadets shall have immediate command of "the battalion of cadets."

I do not know any reason why there should be three officers there commanding each a battalion. The work of a battalion commander in time of peace is practically perfunctory. In time of war he is a very active man, but the headquarters work is practically all done by the colonel's office and the colonel's adjutant. The captain's office does the company paper work, the colonel's office does the regimental work, and the battalion commander is not of very much utility except in time of battle, when he is a very useful man if he is any account at all. I do not know of any reason why there should be three battalion commanders there. If the gentleman is going to say that 1,200 men will make a regiment, and that we hope to have 1,200 there, and if they are going to divide it in the old fashion into three battalions of 400 each—and I suppose that is what he is going to say—where is there any authority of law for three battalion commanders? It is just as I have read it to you, and says that "the battalion" shall be commanded by the commandant of cadets. There is no law for three battalion commanders.

Mr. MCKENZIE. Of course, the gentleman from Kansas has in mind the tactical organization of a field regiment, which does not apply exactly at West Point; but we will have something over 1,200 cadets there, which will constitute a regiment, making it necessary to have a colonel in command; and if you have a colonel in command and it is a regimental organization, you will have your battalion commanders.

Now, while I am on my feet I want to say that the gentleman from Kansas will probably make the same criticism of a number of the following paragraphs, where it appears that the officer gets an increase of pay. Now, that is either founded in law or regulation—I am not prepared to say which, because we did not look the matter up, not thinking the question would be raised; but it has been the practice for a number of years that when an officer is detailed to West Point he is given the pay of the next grade above the one in which he is commissioned, and that goes all the way down the line from the commandant to the second lieutenants.

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. MCKENZIE. Yes.

Mr. BEE. Do I understand the gentleman from Kansas to take the position that there is no necessity for a battalion commander in time of peace, but that there is a necessity for a battalion commander in time of war? I clearly understood the gentleman to make that statement.

Mr. LITTLE. I did not say that. I said he did not have much to do in time of peace; that his duties were somewhat perfunctory. He is very useful in time of war.

Mr. BEE. That may be very true in time of peace, but how can you train men for war except by training them in time of peace?

Mr. LITTLE. This thing of taking men out and drilling them is a very small part of the making of an army, and after it is once done there is not much more of it to do. The colonel's office and the captain's office have a considerable amount of paper work to do, but the paper work of the regiment is done in those two places.

Mr. BEE. It is done by the sergeant major.

Mr. LITTLE. The adjutant does it, and the sergeant major helps.

Mr. BEE. The sergeant major does it.

Mr. LITTLE. The battalion commander has a sergeant major, too, and those people do not have much to do.

I do not know why 1,200 men at West Point should have three majors commanding battalions, but that is not the point. I am making the point of order that even if there ought to be that many, there is no law for it. The gentleman says it has been the custom at military headquarters, every time a man goes to West Point, to raise his salary. That is what I am challenging, principally. Where is the law for it? Who is running this Government, anyway—the Congress of the United States or the War Department?

Mr. BEE. Does the gentleman challenge it on the ground that it is not necessary?

Mr. LITTLE. On the ground that there is no law for it. I have made the point of order that there is no law authorizing it.

Mr. BEE. The gentleman is not challenging it because the duties of a commandant at West Point, in the instruction of those young men in the art of war, are not more important than the usual duties of an Army officer?

Mr. LITTLE. No. In addition to making the point of order, I say that the duties of a major in command of a battalion at West Point do not amount to anything. They do not need him there at all.

Mr. GREENE of Vermont. The gentleman with his military experience does not conclude that all that these battalion commanders at West Point do is to take charge of their respective battalions when they are on parade, does he?

Mr. LITTLE. What else do they do?

Mr. GREENE of Vermont. There are various functions which they perform.

Mr. LITTLE. It is easy to say so. You mean "functions" they attend, perhaps.

Mr. GREENE of Vermont. That is why I am trying to state it.

Mr. LITTLE. Go on; say something harder, then.

Mr. GREENE of Vermont. They serve as tactical officers, as instructors, and perform multifarious duties under the direction of the commandant. They do not simply wait around for the evening parade in order to take command of a battalion.

Mr. LITTLE. I do not see any evidence here that a battalion commander is an instructor, and I do not see anything relating to it except this clause which says that the commandant of the cadets shall have immediate command of the battalion of cadets. That tells who is to have command of them, and it is not one of these fellows. It says he shall be instructor in the tactics of artillery, cavalry, and infantry. If they want either of these fellows, why do not they make a law and bring it in here and ask Congress to decide it. Who is making these laws anyway, the Congress or some department?

Mr. GREENE of Vermont. May I state to the gentleman—

Mr. LITTLE. In just a minute. We are told that they have been advancing these salaries every time a man is sent down there. I suppose they would be better off if they went outside of the Army and got trained teachers to instruct these boys anyway. But a man gets a little stand in and a little pull, and then he is sent to West Point to teach, and the minute he gets there he gets his pay raised. I do not know whether he is competent or not. Sometimes he is and sometimes he is not. I want to say that I do not believe the teachers of mathematics are any good, because their pupils are failing all the time, and every time a teacher has pupils who are failing all the time he is not a capable teacher, and he ought to be fired. If he can not teach he ought to give way to somebody who can. Anybody can teach the smart boys. It is the dumb boys and the average

boys that they are employed to teach. The others do not need any teaching.

Mr. GREENE of Vermont. In the gentleman's reference to the foundation law, which has reference to the corps as a battalion, it ought to be taken into consideration that subsequent laws have increased the corps beyond the size of a battalion.

Mr. LITTLE. Where is the subsequent law?

Mr. GREENE of Vermont. Subsequent laws providing for the number of cadets.

Mr. LITTLE. I have all the laws here.

Mr. GREENE of Vermont. The gentleman has the codification of the law.

Mr. LITTLE. This is a Federal Code up to 1919.

Mr. GREENE of Vermont. There have been different acts by which we have increased the number of cadets that can be appointed to West Point, and they have enlarged and increased the body of cadets beyond the size of a battalion.

Mr. LITTLE. Acts during the last Congress? Everything back of the last Congress is in this little book. It is true that the laws of the United States are so scattered and so roughly and crudely drawn that it is mighty hard for anybody to tell what they are. I am trying to find out about this.

Mr. LITTLE. Will the gentleman yield?

Mr. LITTLE. Yes.

Mr. BEE. Is not the blessed day coming when the Committee on the Revision of the Laws, of which the gentleman from Kansas is chairman, is going to report the necessary measure for the codification of those laws? Because we of the House turn to the gentleman from Kansas in reference to matters relating to the revision of the laws as a Mohammedan turns toward Mecca.

Mr. LITTLE. I thank the gentleman. I hope so, and if the gentleman will stay with me and insist on it, we will find out where the law is authorizing this. If we find any, the committee will know where that is. I make the point of order that there is no law authorizing three battalion commanders, and no law authorizing the raising of the salary \$600 each.

The CHAIRMAN. Does the gentleman from Kansas wish to be heard on the point of order?

Mr. ANTHONY. No; I have no knowledge on the matter.

The CHAIRMAN. The gentleman from Kansas makes the point of order against the language, in line 23, page 2, that it is not in order under subdivision 2 of Rule XXI on the ground that there is no law to authorize the appointment of three battalion commanders.

Mr. LITTLE. And the further point of order that there is no law that authorizes the raising of the salaries, even though there was a law authorizing the appointment.

The CHAIRMAN. The Chair has been unable to discover any statute law authorizing the appointment of three battalion commanders.

Mr. LITTLE. I have no objection to reserving the point of order and allow them to investigate further.

The CHAIRMAN. The matter has been debated some time, and it might as well be disposed of now.

Mr. GREENE of Vermont. Will the Chair allow me to make this suggestion. I have not the text of the latest codification of the military laws and so I am unable to cite the chapter and verse. But it is a fact that with very little ground law to start with the institution at West Point has been maintained by authority given in the law to the War Department to make regulations, not only for the organization of the academy, but for the board of instructors and the military unit itself. The statute, according to my recollection and understanding, has never been laid down as to what shall and shall not be the character of the military organization. So this does not violate existing law.

The CHAIRMAN. If it creates a new law it violates the rule.

Mr. GREENE of Vermont. Not if it authorizes the same things to be done by regulation.

Mr. BEE. Will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. BEE. Is it not true that the law with reference to West Point is very brief?

Mr. GREENE of Vermont. Absolutely.

Mr. BEE. And everything that has grown up at the institution from the day of its foundation has grown up by regulation under the War Department and not by statute law.

Mr. GREENE of Vermont. That is exactly what I intended to state.

Mr. BEE. There is nothing now in the existing law that would prohibit the appointment of three officers as commanders of battalions, and therefore it would not be subject to a point

of order because it is not a question of foundation law but merely a question of carrying out existing regulations.

Mr. GREENE of Vermont. So much so that there is little foundation law about West Point. It is true to this extent that the institution itself was originally founded as an engineer school, but years ago it ceased to function exclusively as an engineer school and the curriculum and policy since have been changed, not always specifically by statute, but under the blanket authority to the War Department to keep the institution up to date.

Mr. BEE. May I make the further suggestion that if the law creating the Military Academy simply provides that Congress shall establish an academy, describing its character, for education of young men as soldiers, would it be necessary to prescribe for every separate head or branch of this institution any more than it would in the establishment of the University of Texas, for instance, created by law and a constitution, be necessary to specify every branch and class that should go into that university—the law, medicine, engineering, mechanical, electrical, and how many professors it should be, and what the instructors should be paid?

If so, the books would be so large that none who runs may read; but the organic law having established the academy, Congress having authorized the War Department to carry it on, why is it not within the power of the Committee on Military Affairs to report a bill that provides for the battalion commanders and for pay of instructors of artillery and such other provisions without having them written into organic law?

Mr. ANTHONY. Mr. Chairman, I think we have found a section of law which covers the paragraph which the gentleman from Kansas makes the point of order against. I refer the Chair to section 1331 of the Revised Statutes, which provides that the supervision and charge of the academy shall be in the War Department, under such officer or officers as the Secretary of War may assign to duty. He has assigned three battalion commanders, and the committee is appropriating for them in accordance with this authorization. I think the contention of the gentleman from Vermont [Mr. GREENE] about the broad powers of the War Department is very well taken.

Mr. LITTLE. Mr. Chairman, that is not the law. That was the law when the Revised Statutes were passed 41 years ago. The law now is that the United States Military Academy at West Point, in the State of New York, shall be constituted as follows: "There shall be one superintendent, one commandant," and so on down, and it states specifically just what there shall be. When that is done, that disposes of the other contention. There is a law that the Secretary of the Navy shall appoint a lot of professors and instructors, but there is no such law for the department of the Army, as the gentleman from Kansas [Mr. ANTHONY] stated a few moments ago. Congress has specifically said what they shall have there. The gentleman from Texas [Mr. BEE] suggests that we can not go into minute details. We can go as far as we wish and as far as Congress deems best.

The CHAIRMAN. Does the gentleman from Kansas [Mr. LITTLE] contend that section 1331 of the Revised Statutes has been repealed?

Mr. LITTLE. Yes.

The CHAIRMAN. If it has been repealed, will he cite the Chair to the statute which repeals it?

Mr. LITTLE. Yes; I have it in my hand. There was a provision 41 years ago that the Secretary should go ahead and run the academy. Since then Congress has passed a different law, and Congress has specifically stated how the academy shall be run. That repeals the other law. The probability is that this act contains somewhere a direct repeal; but if not, it would be an implied repeal.

In the Twenty-ninth Statutes, page 8, it is provided that the United States Military Academy at West Point, in the State of New York, shall be constituted "as follows," and then it goes on to specify that there shall be one superintendent, one commandant of cadets, one senior instructor, and so forth, and so on down, winding up with the master of the sword and the teacher of music. In addition to that there is provision for professors and for an instructor of English history, and so on. The law provides for 10 assistant instructors. The bill here provides for 12. I am unable to find any authority for that, but I did not make the point of order. I selected this because it is of no material value anyway. Here are three fellows who do not do anything anyway, and I think the law should be strictly followed. These cadet companies are run by cadet captains as in all military schools. The gentleman from Texas [Mr. BEE] says that if we never said anything about it, just told them to go ahead, they could, but it is the duty of Congress to go somewhat into detail,

and Congress has done that. That is the way State universities are conducted.

Mr. BEE. Oh, I never said anything of the kind, I will say to my learned friend. He so construes what I said.

Mr. MANN of Illinois. Mr. Chairman, will the gentleman from Kansas yield?

Mr. LITTLE. Yes.

Mr. MANN of Illinois. In very recent years the number of cadets at West Point Academy has been very materially increased. I do not know whether the increase has been twofold or threefold. Is it the contention of the gentleman from Kansas that there is a law fixing the number of instructors so that there can be no more instructors appropriated for now, with this large increase of cadets, than could have been appropriated for before the increase was made?

Mr. LITTLE. How late was this increase?

Mr. MANN of Illinois. It has been within the last few years. Until only a few years ago each Member of Congress named one cadet, each Senator named a few, and the President named a few, and there were a few named, perhaps, by the Secretary of War. I do not remember now whether a Member of Congress named two or three.

Mr. GREENE of Vermont. We could have two in the institution at the same time. They went in at the rate of two years apart, so that every second year we had an appointment.

Mr. MANN of Illinois. There has been a very material increase in the number, has there not?

Mr. ANTHONY. It has been doubled.

Mr. LITTLE. In effect that is my contention.

Mr. MANN of Illinois. That there can be no increase without previous legislation by Congress?

Mr. LITTLE. In effect that is it. I have allowed several items to go by.

Mr. MANN of Illinois. But somebody else might not allow them to go by hereafter. I wanted to get at the gentleman's contention.

Mr. SAUNDERS of Virginia. Mr. Chairman, in respect to the suggestion that there ought to be an increase in the teaching force at West Point by reason of the increased number of cadets at that institution, I wish to say that the suggestion presents a question of policy and not one of authority, or power. The statute cited by the gentleman from Kansas [Mr. LITTLE] very clearly establishes the personnel of the official body at West Point so far as it is authorized by express law.

The Chair asked whether the statute cited by the gentleman from Kansas [Mr. ANTHONY] had been repealed, or not. Apparently there has been no repeal of this statute in express terms. But it is not necessary to effect a repeal, for a subsequent statute to state in terms that all antecedent statutes are repealed. If there is an inevitable conflict between the subsequent statute, and the antecedent statute, so that they can not stand together, then there is a repeal by implication, just as absolute, as if the antecedent statute had been specifically repealed. The statute cited by the gentleman from Kansas, and the older statute on which the gentleman from Kansas [Mr. ANTHONY] relies, can not stand together. The subsequent statute specifically fixes the personnel and that personnel can not be enlarged by the antecedent statute. The two statutes being in necessary conflict, the later expression of legislative intent must prevail.

In other words the subsequent statute must of necessity operate a repeal by implication of the antecedent act.

Mr. HARRISON. Mr. Chairman, I ask the attention of the Chair to this question. I am not well versed on parliamentary law and do not claim to be, but here is a statute which authorizes military instruction at West Point. The statute authorizes a number of cadets to be appointed to that school. How can they receive military instruction if they are not organized into military units and if they are organized into military units necessary for instruction, how can they be so organized if they can not have the officers?

Mr. SAUNDERS of Virginia. But they must be organized according to law.

Mr. HARRISON. Now, here is an academy with 1,300 cadets. It is necessary to organize them into companies, into battalions, and into a regiment in order that they may receive the military instruction which that academy is established to give. How can they be if they are not authorized to have the proper officers for their military instruction? The implication of law carries all incidental authority which is necessary to effectuate the purposes of the statute. It would be idle to provide for military instruction by statute and then to hold the necessary appropriation for instruction not authorized.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Kansas [Mr. LITTLE] makes the point of order against the paragraph, beginning with line 23, on page 2, that the para-

graph is not in order under subdivision 2, Rule XXI, on the ground that there is no authority of law for this item. It is not for the Chair to pass upon the desirability of this provision of the bill, or necessarily upon its effect upon the conduct of the Military Academy. If there are defects in the law, the Committee on Military Affairs may remove those defects by appropriate legislation, but in an appropriation bill you must show some authority. That is the clear intentment of the rule. It is not necessarily specific authority, it may be general, but it must be one or the other. Now, the committee refers to a statute general in form enacted many years ago which places the supervision and charge of the academy in the War Department under such officers as the Secretary of War may assign to that duty, but there is a subsequent statute which has been referred to which specifically sets forth the personnel at the academy, the number of officers, professors, etc., and the Chair has been unable to find and the committee has not referred the Chair to any statute which authorizes the appointment of three battalion commanders at the Academy. The Chair is therefore constrained to rule that there is no existing law authorizing this appropriation, and therefore sustains the point of order.

The Clerk read as follows:

For pay of 16 instructors of Cavalry, Artillery (Field and Coast), and Infantry tactics (captains), in addition to pay as first and second lieutenants, \$6,400.

Mr. LITTLE. Mr. Chairman, I make the point of order that there is no authority for these 16 instructors of Cavalry, Artillery, and so forth, with increased pay.

The CHAIRMAN. Did the gentleman make the point of order?

Mr. LITTLE. Yes, sir.

The CHAIRMAN. Will the gentleman state his point of order?

Mr. LITTLE. The point of order is that there is no authority of law for the increased pay of these men and that there is no authority of law for 16 instructors. Some time ago I said there was only authority of law for 10 of these assistant professors that I could find. I would like to hear from the committee on this; there may be authority of law, but I have not found it.

Mr. McKENZIE. Will the gentleman yield?

Mr. LITTLE. I will.

Mr. McKENZIE. Of course the gentleman from Kansas understands these men who are detailed down there are regular men in the Regular Establishment. It is immaterial so far as this Government is concerned whether they are at West Point or at Kalamazoo. The only difference is that if they are used as instructors they get the pay of the next higher grade and you save—

The CHAIRMAN. Will the gentlemen raise their voices? The Chair can not hear.

Mr. LITTLE. The gentleman says that it does not make any difference as to their detail as to pay, but they are getting much nicer jobs at West Point than anywhere else. Why raise their salaries?

Mr. GREENE of Vermont. I desire to ask the gentleman whether he makes the point of order on the additional pay or to including instructors at all?

Mr. LITTLE. Both of them. Where is the authority for the 16 instructors? I am aware that they are entitled to some, but I have not been able to find any authority for 16.

Mr. GREENE of Vermont. Upon what ground does the gentleman base his contention that the point of order lies because we have exceeded a certain number? If so, what is the number we have exceeded?

Mr. LITTLE. I do not remember at the moment how many; the gentleman can find out for himself. I make the point of order on the whole thing. It may be there is authority for this, but it occurred to me that the last time I looked over it I did not find it. I may add, Mr. Chairman, I found this War Department has just gone on—go as they please anyway—and I think the law now should begin to be enforced. We have a Board of Ordnance and Fortification up here that they have had ever since 1888 without any authorization of law and for which we have appropriated thousands and thousands of dollars every year. I think the military government ought to be subordinate to the civil, and I think that the servants of the Congress of the United States should follow its laws.

Mr. GREENE of Vermont. If I may be permitted to suggest, the Military Academy bill ever since I have been in Congress has never been questioned in this respect because it was understood it was a living and growing institution and that from time to time its technical organization or academic organization changed with the character of the times and their demands.

Under the blanket powers of the War Department to regulate the institution in its details it has seemed to the Congress to be wise not to question every time whether there was specific statute authorizing the thing that is asked to be appropriated for—

Mr. LITTLE. That is what I am objecting to. I think the Military Affairs Committee ought to question it.

Mr. GREENE of Vermont. But I am talking about the policy on the floor of this House that ever since I can remember, beginning with the Sixty-second Congress, nobody has raised this question, inasmuch as the Committee on Military Affairs has never brought out a recommendation for an appropriation exceeding what was apparently on the face of it a reasonable number of people to conduct properly the functions of that growing institution, and the increased numbers from year to year were equitable.

But within the time of the last Congress itself this institution has been more than doubled in the number of its cadets, and it follows as a logical sequence they will have to stand some increase in the number of instructors.

Mr. LITTLE. Why do you not bring in a law before Congress?

Mr. GREENE of Vermont. If this can be passed as it is there will be no necessity for bringing in a law.

Mr. LITTLE. Mr. Chairman, in order to save time and help along, and, God knows, these boys need instruction, I am going to withdraw the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Seven privates, first class, at \$33 each per month, and 21 privates, second class, at \$30 each per month, \$10,332.

Mr. DOWELL. Mr. Chairman, first I will make a point of order against the paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. DOWELL. I make the point of order against the paragraph beginning at line 13 and ending at line 15, on page 4, on the ground that same is not authorized by law.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. DOWELL. As to this provision, I am unable to know how under the general provisions of the law the private soldier has any part in the instruction at West Point. I maintain that under the general provisions the private soldier is not provided for in the law.

Mr. GREENE of Vermont. I think the gentleman will find, if the Chair will permit me, that these private soldiers are a part of the Army detachment that has been, in some form of organization or another, on duty at the United States Military Academy for a long time. There is an enormous amount of Army property, such as ordnance stores, and ordnance itself, cannon, rifles, and also horses and stables, and all sorts of things.

Mr. DOWELL. If that be true, Mr. Chairman, then they should be provided for under the general military bill and not under this bill. I concede that the private soldier is provided for in the Regular Military Establishment.

Mr. GREENE of Vermont. If the gentleman will further permit, it has been the practice for I do not know how long to keep the pay roll of the United States Military Academy, so far as these permanent details are concerned, upon a separate basis from that of the Regular Establishment. West Point has a different accounting.

Mr. DOWELL. It is clearer that it does not come within this bill. This is an appropriation for the Military Academy and not for the Military Establishment.

Mr. GREENE of Vermont. It is for the soldier who is on duty at the academy.

Mr. DOWELL. But he is only on duty by virtue of an assignment.

Mr. GREENE of Vermont. That is true of all of them.

Mr. DOWELL. He may be assigned to any place. That is true. The private soldier is assigned to any point that his superior officer desires to assign him.

Mr. GREENE of Vermont. May I suggest to the gentleman what may clear up his mind, if I am able to do so, that the regular army appropriation bill does not carry the money for the people who are on duty at West Point, and so they are carried in this.

Mr. DOWELL. That is the point I want to make. The private soldier at West Point should be provided for in the regular military bill. I find in this bill there is provision for nearly 1,000 private soldiers at West Point and there is also provision for two or three hundred noncommissioned officers.

Mr. MANN of Illinois. Will the gentleman yield for a question?

Mr. DOWELL. Certainly.

Mr. MANN of Illinois. Does the gentleman understand that this is a part of the band?

Mr. DOWELL. There are a few in the band.

Mr. MANN of Illinois. I mean in this item.

Mr. DOWELL. In this item it is provided for 50 enlisted men.

Mr. MANN of Illinois. The item as read?

Mr. DOWELL. I do not understand that.

Mr. MANN of Illinois. This is the way the bill reads.

Mr. DOWELL. The bill does not indicate that they are a part of the band.

Mr. MANN of Illinois. The bill does indicate it. Here is the situation. It says "For pay of field musicians: 1 sergeant, \$672; 2 corporals, at \$36 each per month, \$864;" and a certain number of privates. They all come within the definition of field musicians. Now, the other privates come later in the bill under the heading "For pay of service detachment." Then there is a provision for a lot of other privates. These privates that are mentioned are part of the band. Now, what the necessity is I do not undertake to say.

Mr. DOWELL. I find just above, if the gentleman will permit, there are 15 enlisted musicians and then 20 enlisted musicians and then 15 more enlisted musicians for the band. Then I find in the section that I have just read 7 private soldiers and 21 private soldiers.

Mr. MANN of Illinois. These are field musicians, separate, possibly, from the band. They may be buglers; I do not know.

Mr. DOWELL. I do not know what they are.

Mr. MANN of Illinois. They are not the ordinary private soldiers.

Mr. DOWELL. So far as this bill is concerned, they are private soldiers.

Mr. LITTLE. The gentleman from Illinois [Mr. MANN] has suggested these are members of the band. I notice in the band, according to the last law I can find, there are only to be 50 enlisted men, and before you get to this place it shows there are 50 enlisted men. In line 3 there are 15, and in line 5 there are 15 more, and in line 7 there are 20. The law I have in my hand says the band shall consist of one teacher, an enlisted man, and a sergeant, and of the enlisted musicians in the band, 15 shall receive \$51 a month, and 15 shall receive \$44 a month, and the remaining 20 shall get so much. That only allows, so far as I have gotten, 50 of them. I do not find anything about buglers.

Mr. BAER. Will the gentleman from Kansas yield?

Mr. LITTLE. I will.

Mr. BAER. What are these bands for? Are they for the dances and balls they give over there?

Mr. LITTLE. They ought to turn them out when the congressional committee comes up, I should say.

Mr. BAER. Well, they do not. I think the gentleman from Iowa has got into the right place with his point of order.

Mr. GREENE of Vermont. If I may suggest, the reason why these appropriations are carried in this bill is that the general annual appropriation bill for the Army does not carry them, except for the officers themselves. I should have said that when I spoke of this same thing before.

Mr. DOWELL. This also applies to the noncommissioned officers who are scattered throughout this bill?

Mr. GREENE of Vermont. No. The pay roll is charged off against the academy as if it were by itself, on a separate foundation. The officers are detailed to it, and a large part of the enlisted strength at the academy is there on a permanent job as if at a permanent military post.

Mr. DOWELL. Does the gentleman agree with the gentleman from Illinois [Mr. MANN] that these are musicians in this first paragraph, in line 10?

Mr. GREENE of Vermont. That is field musicians. That is part of the tactical organization, and not part of the band.

Mr. LITTLE. The law I refer to provides for only 22 privates for that. There may be 28 according to this bill.

Mr. GREENE of Vermont. There may be a discrepancy as to the number. There may be somebody extra who plays the cymbals. They may be smuggled into the band in some way, but we did not think it was big enough to pay any attention to it.

Mr. DOWELL. The gentleman may think it does not amount to much when he puts an army at West Point having no apparent purpose.

Mr. GREENE of Vermont. In the use of the word "apparent" the gentleman from Iowa is in error. They have the care and custody of millions of dollars' worth of property, and their experience and aptitude as enlisted men are valuable. They serve as demonstrators and instructors to these cadets.

Mr. DOWELL. Does the gentleman mean to say that the private soldier instructs the cadets?

Mr. GREENE of Vermont. He is a demonstrator and instructor. The apparatus which the young man at West Point is taught to oversee in action and to use himself is demonstrated and explained by the noncommissioned officers and by the enlisted men who are in charge of that property and who in that sense serve as instructors.

Mr. BAER. How many of these men are assigned to run the automobiles in which the officers ride around there?

Mr. DOWELL. Are these men used to march back and forth in front of the cadets to instruct them?

Mr. GREENE of Vermont. That is not the sense in which I meant to describe their service as demonstrators and instructors.

Mr. MCKENZIE. Some of these men take care of horses, and things like that.

Mr. DOWELL. There is provision in this bill for all the men necessary to take care of the horses and all the other work that is to be done. That is all included.

Mr. GREENE of Vermont. Some of the most competent instructors in equitation in the Army are old noncommissioned officers. They are frequently given charge of the classes themselves, the supervisors of those classes being only nominally invested with those duties in their capacity as commissioned officers. These old-time cavalymen are often the actual instructors of the young men in horsemanship.

Mr. LITTLE. How about the fellows that draw the big salaries for doing that?

Mr. GREENE of Vermont. They do not draw the big salaries for that. They draw their salaries as commissioned officers. They have the general oversight of the instruction.

Mr. DOWELL. The gentleman will recognize that in this bill the committee has provided for all the instructors necessary in every branch. Ample provision has been made for every instructor in every branch. These private soldiers and these noncommissioned officers do not come within the long list of instructors.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GREENE of Vermont. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Vermont moves to strike out the last word.

Mr. GREENE of Vermont. I shall not take up the full five minutes.

I think, Mr. Chairman, that this point of order comes here as a surprise and is not particularly well fortified, at least by the practice of the House during a great many years, regardless of whether one may be able at this moment to cite the exact statutes to contradict it.

There has accumulated at the Military Academy at West Point in all these years a great amount of military supplies and stores and ordnance and equipment of all kinds used in the Army. The very purpose of their assembly there is in order that the young students or cadets at the academy may have an opportunity to see in operation the various things that they are subsequently to be called upon to use professionally, and upon their graduation to be held responsible for themselves. The very purpose of their assembly there is that the young men may not only use them but that they may acquire competency to operate them. That property includes an accumulation of all kinds of ordnance, animals, machinery, and transportation, and all that kind of thing, which the young officer upon his graduation has to take charge of for himself. All this property should not be permitted to lie at the post uncared for. It has to have the same scrupulous care by day and by night as it would when in use in the Army itself and as it would if it were cared for by the same men who now take care of it from West Point. The ordnance and machinery and equipment are being cared for and slushed and greased properly, and the young cadet, instead of doing that work himself at a particular time, has turned to another lesson in the book or to some other piece of apparatus that he is in charge of. The necessity for the care and custody of this property is no different from what it would be if it were in one of the line divisions in a camp or on the field or elsewhere.

Mr. QUIN. Mr. Chairman, I thoroughly agree with the gentleman from Vermont [Mr. GREENE]. Having heard the remarks of the gentlemen on the other side, it seems to me that these points of order are dilatory. There certainly can not be any foundation for a point of order which would have the effect of depriving us of instructors at the Military Academy, or points of order against the units organized there, or points of order against the necessary enlisted men who are there.

This institution has been founded upon special statutes. It has grown up step by step. The Army appropriation bill does not carry the enlisted men for the Military Academy, but for years and years this same policy has been pursued that is pursued in this bill, and the gentleman from Iowa [Mr. DOWELL] and the gentleman from Kansas [Mr. LITTLE], coming up in a manner to cut down and cut the heart out of the West Point Military Academy, would have this United States without trained officers, would have the United States helpless, and would have the academy up there, with the cadets appointed by Congressmen and Senators and the President of the United States, deprived of instructors to teach them.

West Point is an Army post, and the gentleman from Iowa and the gentleman from Kansas would have all the property there and the post there stripped of enlisted men. The enlisted men there serve the same purpose that they serve at any other Army post in the United States.

Do these men cost the American Government any more at West Point than they would serving at any other post in this country? The very purpose for which these men are put there is to protect the property and to be a part of the means of instructing these young cadets who will graduate from that institution and in after life be officers to command soldiers in special units. It is the law now and ought to continue to be the law, and these attacks by points of order should not be made nor should they be seriously considered. [Applause.]

Mr. GREEN of Iowa. Mr. Chairman, I am unable to agree with my colleague from Kansas [Mr. LITTLE] on this point of order. Beyond all question the Committee on Military Affairs has authority to report bills for carrying on the Military Academy. Beyond all question it has authority to report a bill carrying every item ordinarily connected with the proper conduct and maintenance of the Military Academy. Now, in order to carry on the Military Academy and properly understand the art of war, it is not only necessary to have all the inanimate paraphernalia connected with military operations, but also that the various ranks of men should be there who are used in the actual operations of war. I am not a military expert, but it is well known that field musicians are used in every army, and I venture to say that every military academy in the world of any standing has field musicians attached to it. In order for the young men to understand their business properly and know what to do with field musicians and how to manage and use them and what their duties are, it is necessary to have them at the academy. We all understand that the duties of field musicians extend very much beyond the playing of a musical instrument.

For these reasons it seems to me it is very clear that field musicians should be attached to a military academy, and the general authority for the carrying on of the Military Academy would seem to me sufficient to authorize this appropriation.

Mr. TILSON. Mr. Chairman, a word on the point of order. This bill is not entirely consistent in its make-up. We have here a number of officers provided for, but their pay is not carried in this bill, except their extra pay. Their regular pay is provided for in the Army appropriation bill. There are a considerable number of enlisted men in the service detachment at West Point, and their pay is carried in this bill. This inconsistency has run on in this way for many years, but the worst that can be said of it is that it is not consistent. If a point of order is directed against the pay of the enlisted men being carried in this bill, perhaps it should be sustained as a matter of law and parliamentary procedure in this House, but it is only a matter of taking it out of this bill and putting it into the regular military appropriation bill, because, if not carried in this bill, the pay of these noncommissioned officers and enlisted men would have to be provided for in the Army appropriation bill. It would simply make this bill so much smaller and the Army bill so much larger. As a matter of convenience and in order to show what the expenditure has been at the Military Academy the pay of the enlisted men at the academy has been carried on this particular bill for years. It seems to me that as a matter of cost-account keeping the pay of the officers ought to be carried in this bill, too, but it is not a matter of vital importance.

Mr. BAER. Will the gentleman yield?

Mr. TILSON. I yield to the gentleman from North Dakota.

Mr. BAER. I know the gentleman was a colonel in the Army. Now, when he was in the Army did he have privates as chauffeurs to run around with him? I think that ought to be cut out.

Mr. TILSON. Unfortunately I never obtained the exalted rank which at that time would have entitled me to an automobile. So I never had a chauffeur to run around with me.

Mr. BAER. They have quite an army of them, and we need them in other branches of the service instead of acting as chauffeurs.

Mr. TILSON. I doubt if the chauffeur privilege is abused at West Point at all. I believe that is one place where that privilege has not been seriously abused.

Mr. LITTLE. Mr. Chairman, I should like to call the attention of the Chair to the specific statute. The gentleman from Iowa [Mr. GREEN] suggested that we ought to be allowed to appropriate whatever is necessary to run the academy. As the Chair said a few minutes ago, we might do that if there was a law for it, but we have made a law which provides for certain things and not for others.

The gentleman from Iowa [Mr. DOWELL] has made a point of order against lines 13, 14, and 15, which provide for 7 privates and 21 privates, making 28 in all. Now, I have in my hand the extract from the law of 1918, chapter 108, which states that there shall be 50 enlisted men in the band. Now, if you will look up above you will find, in lines 3 to 5, that there is a provision for 50 enlisted men in the band, which finishes that.

Mr. GREENE of Vermont. I do not understand that a field musician is a member of the band.

Mr. LITTLE. All right. Now, in 1908 the act of May 28 provided, in addition to or a part of the band, for some field musicians. But another act was passed, which I just read, chapter 108, Fortieth Statutes. That provides for a band, but says nothing about the field musicians, and I am inclined to think that by implication the rest of this field-musician business was abolished and repealed, and ceased to be the law.

Mr. TILSON. Mr. Chairman—

Mr. LITTLE. Wait a minute. But even if that is not so, then the law of 1908 obtains, and I turn to it and I find that there were then provided 22 privates, at \$180. Now, there is a good deal of difference between 22 and 28 in law, and these people have just fudged over on us and added 6 men to whom they are not entitled. It is against the law and they are not entitled to them, and the point of order is well taken. There is no law authorizing 28.

Mr. TILSON. The gentleman surely remembers, from his military service, that the field musicians are not a part of the band at all. They are a part of the regular military organization.

Mr. LITTLE. I have conceded that and still have disposed of your case.

Mr. DOWELL. Mr. Chairman, I desire to withdraw the point of order.

The CHAIRMAN. The gentleman from Iowa withdraws the point of order.

Mr. LITTLE. I renew the point of order. In deference to the wishes of the Chair I will not ask him to make a ruling; but while reserving this point of order, let me say again, gentlemen, that my primary purpose in doing this is to remind the Military Committee that for many years they have been violating the law with impunity, and following the orders of the War Department with impunity, and proceeding to make law to govern the Army of this country in appropriation bills.

Mr. BEE. Will the gentleman from Kansas yield?

Mr. LITTLE. Yes.

Mr. BEE. May I make to my very placid friend this suggestion—

Mr. LITTLE. You are quite right—

Mr. BEE. It occurs to me from the discussion I have heard that the Military Academy appropriations have been carried along for many years without special law to cover the matters which have been introduced.

Mr. LITTLE. Everybody obeys the law but the Army.

Mr. BEE. Not necessarily the Army.

Mr. LITTLE. The Foreign Affairs Committee was in the same shape, I discovered the other day, and I expect there are a lot more.

Mr. BEE. Let me make this suggestion: The gentleman is going to demoralize the institution at West Point by his points of order if sustained. Why does not the gentleman serve notice on the distinguished gentlemen of the Military Affairs Committee that next year, when he is here, as he will be—

Mr. LITTLE. I thank the gentleman.

Mr. BEE. If they have not brought in a law to cover it, he will object and raise the points of order.

Mr. LITTLE. The only way to do it is to insist on it now.

Mr. BEE. But the gentleman is destroying the institution now by his points of order.

Mr. McKENZIE. Will the gentleman yield? Does not the gentleman from Texas think it would be a good idea to put the gentleman from Kansas on the Committee on Military Affairs to fill the vacancy?

Mr. BEE. I would amend that motion by making the gentleman from Kansas the whole committee.

Mr. GREENE of Vermont. Mr. Chairman, I want to ask the gentleman from Texas, if I may make the suggestion—a suggestion which may enable us to get through more rapidly—and that is I suggest unofficially and not by direction of the committee that there is already manifest in the Committee on Military Affairs a growing disposition to take up the matter of the reorganization of the Military Academy at West Point, after we have got through with the pressing business of this session, which now lies principally in a bill for the reorganization of the Army generally. We hope that perhaps next winter we can take up the matter in its entirety, look it over very carefully and prudently, and bring to the House some well-considered recommendation for a change which may be embodied in the general law. If, as we hope, a consummation of our expectations can be reached and we can in the meanwhile be indulged by carrying the institution along as the House has carried it for many years, it might expedite the business for the afternoon.

Mr. BEE. Will the gentleman permit a suggestion?

Mr. GREENE of Vermont. Certainly.

Mr. BEE. That is exactly what I had in mind in appealing to my friend from Kansas in reference to not making the points of order.

Mr. LITTLE. Mr. Chairman, after the encouraging statement of the gentleman from Vermont, a member of the Military Affairs Committee, I think I can say that I have achieved the result that I had in mind, and which I started out to obtain; and "Now, Lord, let Thy servant depart in peace," and you gentlemen go on with your bill. [Laughter.]

The Clerk read as follows:

Clothing not drawn due enlisted men on discharge, \$5,000.

Mr. TILSON. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman in charge of the bill if this is a new detachment of the Signal Corps?

Mr. MORIN. Yes; this is a new detachment placed there on account of the development of the Signal Corps that has come about by reason of the war.

Mr. TILSON. Has there been any detachment in aviation at West Point?

Mr. MORIN. No.

Mr. TILSON. I suppose there would be some difficulty in finding a landing place at West Point?

Mr. MORIN. I doubt if there ever will be on that account.

The Clerk read as follows:

One chief clerk, \$1,800.

Mr. MANN of Illinois. Mr. Chairman, I move to strike out the last word for the purpose of inquiring why they need so many new additional clerks over the number that they already have.

Mr. MORIN. The reason given is the great increase in the corps of cadets.

Mr. MANN of Illinois. How many more will they have next year than they have now?

Mr. MORIN. They expect to have about 1,200 altogether.

Mr. MANN of Illinois. Have they not 1,200 now?

Mr. MORIN. No; 760. There is a class out; they graduated three classes last year. It is not filled up to the capacity of the academy.

Mr. MANN of Illinois. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

For pay of two expert assistant civilian instructors in military gymnastics, fencing, boxing, wrestling, and swimming, \$4,000.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman in charge of the bill a question. These last two expert civilian instructors, who seem to have demonstrated that muscle is worth as much or more than brain by getting as large a salary as the other instructors, do they also get quarters?

Mr. MORIN. Yes; they get quarters.

Mr. GREEN of Iowa. What do these instructors do—anything else besides give instruction in fencing, boxing, wrestling, and swimming, and act as coaches for football?

Mr. MORIN. They have regular classes every day, and, in addition to the regular hours specified in which they have classes, at certain hours of the day they give individual instruction to the cadets. They are kept pretty busy all the time.

Mr. GREEN of Iowa. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

For pay of two oilers for power plant (increase of \$720 submitted), \$1,440.

Mr. MANN of Illinois. Mr. Chairman, I move to strike out, in lines 11 and 12, the words in parentheses, "increase of \$720 submitted."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Page 13, lines 11 and 12, after the word "plant," strike out the words in parentheses, "increase of \$750 submitted."

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For pay of chapel organist and choirmaster, \$1,500.

Mr. GARD. Mr. Chairman, I move to amend on page 14, line 3, by striking out the figures "\$1,500" and inserting in lieu thereof the figures "\$2,000."

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 14, line 3, after the word "choirmaster," strike out the figures "\$1,500" and insert in lieu thereof the figures "\$2,000."

Mr. MANN of Illinois. Mr. Chairman, on that I reserve the point of order.

Mr. GARD. Mr. Chairman, if there is one person more than another who by his work has established himself firmly in the hearts of the young men at West Point and those who go there as visitors, I think it is the present organist at the Military Academy. The man who is there now has been there for some years. He occupies the dual position of organist and choirmaster. I speak of him because of my intimate personal knowledge of him and the fact that I have known him since his early boyhood. I know that his work as organist and choirmaster at West Point is of such pronounced excellence that he should be paid a reasonable and fair compensation. On page 12 of the bill there is provision made for pay of two civilian instructors in military gymnastics, fencing, boxing, wrestling, and swimming at \$4,000, which would be \$2,000 each.

Certainly the man who is acting organist and choirmaster at the Military Academy and who receives but \$1,500, should be put upon a parity at least with those who contribute to the physical well-being of the boys there, for this man contributes not alone to their physical but their mental, moral, and spiritual well-being. It is a well-recognized fact that the music in the chapel under the direction of Mr. Mayer, the man of whom I speak, is not excelled at similar institutions in this or any other country. It is something that is not as spectacular, I agree, as those who may serve upon the parade ground, but it is a matter which sinks deeply into the minds and hearts of the young men who are of the corps of cadets at West Point. There is not one there who does not respect, who does not love, this man, and the great desire of everyone there, I know, is to see him retained. He is staying there at a very considerable financial sacrifice. I do not speak of that, however, because that is a matter personal to himself. I offer the amendment which I have offered, to which the gentleman from Illinois reserves the point of order, because I think the most excellent service of the man, which has been recognized by those in command at the post and I think by members of the Military Affairs Committee, should be recognized by the Congress also, and that he may have this slight addition to his salary, so that his compensation will be at least measurably commensurate with the services rendered.

The CHAIRMAN. Does the gentleman from Illinois make the point of order?

Mr. MANN of Illinois. I make the point of order.

The CHAIRMAN. The statute provides for the office of choirmaster, but does not fix the salary. Therefore, under the precedents of the House, the salary is fixed by the amount carried in the previous appropriation bill. As this amendment seeks to increase that amount, it is new legislation and out of order. The Chair sustains the point of order.

Mr. JONES of Pennsylvania. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the committee a question. Turning to page 12 we find a provision for one professional civilian instructor in military gymnastics, fencing, boxing, wrestling, and swimming, whose pay is \$1,500. Then immediately following that there is an item for pay of two expert assistant civilian instructors in military gymnastics, fencing, boxing, wrestling, and swimming, \$4,000, which is \$2,000 each. Why are the assistants worth more than the principal?

Mr. MORIN. One of those assistants is instructor in wrestling.

Mr. JONES of Pennsylvania. The same duty seems to be assigned in the case of each. That seems to be military gymnastics,

fencing, boxing, wrestling, and swimming. The principal is paid \$1,500 and each of the assistants is paid \$2,000.

Mr. MORIN. The assistants are experts, and have been there for a long time. The boxing instructor is Tom Jenkins, who has been there for 16 years. He was at one time the champion wrestler of this country. His salary has been increased from time to time.

Mr. JONES of Pennsylvania. The assistants are worth more than the principal?

Mr. MORIN. They are both experts, and they are worth more.

The Clerk read as follows:

For maintenance of one automobile, \$300.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word, for the purpose of asking a question. Is it possible that there is only one automobile out there?

Mr. MORIN. No; there are more than one.

Mr. GREEN of Iowa. This item is for maintenance of one automobile. Is the maintenance of the others carried somewhere else?

Mr. MORIN. No; that is an automobile assigned to some particular officer. They have provided him with an automobile, and this is for the maintenance of it.

Mr. GREEN of Iowa. I do not object to the amount at all, because I think it is proper, but I was wondering if the gentleman's committee has succeeded in cutting them down to one automobile.

Mr. MORIN. No; we are adding one.

Mr. GREEN of Iowa. How many have they there?

Mr. MORIN. I could not answer that. That particular automobile is in the department of practical engineering. These automobiles are assigned to the different departments.

Mr. GREEN of Iowa. And the gentleman is unable to advise me how many automobiles are there?

Mr. MORIN. I do not know the number.

Mr. EVANS of Nevada. Mr. Chairman, will the gentleman yield?

Mr. MORIN. Yes.

Mr. EVANS of Nevada. Can the gentleman tell me whether the people provided for here have in addition to the pay the bonus of \$240?

Mr. MORIN. The gentleman refers to the employees of the Military Academy?

Mr. EVANS of Nevada. Yes; those who have been enumerated on the previous pages.

Mr. MORIN. I do not so understand.

Mr. EVANS of Nevada. The gentleman is not certain?

Mr. MORIN. I do not think so.

The Clerk read as follows:

For purchase of machines, tools, etc., for practical instruction of cadets in wood and metal working, \$500.

Mr. TILSON. Mr. Chairman, I move to strike out the last word for the purpose of asking the reason for certain changes in the bill. Many words are left out of what has heretofore been carried in the bill and the words "and so forth" inserted. Is not the gentleman afraid that language may be misunderstood?

Mr. MANN of Illinois. Where is it?

Mr. TILSON. Bottom of page 19. The words "and so forth" are added. The language included heretofore "ladders," "matches," and a number of other articles, which are stricken out, and the words "and so forth" carried. This instance is in line 13, page 19.

Mr. MANN of Illinois. Take, for instance, page 19, line 7, "Department of law, books, stationery, and so forth, \$850." The gentleman from Connecticut is well aware that every once in a while every one of these departments run into a construction of the statute by the Auditor or Comptroller of the Treasury.

Mr. TILSON. I am aware of that fact, and was just wondering in reference to the construction of this language. The reason why I am inquiring is the fear that we might run into the same thing by the use of the words "and so forth."

Mr. MANN of Illinois. No; that has been the language used in various appropriation statutes for years, and authorizes the use of money for similar things which might be considered to be about the same character; whereas without some such language the comptroller was frequently compelled to hold that you can not use money for one purpose for which Congress evidently may have designed it but did not say so.

Mr. TILSON. How much leeway will this give the officer in charge of the expenditure?

Mr. MANN of Illinois. I should say, where we provide for the purchase of books, stationery, and so forth, that would permit the purchase of ink and possibly pens.

Mr. TILSON. Would not these articles come under stationery?

Mr. MANN of Illinois. No; they would not—not strictly speaking. I do not think they would under the ruling of the auditor or the comptroller.

Mr. McKENZIE. Is the gentleman trying to get the words "and so forth" taken out?

Mr. MANN of Illinois. No; I think they ought to remain in. I know that Congress at one time, or several times, took out the words "and so forth" without knowing much about it, and as a result of it they have been at times prohibited from purchasing these ordinarily necessary articles which could have been purchased under the language "and so forth." It is impossible in many cases to describe all the items which may be necessary to be purchased—little things, office supplies, and things of that sort. Take, for instance, nibs which you use to fasten papers together, if that be the term—I do not know whether that is correct or not—but paper fasteners; they would not be covered by the term "stationery," and yet, in fact, they are the same character of stuff, for wherever people use stationery they use those fasteners.

Mr. TILSON. My inquiry was prompted by the fact that in a considerable number of cases in this bill a number of articles in detail have been left out and the language of the bill thereby much reduced by the use of the words "and so forth."

Mr. MANN of Illinois. In these items there has been nothing left out.

Mr. TILSON. No; but in some other items of the bill.

Mr. MANN of Illinois. That may be.

Mr. TILSON. A number of other items.

Mr. MANN of Illinois. This saves the enumeration at the risk of not correctly enumerating and enlarging the scope of the appropriation.

Mr. GREENE of Vermont. I think the gentleman from Connecticut will bear out the suggestion the words "and so forth," followed down in connection with the words in the paragraph, will themselves have a restrictive meaning, and as not by any means being general terms; the words "and so forth" meaning a continuation of the same kind of articles as already specified.

Mr. TILSON. I have no objection if it will serve the purpose. In fact, I favor a liberal interpretation of statutes for disbursing officers, giving them a wide range of discretion. I was wondering if the words "and so forth" would do it and whether they would pass the auditor and comptroller.

Mr. MANN of Illinois. I think they will.

The Clerk read as follows:

For water pipe, plumbing, and repairs, \$8,000.

Provided, That \$1,000 of this appropriation be, and the same is hereby, made immediately available.

Mr. OLNEY. Mr. Chairman, I move to strike out the last word, and since as a member of the committee I have had no time to speak on this bill I ask unanimous consent that I may speak for 12 minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to speak for 12 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. OLNEY. Mr. Chairman, also with the indulgence of the Chair that I may speak a little out of order in an attempt to controvert the statistics given by the leader of the majority on universal military training. It is a little out of order but I am going to ask the indulgence of the committee if it will allow me to speak out of order for that length of time.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. DOWELL. Mr. Chairman, before the gentleman proceeds I desire to reserve a point of order on the proviso.

The CHAIRMAN. The gentleman reserves a point of order on the proviso.

Mr. OLNEY. Mr. Chairman, I want to say for the benefit of the gentleman from Wyoming [Mr. MONDELL] that I told him an hour or so ago that I was to address the committee in an attempt to correct his figures which he made last week in the case of universal military training throughout the country, so it is a fair field and I would not want to take any undue advantage of the gentleman.

Mr. Chairman, the leader of the majority has made such gross misstatements with regard to the cost of universal training to the Government that as a strong advocate of such legislation I am constrained to challenge and correct his figures. In preliminary remarks before the House he stated that universal military training would cost the United States \$1,000,000,000 a year, and

I quote his speech from the RECORD of Tuesday, January 27, page 2119:

The fact is that a system of universal compulsory military training could not be inaugurated in America and operated for the first year for less than \$1,000,000,000, and could not be carried on thereafter for less than \$1,000,000,000, and these figures are conservative and based upon facts so well known that the least informed citizen may readily grasp them.

Subsequently, a few days later, we should give him credit for revising his figures to \$600,000,000. It was the same majority leader who a few weeks ago was reported in the press as opposing any increase at the present time in the salaries of officers of the Army and Navy, in spite of the glaring evidence that many of our most efficient officers are resigning daily on account of inability to make both ends meet and the morale and efficiency of the War and Navy Departments is rapidly breaking down, due to the small compensation of the officers. There is such a thing as false economy, and it is a very narrow and near-sighted policy, indeed, which would deny our splendid officers in the Army and Navy a reasonable promotion in salaries which have been stationary for a dozen years.

The least this Congress could do would be to favorably act on the Wadsworth-Crago bills, which substantially increase the pay of officers 31 per cent, although it would not meet with the increased cost of living since 1908, which has advanced approximately 100 per cent. I have tried to use the same consistency in consideration of the Military Academy bill, believing it to be poor economy to withhold appropriations recommended for West Point for the upkeep, development, and enlargement of the Military Academy due to the entrance and matriculation of a greater number of students than ever before.

The cost of the soldier to the United States in 1915, including all overhead charges, was about \$1,000 a year, while to-day, as accurately as can be figured by the Finance Division of the War Department, the cost of a soldier per year is about \$1,700, in spite of figures given in the House that the soldier cost the Government \$2,000.

My maiden speech on military policies delivered in the House of Representatives nearly four years ago advocated universal military training and the continuation and propagation of summer military camps, "a la Plattsburg," and even those most prejudiced against the system of intensive training will acknowledge the splendid effectiveness of the summer military training camps which sent over to France 60,000 well-trained officers during the Great War.

I am to-day just as enthusiastic for the incorporation of universal training into military law as I was four years ago.

Mr. FESS. Will the gentleman yield?

Mr. OLNEY. I will if I can get an extension of time at the close of my speech. Although the memorable Democratic caucus a week ago went on record by a vote of 108 to 17 against such legislation, I do not propose to allow an obituary to be read over a body which is not yet dead and is far from being buried. It would seem not to be a breach of etiquette to disclose to the Members how our committee stands on universal military training, and according to careful poll there are 10 members for and 9 against, with 1 member doubtful. However, I would frankly state my opinion to you that besides an overwhelming sentiment on my side of the House against, there is doubtless a majority sentiment against universal training on the Republican side of the House. Therefore, while on the surface universal military training may be doomed in this session of the Sixty-sixth Congress, its friends, loyal and legion, must keep the subject alive, rekindling the camp fires, so that eventually we will incorporate into law a provision creating the citizen soldier. I predict that if universal military training is not incorporated into law during this session of Congress it will always be an animate body, a real, virile issue, and, while temporarily passive, will confront us as a live, burning issue until finally enacted into law. I believe in the provision for universal military training as outlined in the Wadsworth bill, and which I hope will be written into the Kahn bill, more as a civil asset than as a military necessity. The Great War taught us more than we perhaps can appreciate the value of medical attention and the intensive training to the American youth, improving to a remarkable degree his morale, mentality, and physical development. Along with universal military training the Government proposes to give courses in vocational training, to give instruction in English, reading, writing, and arithmetic to those who can not speak the English language and to those who have not had the advantages of elementary education. The purpose of the Government is to produce better, loyal Americans through universal military training, obedience to law, and respect for our institutions, and these good intentions are being provided just as much for the benefit of one as it is for all, for you and for me, who some day will send our children to

serve in camp four months of intensive training between the ages of 18 and 21. The Ninetieth Division Association of the United States Army went on record unanimously several months ago indorsing the policy of universal military training, and it is composed of men from Texas and Oklahoma. There seems to be a strong sentiment individually among members of the American Legion favoring such a policy, and many of the American Legion posts collectively have gone on record unanimously indorsing the incorporation of universal military training into the Army reorganization bill.

I have figures prepared by Gen. Lord, head of the Finance Division of the War Department, which as accurately as possible disclose the annual cost of universal military training to the United States for a period of four years, and they are so widely at variance from Mr. MONDELL's figures they are worthy of comparison. This table which I am about to read to the Members was computed several weeks ago, and it is only fair to state that since that time, or at least since the last statistics, subsistence of the soldier has increased from 53 to 58 cents per day. It should be taken into consideration that the War Department, irrespective of the program outlined for universal military training, has recommended the retention of certain camps and cantonments in the United States as a means of future preparedness, and said camps and cantonments can adequately train half a million men a year. Furthermore, the War Department at the present time has on hand an amount of material and equipment amply sufficient to provide for the training of its citizen soldiers. Instead of costing the United States \$1,000,000,000 a year, the cost of training in the calendar year 1921, as required by section 51 of Senate bill 3688, would be a little less than \$100,000,000; and, in order that the House may be accurately informed, I will ask your indulgence while I submit the following figures, which can not be refuted, since they come from the highest office of finance in the War Department.

Cost of training, as required by section 51 of S. 3688.

	Calendar year 1921, 350,000 men.	Calendar year 1922, 400,000 men.	Calendar year 1923, 450,000 men.	Calendar year 1924 and there- after, 465,000 men.
(a) Cost of transportation to and from places of training, 572 miles, at 34 cents per mile.....	\$7,070,000	\$8,008,000	\$9,009,000	\$9,309,300
(b) Per diem allowance of subsistence in going to and returning from place of training, 2 days, at \$2.25 per day.....	1,575,000	1,800,000	2,025,000	2,092,500
(c) Cost of subsistence while undergoing training, at 53 cents per day per man.....	22,260,000	25,400,000	28,620,000	29,574,000
(d) Cost of clothing while undergoing training, at an annual cost of \$85.66 per year per man.....	9,993,666	11,421,333	12,849,000	13,277,300
(e) Cost of laundry while undergoing training, at \$1 per month per man.....	1,400,000	1,600,000	1,800,000	1,860,000
(f) Cost of medical attendance (including dental treatment), at a cost of \$23 per year per man.....	2,683,333	3,066,666	3,450,000	3,565,000
(g) Cost of upkeep of quarters and for heat and light, at \$30.40 per year per man.....	3,546,666	4,053,333	4,560,000	4,712,000
(h) Equipment, at an annual cost of \$237.02 per man.....	27,652,333	31,602,666	35,553,000	36,738,100
(i) Pay, at the rate of \$5 per month per man.....	7,000,000	8,000,000	9,000,000	9,300,000
(j) Increase in items (c), (d), (e), (f), (g), (h), and (i), assuming that 15 days will be necessary for enrollment, mobilization, and demobilization and that 10 per cent of the men will continue to train for two months under section 51 of the bill (0.175 of total of these items).....	13,043,800	14,900,200	16,770,600	17,329,620
(k) Local boards, 2,000 of not less than 3 members each to be paid not exceeding \$4 per day for 15 days.....	3,600,000	3,600,000	3,600,000	3,600,000
Total.....	99,824,798	113,452,198	127,236,600	131,357,820

In conclusion, I am in favor of a progressive decrease in the Regular Army, say, 5 per cent each year for a period of 10 years from the enlisted strength. Since the contemplated regular force of enlisted men is about 250,000, we would have under this plan a Regular Army of 150,000 10 years hence, large enough for all purposes in the Regular Establishment, with the National Guard and the citizen soldier as the second line of defense.

In another generation we will have built up a small but efficient Regular Army, and as an auxiliary defense we will have

reorganized the National Guard and trained a citizen army, which should appeal to us all as the most economic and democratic system in the national defense. [Applause.]

Most of us realize that the Republic of Switzerland has had in vogue, and it has been on the statute books of that country for more than 40 years, a law for universal military training, and the real reason why the great German Imperial Government did not attack Switzerland was not on account of its natural barriers of defense—

The CHAIRMAN. The time of the gentleman has expired.

Mr. OLNEY. May I have two minutes more?

Mr. GARD. Mr. Chairman, I ask that the gentleman have five minutes.

Mr. OLNEY. I will ask for only three minutes.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman from Massachusetts be extended for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. I would like to ask the gentleman a question in that connection. In the schools of Washington, D. C., there are 21 cadet companies, filled by boys who have volunteered to enter that service, and it is a splendid training which they receive. What more does the gentleman want than the kind of military training that the boys can receive in cadet companies throughout our land?

Mr. OLNEY. It is only the same argument that was used when the conscription bill came before Congress. This is compulsory, and it is intended to benefit the youth of every State in the Union, and not have it voluntary.

Mr. Chairman, I was speaking of the Swiss system, and saying that the great German Imperial Government did not dare to attack that country, not on account of its natural barriers of defense, but because it had a well-trained army under universal military training of 250,000 men in active service and 250,000 in reserve.

Most of you know, perhaps, that Switzerland prior to 1914 captured 17 out of 18 international marksmanship trophies. Perhaps you are acquainted with the little story of when 30,000 of the Swiss guards that were under universal military training for a period of three or four months appeared in Germany before the former Emperor in review, and when the German Emperor said to the Swiss general, "What would happen to your little band of 30,000 Swiss guards if they are surrounded by 60,000 of my Prussian guards?" The Swiss general answered very quickly, "We would just have to shoot twice; that is all." [Applause.]

Mr. FESS. Will the gentleman yield now?

Mr. OLNEY. Yes.

Mr. FESS. I was interested in what the gentleman was saying about increasing the pay. That is one of the things that is disturbing everybody. If the high-cost level, which I think is abnormal, but which is likely to remain, is going to remain, and we increase the pay of the Army and the Navy and necessarily would have to increase the pay for all Government employees, what are we going to do in order to avoid losing our scientific men in the Government service who are going out of it now for better pay and going from the service generally? And if we attempt to lift the pay to this high-cost level, how much is it going to require?

Mr. OLNEY. I will say to the gentleman from Ohio that several members of our committee are in favor of the Wadsworth-Crago bill, which provides an increase of 10 per cent in base pay for officers in the Army, Navy, and Marine Corps, and an increase in subsistence which practically gives the officer an increase of 31 to 33 per cent. Under the bill which we have passed we have provided for an increase in base pay of only 20 per cent, which, to my mind, does not meet the situation.

Mr. FESS. That answers what we have done. What are we going to do—

Mr. OLNEY. Do you mean how are we going to provide the revenue?

Mr. FESS. What I am concerned about is, what is to be the additional charge upon the Treasury, and how are we going to get the money? If we increase the pay in the Army we will increase it in the Navy, and we ought to increase pay all along the line, and what is going to be the rule of the increase in all Government service?

Mr. OLNEY. If you are asking for figures, I can not say off-hand what it would cost the Treasury Department to comply with the Wadsworth bill, but I would think it would be something like \$20,000,000 to \$25,000,000. But in speaking of increases, it seems to me that the Government is not increasing its Federal employees in the same ratio and proportion which private industry is increasing the pay of its employees to-day.

Mr. FESS. That is true.

Mr. OLNEY. And I think we ought to conform to that proposition in order to keep our faithful and efficient employees in the Government.

Mr. FESS. If we do not increase it, it appears that we are going to lose the best service. Now, how much must we increase it to avoid losing them? I think it is a practical problem that is quite distressing. What about the school-teachers, for example?

Mr. OLNEY. The school-teachers, too, in the District of Columbia and elsewhere ought to be raised in conformity with the high cost of living since 1908. And I may state to the gentleman the pay of the officers in the Army has remained stationary since 1908 while the cost has increased 100 per cent since that time.

Mr. EVANS of Nevada. I do not want to appear impertinent, but I would like to ask the gentleman if he believes that this system he proposes will produce a finer soldier than Sergt. Yorke?

Mr. OLNEY. I think Sergt. Yorke probably had six months of intensive training before he acquired the efficiency he did acquire. [Applause.]

Mr. DOWELL. Mr. Chairman, I reserve a point of order on the proviso in line 3. I would like to have the gentleman in charge of the bill explain the necessity for making this immediately available.

Mr. MORIN. I will say as to this item that some of the pipes have been frozen up during the winter, and we want to be able to make those repairs as soon as the weather permits. This money is necessary in order to do that. Otherwise we would have to wait until July.

Mr. DOWELL. Does the \$1,000 apply to the \$8,000 appropriation?

Mr. MORIN. It comes out of that.

Mr. DOWELL. It is part of the \$8,000?

Mr. MORIN. Yes. Otherwise it could not apply until the 1st of July.

Mr. DOWELL. I withdraw the reservation of the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Repairs and improvements to the laundry machinery, etc., to be expended without advertising, and to be immediately available, \$35,000.

Mr. DOWELL. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Iowa reserves a point of order on the last paragraph, beginning on line 25, page 20.

Mr. DOWELL. May I inquire of the gentleman in charge of the bill the necessity of making this \$35,000 immediately available and also for the expenditure without advertising?

Mr. MORIN. That is really an addition to the laundry, and they want to be able to begin work on it as soon as the weather permits. The quartermaster at West Point takes charge of the work there himself. Under a special act he can authorize the completion of the building-extension program. When he asks for bids on these buildings and thinks the bids are too high he does the work himself, and in many instances he saves thousands of dollars to the Government. That is why he wants to be able to go on with this work. When he gets the estimates and thinks they are higher than the cost at which he could do the work himself he goes ahead and takes the men and does it himself.

Mr. DOWELL. Mr. Chairman, reading from the hearings on this paragraph, I find that the testimony shows that it is not imperative that this item be made immediately available, and it occurs to me that this money should be used in the ordinary way in which appropriations are made.

Mr. MORIN. It will delay the completion of the new laundry that was authorized in last year's appropriation bill. As I understand it, the laundry building that we appropriated for last year is nearly complete. Now they want machinery to equip it with, and if the language "to be immediately available" is not included here it will compel the academy authorities to wait until July 1 to equip the laundry, that is now ready to receive the machinery.

Mr. DOWELL. Is there any reason why it should be done without advertising and without receiving bids?

Mr. MORIN. Only the reason that they feel they can go into the open market to better advantage.

Mr. DOWELL. Will the gentleman read from the hearings where Gen. MacArthur says it is not necessary to have this provision? That is not the exact language.

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. DOWELL. Yes.

Mr. BEE. Has the gentleman ever been in New York in the month of July?

Mr. DOWELL. Yes.

Mr. BEE. Ought they not to have a laundry there before that? The effect will be to deprive these boys of the laundry.

Mr. DOWELL. The hearings that I have read indicated that it was not necessary. Of course, that is a different proposition. Will the gentleman from Pennsylvania just read the statement of Gen. MacArthur on this item?

Mr. MORIN. On what page?

Mr. DOWELL. At the top of page 81.

Mr. MORIN. I read:

Gen. MACARTHUR. I think that is perfectly correct, and if these are not special things we could advertise.

Mr. WISE. Unless there is some special reason why this should not go under that general rule.

Col. TIMBERLAKE. That is the way everything connected with the laundry and cadet mess for the last several years has been conducted, and if you will look you will find another article there connected with the cadet laundry. The next one, "Repairs and improvements to laundry machinery, and so forth, to be expended without advertising."

Gen. MACARTHUR. Of course, those are special things.

Mr. WISE. Do you want that immediately available now?

Col. TIMBERLAKE. No, sir.

I think he refers to the item of repairs and improvements to the laundry. The machinery, and so forth, is to be procured without advertising.

Mr. DOWELL. And it does not refer to this item?

Mr. MORIN. He says:

We do not want it especially struck out, but it could be struck out. That is identically the way it was last year.

Mr. DOWELL. The gentleman from Kansas has stated that the laundry is ready for the machinery, and that the machinery is ready to be put in. If that be true, I do not want to prevent the progress of this work, and I will withdraw the point of order.

The CHAIRMAN. The gentleman from Iowa withdraws the point of order.

Mr. MANN of Illinois. I reserve the point of order.

Mr. OLNEY. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MANN of Illinois. I withdraw the point of order, Mr. Chairman, and move to amend, page 21, line 1, by striking out the word "to," where it first occurs and inserting "which may."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Page 21, line 1, strike out the word "to," after the word "fourth," and insert in lieu thereof the words "which may."

Mr. MANN of Illinois. Mr. Chairman, the purpose of the amendment is not to require them to spend the money without advertising, not to forbid them to advertise if they want to, but to permit them to purchase without advertising if they desire to. I do not think they should be forbidden to advertise if they can, by advertising, get the people to do the work.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the Chairman announced that the ayes seemed to have it.

Mr. BLANTON. A division, Mr. Chairman. I want a record on it.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 31, noes 3.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For repairs to quarters of steward of cadet mess, to be expended without advertising, \$150.

Mr. MANN of Illinois. Mr. Chairman, I move to amend by striking out the word "to" and insert the words "which may."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report. Will the gentleman state the line?

Mr. MANN of Illinois. On the paragraph just read.

Mr. TIMBERLAKE. Line 12.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Page 22, line 12, strike out the word "to" the second time in the line and insert the words "which may."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Repairs to cadet barracks, \$15,000.

Provided, That this appropriation be, and the same is hereby, made immediately available.

Mr. DOWELL. Mr. Chairman, I reserve a point of order against the proviso in lines 19 and 20.

The CHAIRMAN. The gentleman from Iowa reserves the point of order.

Mr. DOWELL. I desire to suggest to the gentleman in charge of the bill that from the reading of it one would judge that it was a deficiency bill. I want to know the reason for this item in particular being necessary at the present time.

Mr. MORIN. Repairs to the cadet barracks are repairs to the old barracks. On or about the 12th of June, when the class is graduated, they move into camp. The cadets then leave the barracks and do not return until about the 1st of September. It requires all the time while they are away to repair the barracks. If we do not make this money immediately available they will have to wait until after the 1st of July before beginning repairs. This gives them about two weeks additional time in which to make the repairs.

Mr. TILSON. Would it not be well to begin some time or other to make the appropriation a little bit larger, so as to carry it over until June 30 of the next fiscal year, so that this proviso, which is always subject to a point of order and always likely to lead the committee into trouble, might be omitted?

Mr. DOWELL. That is what occurs to me, that this appropriation should be made for the fiscal year beginning July 1, and that instead of making numerous items immediately available some provision should be made for taking care of them in such way that they could be covered in the regular appropriation bill. Upon the statement of the gentleman I withdraw the point of order.

The CHAIRMAN. The gentleman from Iowa withdraws his point of order. The Clerk will read.

The Clerk read as follows:

The Secretary of War is hereby directed to turn over to the United States Military Academy without expense all such surplus material as may be available and necessary for the construction of temporary buildings, also surplus tools and matériel for use in the instruction of cadets at the academy: *Provided*, That in the allotment of surplus tools and matériel by the War Department to the various governmental agencies provided by law preference shall be given to the needs of the academy: *And provided further*, That to cover the cost of labor in the construction of such temporary buildings there is hereby appropriated the sum of \$10,000.

Mr. MANN of Illinois. Mr. Chairman, I make a point of order on the first proviso, beginning in line 10.

Mr. MCKENZIE. Mr. Chairman, we concede that it is subject to the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MANN of Illinois. Then I move to amend, in line 13, by striking out the word "and" before the word "provided" and by striking out the word "further" after the word "provided."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN of Illinois: Page 25, line 13, strike out the word "and" before the word "provided" and strike out the word "further" after the word "provided."

The amendment was agreed to.

The Clerk read as follows:

Provided, That the Superintendent of the Military Academy is hereby authorized to lease to any corporation, company, or individual land on the United States Military Academy reservation at West Point upon which to erect a hotel and necessary buildings in connection therewith, in accordance with plans and specifications to be approved by him, and upon such terms, conditions, and reservations, and containing such covenants and conditions as may be agreed upon in such lease by said corporation, company, or individual, and the said Superintendent of the Military Academy and approved by the Secretary of War; said lease to be for a term of not exceeding 50 years and to provide for just compensation to the lessees for the construction of said hotel, appurtenances, and equipments to be paid to said lessees at the termination of said lease: *Provided further*, That the provisions of an act making appropriations for the expenses of the Military Academy for the fiscal year 1920, and for other purposes, approved March 4, 1919, authorizing the Secretary of War to allow any corporation, company, or individual to erect on the United States Military Academy reservation at West Point, N. Y., a hotel in accordance with plans and specifications to be approved by the Superintendent of the United States Military Academy are hereby repealed.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph in order to get some information. What is the necessity for repealing the legislation contained in the Military Academy appropriation act for the present fiscal year?

Mr. ANTHONY. I will say to the gentleman that under the former authorization the officers were unable to get anyone to erect a hotel in conformity therewith, so that the superintendent of the academy has recommended this new language, which is more liberal than the terms under which we sought to have the hotel erected last year. He has asked us to adopt it, in the hope that we can get a suitable hotel building erected on the ground.

Mr. WALSH. This provides for leasing for the term of 50 years. I assume that the plans and specifications will not be very different than those provided in the existing law.

Mr. ANTHONY. No; and they would have to be approved by the War Department. Under the amendment that we adopted last year, at the end of the lease term the property was to go to the United States Government. Under this new amendment, as the gentleman will see, we provide that the hotel building shall belong to the owners, or that they shall be recompensed by the United States Government for the value thereof.

Mr. WALSH. It seems to me that when we are going to give investors the right to erect a hotel there for a long term of years, during the term of that lease they will have taken in sufficient receipts to compensate them for all their expenditures, so that the property ought to go to the United States.

Mr. ANTHONY. That is a question of considerable doubt. I will say that the question as to whether such a hotel would be commercially profitable when operated under such stringent regulations as the War Department would provide is a matter of grave doubt, and the officials thought we would have to make a much more liberal proposition than the one which we embodied in our amendment of last year, in order to get anyone to consider it.

Mr. MANN of Illinois. The gentleman may have stated what I want to know. Why did they not get the hotel built under the provisions of the current law?

Mr. ANTHONY. At the time the provision was inserted it was supposed that some admirers of Gen. Pershing were going to raise the money to construct a hotel and name it the Pershing Hotel in his honor. But for some reason that endeavor fell through. The gentleman from Illinois at my right says they would not permit a building to be built of that kind as a monument.

Mr. MANN of Illinois. Was not the reason given when the bill was under consideration last year? The item has been under consideration in this bill for a number of years.

Mr. TILSON. The real reason why the hotel was not built was because of the restrictions put upon it in the previous act, one to the effect that at the end of 50 years the building should belong to the Government, and the other, which was perhaps the more deadly provision, that the superintendent of the academy or somebody else should have the right to fix the rates, which made it an impossible proposition for any hotel man to take up.

Mr. DONOVAN. Will the gentleman yield?

Mr. TILSON. Yes; but I have not the floor.

Mr. DONOVAN. Has it been stated how much the proposition for the proposed hotel was to amount to in dollars and cents?

Mr. MORIN. Between four and five hundred thousand dollars. That was the estimate three years ago; but probably it is much more than that now.

Mr. DONOVAN. I understand that that would revert to the Government at the end of 50 years.

Mr. MORIN. Under the last provision it would, but under this provision they may terminate the lease at any time that is agreeable to the Government and the lessee.

Mr. DONOVAN. With a compensation proportionately.

Mr. MORIN. Yes.

Mr. EVANS of Nevada. May I ask the gentleman a question?

Mr. MORIN. Certainly.

Mr. EVANS of Nevada. Does not the gentleman feel that this is rather loose language with reference to the compensation?

Mr. MORIN. No; that would be in accordance with an agreement with the War Department when they originally enter into the lease. At the end of 15 or 20 years the Government may want to take it back and ask the occupant to remove it, or they may enforce regulations under which the occupant might not want to operate the hotel and could not operate it profitably.

Mr. DONOVAN. If the gentleman will yield, the proposal is to give the Government the right of election, if it so decides, that it needs the ground and to award an equity to investors which will recompense them for the sum invested.

Mr. MORIN. Yes.

Mr. LINTHICUM. What amount of rental is proposed?

Mr. MORIN. We do not propose any amount of rental. The Government really ought to build the hotel, although we have been unable to get an appropriation for that purpose. We may be able to get some one to build a hotel and under these conditions. My judgment is that the Government ought to build the hotel itself.

Mr. GREENE of Vermont. Is the gentleman from Massachusetts still reserving the point of order?

Mr. WALSH. I am.

Mr. GREENE of Vermont. I would like to suggest something that goes to the merits of the question and not strictly to the

point of order. It is perfectly well understood by everybody at West Point for a number of years that there is no money to be made out of any hotel venture in that locality. The original installation of a hotel was based on the fact that the reservation is visited only by families of cadets and various public officials of governments that come to inspect our system of Army education, and there was need of some means of housing people who were guests. For that reason the present hotel was put up years ago. It is disgraceful and worse than an old, abandoned sawmill, one might almost say. It has been the butt and jest and ridicule of thousands, and has exposed us to humiliation and shame for years. Everybody understands it. It is not a commercial venture that will attract anybody to invest capital, because there is no steady guaranteed return on the capital. It is only used periodically for the visits by families of cadets who come along in the spring, just about graduation or otherwise occasionally. There is no other means of housing people unless they go away down to New York City. So, as a matter of fact, the man who puts up such a building and runs it at a moderate rate, if he breaks even at the end of 50 years will do better than probably anybody has done yet.

Mr. WALSH. Mr. Chairman, will the gentleman permit an inquiry?

Mr. GREENE of Vermont. Certainly.

Mr. WALSH. If this hotel is not going to be run at a profit, how does the gentleman think somebody is going to put four or five hundred thousand dollars into a building with a provision in the law that at the end of the lease the Government can pay him for the building?

Mr. GREENE of Vermont. I am frank to say that the very language we have written into this bill does not hold out to any business man any tempting inducement to invest his money, but we have been led to believe from time to time that certain men who were interested in West Point as a national institution will be glad to do something along this line. I recall some report about one man, or, rather, the family of one man, who had a son there as a cadet who died, and there was some idea on their part for a time of helping to erect this hotel as something in the line of a memorial to the son. While that seems to us as practical men, in the consideration of this bill, a good deal out of the way as a tangible resource for the Government to depend upon, still that is about the only kind of expectation on which we can base any hopes.

Mr. WALSH. Does not the gentleman think this language will simply result in putting up an expensive building there and be an invitation for the Government later on to come in and contribute to take care of a deficit in its running expenses?

Mr. ANTHONY. Oh, no.

Mr. WALSH. The gentleman says no; but if this is not going to be a paying venture there will be a swarm of interested people down here saying, "Oh, you have permitted this beautiful structure to be built, and this man can not make it pay, and we ought to have quarters for Baron Ipecac or somebody else who is going to visit here, and we can not get anybody to run the place."

Mr. GREENE of Vermont. Oh, the gentleman means Baron Figtree.

Mr. DONOVAN. And probably the Countess Paregoric will be with him.

Mr. WALSH. And it would simply result in an appropriation being carried for that purpose.

Mr. GREENE of Vermont. Will the gentleman permit the suggestion that we have undertaken to write into this language the same safeguards that we write into far more important undertakings involving the expenditure of money, that no building shall be put up there or contract made for it without the specific approval in detail of the Secretary of War?

Mr. WALSH. Oh, that is a proper limitation, surely. How many people can the present tavern up there accommodate?

Mr. GREENE of Vermont. I do not know, but some one suggests less than a hundred. I know I have visited it several times and have always sworn each time that I would never go again.

Mr. WALSH. Perhaps it might be a salutary influence to have such a structure as that up there as a public hotel.

Mr. MORIN. In order to accommodate a hundred guests they have to sleep five and six in a room on cots.

Mr. GREENE of Vermont. It is apparent to anyone who has ever visited West Point that this would be entirely out of the reach of commercial possibilities as a hotel enterprise. West Point itself is situated in such a part of the country with relation to New York City or to the larger cities above that it is not a place where travelers would naturally stay overnight. It presents no commercial possibilities in that way. There is

nothing at West Point except the Military Academy to attract anyone to go there, so that the result would be that the patronage at the hotel would be limited to people largely of direct family connection with the cadets, and they usually go there all about the same time, just about graduation time, or make an incidental visit throughout the year in case of the sickness of a cadet. There would be no certainty of a more or less fixed income on the part of the hotel man. There is nothing to tempt anybody to put any money in such a venture unless there be something like a liberal concession on the part of the Government that one can have a fair opportunity at least to get the money back when the 50 years have gone by.

Mr. CHINDBLOM. How far is it in miles to a decent hotel?

Mr. GREENE of Vermont. Oh, New York City is the only near-by place.

Mr. WALSH. How far is that in miles?

Mr. GREENE of Vermont. Somebody said 75 miles.

Mr. WALSH. That is a long, tedious journey; it would probably take about two hours to go to New York, and they would probably go to New York anyhow because—

Mr. GREENE of Vermont. Well, I hope to live to see the day when the distinguished gentleman from Massachusetts has several sons of his own at West Point and is visiting them there, and then I may stand somewhere on an observation point and observe him trying to enjoy the convenience of getting his meals "down town" in New York 75 miles away. [Laughter.]

Mr. MORIN. I would like to say to the gentleman from Massachusetts that the quartermaster informed us that in conference with some hotel men in New York it was suggested that if the language was changed as it is in this bill that they might make a proposition to the War Department to build a hotel at West Point. Now, I want to cite one instance that I know about myself.

Mr. WALSH. From this indicated generosity, will not they know that if they run behind they will get the Committee on Military Affairs to come in here and recommend us to make up the deficit?

Mr. MORIN. I for one would recommend a Government hotel now.

Mr. WALSH. That is a different proposition.

Mr. MORIN. But I would like to state this for the information of the gentleman in reference to the necessity for the hotel there—

Mr. WALSH. I concede the necessity. The pathetic report of the gentleman from Vermont has convinced me of the necessity for a hotel there.

Mr. MORIN. I would like to state this instance which I personally witnessed: I was there one night about 10 o'clock in the office when a lady came in there from the State of Washington. She had a son at the academy who was seriously ill in the hospital. She had made the trip all the way there to see him. When she arrived at the desk she registered and asked the clerk to give her a room. He said, "The only thing I can give you is a cot in a room with six other persons." That lady had come all the way from the State of Washington to see her son, who was in a serious condition. We ought to have a hotel, and the Government ought to build it.

Mr. WALSH. I do not understand why that man is not reaping a large harvest. Mr. Chairman, I make the point of order on the paragraph.

Mr. MCKENZIE. We concede the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Provided further, That section 1318, Revised Statutes, be, and the same is hereby, amended to read as follows: "Appointees shall be admitted to the academy only between the ages of 17 and 22 years, except in the following case: That during the calendar years 1919 and 1920 any appointee who has served honorably and faithfully not less than one year in the armed forces of the United States or allied armies in the late war with Germany, and who possesses the other qualifications required by law, may be admitted between the ages of 17 and 24 years; *Provided*, That whenever any member of the graduating class shall fail to complete the course with his class by reason of sickness, or deficiency in his studies, or other cause, such failure shall not operate to delay the admission of his successor."

Mr. DOWELL. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 27, line 16, after the figures "1919" insert a comma, strike out the word "and," and after "1920" insert the word "and" and the figures "1921."

Mr. GARD. Will the gentleman yield for a question?

Mr. DOWELL. Certainly.

Mr. GARD. Why does the gentleman strike out the figures "1919"?

Mr. DOWELL. They should go out.

Mr. GARD. I can not see any reason why.

Mr. DOWELL. I am unable to understand how "1919" is material here because that has already passed. I submitted the name of an applicant who was a few months over 22, and he was rejected, though the examination takes place in March, 1920, so that I assume there can be no one appointed in 1919 coming within the provisions of this bill.

Mr. BEE. Will the gentleman yield?

Mr. DOWELL. Certainly.

Mr. BEE. I understand that there are about 10 or 12 young men who will be affected by this matter if you strike out the figures "1919."

Mr. DOWELL. If that is true, I have been treated unfairly, because I submitted the name where the applicant was a few months over 22 and he was rejected by the department, and I am unable to understand how anyone else could secure an appointment.

Mr. BEE. Was not that under existing regulations? If he was over 22, there was no relief?

Mr. DOWELL. That is true.

Mr. BEE. This would afford relief and let him get in?

Mr. DOWELL. It will not give relief, because the examination comes before this bill will pass. He can not avail himself of the 1920 examination that takes place here the 1st of March.

Mr. MORIN. Was he a soldier?

Mr. DOWELL. He was.

Mr. MORIN. And he would come under the provisions of this?

Mr. DOWELL. He would come under it if it had been enacted in time.

Mr. MORIN. We could not enact it until the bill came into the House.

Mr. DOWELL. That can not apply until 1920, and if we are to increase the age to 24, he can be appointed in 1921 and still get in the age limit.

Mr. MORIN. Has the gentleman made an appointment in the place of this one?

Mr. DOWELL. I have. He having been rejected, I appointed another.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. DOWELL].

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. BLANTON. Division, Mr. Chairman.

The committee divided.

Mr. GARD. Mr. Chairman, a parliamentary inquiry. Did the amendment offered by the gentleman strike out the figures "1919"?

The CHAIRMAN. The Chair understands it did not.

Mr. DOWELL. The amendment, I will say to the gentleman from Ohio, was not made. I was merely suggesting that it should come out.

Mr. GARD. Does the gentleman desire to make it?

Mr. DOWELL. If there is no objection, I do make it.

Mr. TAYLOR of Colorado. Has the Committee on Military Affairs considered not to have any provision regarding the appointment of boys to West Point similar to what they have?

The CHAIRMAN. Will the gentleman suspend a moment so that the Chair can announce the result of the last vote? On that vote there were—ayes 46, noes 2.

So the amendment was agreed to.

Mr. DOWELL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. MORIN. Mr. Chairman, I move that the committee do now rise and report the bill to the House with amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HUSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12467, the Military Academy appropriation bill, and had directed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. MORIN. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is there a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. BLANTON. Division, Mr. Speaker.

The House divided; and there were—ayes 49, noes 5.

So the bill was passed.

On motion of Mr. MORIN, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVES OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HICKS, for three days, on account of official business.

To Mr. VENABLE, for three days, on account of official business.

EXTENSION OF REMARKS.

Mr. MORIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on this bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MORIN. Mr. Speaker, the Committee on Military Affairs in considering this bill, having in mind the policy of economy which this Congress is pursuing, reduced the amount asked for in the original estimates from \$6,778,637.20 to \$2,141,712.70, which is \$131,219.20 below the amount appropriated last year, making a total reduction of \$4,636,924.50. By so doing they have checked the building program now going on at the Military Academy, which makes provisions for the increased corps of cadets, and I fear this may hamper the administration of the academic and military instruction during the coming year. Be this as it may, if they can pinch through this year without serious injury to the academy, we can give them all the money necessary to complete the building program next year, and the injury will have been only temporary at the most.

There is a provision in this bill, which I sincerely hope will pass, fixing the period of instruction at the academy at the prewar course of four years. This I regard as more important than any other feature of the bill, as it preserves the aims and purpose of the institution.

The purpose which West Point was intended to serve and has well served in the past was to give the education and technical knowledge necessary to an accomplished Army officer, accompanied by severe mental and physical training and discipline, and to send them into the Army as a life profession, so that the country at all times might have available highly trained men acquainted with the theory of campaigns and of Army organization, strategy, minor tactics, logistics, and all the operations of war.

Any such result in developing men to the desired point in the directions stated can only be obtained by the long experience in service of educated men who make the Army a life profession; if the most that can be taught at the best military schools precedes the actual Army experience, the shorter that experience need be for the individual to reach the desired state of competency. That this class of men is invaluable to our country was abundantly shown in the Civil War, but it is not necessary to go beyond the present to prove their worth. The Regular Army officers have been the moving and inspiring spirits of all the military machinery created since America entered the World War. By competence and good sense these Regular Army men completely dominated our great national Army; with the exception of some good men from the old militia organizations who had given years to State service, these Regular officers, mainly West Point men, filled nearly all the higher posts.

The effort has been and still is to instill into our Army the discipline and the sense of duty which have come to be known as the West Point spirit. This is what Gen. Pershing called for when he said: "Give them the West Point discipline"; "send men with the West Point spirit and discipline." These Regular Army men in the higher posts, through their West Point and subsequent training, had all the knowledge necessary to their positions and lacked only the actual practice of handling large masses in battle. Their fuller knowledge, largely acquired by training at West Point, had been the equivalent of practice even in directing large numbers on the field of battle.

The object of West Point has been to prepare and have these men on hand—to have men ready and competent to lead; its work has been for the future and not for the immediate present. The change now ordered in the course of instruction by the War Department completely reverses the former purpose of the academy, and instead will turn out uneducated soldiers for squad leaders and platoon commanders who will have had only a fraction of the education for which the academy is provided. Neither can the spirit of West Point nor the high sense of duty which has become the hall mark of West Point be acquired.

The young men who are to be graduated from West Point after but two years' stay there entered the academy to receive an education, with the view of making the Army a profession, of entering the Regular Army as educated officers, with the greater prospect of future promotion which a West Point education and training would give. This change at West Point, therefore, inflicts a grievous wrong upon the 272 young men whom it is proposed to graduate next June and who are to be deprived of the opportunities that they were promised, invited, and encouraged to accept, and at the same time deprives the future service of properly trained officers. Besides perverting the aims of the academy and wronging the young men who entered the academy with those aims in view, this action completely breaks and destroys the high and noble traditions of the institution—traditions the like of which, in many respects, no other institution has developed; for without the time element of the education the acquisition of this spirit is forfeited. The honored "esprit" of over a hundred years' growth is completely shattered without, so far as I can learn, consultation with any of the many able graduates whose opinions were readily available. I do not believe that the interests of the Government are served by the change or that there is the least demand for it by the country. It seems to have been the decision of one or two men, who may or may not be infallible. So far as I can learn, the desire of the department in graduating the present first class with but two years' instruction, and thus changing the fundamental methods and purpose of the academy, is to turn out a class each year. This I do not believe is the desire of Congress nor the desire of the country. The turning out of a few hundred additional uneducated second lieutenants, 19 and 20 years in age, is not turning out graduates of West Point; it is not serving the best interests of the Government, and I sincerely hope that Congress will express itself on this question, assume the responsibility which is ours, and put the academy back on the prewar course of four years, and by so doing preserve the most fundamental and valuable features of West Point training, that of subjecting all to precisely the same course of instruction and development, and thereby bring about the military efficiency which has so long characterized the West Point graduate.

Educated Army officers with trained and disciplined minds are an asset to any nation; a first and most invaluable factor in securing such officers is a good military school.

The Military Academy at West Point has existed, grown, and continually developed for over 100 years, and for the past 50 years, at least, has been universally recognized as without a superior, and with but one or possibly two equals in the whole world.

The traditions of the academy and the glorious records of its graduates have produced an "esprit de corps" of inestimable value in creating and developing the fundamental elements of manhood which have come to be recognized as the hall-marks of West Point.

Is this unsurpassed institution, with its glorious records and its ennobling traditions, to be changed by the swipe of the pen from one of the foremost military schools of the world in permanent educational worth to a temporary military supply station for hastily equipped and poorly educated junior officers 19 and 20 years of age?

I do not believe that the change is for the best interests of the service or that there is the slightest desire in the country to see this famous institution degraded. The change is a step toward defeating "preparedness" for the future by stopping the supply of properly educated officers. As a matter of material economy, it is a loss to the Government to convert a plant established for a higher order of work to a lower order. Those things which have been laboriously built up at West Point during 100 years of able administration will be sacrificed and the best interests of the Government not served if we permit the elimination of an institution which years of effort alone can reestablish.

Mr. Speaker, I wish to read and insert as part of my remarks the following telegram, which I received from Gen. John J. Pershing, recommending the return to the four-year course:

HOUSTON, TEX., February 5, 1920.

Hon. JOHN M. MORIN,
House of Representatives, Washington, D. C.:

Reference your telegram, I favor four-year course at Military Academy; reasons, in brief, follow: The courses covered and standard required on graduation can not be lowered without grave injury to the service. Result of shortening course would inevitably be the gradual raising of entrance requirements until only boys having had one year of college could enter. This would tend to limit cadets to those financially able to attend college. This, in turn, would adversely affect democratic character of Corps of Cadets, which has always been one of its greatest assets. Examination of records shows that heretofore cadets have come from all walks of life, and I believe that it is essential that this be continued. My third reason for favoring the four-year

course is that it is my belief that four years is none too great a time for the character forming, which has always been the greatest advantage of West Point.

PERSHING.

It is my desire to call the attention of the Members of Congress to a letter received from the commandant of the Royal Military College at Kingston, Ontario, advising the Committee on Military Affairs that the Royal Military College was returning to the former course of four years. This academy is considered by the most prominent English military authorities as the best institution of its kind under the British Government, and its high standard has been attained after the adoption of the West Point system. The letter referred to follows:

THE ROYAL MILITARY COLLEGE OF CANADA,
KINGSTON, ONTARIO.

As requested by you, I forward herewith copy of the Royal Military College regulations, together with a copy of the report on the examination for admission held last June.

I also forward a copy of the amended syllabus of work to be covered at the entrance examination to be held in June next. This is necessary, as commencing with the next college session, next September, the course at this college is to be a four-year one instead of the three-year one now in force.

This change will have the dual effect of modifying the syllabus for the entrance examination, 1920, shown in the accompanying report, and of lessening the age limit. Paragraph 8 of the inclosed regulations is, therefore, amended to read as follows:

"To be eligible, candidates must not be less than 16 or over 19 years of age on the date of entering the college."

Yours, very truly,

EDEL GREENWOOD,
Major, Staff Adjutant, Royal Military College.

For further information permit me to insert a carefully prepared report by the academic board, discussing the relative advantages and disadvantages of three and four year courses which was submitted to the War Department on December 13, 1918:

From: The General Committee.

To: The Superintendent United States Military Academy.

Subject: Course of study at the United States Military Academy.

1. In compliance with the third and fourth paragraphs, War Department letter of November 16, 1918 (file No. 351.1, West Point), the general committee submits the following report covering the suggestions therein relative to a revision of the course of study at the Military Academy.

2. In its deliberations upon the proposed revision of the curriculum the general committee has been guided by its conception of the functions of the Military Academy. The functions are to graduate young men capable of at once performing the duties of junior officers and with the fundamental moral and mental training which will insure them the ability to use their rational faculties to the fullest advantage under the varied conditions of the service, such ability being the most useful result of education, and which with after years of development will enable them competently to fill positions of leadership and high responsibility. In the military profession the graduates of the Military Academy should set the standard of the Army. Upon the standard depends the ability of the country to organize and employ without undue wastage its military resources.

3. With these functions of the Military Academy constantly in mind, the general committee is unanimous in the opinion that the quality of the graduates is of far greater importance than the number. Even should Congress in its reorganization of the Army largely increase the peace establishment, the committee believes that it would be a mistake to allow the need for a large number of junior officers to force a general lowering of the Military Academy standards.

It has never been the policy of the Government to draw its officers exclusively from the Military Academy. Indeed, it is doubtful whether such a policy would be desirable. The opportunity offered to enlisted men and to graduates of other institutions to gain commissions has been an inspiration to many and has resulted in the addition of a large number of efficient officers to the Army. By the existing policy, however, in which the Military Academy graduates form only a part of the officers, the necessity for the high quality of its graduates is accentuated, as it should be their province to set the standards of professional training and character for the whole Army. Any plan, then, which would result in lowering the standards of the Military Academy graduates would react injuriously on the Army as a whole.

4. The importance of this emphasis upon quality is revealed by the experience of the war which has just ceased: The enormous expansion of the Army, involving complicated duties of organized equipment, transportation, supply, training, and leadership, required a large number of general officers of ability. For the supply of such officers the Government naturally and rightly looked first to the graduates of the Military Academy. From such graduates of 30 or more years of service the Government selected most of its general officers.

5. In support of the statement just made, the following statistics are given from the best information available:

Class.	Number in active service.	General officers.	Percentage.
1880.....	13	9	69.2
1881.....	19	13	68.4
1882.....	11	10	90.9
1883.....	22	16	72.7
1884.....	20	15	75.0
1885.....	13	11	84.6
1886.....	36	25	69.4
1887.....	36	26	72.2
1888.....	26	23	88.5
1889.....	28	14	50.0
1890.....	35	22	62.9
1891.....	40	17	42.5
1892.....	43	12	27.9

The average percentage appointed general officers from the classes of 1880 to 1888, inclusive, is 76.8.

6. From the facts cited in paragraphs 4 and 5, it is evident that in attempting to fulfill its immediate functions the Military Academy is also training the material for future general officers in times of crisis and capable in the meanwhile of maintaining a high standard of professional efficiency in the Regular Army. If the graduation requirements are lowered to a point where the fundamental education and training are an insufficient foundation upon which to build, then the graduates of the Military Academy will no longer be able to qualify themselves for the positions they must fill in peace and war. The emphasis in the past upon quality rather than quantity and the present urgent recommendation of the committee that this emphasis be maintained in the future are thus justified.

7. The course of study at the Military Academy has been mathematical and scientific, and it should continue so. The military profession is scientific and technical in character, far more so than formerly and certainly to become increasingly so in the future. The committee thinks that the profession of an officer in our Army is more likely to demand men of character and logical power than simply men of information and knowledge; the committee is convinced that the power and habit of clear, exact, and logical thought engendered by the proper study of mathematics and in the application of mathematical principles and processes to mechanics, engineering, electricity, ordnance, and other practical sciences are the assets that can be provided our graduates, and the academy should supply them. The work of the graduates in this war, as in our past wars, has proved that the character of the course of study is essentially sound. The system has been adequately tested, and it has stood the tests. Graduates from all parts of the classes have shown their ability to develop the professional knowledge required, even though such development after graduation from the academy has been allowed to be largely individual and voluntary. No radical change in the system of the Military Academy should be made. Preserving the present character, the course should be developed and improved in every way possible. Such development and improvement the various heads of the departments are continually striving to introduce.

8. The criticism that a course of mathematical and scientific character contains subject matter not apparently of direct application in this or that branch of the service is answered by the fact that the Military Academy is not training or educating officers for only a particular branch of the service, nor does it claim to prepare a finished product in any branch of the service. It is giving a sound basis of education, which by proper effort upon the part of a young officer can be readily expanded to meet any other minor scientific activities of the service; of such activities there always have been and must continue to be a large number in the hands of line officers. This basic education is also the foundation upon which any officer may safely build in preparing himself for the duties and responsibilities of higher command. The value of the Military Academy to the country is being judged to-day in large part by the work of its graduates of 30 or more years ago; not upon what was actually taught them as cadets, but upon the adequacy of their mental training and character, as a foundation for their later development.

9. If the character of the course of study is to remain essentially mathematical, and the course itself is to remain essentially scientific and technical, as the committee believes they should, then no material change should be made in the relative times devoted to the scientific and to cultural subjects. The course is now all that the average cadet can carry, and any increase in one subject can only be accomplished by a corresponding decrease in some other. The mathematical and scientific subjects constitute a logical and continuous development, of which no step can be omitted. Any increase of the cultural subjects would necessitate the omission of some of the scientific subjects, a change which, in the opinion of the committee, would do a great deal more harm than good.

10. If the course of study at the Military Academy is to be shortened to three years, it can be done in one of three ways:

- (a) By a complete change in the whole character of the course.
- (b) By cutting off a year at the end of the present course.
- (c) By cutting off a year at the beginning of the present course.

11. If plan (a) is advocated, it must be with a view to the substitution, in a shortened course, of some cultural subjects for the mathematical and scientific subjects. In considering this plan it should be remembered that the military profession is more closely akin to the various branches of the engineering profession than to any other. For many years the Military Academy was the leading technological and scientific school of the country, graduating men who led in all the engineering activities of our country at the same time that it was sending forth such soldiers as Grant and Lee, Sherman and Joseph E. Johnston, George H. Thomas and Stonewall Jackson, and others. The importance and technical nature of the duties of our Engineer officers is well known, but the great variety of minor engineering activities that are often required of line officers is not generally known.

The duties of line officers in our Army are more varied and more comprehensive than in any other military service in the world; these are constantly detailed to duties requiring technical knowledge. The quartermasters of our service are, very many of them, line officers detailed to that duty; they build posts, quarters, and all the various utilities which pertain to posts, with all their mechanical accessories, and keep the same in constant repair. Then, too, owing to the smallness of our Engineer Corps and the fact of the great amount of civil work imposed upon it, line officers frequently have to perform the duties of engineers.

In field operations in time of war with our small Engineer Corps it is increasingly essential that many line officers should be capable of performing the duties of field engineers and be able to construct various forms of emergency bridges, field work, build roads, repair railways and telegraphs, erect temporary structures—in short, to meet the requirements of temporary exigency. In addition to this it is of the first importance that line officers should be able to conduct military topographical surveys and reconnaissances and prepare field maps. It is a matter of record that our line officers in recent years, as well as formerly, have performed every variety of scientific duty above enumerated and others not mentioned.

In this connection it is deemed hardly necessary to mention, but it should not be forgotten, that the technical nature of all the material appliances of war is far greater than ever before, and this applies to means of transport as well as to all weapons of combat, on land and in the air; if our officers are to be more than skilled craftsmen in the technical duties of the service, their mathematical and scientific attainments can not possibly be diminished.

The committee is convinced that for the purely practical purpose of being able to perform intelligently the duties likely to devolve upon graduates, as well as for the reasons given in paragraph 7, the course

at the academy must be scientific rather than cultural. No engineering school would think of substituting cultural for necessary scientific studies.

Were this school being inaugurated for the first time, some of the issues here presented would lack the test of experience; but West Point has been tested by the varied exigencies of a century of national growth. From the beginning of the last century to the close of the present war in every important activity of the Nation's life the influence of its graduates has been felt and universally recognized, at critical times often directing and exerting a decisive influence. A full discussion of this subject can not be here undertaken, but the overwhelming evidence as to the efficiency of the academy's work shows that it is not the result of accident or chance; the worth of its individuality has been proven beyond a doubt. That committee is convinced that any experiment would be unwise which would disintegrate or materially modify the influences which result from the character and scope of its curriculum, its discipline, its traditions, and its admirable system of instruction, upon all of which depend the results of the academy's work.

12. If plan (b) is to be followed, the subjects covered during the last year of the present four-year course, including law, Spanish, ordnance and gunnery, and civil and military engineering (covering fortifications, army organization, and military history) will have to be omitted. These subjects can not be added to those taught in the earlier years of the course, for the work of those years is already as heavy as the average cadet can bear. Certain of these subjects, too, as ordnance and gunnery and civil engineering, rest upon the previous courses of study and can not be properly taught until the completion of those courses. All of these subjects except Spanish are essentially military, and their entire omission in the education of an officer would be inconceivable.

13. It may be suggested by some that these subjects of the last year of the Military Academy course can be taught in the service schools. The committee fails to see any advantage in such a system. The necessary plant is already available at the Military Academy; the students are under full control; their pay is that of cadets; the training and teaching staffs are already organized and efficient. The change of system would require the organization of new departments in the service schools, entailing a waste of effort by duplication, the supply of considerable equipment at large expense, and the payment of the students on the status of officers instead of that of cadets.

14. Under plan (c) the Military Academy course would be shortened to three years by increasing the entrance requirements to cover one year's work. The entrance requirements would then include algebra (complete), plane and solid geometry, plane trigonometry, English grammar, English composition and literature, history, geography, and beginners' French. Inasmuch as successful mastery of the advanced courses in the academy depends upon the thoroughness of instruction in the fundamental branches, the only proper test for entrance to such three-year course would be by examination. The only way by which qualified candidates can be secured in the various sections of the country for such a course is by State-wide competitive examinations.

Under the conditions thus set forth, namely, admission by State-wide competitive examinations covering algebra (complete), plane and solid geometry, plane trigonometry, English grammar, English composition and literature, history, geography, and beginners' French, the general committee could and would approve a three-year course, and believes that the academy could continue to graduate men well qualified for later development. These conditions are the only conditions upon which the general committee believes that it would be justified in recommending that a three-year course be established.

15. If the three-year course under the conditions indicated in paragraph 14 be considered desirable, certain practical difficulties must be faced and solved before attempting to put it into effect. If these difficulties do not permit of solution, the committee believes that the attempt to introduce a three-year course should be abandoned. These difficulties are as follows:

(a) Enlisted men would be no longer able to qualify. Even with the present requirements, very few enlisted men qualify; with increased requirements probably none could do so without extensive furloughs for special preparation.

(b) The entrance requirements would lose touch with the public free-school system, for few public schools cover thoroughly all the subjects in the proposed entrance requirements.

(c) Few of the most desirable class of young men would present themselves for examination. The class of young men who by their college work would be considered most desirable would normally have progressed so far toward completing their education for business or profession that they would not care to exchange their college for the Military Academy. Experience has shown that under present conditions few young men leave college to enter the Military Academy; in the absence of compulsory military service no greater number is to be expected as a result of increased entrance requirements.

16. The question of the length of the course of study is thus seen to be dependent upon the question of whether there is any widespread desire on the part of young men of good scholastic ability to come to the Military Academy. The evidence presented by the many failures on the present entrance examinations and by the general character of the certificate now submitted for admission indicates that there is not. It seems probable that a substantial increase in the entrance requirements would bar much of the material now seeking admission, and the committee sees no reason to believe that any higher class of material would present itself if the requirements were raised.

The general committee believes that the difficulties mentioned in paragraph 15 are insurmountable.

17. If the War Department agrees with the committee in believing the difficulties involved in increasing the entrance requirements to be insurmountable, the committee is thoroughly convinced that the existing four-year course of a scientific and technical character should be followed in its essentials in the future. This present system is very desirable. The full period of the collegiate education is covered here, so that thoroughness can be required at all stages. It places the cadet under full control before he has developed beyond the impressionable stage in the majority of cases, so that the military discipline, physical training, and moral influences of the academy have their maximum effect.

18. In determining the length of the course at the Military Academy little weight should be given to any arguments based upon the lengths of the courses at foreign military schools. Compulsory military service enables entrance standards to be set at discretion and the material to be chosen with care. The Military Academy must continue to offer a collegiate education and be satisfied with the character of material attracted.

19. The committee does not feel justified in submitting at this time any recommendation based upon the relation of the Military Academy to the post-graduate schools. All of these schools are now closed, so far as their regular work is concerned, and the committee assumes that modifications of the former courses will be desirable as a result of the experience in this war. The committee believes that there should be thorough coordination of the work of the post-graduate schools with that of the Military Academy and to that end recommends that, as soon as conditions clear up enough to give some definite idea of what the future is to be, a board be appointed, on which the Military Academy and all branches of the service shall be represented, to formulate a general plan for the educational system of the Army. The members of this board should be officers of rank and experience. The system of education, while taking care of the immediate needs of each branch of the service, should also provide for the broader development of officers with a view to their general usefulness in high command. The committee hopes that in the system adopted, which must primarily take into account the needs of the multitude of officers who are nongraduates, a way may be found to provide for the continuous development of the graduates of the Military Academy.

20. In conclusion the general committee desires to call attention to the fact that continual modifications in the curriculum are being made as the necessity of adjusting the course to changed conditions becomes evident. The committee has at no time regarded the course as fixed and rigid. As examples of such modifications in very recent years the following may be mentioned: (a) Establishment of the department of military hygiene; (b) formation of the department of English and history; (c) development of practical shopwork in ordnance and gunnery; (d) reorganization of the instruction in drawing and military sketching; (e) changes in the department of chemistry, involving the omission of mineralogy and geology, the expansion of the work in electricity, and the preparation of a course in the principles of internal-combustion engines; (f) changes in the department of philosophy, involving the curtailment of work in astronomy, the introduction of fundamental instruction in physics, and the further development of the course of mechanics, including the mechanics of flight; (g) the temporary omission of Spanish and substitution of a longer course in French to meet the war emergency; (h) introduction of a supplementary course in minor tactics. The general committee earnestly desires that it should be recognized that the departments at the Military Academy are endeavoring constantly to adapt their work to the best interests of the service and the country.

[First Indorsement.]

HEADQUARTERS UNITED STATES MILITARY ACADEMY,
West Point, N. Y., December 13, 1918.

TO THE ADJUTANT GENERAL OF THE ARMY.

War Department, Washington, D. C.:

1. This report is approved by the academic board and fully concurred in by the superintendent in reference to letter from The Adjutant General of the Army, November 16, 1918. (3511.)

(Signed) S. E. TILLMAN,

Colonel, United States Army, Superintendent.

I also wish to include in my remarks an extract from the annual report of the Superintendent of the Military Academy for the year 1919:

EXTRACT FROM ANNUAL REPORT OF THE SUPERINTENDENT OF THE UNITED STATES MILITARY ACADEMY.

HEADQUARTERS UNITED STATES MILITARY ACADEMY,
West Point, N. Y., June 12, 1919.

From: The Superintendent, United States Military Academy.

To: The Adjutant General of the Army.

Subject: Annual Report of the Superintendent, United States Military Academy.

1. The last annual report of the superintendent was dated November 15, 1918, and contained the more important and essential facts connected with the administration of the academy during the previous academic year and up to that date. As therein stated, efforts at that time were being made to fill existing vacancies in the corps of cadets to the full accommodating capacity of the institution. Owing to the early graduation of three classes in 1918, the last two (second and third) on November 1, there was left on November 2 only the fourth class, the class that entered in June of that year, containing 425 members. The total number of appointees after the early graduations of November 1 was 337. These appointees were admitted without the usual mental tests and with the expectation and promise that they would be graduated the following June after having taken a greatly modified course of instruction at the academy. Owing to the termination of hostilities on November 11, the third class, consisting of 280 members, which had gone out on November 1, was returned to the academy on December 1, to remain under instruction until June of this year; this class returned to the academy on December 1 as commissioned officers unassigned. Concomitantly with the return of the third class to the academy and with the decision made as to its final departure, it was directed by the War Department that the courses of study and the exercises, arranged with the view of graduating the class which entered in June, 1918, in June, 1920, and the class which entered in November, 1918, in June, 1921. In accordance with the above indicated instructions the class of student officers (academy third class) left the academy a second time on June 11, receiving modified diplomas testifying to their accomplishments at the academy. The other two classes which entered (one in June and the other in November, 1918) are being given greatly modified and abridged courses, with the view of graduating them in June, 1920 and 1921, respectively.

After the above stated decision was made in December last with regard to the dates of graduation of the two cadet classes then in the academy, and also because of the termination of hostilities, an unusual number of resignations were tendered by the members of these classes, 24 resigning from the class admitted in June and 85 from that entering after November 1. In the case of the cadets who were admitted after November 1 no examinations were held until the following March. Due to the fact that these appointees were suddenly selected, allowed practically no time for preparation of any sort, admitted without the usual mental tests, and then obliged to undertake at the same time rather intensive training in both academic studies and military exercises, many of them failed to meet the reasonable requirements set at this March examination. At this March examination 73 of this class failed to reach the required standard. Many of the resignations, too, tendered by this class were due to the conclusion of the men that they were not prepared to master the course. The other cadet class which had been admitted in June also labored under serious disadvantages owing to the excitement attending changes in

dates successively fixed for their graduation and the necessary modifications of their work accompanying these changes. After the June examinations, and at the time of my relief as superintendent, there remained in the June class 288 cadets and in the November class 139 cadets.

From the foregoing statement of the academic situations between September 1, 1918, and June 12, 1919, it is evident that the instruction was carried on under most unfavorable conditions. These conditions involved not only the disruption of the courses of study, but included frequent reliefs in the personnel of instructors, as well as their transfer from one department to another, thus requiring of them work for which they had little time for advanced preparation. The heads of departments met these most unusual and unsatisfactory conditions with the most zealous and praiseworthy efforts, and both they and their instructors deserve the highest commendations for entirely unselfish though sometimes unsatisfactory labor in trying to accomplish the best results and the highest benefit for the classes.

As soon as the armistice indicated a termination of hostilities the academic board began the consideration of ways and means to return the academy to more normal and, if possible, more satisfactory conditions, due consideration being had for the lessons of the war. A fully considered and carefully prepared report by the academic board, discussing the relative advantages and disadvantages of three and four year courses, was submitted to the War Department on December 13, 1918, with recommendations thereon. The recommendations of the board were not adopted, and on May 12, 1919, an order was issued by the War Department prescribing "that the course of instruction at the Military Academy be fixed for three years" and the superintendent was directed to have the academic board submit as soon as possible a revised course of study to embrace three years. The program for the new course of three years had not been completed at the time of my relief, June 12.

In submitting this my final report as superintendent of the academy and probably taking my last official action with reference to the institution after being connected with it for more than one-third of its existence, and at the end of the most unusual and eventful year in its history, it is certainly permissible to include a brief reference to the purposes, methods, and accomplishments of the academy up to the present time; for it may be safely assumed that the characteristics which have carried an institution through an unbroken existence of 117 years are worthy of record and also of consideration in connection with any similar purposes that may be attempted elsewhere, such as determining the principles which insure the best results in education, general or special.

The claims upon which the academy's honor and distinction rest must of necessity be curtailed to the extreme limit in this report.

The purpose of the Military Academy, stated in the briefest possible terms, has been training and development rather than education alone, by acquisition of knowledge, however varied; training and development of the natural faculties to the fullest extent through concentration of effort and thoroughness in accomplishment, at the same time requiring and engendering obedience and subordination to proper authority, thus molding character through consistent, thorough discipline, both mental and physical; the end hoped for being men of character and power rather than merely men of knowledge and information, as desirable as these latter possessions are admitted to be.

Washington, in the last letter that he wrote, says that he "ever" considered the establishment of a military academy as of "primary importance to this country, and while I was in the chair of the Government I omitted no proper opportunity of recommending it," etc. Washington favored West Point as the most appropriate site for such an institution, and as early as 1780 and 1781 he was instrumental in having military instruction given at this place. The Military Academy became the successor of this beginning; it was instituted and has continued for the purpose of educating professional soldiers and it is accordingly fitting that brief reference be made first to its record in this respect. Whether the accomplishments of the Military Academy support and justify fully its limited purposes and methods might rest entirely upon the records and achievements of graduates in military activities alone, but to all who agree with those able men who shaped and continued the West Point policy, viz, that the main and superior object of all education is training, discipline, and development rather than the simple acquisition of knowledge, the success of the academy's graduates in other than military lines may be also appropriately included in viewing the academy's returns to the country and the success of its methods.

Although the academy was founded in 1802, it did not take final, definite form until 1817; until this latter date it was without consistent and well-defined courses of study and at the beginning of the War of 1812 only 65 of its graduates were in service. A number of these young men did excellent and invaluable work in the construction of defensive works at important seaports and won for themselves great distinction at the time. For such works, on the defenses of New York, West Point's very first graduate was voted "a benefactor of the city of New York" and his portrait placed in the city hall. This same first graduate performed many duties of great importance. Of another one of those early graduates Gen. Scott said: "That, in my opinion, and perhaps in that of all the Army, he combined more genius and military science with high courage than any other officer who participated in the War of 1812," a most extraordinary and gratifying compliment. Still another of those early graduates who was engaged in this work became two years afterwards, in 1817, the great superintendent and father of the academy, Gen. Thayer. Equal distinction and recognition came to many others of these early graduates, and of those serving in the field one-fourth were killed or wounded.

The experiences of the War of 1812 were not without instruction to the Nation, and the Military Academy thereafter received more consideration and treatment. Almost from the beginning of his administration as superintendent, Gen. Thayer had for several years the earnest and enlightened support of John C. Calhoun, the Secretary of War, and in a short time the framework of the academic system which has prevailed for over a century was firmly established.

At the breaking out of the Mexican War in 1846 there were slightly above 500 graduates of the academy in the service, and nearly an equal number in civil life, many of whom tendered their services to the War Department. With the exception of possessing a greater number of educated officers, the country was no better prepared for war in 1846 than it was in 1812, but in comparing the operations and results of the two wars the effects of the West Point education were unmistakable.

Very nearly three-fourths of the line officers in the Army at the opening of this war were graduates and nearly all of the officers of the staff corps. The brilliancy of the campaigns which brought this war to an early and victorious termination testifies to the perfection with which the operations were planned and carried out, and therefore to the skill of the regimental officers as well as to the soldierly ability of the commanding generals.

In addition to this evidence we have the direct and positive assertions of the then Secretary of War and of Gens. Scott and Taylor and other commanders that our "unexampled career of success" in this war was contributed to in an eminent degree by the graduates of the Military Academy.

As is well known, Gen. Scott, many years after the war, after abundant time for reflection, gave it as his fixed opinion "that but for the graduates of West Point the war between the United States and Mexico might, and probably would, have lasted four or five years, within its first half more defeats than victories falling to our share, whereas in less than two campaigns we conquered a great country and a peace without the loss of a single battle or skirmish."

The instances of gallantry, of professional skill and technical ability displayed by graduates in this war were entirely too numerous for special reference, but it is well known that the Mexican War gave the Military Academy a great reputation. In this war over one-fourth of the graduates in the service were killed or wounded.

Fourteen years after the close of the Mexican War there opened the greatest war in the world's history up to that time. Up to that date there existed no retirement list for officers of the Army and the senior ranking officers of the Army were not removed from the active list for age or incapacity. Partly due to this fact and to others not pertinent to mention here, and notwithstanding the brilliant record of the graduates in the Mexican War, notwithstanding the commendation that had been bestowed upon the academy graduates, notwithstanding the continual growth of the academy in public favor up to the beginning of our Civil War, only one graduate of the Military Academy had been appointed to the full grade of brigadier general in the line and that one declined the appointment.

At the opening of this war, like all of our country's wars, military requirements were obliged to make compromises with political considerations, but within a year the magnitude of the struggle which had begun was recognized and such compromises were largely avoided or made as innocuous to military success as possible. Bearing the facts and the necessity just mentioned in mind, it will sufficiently demonstrate the part played by graduates in this great war to state a few of the striking results brought out thereby.

While there was not a single graduate of the grade of general officer in the line of the Army in January, 1861, in January, 1865, the names of graduates alone appear on this list. This position had been made the reward for successful command in the field.

"Every important battle of the war was commanded on one or both sides by graduates, generally both." "In a list of 60 of the more important battles and campaigns all but 5 were commanded on both sides by graduates. Of the five exceptions, the Army on the one side was commanded by a graduate, and in four of these exceptions he was victorious." At the end of the war all the armies on both sides were commanded by graduates, nearly all of the corps and a majority of the divisions and staff corps and supply organizations as well as many of the brigades.

Of the graduates in service on the Federal side one-third reached the general's grade and over one-half on the Confederate side. Those graduates in service on both sides who did not receive the general's star were performing services indispensable to their armies. One-third of all West Point graduates in the war were either killed or wounded.

The great national and international military distinction made by many of the graduates in this war greatly increased the prestige of West Point and made world wide its reputation, and at the same time justified the academic and military methods of the institution.

It was more than 30 years after the close of the Civil War when the Spanish War broke out, followed by the Philippine insurrection and the invasion of China. During these troubles the principal commands were held by nongraduates who were then in the senior position in the Regular Army. The graduates of the academy were subordinate commanders, and everywhere met the requirements of educated and skilled soldiers.

It is doubtful whether the American Army, officers and enlisted men, has ever received a higher, more eloquent, or more deserved compliment than that bestowed by the President through the Secretary of War in General Orders, No. 66, July 4, 1902, upon the service rendered by them up to that date in Cuba and the Philippines. This order should be consulted by all who would know the great achievements of the Army in those troubles.

The graduates of West Point were full participants in this service and shared in the glory and the praise so justly bestowed; they always and everywhere maintained and in many cases, too numerous to mention, added to the reputation of their alma mater.

From the early days of the Academy to near the end of the nineteenth century the Regular Army fought a pioneer war with the Indians in the Northwest, in Florida, and in the great western part of the country from the Canadian line to the borders of Mexico.

This service carried forward the borders of civilization and made possible the wonderful growth of our country. But generally it involved a life of isolation and dreary monotony, broken by periods of the most trying service and intense hardship. In this service are recorded some of the most astonishing military performances on record, involving endurance, determination, courage, and high sense of duty. For 40 years prior to the Civil War the great majority of the officers of the Regular Army were graduates and a very large proportion of them since that date, so that the graduates fully share the honors of this arduous, valuable, heroic, distinguished, and almost forgotten service.

Even in this extremely brief summary of the achievements of the academy's sons during the first century of its existence it would be inexcusable not to include some reference to the many important and distinguished services rendered by graduates in other than purely military lines. Under this heading we may place services of graduates as explorers, surveyors, builders, etc.

As is well known, West Point antedated the first technical school in this country, the Rensselaer Polytechnic, by 23 years, and these two institutions, as stated by President Gilman, of the Johns Hopkins, "were the only established places in this country for good technical instruction so late as 1847," when the Sheffield Scientific School was established. In considering the honors due the academy and in reckoning the achievements of our technically educated graduates we should not forget the profound influence of the academy as an example nor the

great influence of our graduates as teachers in many institutions which followed the academy, besides their services now about to be mentioned.

As early as 1820 there were commenced explorations of the country previously unknown between the Mississippi and the Pacific Ocean, which explorations were continued almost uninterruptedly until the first transpacific railroad was finished in 1868. Engaged upon these explorations and services were scores and scores of graduates of the academy. Space does not permit the enumeration of these men by name. The graduates of the academy for the larger portion of this time possessed a monopoly of the knowledge necessary for these purposes. As has been truthfully stated, a modern railroad map of the West shows that graduates "blazed the way for the locomotive." In fact, nine-tenths of the recorded geographic knowledge of the great West prior to 1870 was due to the work of the Army, almost entirely performed or directed by graduates.

In the great international boundary surveys, the surveys of the Great Lakes, the latter being one of the most refined geodetic surveys of the world, graduates bore the responsibility and were the principal participants in the work.

Likewise, a graduate of the academy in 1843 was called upon to reorganize the important coast survey and was its distinguished head for 24 years. At his death the Secretary of the Treasury wrote: "No man within the present generation was more widely known in the practical walks of science * * * and his work has won the approbation of the leading learned bodies of the world, among whom his name has long been held in honor." This graduate made the survey one of the most renowned of the world.

Besides the surveys just mentioned, many other less accurate surveys were conducted by Army officers, covering large areas of territory in the West, to the great benefit of the people and Government. In 1878 the Chief of Engineers, writing to the Secretary of War, truthfully referred to these surveys in the following words: "Refined methods of topographical surveys were first used in the United States by Army officers in the performance of their varied duties; they were among the first to apply the refined methods of geodetic surveys; that from the time the Government had territories to explore, the exploration has been made mainly by them; that a large portion of the information contained in all the maps of the United States west of the Mississippi is due to their labors."

Besides the work above specified, the Government actually loaned the graduates of the academy for many other classes of work. In the construction of the first railroad in America, the Baltimore & Ohio, eight graduates of the academy were employed. Graduates of the academy were the chief engineers of at least a dozen of the earlier railroads in the eastern United States. One of them planned the Chesapeake & Ohio Canal and was president of the company. Another graduate in 1842 became the consulting engineer of the Russian Government, planned and equipped the Moscow & St. Petersburg Railroad, and was consulting engineer of the Neva Bridge.

The first railroad in Cuba and also the first in Mexico were built by graduates; several graduates were employed in completing the Panama Railroad. In the planning and operation of nearly all the railroads east of the Mississippi the services of graduates were largely employed.

Similarly in municipal engineering, especially in providing cities with water, in constructing public buildings, parks, and docks the services of graduates have been widely made use of, to the benefit of the country and distinction of the officers.

As an illustration we might note their services in connection with the Croton water supply of New York, Philadelphia water department, the supply of Washington City, the hygienic works in Memphis, in Cuba, and many other places. Many public structures, such as the Washington Monument, the Dome of the Capitol, and a large number of famous lighthouses testify to the competency of the graduates. The vast extent and the almost inestimable value to the country of the river and harbor works of the graduates can be only barely alluded to.

In strictly civil pursuits 20 per cent of the graduates who left the Army for civil life have attained what might be called distinction. Among this number may be cited 2 Presidents, 3 presidential and 2 vice presidential candidates, 4 members of the Cabinet of the United States, 1 ambassador, 14 ministers plenipotentiary, 12 consuls general and consuls, 24 Members of Congress, 17 governors of States and Territories, 46 presidents of colleges and universities, 14 regents and chancellors, and 87 presidents of railroads and corporations.

Two graduates achieved great distinction as practical astronomers, each having charge of the largest telescope of his time: 2 others became noted geologists, 3 distinguished physicians, and 6 distinguished clergymen, 1 a bishop in the Episcopal Church.

The graduates of the academy have contributed a variety of textbooks to the colleges and schools of the country, many of which met with wide use. While the West Point curriculum was never intended to develop literary production it can be confidently claimed that the writings of graduates, from the autobiographies of Grant and Sherman to the reports of our graduates on the late war, all possess the characteristics of good English in their brevity, directness, and lucidity.

A great American bibliographer has said that though our graduates are not trained as writers, "yet in the latter capacities they have left a mark upon the nineteenth century highly honorable to their alma mater and themselves." As he states, during the first century of the academy's life 4,120 men had graduated, and an incomplete bibliography of their writings shows 16,000 titles. Three graduates between 1865 and 1870 in unoccupied moments have, with considerable success, entered the field of fiction. Some of these productions have reached the highest standard of good literature.

It is not inappropriate here to refer to an investigation of the subject of the value of college education as a factor of success in life by Dr. J. H. Finley, then president of the College of New York City. He prepared a table giving the percentage of success for the total number of graduates from several institutions through various periods. His list contained 18 of our leading universities and colleges as well as West Point and Annapolis. The estimate for West Point and Annapolis covered the last 50 years of the nineteenth century. His analysis gave West Point the highest percentage of success. While recognizing that this conclusion must of necessity involve some uncertain assumptions, yet as it is the conclusion of an able and unprejudiced investigator, based upon the best available means of comparison, it may well be claimed as an honorable distinction for West Point.

This mere skeleton outline, which suggests only in very small part the full results that have followed from the academy's teaching during the first century of its existence, is thought fully to justify the great reputation of the academy as well as strongly to support the theory of education here adopted and the methods pursued in accordance therewith.

We may add much to this convincing record to append here the conclusion of that alert, observing, able, widely experienced statesman, Theodore Roosevelt, with regard to the academy at the centennial celebration of the academy in 1902. He said: "This institution has completed its first 100 years of life. During that century no other educational institution in the land has contributed as many names as West Point has contributed to the honor roll of the Nation's greatest citizens. . . . I claim to be a historian, and I speak simply in the spirit of one, simply as a reciter of facts, when I say what I have said. And, more than that, not merely has West Point contributed a greater number of the men who stand highest on the Nation's honor roll, but I think beyond question that, taken as a whole, the average graduate of West Point during this 100 years has given a greater sum of service to the country through his life than has the average graduate of any other institution in this broad land."

Since this opinion was passed on West Point's work 17 years have elapsed; there have been slight military troubles in Cuba and in the Philippines, more serious ones in Mexico. These have all been met and disposed of by the Army, and the latter one with the assistance of the National Guard, in the most creditable manner, with barely one or two exceptional instances. During this interval, too, the work of Army officers other than strictly military has been continued as in the last century; indeed, the civil duties of Army officers have been more numerous and varied than ever before. They have served with great credit to themselves and honor to the country as governors of Provinces, mayors of cities, superintendents of education, collectors of revenues, civil engineers, and in many other capacities. The river and harbor works have been continued. The interval, too, includes one of the greatest and most successful pieces of engineering construction in the history of the world, which was almost from its beginning conducted and carried to completion by Army officers—the Panama Canal.

Finally, the World War came, and our country has had an experience the like of which has never before been known in its history. The Regular Army, and the academy graduates in particular, are said to have had their way to the fullest extent in this great crisis. This is not strictly true, but they were, in the main, the directing forces in the great undertaking and readjustment by which it was attempted to convert 4,000,000 of civilians into soldiers, and this without preliminary preparation for the great undertaking. For the lack of such preparation as could have been made before the war neither the graduates nor the Army are responsible. Neither are they responsible for the fact that the Regular officers were not numerous enough to do thoroughly what they often saw was desirable and necessary under conditions for which they were not responsible.

An attempt quickly to convert a one-room railway station into the New York Grand Central Terminal without preliminary preparation, without abundant material and a large personnel would certainly result in confusion, loss of luggage, and production of ill temper.

But notwithstanding all the defects of haste, lack of early preparation, lack of personnel, and, in some cases, lack of competency, the great undertaking—the greatest of its kind in the world's history—was accomplished with creditable success; this can not be denied, and was fully demonstrated by our part in bringing the great war to a victorious conclusion.

It is impossible to conceive what would have happened had there been no graduates of the academy, no Regular Army officers, in the spring of 1917. If these officers are to be blamed and criticized for the friction, the loose wheels and the broken cogs in the war machine, they should also have the credit for the marvels accomplished in spite of the defects, which accomplishments many think are equal to or greater than any in our previous history.

Viewing the great war in the light of all the conditions, we may justly claim that our graduates have been true to the spirit of West Point and its motto, "Duty, Honor, Country," and we may properly add thereto, sacrifice, for at present the indications are that a greater proportion of the graduates of the academy have made the supreme sacrifice than any other class of officers engaged in the Great War.

At the close of the nineteenth century Dr. E. S. Holden, one of the ablest graduates of the academy, and greatly distinguished in many directions, after editing and preparing for publication the records of all graduates up to that time, wrote as follows: "These records prove in a most convincing way the splendid efficiency of the United States Military Academy as a training school for the American Army and demonstrate that the principles upon which it has been conducted are sound and sufficient and that for a period of nearly 100 years they have been carried out by competent and faithful hands. The country at large may well be proud of the records here presented, and no graduate can fail to feel a new pride in and gratitude to his alma mater in perusing them."

With full and accurate knowledge of the academy's work and of the achievements of its graduates during the 20 years that have elapsed since the above was written, there is no shadow of doubt that the conclusions of Dr. Holden apply with equal fitness at the present time. West Point has proved itself of incalculable value to the country, and its alumni may well be proud of its glorious record.

ADJOURNMENT.

Mr. MORIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 57 minutes p. m.) the House adjourned until Wednesday, February 18, 1920, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Acting Chief of Engineers, report on preliminary examination and survey of Braden River, Manatee County, Fla.; to the Committee on Rivers and Harbors.

2. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Illinois River, Ill., from Ottawa to Utica; to the Committee on Rivers and Harbors.

3. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary

examination of Coquille River, Oreg., from Myrtle Point to Coquille; to the Committee on Rivers and Harbors.

4. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Boston Harbor, Mass., with a view to the construction of an entrance channel through Short Beach, between Winthrop and Revere, connecting Broad Sound with the Charleston Navy Yard by way of Chelsea River; also with a view to the construction of a connecting ship channel from the proposed new entrance at Short Beach to South Boston; to the Committee on Rivers and Harbors.

5. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination and survey of Mamaroneck Harbor, N. Y. (H. Doc. No. 651); to the Committee on Rivers and Harbors and ordered to be printed.

6. A letter from the Secretary of War, transmitting reports descriptive of water terminals and transfer facilities in harbors and waterways under jurisdiction or being maintained by the United States, and explaining that a further report of investigations now in progress by the Board of Engineers for Rivers and Harbors (general subject of water terminals) will be transmitted at a later date (H. Doc. No. 652); to the Committee on Rivers and Harbors and ordered to be printed.

7. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examinations and survey of New York and New Jersey channels, with a view to securing a ship channel of increased width and depth necessary for the purposes of commerce from lower New York Bay, through Raritan Bay, Arthur Kill, Staten Island Sound, channel north of Shooters Island, and Kill Van Kull, to upper New York Bay (H. Doc. No. 653); to the Committee on Rivers and Harbors and ordered to be printed.

8. A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examinations and survey of Pawtucket River, R. I., with a view to increasing the width of the channel through the ledge near Pawtucket (H. Doc. No. 654); to the Committee on Rivers and Harbors and ordered to be printed.

9. A letter from the Acting Secretary of Commerce, transmitting summary of reports in respect to accidents sustained or caused by barges while in tow through the open sea during the fiscal year 1919; to the Committee on the Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CHINDBLOM, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 3187) to dispose of a certain strip of public land in Waterville, Me., reported the same without amendment, accompanied by a report (No. 642), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DOUGHTON: A bill (H. R. 12578) making additional appropriations for the purpose of carrying out the Federal road-aid act approved July 11, 1916; to the Committee on Appropriations.

By Mr. DOMINICK: A bill (H. R. 12579) to divide the eastern district of South Carolina into four divisions and the western district of South Carolina into four divisions; to the Committee on the Judiciary.

By Mr. FERRIS: A bill (H. R. 12580) to authorize the city of Walters, Okla., to dispose of certain lands reserved for public purposes; to the Committee on the Public Lands.

By Mr. STEENERSON: A bill (H. R. 12581) granting the consent of Congress to the village and township of Shelly, Norman County, Minn., and the township of Caledonia, Traill County, N. Dak., to construct a bridge across the Red River of the North on the boundary line between said States; to the Committee on Interstate and Foreign Commerce.

By Mr. TILLMAN: A bill (H. R. 12582) granting additional compensation to all officers and enlisted personnel of the Army, Navy, and Marine Corps, including nurses; to the Committee on Ways and Means.

By Mr. KELLY of Pennsylvania: Resolution (H. Res. 465) directing the Secretary of the Interior to transmit to the House of Representatives certain information in connection with the proposed leasing of any of the lands of the Gila River Indian Reservation; to the Committee on Indian Affairs.

By Mr. BAER: Joint resolution (H. J. Res. 296) authorizing the appointment of a commission to confer with the Dominion Government or the Provincial Government of Quebec, Ontario, and New Brunswick, relative to the claims of the American interests now holding leases of Crown lands acquired prior to the passage of restrictive orders in council of the said Provinces; to the Committee on Appropriations.

By Mr. ROGERS: Memorial of the Commonwealth of Massachusetts, requesting the United States Shipping Board to cause the steamship *George Washington* to be repaired at the Charlestown Navy Yard; to the Committee on the Merchant Marine and Fisheries.

By Mr. GALLIVAN: Memorial of the Commonwealth of Massachusetts, requesting the United States Shipping Board to cause the steamship *George Washington* to be repaired at the Charlestown Navy Yard; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the Senate of the Commonwealth of Massachusetts, urging the President of the United States to defer the proposed sale of the ships of the German merchant fleet, and to consider the expediency of operating them under Government auspices; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. ASHBROOK: A bill (H. R. 12583) granting an increase of pension to Martha McFarland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12584) granting a pension to William S. Denius; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12585) granting an increase of pension to James M. White; to the Committee on Pensions.

Also, a bill (H. R. 12586) granting a pension to John M. Eldt; to the Committee on Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 12587) granting an increase of pension to Sarah A. Willingham; to the Committee on Pensions.

By Mr. KRAUS: A bill (H. R. 12588) authorizing the payment of a claim to Tolliver B. Clark; to the Committee on War Claims.

Also, a bill (H. R. 12589) granting a pension to William G. Lall; to the Committee on Pensions.

By Mr. McARTHUR: A bill (H. R. 12590) granting a pension to Robert Sweeney; to the Committee on Pensions.

By Mr. McFADDEN: A bill (H. R. 12591) granting an increase of pension to Michael Kilrow; to the Committee on Pensions.

By Mr. McPHERSON: A bill (H. R. 12592) granting an increase of pension to Rufus R. K. Hill; to the Committee on Invalid Pensions.

By Mr. NEWTON of Missouri: A bill (H. R. 12593) for the relief of Benjamin F. Green; to the Committee on Claims.

By Mr. NICHOLS of Michigan: A bill (H. R. 12594) granting an increase of pension to Mary Jane Wilking; to the Committee on Invalid Pensions.

By Mr. OGDEN: A bill (H. R. 12595) granting a pension to Mary C. Hall; to the Committee on Pensions.

Also, a bill (H. R. 12596) granting a pension to Mary McJenkins; to the Committee on Pensions.

By Mr. RAMSEYER: A bill (H. R. 12597) granting an increase of pension to Joshua H. Ervin; to the Committee on Pensions.

By Mr. ROWAN: A bill (H. R. 12598) for the relief of the estate of Katherine O'Mella; to the Committee on War Claims.

By Mr. SMITHWICK: A bill (H. R. 12599) granting an increase of pension to Jesse Baird; to the Committee on Pensions.

Also, a bill (H. R. 12600) granting an increase of pension to James L. Henderson; to the Committee on Pensions.

Also, a bill (H. R. 12601) granting a pension to Thomas N. Collins; to the Committee on Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 12602) granting an increase of pension to Sallie Lumpkins; 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:

1605. By the SPEAKER: Petition of sundry citizens of Baltimore, Washington, and New York City, protesting against the sale of the former German ships, etc.; to the Committee on the Merchant Marine and Fisheries.

1606. By Mr. EMERSON: Petition of the Federal Employees' Union, in favor of increase in pay to steamboat inspectors, etc.; to the Committee on the Merchant Marine and Fisheries.

1607. By Mr. FULLER of Illinois: Petition of citizens of Rockford, Streator, La Salle, and Peru, Ill., opposing the sale of the 30 former German ships; to the Committee on the Merchant Marine and Fisheries.

1608. Also, petition of the National Association of Wholesale Druggists, relative to second-class postage rates; to the Committee on the Post Office and Post Roads.

1609. Also, petition of V. M. Johnson, general manager of the Free Sewing Machine Co., relative to pending railroad legislation, etc.; to the Committee on Interstate and Foreign Commerce.

1610. Also, petition of Duncan McDonald, president of the Illinois State Federation of Labor, opposing the Sterling-Graham sedition bills now pending; to the Committee on the Judiciary.

1611. By Mr. GALLIVAN: Petition of various citizens, opposing the sale of the former German ships, etc.; to the Committee on the Merchant Marine and Fisheries.

1612. By Mr. McGLENNON: Petition of the Men's Club of the Summit Avenue Methodist Episcopal Church, of Jersey City, N. J., relative to certain legislation; to the Committee on Military Affairs.

1613. Also, petition of the National Council of New Jersey, representing the Lithuanian population, relative to certain legislation; to the Committee on Foreign Affairs.

1614. Also, petition of the Jersey City Chamber of Commerce, relative to certain provisions in the pending railroad legislation, etc.; to the Committee on Interstate and Foreign Commerce.

1615. By Mr. O'CONNELL: Petition of National Wholesale Druggists' Association, New York City, opposing the repeal of the zone system; to the Committee on the Post Office and Post Roads.

1616. Also, petition of the Wholesale Coal Trade Association, New York City, protesting against the permit system governing the shipment of bituminous coal to tidewater ports; to the Committee on Interstate and Foreign Commerce.

1617. By Mr. RAKER: Petition of the San Francisco Chamber of Commerce, opposing the Gronna bill, relative to the wheat guaranty, etc.; to the Committee on Agriculture.

1618. Also, petition of the Commonwealth Club, of San Francisco, Calif., urging support of the appropriation for the work of stream gauging by the United States Geological Survey in California; to the Committee on Appropriations.

1619. Also, petition of the Water Front Employees' Union, of San Francisco, Calif., urging the passage of House bill 6659, etc.; to the Committee on the Post Office and Post Roads.

1620. By Mr. ROWAN: Petition of the One hundred and seventh Infantry Post, the American Legion, of New York City, urging universal military training, etc.; to the Committee on Military Affairs.

1621. Also, petition of the American Protective Tariff League, relative to certain legislation; to the Committee on Ways and Means.

1622. Also, petition of Adolph Lewisohn, of New York City, relative to lower taxes on profit and income; to the Committee on Ways and Means.

1623. Also, petition of the Three hundred and seventh Infantry Post of the American Legion, urging universal military training, etc.; to the Committee on Military Affairs.

1624. Also, petition of National Wholesale Druggists' Association, urging retention of zone postal rates; to the Committee on the Post Office and Post Roads.

1625. Also, petition of Twenty Year Club, Watervliet Arsenal, Watervliet, N. Y., favoring the Army and Navy pay bill; to the Committee on Military Affairs.

1626. Also, petition of American Association of Engineers, New York Chapter, in support of the Keating Commission; to the Committee on Reform in the Civil Service.

1627. Also, petition of American Fruit and Vegetable Shippers' Association, relating to the shipment of fruits and vegetables; to the Committee on Interstate and Foreign Commerce.

1628. Also, petition of the American Civil Liberties Union, of New York City, relative to certain editorial of the New York World of February 8, 1920; to the Committee on the Judiciary.

1629. Also, petition of the Michigan Manufacturers' Association, relative to more education and less radicalism, etc.; to the Committee on the Judiciary.

1630. Also, petition of the National Loyalty League of Springfield, Mo., relative to protection of life and property in case of riot, etc.; to the Committee on Military Affairs.

1631. Also, petition of the National Association of Tuberculosis, of New York City, relative to increase in pay for the personnel of the United States Public Health Service, etc.; to the Committee on Interstate and Foreign Commerce.

1632. Also, petition of T. C. Atkeson, representative of the National Grange, and others, relative to the views of farmers on national questions, etc.; to the Committee on Agriculture.

1633. By Mr. SINCLAIR: Petition of the Central Labor Union of Devils Lake, N. Dak., favoring Federal control of the railroads for a period of two years; to the Committee on Interstate and Foreign Commerce.

1634. Also, petition of the Central Labor Union of Devils Lake, N. Dak., opposing the passage of the Sterling-Graham peace-time sedition bills; to the Committee on the Judiciary.

1635. By Mr. STINESS: Petition of employees of Providence office of the Steamboat-Inspection Service, Providence, R. I., requesting an increase of salaries for the United States Steamboat-Inspection Service employees; to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, February 18, 1920.

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

Almighty God, it is our privilege to call upon Thy name and to lift our hearts in reverence and in devotion to Thee. We thank Thee for the spiritual basis of life, for the great spiritual principles to which we may gather all our thought and all our plan of life, for the great spiritual forces that run through the current of human life and thought, making for the advancement of human civilization and the establishment of justice and peace among men. Grant us to-day those spiritual principles and forces that will keep us close to the thought of God. For Christ's sake. Amen.

On request of Mr. CURTIS and by unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Ball	Frelinghuysen	McLean	Smith, Md.
Beckham	Gay	McNary	Smoot
Borah	Hale	Moses	Spencer
Brandeggee	Harris	Myers	Stanley
Calder	Harrison	Nelson	Sterling
Capper	Henderson	New	Sutherland
Chamberlain	Hitchcock	Nugent	Thomas
Colt	Johnson, S. Dak.	Page	Townsend
Culberson	Jones, N. Mex.	Phipps	Trammell
Curtis	Jones, Wash.	Pittman	Walsh, Mont.
Dial	Kellogg	Poindexter	Warren
Dillingham	Kenyon	Pomerene	Watson
Elkins	King	Ransdell	Williams
Fernald	Kirby	Sheppard	Wolcott
Fletcher	Knox	Sherman	
France	McKellar	Smith, Ga.	

Mr. DIAL. I wish to announce that my colleague [Mr. SMITH of South Carolina] is detained by illness. I ask that this announcement may continue for the day.

Mr. HARRISON. I desire to announce that the Senator from North Dakota [Mr. GRONNA] and the Senator from Wyoming [Mr. KENDRICK] are absent at a meeting of the Agricultural Committee.

Mr. CURTIS. I have been requested to announce the absence of the Senator from New Jersey [Mr. EDGE] on business of the Senate.

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

Mr. MCKELLAR. The Senator from Virginia [Mr. SWANSON] is detained by illness in his family, the Senator from Rhode Island [Mr. GERRY] is detained at home by illness, and the Senator from Missouri [Mr. REED] is necessarily absent.

The Senator from Arizona [Mr. ASHURST], the junior Senator from North Carolina [Mr. OVERMAN], the Senator from California [Mr. PHELAN], the Senator from Arkansas [Mr. ROBINSON], the Senator from Alabama [Mr. UNDERWOOD], and the senior Senator from North Carolina [Mr. SIMMONS] are absent on official business.

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

ESTIMATE OF APPROPRIATION (S. DOC. NO. 226).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter

from the Secretary of the Interior, submitting supplemental estimate of appropriation, in the sum of \$10,000, required for a new ash tank and vacuum cleaner for boilers in the power plant of the old Land Office Building, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

FLATHEAD NATION OF INDIANS.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2454) for the relief of certain members of the Flathead Nation of Indians, and for other purposes, which was, on page 2, line 11, after the word "completed," to strike out the remainder of the paragraph and insert:

Provided further, That not exceeding 40 acres of each allotment made under the provisions of this act shall be designated as a homestead which shall be inalienable and nontaxable during the minority of the allottee and thereafter until such restrictions may be removed either by Congress or the Secretary of the Interior.

Mr. CURTIS. I move that the Senate concur in the House amendment.

The motion was agreed to.

RECLAMATION PROJECTS.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 706) for furnishing water supply for miscellaneous purposes in connection with reclamation projects, which were, on page 1, line 8, after the word "proper," to insert "*Provided*, That the approval of such contract by the water users' association or associations shall have first been obtained"; on page 1, line 12, to strike out "unless" and insert "if"; on page 1, line 12, to strike out "hot"; and on page 2, line 2, after "appropriator," insert "*Provided further*, That the moneys derived from such contracts shall be covered into the reclamation fund and be placed to the credit of the project from which such water is supplied."

Mr. MYERS. I move that the Senate concur in the amendments of the House.

Mr. SMOOT. May I ask the Senator a question first? I have not had a chance to examine the amendments made by the House. Will the Senator in a few words explain the amendments and their effect upon the bill as passed by the Senate?

Mr. MYERS. Mr. President, I shall be pleased to do so.

One amendment strikes out the word "not" and the word "unless" and inserts the word "if" in another place. It merely changes the wording and does not alter the meaning at all. It makes the meaning a little clearer.

Another amendment provides that any moneys derived from the disposition of water under the bill shall go to the benefit of the particular reclamation project to which the water belongs, which I think is proper.

Another amendment provides that no action shall be taken under this measure, that no water shall be contracted to be supplied, unless the Secretary of the Interior shall first consult any association of water users that there may be on the particular project and get their consent.

I am quite willing to accept the amendments. I think they are all right, and I move that they be concurred in.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 12467) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1921, and for other purposes, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. WARREN. I present a resolution adopted at the fifty-fifth annual convention of the National Wool Growers' Association, an old and live association which has been in session at Salt Lake City, Utah. It is a matter of only 10 lines, and I ask that it may be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

[Resolution adopted by the fifty-fifth annual convention of the National Wool Growers' Association, held in Salt Lake City, Utah, Jan. 21, 1920.]

"Whereas the armistice has been signed for over a year, and the country is full of unrest, and there is an uncertainty in regard to the future that should be allayed as soon as possible: Therefore be it

"Resolved by the National Wool Growers' Association, That the Senate of the United States as soon as possible should enact into binding statute the League of Nations pact, safe-