

Officers of the medical administrative corps shall be appointed by the President, by and with the advice and consent of the Senate, from among the noncommissioned officers of the Medical Service, of not more than 32 years of age, who shall have served not less than three years therein, including service in the Hospital Corps, the Veterinary Corps, or in the enlisted force of the Medical Department, and not less than three years as noncommissioned officers, and who shall have been found qualified by a board of not less than three officers of the Medical Service, upon such examination as shall be prescribed by the Secretary of War.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 39, line 4, after the word "appointment," to insert "to date from three months after the approval of this act and"; in line 6, after the word "colonel," to strike out "except in the Veterinary Corps"; in line 9, after the words "fifty years," to insert "who shall have been appointed within six months after the approval of this act and," so as to read:

Of the vacancies in the Medical Corps, Dental Corps, and Veterinary Corps created or caused by this act, such number as the President may direct shall be filled by appointment, to date from three months after the approval of this act and subject to such examination as may be prescribed, in the grades of captain, major, lieutenant colonel, and colonel, of persons other than officers of the permanent personnel under the age of 50 years who shall have been appointed within 6 months after the approval of this act and who shall have served as officers of the Medical, Dental, or Veterinary Corps in the United States Army, whether in the Regular Army, the National Guard while in the service of the United States, or in the National Army, or as reserve officers, between April 6, 1917, and November 11, 1918.

The amendment was agreed to.

The next amendment of the Committee on Military Affairs was, on page 39, line 15, after the numerals "1918," to insert:

For purposes of future promotion, persons so appointed shall be considered as having had, on the day of appointment, sufficient prior service to bring them to their respective grades under the rules of promotion established in this section.

Mr. WADSWORTH. Mr. President, the amendment found in the middle of page 39, which has just been read by the Secretary, should be taken out, and the same language inserted at the bottom of page 38, after the words "50 per cent," on line 24.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to transpose the committee amendment found on lines 15, 16, 17, and 18 of page 39, to the foot of page 38, after the words "50 per cent."

Mr. WADSWORTH. It should be preceded by the words "Provided further."

The ASSISTANT SECRETARY. So as to read:

Provided further, That for purposes—

And so forth.

The PRESIDING OFFICER. Without objection, it will be so transposed. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 41, line 2, after the words "acting assistant surgeons," to insert the words "contract surgeons."

Mr. WADSWORTH. Mr. President, I desire to perfect that amendment by inserting between the words "contract" and "surgeons" the word "dental," so that it will read "contract dental surgeons."

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

The ASSISTANT SECRETARY. Amend the committee amendment on page 41, line 2, so that between the words "contract" and "surgeons" there shall be inserted the word "dental," so that the proviso will read:

Provided, That officers of the Medical Corps and Dental Corps shall be credited with their service as contract surgeons, acting assistant surgeons, contract dental surgeons, or as acting dental surgeons, and to officers of the Veterinary Corps shall be credited their governmental veterinary service rendered prior to June 3, 1916.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 41, line 8, to strike out "relative" and in lieu to insert "assimilated"; on line 9 to strike out "relative" and insert "assimilated"; on line 11 to strike out "relative" and insert "assimilated"; on line 12 to strike out "relative" and insert "assimilated"; on line 13, before the word "nurses," to insert "head nurses"; on the same line to strike out "relative" and insert "assimilated"; in line 18, before the word "officers," to strike out "medical" and insert "commissioned"; and in the same line to strike out the word "Army" and to insert the words "Medical Service," so as to read:

The Army Nurse Corps shall consist of the personnel as provided for in existing law. Hereafter the members of the Army Nurse Corps shall have assimilated rank as follows: The superintendent shall have the assimilated rank of major; the assistant superintendents, director, and

assistant directors, the assimilated rank of captain; chief nurses, the assimilated rank of first lieutenant; and head nurses, nurses, the assimilated rank of second lieutenant; and as regards medical and sanitary matters and all other work within the line of their professional duties shall have and shall be regarded as having authority in and about military hospitals next after the commissioned officers of the Medical Service, and shall wear the insignia indicative of their relative rank in the Army as may be prescribed by regulations.

Mr. WADSWORTH. I move to amend, on line 19, by striking out the word "relative" and inserting in lieu thereof the word "assimilated."

The amendment to the amendment was agreed to.

Mr. POMERENE. I wish the chairman of the committee would define for me the term "assimilated rank."

Mr. WADSWORTH. It is a military term which, our committee is reliably informed, is more accurate and correct than the term "relative rank." It means really the same thing, but it is the term used in military parlance.

Mr. POMERENE. It is evident that it is used; but what does it mean?

Mr. WADSWORTH. A person holding assimilated rank is one who exercises limited authority of that rank under certain conditions but does not enjoy the full privileges of the rank. This applies to the Army Nurse Corps. If an Army nurse is given what is known as assimilated rank, she may issue orders to the enlisted personnel under her charge in the ward of a hospital. As her rank is merely an assimilated rank, she does not enjoy all the pay and allowances of the rank. Her pay is fixed by the existing provisions of law.

Mr. POMERENE. I have had a number of letters from some people who are interested in this branch of the service, and they and their friends have felt that they have been discriminated against because they were denied rank, just as dentists were formerly denied rank. I confess I have had a good deal of sympathy with the aspirations of the friends of these nurses and have felt that they were entitled to rank—what rank I do not know. I confess that thus far I would be unable to explain to them what privileges were given to them when I say to them that they will have conferred upon them assimilated rank.

Mr. WADSWORTH. That is exactly what they asked for.

Mr. POMERENE. If that is what they want, I am satisfied with it, even if I do not understand it.

The amendment as amended was agreed to.

Mr. SMOOT. I ask the Senator having the bill in charge how long he proposes to have the Senate remain in session?

Mr. WADSWORTH. Only until the section under the subhead "The Ordnance Service" is reached.

The reading of the bill was continued to line 6, on page 42, the end of the sections under the subhead "The Medical Service."

Mr. WADSWORTH. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, April 7, 1920, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES.

TUESDAY, April 6, 1920.

The House met at 12 o'clock noon.

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

With profound faith in Thee, our Father in heaven, and in the overruling of Thy providence to the good of all mankind; with a deep and abiding faith in the Constitution of the United States of America, its genius and perpetuity; with confidence in the patriotic loyalty of the vast majority of the American citizens; inspire these, their chosen Representatives, with high resolves, pure ideals, that their enactments may be to the good of the people; that they may thus render unto Caesar the things that are Caesar's and unto God the things that are God's. In the spirit of the world's Great Redeemer. Amen.

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

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. WOOD of Indiana. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 12610, the legislative, executive, and judicial appropriation bill, with Senate amendments thereto, disagree to all of the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Indiana asks unanimous consent to take from the Speaker's table the legislative, executive, and judicial appropriation bill, disagree to all of the Senate amendments, and ask for a conference. Is there objection?



Mr. MADDEN. Mr. Speaker, reserving the right to object, I wish to ask the gentleman from Indiana if he will bring back to the House for a vote Senate amendment No. 53, for the transfer of the Bureau of Efficiency from the executive branch of the Government to the legislative branch of the Government?

Mr. WOOD of Indiana. I have no objection to doing that.

Mr. MADDEN. If the gentleman agrees to that, I have no objection.

Mr. BLANTON. Mr. Speaker, reserving the right to object, I desire to ask the gentleman from Indiana a question. Can the gentleman state to us just how many million dollars have been added to this bill by the Senate?

Mr. WOOD of Indiana. It is a little less than \$2,000,000.

Mr. BLANTON. Is it not approximately about \$57,000,000?

Mr. WOOD of Indiana. No.

Mr. BLANTON. Has the gentleman figured it all up?

Mr. WOOD of Indiana. Yes.

Mr. BLANTON. Has the gentleman figured up the \$240 bonus for 200,000 employees?

Mr. WOOD of Indiana. I did not figure that, because it was carried in the bill as reported to this House. The amount added to the bill proper, as it was reported to the House, amounts to a little less than \$2,000,000.

Mr. BLANTON. Taking the bonus into consideration, it will run up to about \$50,000,000?

Mr. WOOD of Indiana. Whatever the calculation shows.

Mr. MADDEN. That was in the bill as it was reported to the House, anyway.

Mr. BLANTON. And outside of that amount how much does the gentleman say has been added to the bill?

Mr. WOOD of Indiana. I say that outside of the bonus, which was originally reported in the bill, and which went out on a point of order in the House, the amount added by the Senate is approximately \$2,000,000.

Mr. BLANTON. Following the splendid example and the suggestion that has been made by the majority leader of the House in respect to economy, may we depend upon the conferees to eliminate most of that \$2,000,000?

Mr. WOOD of Indiana. We did our best to economize on the amount of the bill as carried in the House, and we will do our best to keep it down in the conference.

Mr. BLANTON. May we depend upon the conferees to hold the amount down to approximately \$50,000,000?

Mr. WOOD of Indiana. The gentleman refers to the bonus?

Mr. BLANTON. Yes. There will be no doubling of that proposition.

Mr. WOOD of Indiana. No.

Mr. DYER. There could not be any doubling of that amount. Will the gentleman from Indiana yield?

Mr. WOOD of Indiana. Yes.

Mr. DYER. What has been done, if anything, with reference to the Subtreasuries?

Mr. WOOD of Indiana. The Subtreasuries, by an amendment placed on the bill in the Senate, were put back into the bill. That is, the language abolishing them was stricken out.

Mr. DYER. Is the gentleman able to tell us what the conferees of the House will do in respect to that?

Mr. WOOD of Indiana. No. I can tell the gentleman what I will do with reference to it, but I can not speak for the other conferees.

Mr. DYER. In my opinion, the Subtreasuries should be eliminated. We have been trying to eliminate them for years. I would not be in favor of agreeing to the gentleman's request unless we are going to have an opportunity in the House to vote against the Subtreasuries.

Mr. WOOD of Indiana. I will agree with the gentleman that unless the Senate recedes from the position they have taken, the House will have that opportunity.

Mr. DYER. With that assurance, I have no objection to the gentleman's request. I have a Subtreasury in my district, but I think the Subtreasuries are absolutely needless and useless, and that they should be eliminated.

Mr. WOOD of Indiana. I am very glad to hear the gentleman say that.

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

Mr. WOOD of Indiana. Yes.

Mr. NOLAN. Can the gentleman give us some idea of whether we will have a chance to have something to say about the additional \$50,000 for the conciliation division in the Department of Labor?

Mr. WOOD of Indiana. I have not given that matter any thought.

Mr. NOLAN. I have no desire to obstruct and will not make any point about it.

Mr. MONDELL. Mr. Speaker, reserving the right to object, one of the items placed in the bill by the Senate is an item of a million and a half, as I recollect the amount, for additional temporary clerks in the War Department. I feel confident that the House provided for all of the temporary clerks in the War Department that are necessary. This seems to be another effort on the part of one of the Government departments to retain indefinitely a very large force of clerks, which may at one time have been necessary, but which, as a matter of fact, are not necessary now. A very considerable number of them ought to have been discharged long ago and allowed to go home, where they are probably needed very much more than they are needed here. I feel confident that as to that item the conferees on the part of the House will insist upon the view of the House in respect to it. The War Department and the other departments of the Government have been more than liberally provided for in the matter of employees, and I think that the time has come when we must insist and shall insist that unnecessary clerks shall no longer be retained on the public pay roll. [Applause.]

Mr. Speaker, there is just one more proposition that I desire to state. There is no Member of this House, there is not a person anywhere who is at all informed with regard to the matter, who has not known all the time that the bonus now being paid to the employees of the Government would continue to be paid the coming fiscal year. Everyone understood that while the item went out on a point of order in the House it would be restored in the Senate and would be agreed to in the House eventually; and yet, while that is a fact, some people here in the city at the head of certain organizations of employees have taken it upon themselves to send broadcast over the country into the districts of Members of this House most erroneous and misleading statements with regard to the matter.

A great many good people have been led to believe that the House of Representatives deliberately set out to reduce the pay of these employees by \$240 a year. A lot of clerks have been unnecessarily worried and disturbed about the matter by statements that have been made. Everybody who has taken the trouble to be informed in the matter knows that there has been no question at any time about the bonus, and yet word has been sent broadcast over the country, labor unions all over the country have been appealed to against Members of the House because of some alleged connection with an alleged attempt on the part of the House to deny these employees the bonus. I hope that we have seen about the last of this wholesale misrepresentation of the attitude of Members of Congress. I do not believe the employees of the Government desired to have those who have charge of their affairs in their unions misrepresent the attitude of Members. I believe they knew they were going to get the bonus and were perfectly content, but certain gentlemen, whose pay seems to depend upon keeping up a continual rumpus over this matter, have seen fit to misstate all over the country the attitude of Members.

Mr. BLANTON. Will the gentleman yield?

Mr. MONDELL. I will yield.

Mr. BLANTON. The gentleman speaks of this \$240 bonus to civilian employees as being "their bonus" as a matter of right. I would like to ask the distinguished gentleman from Wyoming whether he considers this \$240 gratuity which, during the war, was allowed to the 240,000 Government employees is any more their property as a matter of right than the bonus now being demanded of Congress by service men who faced no man's land in France is a matter of right?

Mr. MONDELL. Well, I do not think I have stated that the so-called bonus was a right. The thought I intended to convey was that the sentiment in the House was unanimous, so far as I knew, in favor of retaining the present bonus for the coming fiscal year. The fact is the term "bonus" is not a happy or accurate one. What we have done is to agree that until we can determine what is a fair salary for Federal employees, we are giving them \$240 per annum above their prewar pay.

Mr. POU. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. POU. If that is true, I would like to ask the gentleman from Wyoming why the Committee on Rules were not instructed to bring in a rule making the \$240 in order? It could not have been a very difficult matter and would have given the House a chance to vote.

Mr. MONDELL. Well, the gentleman is a member of the Committee on Rules and he knows perfectly well that the point of order was made very late in the day, and that it would have been difficult to have secured a meeting of the Committee on Rules at that time. It was practically the last section of the bill, and in any event it was entirely unnecessary to bring in a rule because everyone knew that the bonus would be placed in



the bill eventually, and it would have been a foolish and unnecessary thing to have brought in a rule under those circumstances. The matter of the bonus had been established as the increase of pay for the present.

Mr. POU. Well—

Mr. NOLAN. The gentleman knows the same thing happened when the Democrats were in control of the House, that the bonus went out on the point of order and notwithstanding that they brought in a rule to protect it.

Mr. MONDELL. At the time when the matter of the establishment of the bonus had not become fixed as a policy of the Congress they brought in a rule, as I recall it, that provided for a \$240 bonus and did not allow any raise by amendment.

Mr. NOLAN. The gentleman knows that it only provided for \$120 bonus at that time, and in the last bill we increased it to \$240. The gentleman also knows that it was common rumor around this House for a week that the point of order was going to be raised against this, and the steering committee on this side of the House had an excellent opportunity to take it up with the Committee on Rules and have a rule brought in to protect the matter.

Mr. MONDELL. Everybody knew that nothing of the kind was necessary, as the bonus is for the present agreed to by everyone; furthermore, I am sure the gentleman from California would not have wanted a rule that would have prevented any amendment.

Mr. DYER. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Chair appoints the following conferees. The Clerk read as follows:

Mr. WOOD of Indiana, Mr. WASON, and Mr. SISSON.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed joint resolutions and bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. J. Res. 128. Joint resolution relating to schools and libraries at Army posts;

S. J. Res. 124. Joint resolution granting a bonus to enlisted men of the Philippine Scouts who have accepted or may accept their discharge in order to reenlist in said Philippine Scouts;

S. 1457. An act for the relief of Joseph W. Skill;

S. 1257. An act to amend an act approved June 22, 1910, entitled "An act to provide for agricultural entries on coal lands";

S. 132. An act for the relief of the Chicago, Milwaukee & St. Paul Railway Co.; the Chicago, St. Paul, Minneapolis & Omaha Railway Co.; and the St. Louis, Iron Mountain & Southern Railway Co.;

S. 3530. An act for the relief of Sarah Shelton;

S. 3609. An act to amend an act of Congress approved April 27, 1914;

S. 2934. An act for the relief of the Leavenworth Bridge Co., of Leavenworth, Kans.;

S. 2797. An act to add certain lands to the Crater Lake National Park, Oreg.;

S. 3205. An act for the relief of the widow of Rudolph H. von Ezdorf, deceased;

S. 2921. An act for the relief of the Milwaukee Bridge Co.;

S. 302. An act for the relief of Thomas Simmons;

S. 3875. An act to amend sections 5549 and 5550 of the Revised Statutes of the United States;

S. 2371. An act for the relief of Katheryn Walker;

S. 3516. An act to authorize the Secretary of War, in his discretion, to furnish quarters at Langley Field, Va., to the civilian employees of the National Advisory Committee for Aeronautics, and for other purposes; and

S. J. Res. 98. Joint resolution to authorize the Secretary of War to grant revocable licenses for the removal of sand from the Fort Douglas Military Reservation for industrial purposes.

The message also announced that the Senate had passed with amendment bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 795. An act for the relief of Arthur Wendle Englert.

The message also announced that the Senate had passed the bill (H. R. 3211) for the relief of Emma J. Spear.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED.

Under clause 2, Rule XXIV, Senate bills and joint resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 2921. An act for the relief of the Milwaukee Bridge Co.; to the Committee on Claims.

S. 1457. An act for the relief of Joseph W. Skill; to the Committee on Claims.

S. 3530. An act for the relief of Sarah Shelton; to the Committee on Claims.

S. 3205. An act for the relief of the widow of Rudolph H. von Ezdorf, deceased; to the Committee on Claims.

S. 1257. An act to amend an act approved June 22, 1910, entitled "An act to provide for agricultural entries on coal lands"; to the Committee on the Public Lands.

S. 2797. An act to add certain lands to the Crater Lake National Park, Oreg.; to the Committee on the Public Lands.

S. 2371. An act for the relief of Katheryn Walker; to the Committee on the Public Lands.

S. 3516. An act to authorize the Secretary of War, in his discretion, to furnish quarters at Langley Field, Va., to the civilian employees of the National Advisory Committee for Aeronautics, and for other purposes; to the Committee on Military Affairs.

S. 3609. An act to amend an act of Congress approved April 27, 1914; to the Committee on Military Affairs.

S. 302. An act for the relief of Thomas Simmons; to the Committee on Military Affairs.

S. J. Res. 128. Joint resolution relating to schools and libraries at Army posts; to the Committee on Military Affairs.

S. J. Res. 98. Joint resolution to authorize the Secretary of War to grant revocable licenses for the removal of sand from the Fort Douglas Military Reservation for industrial purposes; to the Committee on Military Affairs.

S. 3875. An act to amend sections 5549 and 5550 of the Revised Statutes of the United States; to the Committee on the Judiciary.

S. J. Res. 124. Joint resolution granting a bonus to enlisted men of the Philippine Scouts who have accepted or may accept their discharge in order to reenlist in said Philippine Scouts; to the Committee on Ways and Means.

S. 132. An act for the relief of the Chicago, Milwaukee & St. Paul Railway Co.; the Chicago, St. Paul, Minneapolis & Omaha Railway Co.; and the St. Louis, Iron Mountain & Southern Railway Co.; to the Committee on Claims.

CHANGE OF REFERENCE.

Mr. VOLSTEAD. Mr. Speaker, I ask unanimous consent to rerefer the bill H. R. 263 from the Committee on Interstate and Foreign Commerce to the Committee on the Judiciary.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to rerefer from the Committee on Interstate and Foreign Commerce to the Committee on the Judiciary the bill which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 263) to further protect interstate commerce against bribery and other corrupt trade practices.

The SPEAKER. Is there objection?

Mr. CLARK of Missouri. Mr. Speaker, reserving the right to object, I would like to ask the gentleman why he wants this rereference made?

Mr. VOLSTEAD. That would be a matter for the committee to determine. We have been urged by the Federal Trade Commission to take up the matter.

The SPEAKER. The Chair understands this is done with the consent of the chairman of the Committee on Interstate and Foreign Commerce.

Mr. VOLSTEAD. And also with the consent of Mr. SIMS, author of the bill.

Mr. CLARK of Missouri. Is the gentleman taking it away from the Committee on Interstate and Foreign Commerce or giving it to it?

The SPEAKER. Taking it from the Committee on Interstate and Foreign Commerce and giving it to the Judiciary Committee, with the consent of Mr. SIMS and Mr. ESCH.

Mr. CLARK of Missouri. Does it furnish any penalties?

Mr. VOLSTEAD. It is a criminal statute.

Mr. CLARK of Missouri. I say, does the bill establish any penalties for violation?

Mr. VOLSTEAD. Yes; it is a criminal statute and properly belongs to the Committee on the Judiciary.

The SPEAKER. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, how long has it been with the Interstate and Foreign Commerce Committee?

Mr. VOLSTEAD. It was introduced on May 19, 1919.

Mr. GARD. And is just being transferred to the Committee on the Judiciary after nearly a year. Has the Committee on Interstate and Foreign Commerce made any report on it?

Mr. VOLSTEAD. It has not.

Mr. GARD. Has it taken it up for consideration?

Mr. VOLSTEAD. Not that I know of.

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



## PENSION APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13416, the pension appropriation bill, and, pending that motion, I would like to ask the gentleman from Illinois [Mr. McANDREWS] if we can arrange upon a time for general debate?

Mr. McANDREWS. I think so.

Mr. CANNON. How much time?

Mr. McANDREWS. I think we can get through with about two hours on this side.

Mr. CANNON. About two hours. Then I will ask unanimous consent that general debate close in not later than four hours; but I hope we will get through with less general debate than that.

I have not had many applications for recognition upon this side. I ask that the time be divided equally between the gentleman from Illinois [Mr. McANDREWS] and myself.

The SPEAKER. The gentleman from Illinois [Mr. CANNON] asks unanimous consent that the general debate be limited to four hours, two hours to be controlled by himself and two hours by the gentleman from Illinois [Mr. McANDREWS]. Is there objection? [After a pause.] The Chair hears none. The question is on the motion of the gentleman from Illinois that the House resolve itself into the Committee of the Whole House on the state of the Union.

The question was taken, and the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for consideration of the bill H. R. 13416, the pension appropriation bill, with Mr. MAPES in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 13416) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1921, and for other purposes.

Mr. CANNON. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. DYER. Mr. Chairman, it is a very short bill, and if there is no objection I would like to hear it read.

The CHAIRMAN. The gentleman from Missouri objects. The Clerk will read the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June 30, 1921, and for other purposes, namely:

Army and Navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, Army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, \$214,000,000: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same shall be sufficient for that purpose: *Provided further*, That the amount expended under each of the above items shall be accounted for separately.

For fees and expenses of examining surgeons, pensions, for services rendered within the fiscal year 1921, \$20,000.

The CHAIRMAN. The gentleman from Illinois [Mr. CANNON] is recognized for two hours.

Mr. CANNON. Mr. Chairman, I yield 20 minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman and gentlemen of the committee, before I begin what I rose to say I wish to call the attention of the committee to the interesting report that has been submitted by my colleague, the chairman of the committee, the gentleman from Illinois [Mr. CANNON], whose bill is now before us. It is the most interesting report I have read in connection with any bill presented to the House, but it is just exactly what we might expect from the man who is chairman of this committee. With his long years of experience he has been able to give us information which would take us years of study to obtain. And I congratulate him and the country on the lucidity of statement which appears in this report.

The country is fortunate in having a man of the experience of my colleague still willing to serve as a Member of the House. His experience as chairman of the Appropriations Committee and his experience in all the other activities of the Government have given him a fund of information possessed by no other man in the public service. [Applause.] And that information is displayed here in such form as to be of great value not only to the Members of the House for future reference but to the people of the country generally. I thank him for the form of the report, the information it contains, the clearness with which it is presented, and I am sure every Member of the House will feel as I do that this will be classed as a document containing

information which they will be glad to have on many future occasions. [Applause.]

Now, Mr. Chairman, I desire to ask the Clerk to read in my time a letter which I received yesterday afternoon from the Bureau for Returning Soldiers, Sailors, and Marines, organized at Chicago, and I beg to say in this connection that the organization is composed of ex-service men, and the purpose of the organization is to care for the men who have returned from the other side who need care and protection, and to help them in every way within their power.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU FOR RETURNING  
SOLDIERS, SAILORS, AND MARINES,  
Chicago, Ill., April 1, 1920.

Representative MARTIN B. MADDEN,  
Washington, D. C.

DEAR SIR: The matter that I am writing about is being taken up officially through the American Legion. The reason for this personal letter is because immediate action is necessary.

I have been with the above Bureau since its opening in an executive position. I have personally interviewed 15,000 returned service men, therefore having grounds for my statements.

During this time I have come across hundreds of cases where men had been discharged from Government hospitals as "cured," but were unable to work, and in most cases complained that they were still ill and unable to work. These reports were investigated at different times, but it appears that the investigations were made simply by walking through the hospitals and finding clean rooms and a disciplined force, and everybody seemed contented, no patient was personally approached, but still the complaints of the men kept coming in.

Men who were homeless, penniless, and in some cases cripples, were turned out of these hospitals to shift for themselves.

Then an example was brought right home to me. My brother, Hyman Margolis, who fought across the seas with the One hundred and thirty-second Infantry, was compelled to go to one United States public-service hospital No. 2, Forty-seventh and Drexel Streets, Chicago, for an operation on his feet caused by the mud and water of the trenches, an injured ear, and suggestion on their part to remove his tonsils. He entered the hospital about the first of the year. About seven weeks later he had his first medical treatment, consisting of an operation removing a bone from each foot. Since he was operated on he had but few visits from a doctor, and each case they simply glanced at his feet. Thus he was compelled to bathe and bandage his own feet. On March 30 he was told he was "cured," and that he must now go home. Dismounted, he tried to show them that his feet were in no condition to have shoes on them, and that his left toe seemed "paralyzed." They told him that he was wrong and that he had to get out of the hospital the next day. They don't even furnish an ambulance. They offered him a discharge, stating that he was improved, but he refused it, as he knew that he was worse off than when he came in the hospital. They told him that if he wouldn't go out they would call the police. At that stage he called me over the phone and told me the case, and that there were many cases even more serious than his that were to be put out.

He asked me to interview Col. Charles Banks, who he said was the general supervisor of all the hospitals in this district. I interviewed Col. Banks at the Garland Building, Chicago, who I found to be very courteous, but confessed that he was powerless to help men, and that he had several cases like the one I brought before him, but he couldn't do anything for them as Col. Cobb, who has charge of the United States Public Service Hospital No. 2, refused to take orders from him. He has informed the Surgeon General of conditions, but up to time of writing no action was taken.

To-day I personally investigated conditions at the Forty-seventh and Drexel Street Hospital. Col. C. O. Cobb was very discourteous and wouldn't speak to me. The rest of the staff follows Col. Cobb, and it was useless to talk to them. Being visitor's day, I found it possible to talk to several men. Every one was afraid to speak, as the discipline there is "Prussian"; yet I managed to get the following cases for your attention:

1. Frank Iraia, left hand crippled; shot through wrist bones; shattered; bone taken out of leg. Has no home and penniless, unable to work and told he must get out of hospital April 5, and stay out for a few months, then come back for another operation.

2. Joseph Romano, operated on; serious operation two weeks ago; wounds not healed, and discharged as cured. Home in Joliet, Ill.

3. William E. Schmidt; bad case of "rheumatism"; compelled to get out of bed to secure his food; should be in bed, as he can't walk; has to be practically carried downstairs by other patients.

4. Arthur Shoven, operated on both feet; complained that inexperienced men bandaged his feet and that bandages always came off; the cut where he was operated seems to be getting infected, and he is afraid that he may lose his limb, and no attention has been given him by a real doctor.

5. Flory Flowers, in hospital three months, has had no medical treatment whatsoever; is afraid he is growing blind.

6. Hyman Margolis, forcibly discharged to-day from hospital; operated on both feet, unable to put shoes on feet, cuts not yet healed, left toe unable to control owing to operation; nothing done to ear or tonsils, but turned out of hospital; no back pay or compensation received; in hospital over three months.

7. Joe Vaccaro, no treatment for his back since February 24. A Mrs. Eva Benkinga, 6836 Peoria Street, Chicago, who is constantly in the hospital trying to cheer the boys up, says that conditions are terrible and that Col. Cobb and his staff are not treating the boys right. She mentioned one case, a patient by the name of Howard Decker, was forcibly discharged February 22 with a trench mouth, shell-shocked, bad stomach, etc. He had no home and was penniless, unable to work. She took up the case with Col. Cobb, who refused to talk on the subject. Mrs. Benkinga said she would take it up with Congress. Col. Cobb answered, "All the Congressmen in the country couldn't faze him or his staff."

The following men have been mentioned by several patients as not the proper men for hospital work, both from inefficiency and misconduct to men:

Col. C. O. Cobb, Dr. Bell, Dr. Hetenck, Dr. Jacobson, Dr. Byrne, Dr. Hoffnagel, Dr. Steinfeldt.

If Col. Banks, Garland Building, is not afraid to talk, he could serve very serious official charges. A suicide occurred in this hospital a few



weeks ago; rumors are that he committed suicide, as during the week he was in the hospital he got no treatment and was in terrible pain.

Mr. MADDEN, you have a duty to perform to your people. Investigate the United States Public Service Hospital in Chicago and give the men who gave all a right to be properly cured so they can be healthy again and fit to work, also see that the men get immediate attention or compensation and back pay. There are cases in this hospital where men haven't received a cent pay for eight months.

I want to hear from you personally, as all the posts of the American Legion are interested in this investigation.

Yours, very truly,

H. J. MARGOLIS,  
352½ Medill Avenue.

Mr. MADDEN. Mr. Chairman and gentlemen, I do not happen to have a personal acquaintance with the gentleman who wrote this letter, but I know the organization to which he belongs, and I am sure that it is organized for the purpose of doing justice to the men who served their country in its hour of direst need. If any such conditions obtain as are described in this letter it is a crime, and the men who are responsible for the conditions, if they are Army officers, should be court-martialed. [Applause.] The matter should be thoroughly investigated. I take this means of presenting the case to the Public Health Service, because I believe it will have much more influence on them than the mere presentation of the case through a communication or personally, for I am perfectly satisfied that no attention whatever would be paid to any personal appeal that I made or to any communication that I might send, in view of the fact that no attention whatever has been paid to the appeals of the men themselves and their representatives. It seems to me that if such conditions as this can exist, if the Government through its agencies has no more interest in the well-being and the welfare of these men who have been wounded in the country's service, there ought to be some change either in the personnel of the men who are in control or in the service itself.

Mr. McKEOWN. Will the gentleman yield?

Mr. MADDEN. Yes; I yield.

Mr. McKEOWN. Does the gentleman know whether or not this is a—

Mr. MADDEN. It is a public-service hospital under the direction of the Public Health Service.

Mr. McKEOWN. These men have already been discharged from the Army, have they?

Mr. MADDEN. I know nothing at all about the facts except as they appear in this letter.

Mr. McKEOWN. What I wanted to find out was whether or not these men were still under the control of the Army or whether they were going to follow Canada's suggestion and get these men out of the Army hospitals and get them under control of the civil authorities.

Mr. MADDEN. The only information I have is contained in this letter. It speaks for itself. The statement made in the letter is appalling, and I am sure the American people will not submit to this sort of treatment for the men who served the country during the war. These men who were wounded are entitled to be considered the wards of the Nation and entitled to every care and consideration which it is possible for the Government to give them.

They should be made to understand that the Government and its agents in every department are charged with the responsibility of seeing that they are properly cared for, and they should be made also to feel that during the rest of their lives, while they are unable to work, that they need not fear want, and particularly should they be given to understand that while they are suffering from wounds they received while in the service they will have not only the best medical attention but the best of attention of every kind that the Government can give.

Mr. KEARNS. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. KEARNS. These boys are certainly still in the military service, because they complain they have not received any pay for some five or eight months, according to the reading of that letter, and they ask you to see that they get their pay.

I take it from that that they are still in the military service.

Mr. MADDEN. The pay they are calling to my attention as not having received may be the allotments or allowances on account of their wounds through the Bureau of War Risk Insurance.

Mr. LONGWORTH. If the gentleman will pardon me, as I caught the reading of the letter one of the complaints was that the authorities endeavored to force the man to accept a discharge in order to get rid of him.

Mr. KNUTSON. May I observe that if a man is discharged before he is cured it will militate against his receiving the proper compensation in after years, provided he has incurred a permanent injury?

Mr. ANDREWS of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. ANDREWS of Nebraska. This bears on a very important matter that is now under consideration before the Committee on Public Buildings and Grounds, to furnish hospital facilities for discharged soldiers. It is quite important that we should know, it occurs to me, and I wanted to ask the gentleman from Illinois whether the record does show that these soldiers are under the charge of the Bureau of War Risk Insurance. If they are, it bears directly on the question of furnishing hospital facilities to the extent of \$85,000,000, according to the requests from the Public Health Service.

Mr. MADDEN. I do not know whether these men are under the direct charge of the Bureau of War Risk Insurance or not, but I assume that they are, because I assume that the men have made application for allowances on account of their wounds. Now, if they have not for eight months received any compensation under the allowance, the War Risk Insurance Bureau ought to be called to account. On the other hand, if they are still in the service and have received no compensation for eight months from the War Department on account of their service in the Army, then somebody else ought to be called to account. And if, again, they have not received the sort of medical care to which they are entitled on account of their wounds received in the service, then those who are in charge of the Public Health Service should be called to account. Every man in every department of the public service who is charged with responsibility in the treatment of these men should be called to account, and if they have failed in any particular to give the men the kind of treatment they are entitled to as the heroes of the Nation during the Great War, if they are in the military service they should be at once court-martialed and placed behind the bars. [Applause.]

Mr. LAYTON. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Certainly.

Mr. LAYTON. They can not be lacking in medical attention, can they, when there are 2,300 physicians on the rolls of the Public Health Service, costing the country nearly \$5,000,000? What are those men doing?

Mr. MADDEN. We are finding difficulty in ascertaining what they are doing. But it must be apparent to everybody, from the statement just read by the Clerk, that they are not giving attention to the men who are wounded and are almost dead for want of care. It is a disgrace to the public service to have a letter of this sort sent in connection with the failure to care for the men who gave themselves to their country. [Applause.]

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BLANTON. This particular colonel, if I remember the letter aright, made the assertion that all the Congressmen in that country could not faze him or reach him. Does the gentleman from Illinois expect his loud voice to reach this colonel in Chicago, or is he going to pursue other methods to reach him?

Mr. MADDEN. After I get through making this public statement of the case I propose to take up the matter with the Secretary of War. I propose, if necessary, to take the matter up with the President. I propose, if it is necessary then, to take it up with the Surgeon General's office, and if I can get no satisfaction in any other way, I propose to prefer charges against these men and have a military court try them. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CANNON. I will say to my colleague from Illinois [Mr. McANDREWS] that I would like to make a short presentation of the details of this bill, and then I will yield to the gentleman time to dispose of as he desires.

Mr. Chairman, I am going to read for probably 10 or 15 minutes from manuscript, which I have prepared with some care. My eyes are getting old, although my legs are pretty good. [Applause.]

This bill carries appropriations amounting to \$214,020,000, but legislation which has already passed this House, if concurred in by the Senate and approved by the President, will increase the appropriations by \$77,500,000, according to the estimates of the Pension Office, making a total of \$291,520,000, or the largest pension appropriation ever authorized by Congress. The appropriations for the fiscal year 1920 amounted to \$215,000,000, and for the year 1919, \$223,000,000. No previous appropriation bill for the payment of pensions exceeded \$200,000,000. If we add the appropriations for the care of former soldiers in the soldiers' homes, which is estimated at \$6,274,000, the appropriations for the care of the survivors of all wars down to that with Germany will amount to practically \$298,000,000, or some \$80,000,000 greater than for the current year.



But this great appropriation does not tell the whole story of the cost of caring for the men who have served the country in war. This Congress and many succeeding Congresses will have to appropriate for the care of the survivors of the war with Germany as well as for the care of the survivors of all former wars; and we may call these appropriations by other names, made under other titles, but they should all be considered together to understand the obligations on Congress under legislation already enacted with the machinery for their administration. The Bureau of War Risk Insurance estimates the amount necessary to pay compensation for death and disability for the next fiscal year practically \$198,000,000; the Federal Board for Vocational Education estimates its expenditures for the next fiscal year at \$125,000,000; and the Public Health Service has estimates of \$10,000,000; the Public Health Service has estimates before another committee of the House for the building of hospitals for the survivors of the war amounting to about \$90,000,000; and the estimates for the administration of the Bureau of War Risk Insurance amount to \$11,000,000.

These estimates together amount to \$434,000,000 as the appropriations that will be necessary to discharge the obligations of the Government to the survivors of the war with Germany; and add the appropriations carried in this bill when it comes back to the House with appropriations to meet the increases authorized by the Fuller and the Sells bills which have already passed the House, will make a total of \$732,000,000 as the appropriations to be made to meet the expenditures for the care of the survivors of all our wars. This grand total can be better understood by comparing it with the total ordinary disbursements of the Government for the fiscal year 1916, which amounted to \$724,492,999. It will be seen that this Congress is called upon to appropriate more money for the care of the survivors of all our wars than the entire ordinary disbursements of the Government in the year preceding the declaration of war with Germany.

I do not call attention to these estimates for the purpose of complaining or of magnifying the cost of war, but simply to give the House the probable appropriations that are called for under different estimates, and to meet obligations that have already been incurred under legislation that is already on the statute books. The appropriations to care for the survivors of all the previous wars, carried in the annual pension appropriation bill, will decrease as death thins the ranks of the veterans of the Civil War and the War with Mexico; but those for the care of the survivors of the war with Germany will increase, in my judgment. There are many young men who returned from France, and even from the home camps, their health impaired, and there are others who returned to civil life in apparent health and strength who may in the near or distant future become disabled from the experiences of war.

In 1866, one year after the close of the Civil War, there were 126,722 pensioners on the roll, receiving \$15,450,549 in pensions.

Mr. QUIN. Mr. Chairman, will the gentleman state right there how many were on the roll at this late date?

Mr. CANNON. I will give it in a moment. And let it be remembered that there were 2,200,000 men and, counting reenlistments, in round numbers, 2,800,000 men in the Union Army during that war for the preservation of the Union. I repeat, in 1866, one year after the close of the Civil War, there were 126,722 pensioners on the roll, receiving \$15,000,000 in pensions annually. Many of them were survivors of the War with Mexico and some of them were survivors of the War of 1812.

There was no service act prior to 1890, and it was not until in 1912, under the leadership of Gen. SHERWOOD, that the act was passed which covered all the honorably discharged soldiers in the Union Army and gave them a service pension. From 40 to 50 years after the close of that great struggle there were no pensions to soldiers except for disabilities contracted in the line of duty.

In 1890, before the service-pension act of that year went into effect, there were 537,944 pensioners on the roll; and in 1902, before the service-pension act, to grant pensions to the survivors of the Civil War, regardless of disability, there were more than a million pensioners on the roll. The pensions in all that time were for disability, and up to the act of 1890 for disability incurred in the service. But the roll increased nearly fourfold in the 25 years following the Civil War, and the appropriations increased in the same or greater ratio.

It is not improbable that the same will be true of this last war. The Surgeon General of the Army, in his report for 1919, shows that in the year 1918 there were 2,422,362 admissions to the hospitals for disease; 182,789 admissions for ordinary injuries, and 227,855 admissions for battle injuries. Here were nearly 3,000,000 admissions to the Army hospitals in the year 1918, and, while some were no doubt duplications or the same

men admitted to the hospitals more than once, no one can estimate how many of these men with hospital records may be found totally or partially disabled and the cause traced to their war service. The Surgeon General reports that in that one year the Army lost 40,692,302 days from disease and 12,545,442 days from battle injuries; and that there was an average of 155,957 men in the hospitals for every day in the year. Disease as well as wounds left its mark on these men, and no one can now estimate how many of them will in the future be found suffering from disability which can be traced to the service. The law has been enacted and the machinery created to meet such developments, and Congress will have to appropriate the necessary money to meet the estimates when they come from the various bureaus of the Government which have charge of the machinery to care for the survivors of the war.

No party can escape this obligation if it would, and I do not believe any party would escape these obligations if it could. They are the pledges of the Government, approved by the people, to the men who went out to defend the Government, and there is no more sacred obligation any Government can have. The estimates I have given represent the money cost of meeting the obligation for the next fiscal year. I have no doubt the estimates for the future will be greater, and within 10 years Congress will have to appropriate a billion dollars a year to discharge this obligation to the survivors of all our wars. It is a big obligation but one that the Government has already accepted, the laws enacted, and the machinery created for its discharge. The estimates will come to Congress in accordance with the law and they will have to be considered and the appropriations made. I call attention to the situation that no Member may deceive himself by the division of these various appropriations into a number of bills under different titles and some of them from other committees than that on appropriations. The only way to understand what will be the necessary appropriations for the care of the survivors of our wars is to group the estimates together, and that I have done that the House may have an estimate of this one great obligation to the men who served the country in war and their dependents and who are the wards of the Nation so long as they live whenever they become disabled from earning a living.

That has been the policy of the Government from the beginning, though the pensions for disability and for service were comparatively small before the Civil War, and much smaller than now, and smaller even now for the survivors of that and former wars than for the survivors of the war with Germany. As the country has grown and prospered, we have shown a higher appreciation of the men who risked their lives for us all, and we have increased the pay of the soldiers, increased the pensions, and increased the other obligations of the Government to them.

These things are all written into the law and into the contract. We will not try to repudiate any part of the contract, and the best way to carry it out is to understand what it is and prepare to meet it from the revenues of the Government, and to see that this contract is not impaired by other contracts which will call for increasing the public debt and further depreciating the standard of value in purchasing power and thereby reducing the pensions we have written into the laws. We have had the complaint of the veterans of the Civil War that the cost of living during the last war reduced the purchasing power of their pensions and the House has responded with the Fuller bill, and we may create a condition which will bring the same complaint from the disabled survivors of the war with Germany and their dependents, with demands for increases in compensation, which is only another title for pensions. We have seen that the high cost of living is closely associated with the high cost of Government, and these obligations to the men who have or will suffer disability from service in the Army and Navy and their dependents are of such a character that Congress will keep them in spirit as well as in the letter of the law. [Applause.]

Will the gentleman from Illinois consume some time now?

Mr. McANDREWS. I yield 45 minutes to the gentleman from Mississippi [Mr. VENABLE].

The CHAIRMAN. The gentleman from Mississippi is recognized for 45 minutes.

Mr. QUIN. Mr. Chairman, I make the point that there is no quorum here. I think my colleague ought to have a better audience.

The CHAIRMAN. Evidently there is no quorum present. The Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Ackerman	Bland, Ind.	Brinson	Burdick
Andrews, Md.	Bland, Mo.	Britten	Burke
Bacharach	Boher	Brooks, Ill.	Caraway
Bankhead	Bowers	Brumbaugh	Carew
Bell	Brand	Buchanan	Carss



Carter	Goldfogle	McKiniry	Shreve
Casey	Goodall	McKinley	Siegel
Cooper	Gould	MacCrate	Smith, N. Y.
Costello	Graham, Pa.	Maher	Smithwick
Cramton	Griffin	Mann, Ill.	Snell
Cullen	Hamill	Mason	Steagall
Curry, Calif.	Hamilton	Montague	Steele
Darrow	Hardy, Tex.	Moore, Ohio	Steenerson
Davey	Harrison	Morin	Stiness
Davis, Minn.	Heflin	Nicholls, S. C.	Strong, Pa.
Dempsey	Hicks	Nichols, Mich.	Sullivan
Denison	Hill	O'Connell	Tague
Dent	Hoey	Paige	Taylor, Colo.
Dickinson, Iowa	Hull, Tenn.	Pell	Taylor, Tenn.
Donovan	Johnston, N. Y.	Platt	Tillman
Dooling	Kahn	Porter	Treadway
Doughton	Kelley, Mich.	Reber	Uppshaw
Drane	Kendall	Reed, N. Y.	Vare
Dunn	Kennedy, Iowa	Reed, W. Va.	Ward
Eagan	Kennedy, R. I.	Riordan	Wason
Eagle	Kinkaid	Robinson, N. C.	Watkins
Edmonds	Kleczka	Rodenberg	Watson
Ellsworth	Kreider	Rowan	Williams
Focht	Langley	Rowe	Wilson, Pa.
Fuller, Mass.	Loneragan	Sabath	Winslow
Gallagher	Longworth	Sanders, N. Y.	Young, Tex.
Ganly	McArthur	Sanford	
Garrett	McCulloch	Scully	
Godwin, N. C.	McFadden	Sears	

The committee rose; and the Speaker having resumed the chair, Mr. MAPES, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the pension appropriation bill, H. R. 13416, found itself without a quorum, whereupon he caused the roll to be called, when 294 Members, a quorum, answered to their names, and he handed in the names of the absentees to be printed in the Journal and Record.

The SPEAKER. The committee will resume its session.

Accordingly the House again resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the pension appropriation bill, H. R. 13416, with Mr. MAPES in the chair.

The CHAIRMAN. The gentleman from Mississippi [Mr. VENABLE] is recognized for 45 minutes.

Mr. VENABLE. Mr. Chairman, we, the House of Representatives, are to-day seeking to negotiate a treaty of peace with Germany, an interesting but tragic procedure—interesting as showing how far the passions of a time may obscure the vision of men, tragic as a commentary upon what has been the slow assassination of the hope of the world.

The peace treaty, as submitted by the President, has been under consideration by the Senate for many weary months and has failed of ratification not only in its original but in any form.

It is now proposed by the Republican majority of House and Senate to negotiate a treaty and make peace, according to terms of their own devising, not in the method of the Constitution wherein two-thirds of the Senators present must concur, but by the method of invoking the legislative function of the House and Senate and passing a joint resolution, to the passage of which, if it be within our jurisdiction, a bare majority only is necessary.

I respectfully submit that such a course is without constitutional warrant.

I wish to examine the grounds for such action and to raise and somewhat discuss the question whether the House has any authority to join in such proceedings, and also to inquire by what authority the Senate may approve a treaty by majority vote, when by the express stipulations of the Constitution a two-thirds concurrence is required.

There are some rules of constitutional law so well settled that citation of authority is unnecessary and discussion is idle. I enumerate them simply that the premises for my deductions may appear.

It is conceded that every part of the Constitution is mandatory unless it clearly appear that a discretion is vested; that the very genius of our Government is the division of power between the several governmental departments; and that the power to do the same thing has never been given to different and unconnected governmental agencies, where by the language of the Constitution it was invested in one with full power of execution.

It is conceded further that the people of the United States are sovereign and that the Government and its departments are but the agencies by which the people execute their will. The charter and delegation of authority and the expression of sovereign will of the people is the Constitution and the Federal Government as a whole, and no department of it has a power the exercise of which is not delegated in express terms, or necessary and proper to the exercise of one so delegated or else implied as being one resident in the General Government as necessary for its existence.

It is also conceded, as a general rule, that the investiture of power to deal with a given subject matter in one department excludes its exercise by another.

No one will deny that it was competent for the people to constitute one department of the Government their agent for one thing and another department for another. That this separation of power is the peculiar genius of our Government and one of the bedrock principles of the Constitution has been decided too often and commented upon too freely to be open to debate.

The question then, on the threshold of the discussion, is whether there is anything in the Constitution vesting the treaty-making power in the House of Representatives, either expressly or as necessary to the exercise of some power expressly granted, or necessary to execute some power elsewhere vested in the Government or some department or officer.

In looking to the Constitution for the enumeration of the powers of the Congress, including the House as part thereof, we find only two powers which could even in the remotest degree raise the question. Congress is given the power to declare war and to make all laws which shall be necessary and proper to carry into effect the powers specifically granted to the Congress and all other powers vested by this Constitution in the Government of the United States or in any department or officer thereof.

It thus appears that nowhere is the power to make a treaty or to make peace specifically granted, and if it exists it must do so as being necessary to carry out the specific powers of Congress or some power vested by the Constitution in the Government or officer.

Is it such? The only specific power having even the remotest relation to making peace or a treaty is the one to declare war. No one can possibly contend that the power to make a treaty of peace or the making of peace is in anywise necessary to the exercise of the power to declare war. It was competent to vest the power to make peace in some other department or agency of Government, and the fact that it is not resident in Congress could in nowise hamper the exercise of the power of declaring war. To argue that it is necessary as accompanying the power to declare war is to argue, assuming that the people had vested the power to make peace in some other agency, that Congress could not exercise the power which it had. This is absurd, and yet we have heard this very argument advanced since this resolution has been under discussion.

In the second place, can the power of the House to pass this resolution be sustained as a law necessary to the exercise of a power vested by the Constitution in the Government of the United States or in some department or officer thereof?

By examining the Constitution it will be noted that the power given to Congress is to pass a "law necessary to the execution," and so forth, "of some power vested in the Government or some department or officer," and the inquiry naturally presents itself, first, whether the doing of what we seek to do is the exercising of the legislative function, the passing of a law, or whether it is the exercise of a power which in its nature is not legislative in character. Let it be noted that the undoubted rule is that in passing upon the question of the exercise of powers in respect to its authorization the unbroken rule is that mere forms will not suffice, that substance only is material, and constitutional limitations can not be eliminated by the use of the vehicle of form.

In the first place, the section we are discussing is found in that part of the Constitution wherein is enumerated the legislative powers of the Congress, and, in the second, it is immaterial that the effort to exercise the power takes a legislative form if it be in fact not the exercise of legislative power.

On the subject of the treaty-making power, permit the patron saint of our Republican friends to enlighten them and visit his condemnation on their course. Alexander Hamilton, Federalist, 75, says:

The essence of the legislative authority is to enact laws or, in other words, to prescribe rules for the regulation of the society, while the execution of the laws and the employment of the common strength, either for this purpose or for the common defense, seems to comprise all the functions of the executive magistrate. The power of making treaties is plainly neither the one nor the other. It relates neither to the exercise of subsisting laws nor to the enactment of new ones and still less to the execution of the common strength. Its objects are contracts with foreign nations which have the force of law but derive it from the obligation of good faith. They are not rules prescribed by the sovereign to the subject, but agreements between sovereign and sovereign. The power in question therefore seems to form a distinct department and to belong properly neither to the legislative nor to the Executive.

In *Foster v. Neilson* (2 Pet., 253) it is said:

A treaty is in its nature a contract, not a legislative act.

It would appear, then, that the treaty-making power is not to be classed as legislative in character, and it is not remarkable that the framers of the Constitution with their desire to separate the departments of Government should constitute a special agency for the exercise of it—the Executive, with the concurrence and advice of the Senate.



Is it then "necessary" to pass this resolution that the Government or some department or officer can exercise some power expressly conferred upon it or them? Is this law necessary as ancillary to some other power in Government or department or officer? It certainly can not be contended that it is, if the Government, department, or officer is somewhere else clothed with a power so complete in itself and so broad in its authorization as not to need such assistance.

It will be noted that under the language of the Constitution there must be a power expressly granted to some other agency of government and the law must be necessary to its exercise. The power under discussion is the power to make treaties, and we find it granted to the President, with the advice and consent of the Senate, two-thirds of those present concurring. It certainly can not be contended that any action by the House is necessary to enable this agency to act. The power is full, ample, and unmistakable. So I respectfully submit that nowhere is express power given or is there one by necessary implication.

Again, the treaty-making power is expressly granted to the President and Senate conjointly, and if constitutional provisions are mandatory the agency named was the sole one selected, and we can not take from or add to it. Each provision of the Constitution is supposed to declare the will of the people, and each is presumed to have been adopted with a reason sufficient to the people; the specification of one is the exclusion of the other. For good and valid reasons, confidence was reposed in the President and Senate, with its two-thirds requirement, and in their good judgment, knowledge, patriotism, and discretion. Had the people desired the House to join they would have said so.

Again let me edify my friends across the aisle, who so ardently urge this usurpation. Mr. Hamilton said, in *Federalist*, 75, discussing the treaty-making power:

Though this provision has been assailed on different grounds with no small degree of vehemence, I scruple not to declare my firm persuasion that it is one of the best digested and one of the most unexceptionable parts of the plan.

Again listen, you defenders of the Constitution:

Another source of objection is derived from the small number of persons by whom a treaty may be made. Of those who espouse this objection a part are of opinion that the House of Representatives ought to have been associated in the business.

And so forth.

Listen, my friends. He is talking to you, his children:

The remarks made in a former number will apply with conclusive force against the admission of the House of Representatives to a share in the formation of treaties. The fluctuating—

And may I say that when you pass this resolution you will begin to fluctuate—

and taking its future increase into account, the multitudinous composition of that body forbids us to expect in it those qualities which are essential to the proper execution of such a trust.

Truly with prophetic vision he must have viewed you now.

Accurate and comprehensive knowledge of foreign politics; a steady and systematic adherence to the same views; a nice and uniform sensibility to national character; decision, secrecy, and dispatch are incompatible with the genius of a body so variable and so numerous. The very complication of the business, by introducing a necessity of the concurrence of so many different bodies, would of itself afford a solid objection. The greater frequency of the calls upon the House of Representatives and the greater length of time which it would often be necessary to keep them together when convened, to obtain their sanction in the progressive stages of a treaty would be a source of so great inconvenience and expense as alone ought to condemn the project.

Mr. Jay said, writing in the *Federalist*, No. 64:

They who wish to commit the power under consideration to popular assembly, composed of members constantly coming and going in quick succession, seem not to recollect that such a body must necessarily be inadequate to the attainment of those great objections which require to be steadily contemplated in all their relations and circumstances, and which can only be approached and achieved by measures in which not only talents but also exact information and often much time are necessary to concert and execute. It was wise, therefore, in convention to provide, not only that the power of making treaties should be committed to able and honest men, but also that they should continue in place a sufficient time to become perfectly acquainted with our national concerns, and to form and introduce a system for the management of them.

And so forth.

Gentlemen, having been calling loudly upon the name of Washington of late and urging that his position on certain matters was according to their contention, have preached the soundness of his advice. In 1796 the House of Representatives requested of Washington that he send them all papers and information, and so forth, in respect to which the Jay treaty with England, which caused such opposition and popular discontent, was ratified, and in response President Washington wrote the House, of date March 30, as follows:

Having been a member of the general convention and knowing the principles on which the Constitution was formed, I have ever entertained but one opinion on this subject; and from the first establish-

ment of the Government to this moment my conduct has exemplified that opinion—that the power of making treaties is exclusively vested in the President, by and with the advice and consent of the Senate, provided two-thirds of the Senators present concur.

The letter is too long to quote in full, but anyone interested may find it in Richardson's Messages of the Presidents, volume 1, pages 194, 196.

It is also interesting to note that before the writing of the message the President took the opinion of his Cabinet and others prominent in the Government.

After the receipt of this message the House, on April 7, by a vote of 54 to 37, passed a resolution, in part, as follows:

*Resolved*, That it being declared by the second section of the second article of the Constitution, "That the President shall have the power, by and with the advice and consent of the Senate, to make treaties provided two-thirds of the Senators present concur," the House of Representatives do not claim any agency in making treaties, etc.

I might well quote the positions of Presidents Grant and Polk, but I must not dwell too long on this phase of the question.

It will thus be noted that in the Constitutional Convention at the time of its framing and afterwards, both in the opinion of those who took part in the work and those who presented the constitutional merits of the draft to the people, the opinion was unvarying that the treaty-making power was vested exclusively in the Executive and Senate. For further confirmation as to the correctness of this position see—

Butler Treaty-Making Power, volume 1, chapter 10; Willoughby on the Constitution; Story on the Constitution; Watson on Constitution; Devlin on Treaty-Making Power.

I have not thought that it would now be seriously contended otherwise had not the present effort been made to substitute for the discretion of the President and Senate, with its two-thirds concurrence, the bare majority judgment of the Senate and unwarranted action of the House.

I will assume, then, that it is conceded that the House has no treaty-making power, and it remains to inquire whether in the case at bar an effort is being made to exercise it as a matter of fact.

The resolution provides that the state of war with Germany is at an end, that all laws passed by Congress to endure during the period of the war are to end when Germany shall signify her acceptance of our offer of peace; that Germany must declare within 45 days that she has terminated her war with the United States; that she must waive and renounce all rights of her nationals to any rights or claims her citizens would have had against the Government or citizens of the United States that would have been obliterated had we joined in the treaty of peace of Versailles; that the United States does not waive any of its rights, privileges, indemnities, reparations, or advantages that the United States has become entitled to under the armistice agreement of November 11, 1918, or which the United States acquired in the progress of the war, and Germany is required further to agree that all fines, forfeitures, penalties, and seizures imposed and made by the United States are ratified, confirmed, and maintained.

Some gentlemen have stated that this does not contain the subject matter of a treaty but is simply an ending of war.

If it were not humorous it would be tragic. Perhaps it is both.

A treaty is a compact made with a view to the public welfare by the superior power. Public treaties can only be made by the supreme power, by sovereigns who contract in the name of the State. See *Holmes v. Jennings* (39 U. S., 540), *Edge v. Robertson* (112 U. S., 580).

Would the above resolution if agreed to in terms by Germany be a compact? A compact is an agreement. Is it an agreement between sovereigns? There can be no dispute as to the sovereignty of the parties, and it will require a moment only, if any time at all, to perceive that it has all the characteristics of agreement.

Agreement means a meeting of minds to do or not to do certain things specified. This resolution requires that Germany agree to certain things; it provides that she will relinquish and waive all rights which she now has as a country at war; she is to agree that certain rights of certain of her citizens now existing shall be extinguished; she is to grant, confirm, and acknowledge certain rights in the United States to certain of her property. In short, she is to write into the resolution all the stipulations of the treaty of Versailles which could in any wise affect her or her citizens or the United States and their citizens in regard one to the other. She is to relinquish rights to property and bind herself to do and not to do many things.

Surely no sane man can or will deny that this resolution is the tender and offer of an agreement binding in honor, if accepted, on the parties, and containing that character of stipula-



tions which have been entered into heretofore exclusively by treaty.

But I have heard it said that this is simply a legislative recognition of a fact that the war is over, and that this is valid even though Germany does not accept. The answers are apparent. Admitting for the present, for the sake of argument, that the mere declaration of a state of peace does not have to be done by treaty and is the exercise of a legislative and not a treaty power, it is impossible to separate this part of the resolution from the other. We surely could not presume that the Congress would pass the one without the other. The fact that we are declared to be at peace, even though Germany rejects the offer, does not help the situation, for the question is whether the House has the power to make the tender at all, and not what consequences would flow if it were accepted.

If the President, by and with the advice and consent of the Senate, should negotiate an agreement with Germany containing these identical terms, would anyone contend that it was not a treaty? If, then, it would be a treaty under these circumstances, it must be likewise when parading through the House under the guise of a resolution, for else we would have the treaty-making power resident in separate agencies, which we have seen can not be.

But it is being urged that Congress has the power to declare peace, since it has it to declare war, and while this is not strictly in issue, since we have seen that the resolution does more than this, yet it might be of some interest to consider this for a brief while.

Wheaton's International Law, fourth edition, says:

By the forms of the Constitution the President has the exclusive power of making treaties of peace, which, when ratified, with advice and consent of the Senate, become the supreme law of the land and have effect of repealing the declaration of war—

And so forth. I have already endeavored to point out that no such specific power was granted, and none was necessary and proper to be exercised by the Congress in its legislative capacity, but there are a few other observations which I would like to bring to the consideration of gentlemen.

It is interesting to note that the framers of the Constitution did not intend to confer upon and did not understand that the House had any such authority.

When they reached the clause which authorized Congress "to make war" (original draft), Mr. Pinckney opposed the vesting of this power in the Legislature and urged various objections to it. He made remarks indicating a general understanding that the making of peace was a treaty function, vested in the Executive and the Senate, and urged that the power to declare war should be vested in the Senate, for he said:

It would be singular for one authority to make war and another peace. (Journal, 548.)

The question was squarely presented when Mr. Butler moved to give the Legislature the power to make peace, since it was to be given the power to declare war. This motion was voted down.

It will thus be seen that the question of whether or not the Legislature or Congress, and the House as part of it, should have the power to make peace, and the convention decided that it should not.

It would have been strange, indeed, that the Constitutional Convention, while giving to a given agency the power to initiate a state of war, had not given to some agency the power to make peace, unless it was that the convention thought that this very essential power was sufficiently included in one already conferred. The conclusion is unavoidable that they must have thought that it was comprehended in the power to negotiate treaties, the only one expressly mentioned in the Constitution which could include it.

From that time to this the unbroken practice and interpretation in practice has been to make peace with an existing sovereignty at war with us through treaty and by the constitutional agency, the President and the Senate.

Contemporary interpretation of the Constitution, practiced and acquiesced in for years, conclusively fixes its construction. (Stuart v. Laird, 1 Cran., 299; Martin v. Hunter, 1 Wheat., 309; Cohen v. Virginia, 6 Wheat., 264; West River Bridge Co. v. Dix, 6 How., 507; Lithographic Co. v. Sarony, 11 U. S., 53; Pollock v. Bridgeport Co., 114 U. S., 411.)

But it is said that Congress has the power to declare a state of peace, because if the Senate and President should ever, through willfulness or inability, continuously and continually fail to make a treaty, the state of war would be continuous, with all its limitations, inconveniences, and losses. It has been urged here, and doubtless will be, that the power exists because the President and Senate have not as yet succeeded in effecting a

treaty, and the question is asked if we are to wait and how long?

This line of reasoning destroys all constitutional limitations and overturns the Constitution. In short, it is argued that because one agency of the Government has not performed its work to the satisfaction of another separate, coordinate, and independent agency, in nowise concerned, that this fact creates the power in the second to undertake the task exclusively committed to the first. By parity of reason, the Executive might take the position that, Congress having failed to pass necessary laws, he would promulgate them by Executive order, though legislative powers are committed exclusively to Congress. Likewise the judiciary might usurp both Executive and legislative functions, for if Congress can have created for it a power by the failure of the agency to whom committed to exercise it to the satisfaction of the Congress, then any other department of Government can exercise the same prerogative. There is nothing that makes the legislative department inherently superior to others, and if it can pass judgment on whether they are doing their work properly, and if, in opinion, they are not, derive power to deal with the subject itself, other departments may do the same. This would bring governmental chaos and is opposed by every theory of government under written constitution and every reason for the adoption of such a form.

It is further argued that Congress has the power to make peace, because it is conceivable that it is possible for our Government to wage war, to utterly destroy the opposing nation, and to incorporate its people and territory either as a State or as a Territory. It is argued, or may be, that in such cases making peace through the exercise of the treaty power would be impossible, for the reason that a treaty implies necessarily a contract which in turn requires at least two parties, and since the opposing Government no longer exists peace could not be made. From this it is argued that since peace can not be made or declared by the treaty power and must be declared by government in some way, the power to do so must be in some other than the treaty-making agency; that this is the Congress and hence Congress does have power to declare peace under some circumstances and hence can declare it now.

While it is exceedingly difficult to conceive of the state of facts upon which this argument is based ever coming into being, it might prove interesting to examine it and with it the argument based in substance on the reasoning that in cases of civil insurrection successfully put down peace can not be declared through the treaty-making power, since the Government at war with certain of its citizens does not recognize that an antagonistic sovereignty exists and a treaty is a contract between sovereigns.

It is conceded that every consideration of sound policy demands that government have the power to make and declare peace. It is conceded that a declaration of war, of itself, without other legislation, works a change in the legal status of the citizens both toward their own government and also toward the citizens and government of the enemy country. It is also admitted, I suppose, that immediately upon a declaration of war there comes into existence, at least in our own Government, powers which do not exist during a state of peace, affecting most vitally the ability of the Government to defend itself and also the rights, privileges, and immunities of the citizen in person and property and his freedom of action in vital particulars. It is and will be conceded, I suppose, that before the status of the citizen is changed from that of peace to that of war an act of government is necessary declaring either the change of status or else the fact upon which the change depends. This is absolutely necessary that the citizen may avoid giving aid and comfort to the enemy, may know his duties and obligations, and it is equally necessary that officers of government may also know their duties. We work this change from peace to war by a declaration by the Congress. It will be as readily conceded that when once the status of the citizen has been fixed as one of war, some act of government is equally necessary to change it once again to that of peace. The same considerations of policy and good government, and, indeed, the very dictates of self-preservation, demand that government must make the declaration. It is unthinkable that each citizen should have the privilege of deciding for himself when the fighting or negotiating should end or when his peace-time status should be restored.

I take it, then, that it will be admitted by all that it requires some act of government to restore the status of peace when once the Government and its citizens have been given the status of war. How else would the citizen know that the war-time powers of the Government had ceased; that his former enemy had become again his friend? How else could officers of government know their powers and duties? And so I cheerfully



concede that in the cases assumed above there is, and ought to be, a power in government to declare a peace in those cases where the treaty power can not be exercised for the lack of a government with which to contract and agree. But I deny that it follows that it is in any agency other than the treaty-making one, when there is, as a matter of fact, an enemy country toward whom we have assumed the status of war.

We have seen that a condition of war is a status; that is, a certain relationship to the enemy country and its citizens imposed on itself and its citizens by government by the declaration of war. Status means relationship, and this, of course, assumes, as a necessity, the existence of something to which to be related. A man or country can not bear a relationship to something which does not exist. It must follow, then, that in cases where one country completely destroys another with which it is at war and obliterates its sovereignty, the war status of the victor country and its citizens ceases to exist at all, for the reason that there is nothing to which to have the relationship.

So in such circumstances the making of peace is impossible. There is nothing with which to make it. All that is necessary and all that could take place is a notification by the Government to its citizens and to the world, a notification, it is true, made necessary by considerations of good government, but still but a notification that the status of war has been changed or obliterated and no longer exists in fact. Under such circumstances the notification should properly come from a political department of the Government, either by presidential proclamation, as was done by the then President, from time to time as peace was restored in the several States during the Civil War, or else by the Congress, and it is not necessary to inquire here which.

What I have said is applicable to a state of insurrection or civil war where the parent government successfully puts down the insurrection. There is no opposing sovereignty with which to treat, no opposing government or enemy citizenship with which to have a war status, and hence all that is required is some sort of official notification of the facts.

But does it follow where there is in existence an enemy sovereignty capable of continuing war, legally at least, one capable of choosing whether it will continue the status of war as far as itself and citizens are concerned, that a peace status can be restored simply by a declaration of one of the countries that it is so?

It can not if an agreement be necessary, for agreements between this and other countries are committed for their making solely to the treaty-making power, the President, by and with the advice and consent of two-thirds of the Senators present.

We have stated, and certainly it is conceded, that a state of war is a status, and that a state of peace is likewise such. Each has its privileges and its obligations, and a state of war implies not only the attitude of one belligerent but the relation of each to the other. In a peace status the citizen of one country can trade with the citizen of another. In a state of war this can not be done. It is not a state of peace, then, if by the Government of either country trade is prohibited, that country considering itself at war, even though the other country has chosen to say it is at a state of peace.

The making of peace implies that old differences have been settled and are no longer a ground of war under international law. It can not be a state of peace when either of the countries, having never relinquished its attitude of war, may lawfully renew the actual fighting whenever it chooses. In a state of peace it is held to be unlawful under international law to seize the goods and imprison the citizens of a friendly country, but this is permitted when a country is at war; then the citizens of the other country are enemies. It is not a state of peace when, though one country has declared that it is at peace, the other is at liberty to seize the goods and persons of the first. When countries are at war the citizens of each are the enemies of the citizens of the other and intercourse and trade is prohibited. It will be noted that these limitations flow from the fact that one country chooses to retain the war status as far as it is concerned. In short, there is a status of war even though one of the parties assumed to say that it is at peace.

These considerations and illustrations might be multiplied, showing beyond dispute, I submit, that when the status of war has been assumed by warring Governments which continue to exist as sovereignties, with the powers of government and the exercise of governmental will unimpaired, with power to continue the war status, as far as itself and its nationals are concerned, the only way in which a peace status can be obtained is by mutual agreement and consent.

This being true, under our Government it can be attained only by the exercise of the treaty power, since this only has jurisdic-

tion of agreements with other nations with respect to national matters.

This was evidently the intention of the makers of the Constitution. It was so understood by those who preached its merits to the people prior to its adoption. It has received the sanction of uniform practice throughout our history, and surely at this late hour this House will not depart from the teachings of the fathers.

Permit me to call attention to the fact that the sole and only question here is whether the House is seeking to exercise the treaty-making power. Those cases holding that it, when exercised, must not intrude on subject matters solely committed to other agencies, that the power must be exercised subject to constitutional limitations, are in nowise in point or germane here. It may be that the right to levy duties being committed solely to Congress, the treaty-making power can not be exercised to usurp this function. It may be that the power to admit new States to the Union being committed to Congress, the treaty power can not operate upon this subject matter, but these things are beside the question. They have to do with the limitation of the power or the exclusion of subject matters upon which to operate. The question here is not the limits or limitations of the power, but where does it reside?

If to those who agree with me I seem to debate the obvious, let me plead in excuse that the attempted usurpation is as plainly such.

The question is important, not so much in its effects, for the resolution will have none as far as legal efficacy is concerned, but important as an assault on the Constitution. Surely the motive must be powerful to cause gentlemen to take this action.

Do gentlemen opposed to the treaty of peace as drawn, the hope of a suffering world, slowly done to death by reservations of its life, now propose "to cut the head off and then hack the limbs, like wrath in death, and envy afterwards"? Is this poor thing of rags and patches all that America offers to her dead?

Is this to be the substitute for a noble plan, this wastrel from its home, so poor its rightful parent would not nurture it? Or having acted as we have, is this our alibi, done so that it will perhaps appear "our purpose necessary and not envious; which, so appearing to the common eye, we shall be called purgers and not murderers"?

If the motives of gentlemen be those of political expediency and party advantage, I would remind them that the people will not repose confidence in the party that for party advantage, real or expected, will override the fundamental law of the land. If it be urged that sentiment demands an early peace, I would remind them that it does not demand it at the price of constitutional government. Sentiment does not demand a violation of the Constitution and never will until we are prepared to abandon all respect for law and the orderly processes of government.

If it be assumed that a certain section of sentiment demands this action, I would remind gentlemen that then a certain sentiment is making, knowingly or unknowingly, an assault upon the fundamental law of the land, the very condition which was contemplated when each of us by oath was made its defender and friend. Strange, indeed, if the condition which was to cause us to spring to arms in defense of constitutional government is to be made the excuse for surrender and a joining in the assault.

Grievous days if the guardians of the temple are to sell the golden service to win the favor of those who know not what they ask.

Mr. Chairman, our Constitution was born from the loins of wisdom, which gathered knowledge with the centuries, learned its lessons in suffering and failure, and gave its child to us only in the prime and midday of its strength.

Through the years it has been our guardian, mentor, friend. It served us in infancy, stood beside us in the hour of civil strife, saved the vanquished from the annihilation of revenge, and showed the victor the path of mercy and justice, made possible the reuniting of a severed people, and restored the severed bonds of fraternal love. It has made us great. Living by its rules, we exemplify the greatest liberty, prosperity, and enjoyment of opportunity ever attained by man in government. And now, in the midst of a world torn by war and suffering, with the voices of discontent vocal throughout the earth, some crying for the abolition of all law and some for changes radical and untried, it stands proclaiming those basic principles of government and human right by which our happiness and well-being have been made possible. Will we observe its law? The Constitution stands safe and secure from all enemies without our shores, but in its love it bears no weapon of defense against its children. They only can wound and kill. [Applause.]

Mr. WOOD of Indiana. Will the gentleman yield for a question?



Mr. VENABLE. I am glad to yield to the gentleman from Indiana.

Mr. WOOD of Indiana. Supposing the Congress of the United States should pass a resolution declaring that the war was at an end, and the legislative branch of the German Government should pass a like resolution, would the gentleman still say that the two bodies together had no right to come to a mutual understanding?

Mr. VENABLE. Absolutely, for the reason that under our Constitution the power to make international agreements is vested exclusively in the treaty-making functionary, and the Congress has not the right to speak.

Mr. SMITH of Michigan. Will the gentleman yield for a question?

Mr. VENABLE. Yes.

Mr. SMITH of Michigan. I should like to inquire when we would be at peace provided the President at no time would make a treaty?

Mr. VENABLE. I undertook to answer that position. I do not know whether the gentleman was present or not. The gentleman conceives a case where government has totally failed. What sort of position would we be in if Congress should totally fail to function? Would the President have the right to constitute himself the lawmaking authority? [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. CANNON. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman and gentlemen, if the gentleman from Mississippi [Mr. VENABLE] is correct, it requires these representatives of 100,000,000 people to involve this country in war; but once it is involved in war God Almighty himself could not get us out of it if Woodrow Wilson did not want us to get out. [Applause.] The gentleman suggests that the idea that this House and the Senate can stop the fight which it and the Senate started would be humorous if it were not tragic, and it might be both. The idea that there is no way to get this country out of war unless the President lets us stop is tragic and is humorous, too. The gentleman bases his entire argument upon a very curious fallacy, which is that it takes a treaty to stop a fight. Under the ordinary laws of nature and of common sense anybody who can start a fight can stop that fight if the other fellow is willing. [Applause.]

In this case Germany has sued for peace, and all that is necessary now is for somebody to tell her that she can quit, and under the Constitution all powers given, not otherwise specifically assigned, can be exercised by Congress, and the time necessary has arrived when the treaty makers failed to function.

The gentleman speaks of this as if we were making a treaty. We are not. Germany sues for peace and we deliver an ultimatum and we say, "Yes; you may quit under certain conditions." If they accept them, then the treaty-making power can go to work and make a treaty. We are not negotiating a treaty. We are announcing an ultimatum. The gentleman's argument flows gracefully on in eloquent and rounded periods just as soon as he leaves his first premise. If his premise were correct, it would be a logical and persuasive speech, but it is all bottomed on the singular and curious fallacy that wars can only be terminated by written treaties; that nations can live in peace only when their agreements to do so have been signed, sealed, registered, and recorded. That fallacy exploded, his brilliant argument hangs wavering in the air without foundation and ceases to be of force or effect. If Germany accepts our ultimatum, then the treaty makers can begin again. Every man with horse sense knows that this war is over, and if it is high time that the clock struck officially the hour of its end. We can not afford to have a river of horrors and expenses of war engulfing our Republic till somebody is willing to take advice he does not like. The people have vested in the representatives all reserve powers necessary to preserve the Republic and its citizens. This is a government of checks and balances, and if other departments fail Congress must do its duty. That is what Congress is for and that is why it wields the thunderbolt of the will of a hundred million Americans.

The gentleman from Mississippi instances something that took place in the Constitutional Convention which he evidently has misapprehended, as it demonstrates the opposite to what he had in his mind. I presume he had in his mind the recollection that comes to my mind, that they had under consideration at the moment, not the present Constitution but a proffered one, which had this clause in it, that among the things Congress could do was that it could make war. Mr. Ellsworth, of Connecticut, suggested adding peace, so it would read that Congress could make war and peace. He made a fine argument in support of it. One of his colleagues suggested that he did not understand

what that meant, that it did not mean declare war; it meant by making war to carry on war; and if you add to it making peace, you would be making it say that Congress could carry on war and carry on peace. He said that if it said declare war that would be a different thing, which it now does, and Mr. Ellsworth saw the point and voted against his own suggestion.

There is nothing in the Constitutional Convention that I remember to indicate any further than that; there may have been some similar instance on some other day.

Mr. WINGO. Will the gentleman yield?

Mr. LITTLE. Not just yet. Jess Willard, out in my district, was champion of the world a little while ago, and Dempsey and he got involved in war. Dempsey hit him in the jaw and the war ended. [Laughter.] There was no treaty. [Laughter.] Treaties are not necessary between nations in this world any more than it is necessary for you and me to go into partnership. A treaty is requisite if we are to be engaged in business together, and if nations desire to assume relations of such a character that the people can do business and carry on affairs together there must be a treaty. But they can live at peace without a treaty. Because we have peace with Germany it does not follow that we must have a treaty with Germany and go into business with her. The treaty power is lodged in the President and the Senate of the United States.

Mr. JUUL. Will the gentleman yield for a brief question?

Mr. LITTLE. I would rather not, but go ahead.

Mr. JUUL. I want to remind the gentleman that the Congress of the United States abrogated the treaty with Russia because Russia would not recognize passports granted to the Jews. And yet we continue to do business with them.

Mr. LITTLE. And live at peace with them. No treaty is necessary in order to live at peace with another nation. What became of our Mexican treaties? The power that declares war, the power that starts the fight, always, under the laws of God, common sense, and nature, has the implied power to declare peace. [Applause.]

It is true that the Congress of the United States has no right, having declared peace, to follow it with a treaty. The Congress has authority to refuse funds and soldiers and thus cause a cessation of hostilities. Congress can do this without any resolution by mere refusal of appropriation and soldiers. King Charles had the gentleman's constitutional views, that the executive can raise money and keep up war and government without legislative aid, and they cut his head off. The power which starts a fight is inherently granted the power to stop that fight. He that can begin can end. [Applause.]

Ah, but they say the Constitution of the United States indicates otherwise, that the President and the Senate have the sole right to stop the fight. Where in the Constitution is that power granted? They are told that they can make treaties between the different nations and ourselves, but where in the Constitution is the President and the Senate told that they can stop a fight without a treaty? [Applause.]

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. LITTLE. Not at present. They are simply negotiators for the Republic. We have waited for the treaty makers and we have no treaty with Germany. But it does not follow we must keep on at war. As the gentleman so aptly and eloquently says, "It is absurd." It is like a marriage. We do not have to get married to anybody if we do not want to. But when we do somebody must establish the conditions under which the marriage is to be made.

So if the gentleman from Mississippi is correct in his position, he simply puts himself in this position, that if the Presidents should be obstinate, bullheaded, self-willed, fanatical, obsessed by some one idea, and determined they could involve this country in war for a thousand years and nobody could stop it. [Applause.]

Now, gentlemen, I have called your attention to the fact that the whole argument of the gentleman from Mississippi is based on a theory that we are making a treaty, when it is evident that we are merely delivering an ultimatum.

But there is a bigger reason than all these things. We can not handle everything with technicalities. The President has no right to declare war, and yet a few months ago he directed a force of troops into Mexico, sent Gen. Pershing a hundred miles into that country, and established a state of war. The Constitution did not authorize him to do that, but Congress backed him up. Are we going to be told that although we backed up the President of the United States when he violated technically the Constitution, when we try to stop hostilities and save the lives of men and immense sums to the Republic that he is going back on us? He sent a force of troops into Mexico, when Congress might have brought him to account for it, and is he so obstinate and so important that he will refuse to back



up Congress when it tries to save money and the sacrifice of life? Why, certainly not. I have too much confidence in and respect for the President of the United States to think that he would think of doing any such thing. Unconstitutional for the Senate and the House to pass this resolution and say that hostilities which the House and Senate began by resolution are ended by resolution! Why, Pershing on the front could do that very thing. Germany sued for peace. They asked that hostilities cease, and Pershing agreed to the armistice. He had authority under the Constitution and the powers Congress gave to do that. He and our allies did it by an ultimatum of what they should do before we granted peace, and our armies are camped on the Rhine because Pershing could say that the fight shall stop. Can not the Congress of the United States declare an armistice? If Germany turned around and wanted peace, as has been suggested, then the war is ended without a doubt.

The Constitution gives Congress authority to declare war, which carries with it, logically, authority to stop war, unless the Constitution specifically gives that power to somebody else. That venerable document authorizes the President and the Senate to make treaties with nations with whom we are at peace or at war, but no right to stop the war unless a treaty is made. So that authority is still vested in Congress. But the Constitution goes further and says that Congress can make any laws necessary for carrying out the powers previously given and all other powers vested by the Constitution in the Government. Thus there is the blanket authority vested in Congress to stop every gap that has not been met by the Constitution. So when the Senate and the President have failed to come to an understanding we are forced back upon the inherent power and the general authority the Constitution gives Congress to meet the emergencies of the Republic. The Senate of the United States has taken the treaty and given to the Executive, which negotiated it, the advice the Constitution required from that august body. The Constitution supposed, of course, the President would accept the advice the Constitution ordered the Senate to give him and then two-thirds of the Senate would concur and we would have a treaty and peace.

But an extraordinary situation has arisen because the President declines to take the constitutional advice of the Senate. If the gentleman from Mississippi is right, constitutional powers are exhausted and an emergency has arisen for which the fathers of the Republic in all their wisdom failed to provide. The gentleman thinks our resolution is absurd. Is it any more absurd and impossible than the condition that arises when the President scorns the advice the Constitution arranges for him. New ills demand new remedies. Fortunately for America, the Constitution has empowered Congress with whatever authority is necessary, with all powers vested in the Government not otherwise located, as well as the implied authority to cease fighting, which comes with its power to begin fighting. The logic of common sense points the beacon light clear in this seeming midnight darkness of the hour. Men cry for concentration of power in a single pair of hands in great trials of nations. In the days of the French Revolution, the English Revolution, the Austrian Revolution, the German Revolution, the Russian Revolution—every time in history the legislatures have been stronger in emergencies than any single executive. Under the powers given it by the Constitution, the authority lodged nowhere else by the Constitution, when the treaty-making powers fail to treat and war's menace hangs over us, Congress and Congress alone, when the enemy sues for peace, can say, "The war we began by resolution we now declare stopped by the same resolution that started it," and if the President wishes to veto that resolution, admit that he can not stop the war, confess that he will not permit anybody else to terminate it, let him answer on the pages of history for a thousand years in the tribunal where is given the judgment of mankind.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. LITTLE. Mr. Chairman, can not the gentleman from Illinois grant me two minutes more?

Mr. CANNON. Mr. Chairman, I yield the gentleman five minutes more time. [Applause.]

Mr. LITTLE. As I suggested, out in Toledo the fight ended without a treaty. This war is over anyway, and what difference does it make if we should pass such a resolution? A friend of mine, a little fellow, an editor out home, was going up the steps and another man hit him in the back, all because of a row about saloons. The little man turned around and leaped down and fell on top of the big fellow. The little fellow was on top, the big fellow falling backward. The big fellow, although he was bigger than the other man, called for help, and some of the crowd around about said, "Heath, had not you better get off?" and Heath said, "Is this fight over? If it is not, I am very well

situated." This fight is over, Germany is done, our country won, the fight ended, they cried for quarter, and the power which began this war is in a position to end it right now, if there never is a treaty. So what is the use of getting away from the rules of common sense and talking about technicalities that do not exist? A Roman ambassador at Carthage said to the Carthaginians, "I hold peace and war in the folds of my toga—which will you have?" Has this Congress, the great power which declared this war, sent an ambassador to Paris who is the only man that can announce the termination of a war he could not begin? Has it come to this, my friends, that we send a President of the United States to Paris to sit at a peace conference of the world and say to the universe, for 100,000,000 Americans, "I have peace and war in the pockets of my swallow-tail coat—which will you have?" [Applause.]

Mr. McANDREWS. Mr. Chairman, I yield five minutes to the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Chairman, I thought the gentleman from Kansas agreed to yield to me when he had finished his statement.

Mr. LITTLE. The gentleman will excuse me, but if they will yield me two minutes I will be very glad to yield to him.

Mr. WINGO. My object was not controversial, for I am sure that the gentleman does not want to make an inaccurate statement. The gentleman is in error when he says that Mr. Ellsworth proposed in the Constitutional Convention the proposal to give Congress, in addition to power to "declare war," the power to "make peace." What the gentleman refers to was the original proposition of vesting in Congress the power "to make war." Then Mr. Ellsworth did call attention to the fact that the Executive was the proper one to "make" war, and that what they should do was to vest in the legislative department the power to "declare" war. For that reason the amendment was adopted changing the word "make" to the word "declare." Mr. Butler, of South Carolina, proposed an amendment to give Congress the right to "make peace," and Mr. Butler and two other gentlemen were the only ones who supported that proposition. If the gentleman from Kansas [Mr. LITTLE] will read the debates in the Constitutional Convention he will realize that the fathers were wise, because they seemed to foresee the present day, when the party in control of Congress might, in a partisan, dictatorial spirit, as does now the Republican steering committee, say to the country, "You will take our kind of peace or you will get none at all."

Mr. LITTLE rose.

Mr. WINGO. Oh, I yield.

Mr. LITTLE. I can not thank the gentleman for his information, because he has not given any. The statements I made about Mr. Ellsworth are accurate. It is true that Mr. Butler did make the motion referred to by the gentleman from Arkansas [Mr. WINGO], but that does not bear on the immediate proposition. Mr. Ellsworth did make the suggestion that I referred to, and if the gentleman would study the debate he would realize it.

Mr. WINGO. I appreciate the advice from the gentleman, but to show him that I have studied the debate I hope that he will keep all of his remarks in the RECORD—

Mr. LITTLE. That is the idea.

Mr. WINGO. And he will find that on the very same day, August 17, 1787, the proposition that I refer to, that of giving Congress the power to "make peace" came immediately after the proposition of giving it power to "declare war." Mr. Ellsworth did not offer the amendment to vest the power to "make peace" in Congress, but that amendment was offered by Mr. Butler, and was unanimously voted down. The gentleman does not seem to catch the point I was trying to call to his attention about which I say that he is in error. If I wanted to make the retort obvious to my sweet-tempered friend, I would state that I can give him information, but I can not give him comprehension.

Mr. LITTLE rose.

Mr. WINGO. My only object in calling the gentleman's attention to this was that I did not want him to fall into a historical inaccuracy, which he did when he stated that Mr. Ellsworth urged that power to "make peace" be vested in Congress. The record of the debates shows that Ellsworth took the opposite view, stating that it should be easier to make peace than to declare war, and supported the proposal to vest the treaty-making power in the President alone. This, too, was rejected, and the provision now in the Constitution vesting this power in the President with advice and consent of the Senate was adopted.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. WINGO. No; I can not.

Mr. MADDEN. Is the gentleman afraid to yield?

Mr. WINGO. Oh, no. If the gentleman will get me plenty of time, I will be very glad to yield to him.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?



Mr. WINGO. No. Let us have one at a time.

Mr. LITTLE. If the gentleman will come over to see me some time, I will show him the place in the book, if we can find one.

Mr. WINGO. Oh, I have read it time and again. If the gentleman from Illinois [Mr. MADDEN], who makes the suggestion that I am afraid to yield, desires, I will be very glad to go into the question with him and argue it, and I will grant him two hours to my one, as to whether or not this House has any constitutional power to propose a treaty as proposed by this so-called peace resolution.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. WINGO. No. If the gentleman will get me time, I will be very glad to do so. Mr. Chairman, I am very glad that this discussion has come up. I trust the Republican steering committee, that undertakes to say to the country that it shall have its particular brand of peace or none at all, will allow us sufficient time to discuss not only our power but the merits of the proposed resolution. I am anxious to restore peace and will do all I can to bring about peace-time conditions, but I decline to be fooled by a political resolution that instead of concluding peace will worse confound the confusion that already exists.

I repeat, I am very anxious to have peace. If the gentleman from Kansas [Mr. LITTLE] is correct, and this House has the power to make peace, why have he and the other Republicans who are in control sat here so many long, weary months and not exercised that power and brought about peace? If he had that power all the time, why has he waited and why has the country waited for peace when he had in the "folds of his toga" the power to declare peace? Why do he and his fellow Republicans continue to make peace the football of partisan politics?

Mr. LITTLE. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. McANDREWS. Mr. Chairman, I yield 20 minutes to the gentleman from Kansas [Mr. AYRES]. [Applause.]

Mr. AYRES. Mr. Chairman, it has been laid down as an unquestionable proposition of international law that there is a legal as well as a moral necessity that with the ceasing of the causes which justified the inception of the war the war itself should cease.

Believing in this doctrine, Mr. Chairman, and also being possessed with an intense desire for peace, I earnestly and conscientiously began to investigate the proposition as to whether or not, under the Constitution of our Nation, we could bring about peace by a joint resolution of the House and Senate. I have made what I consider a thorough investigation. I know I have made an honest investigation.

I have found the great weight of authority holds there are three ways or methods by which war may be concluded and peace again established:

First, by the unconditional submission of one belligerent to another; second, by a de facto cessation of hostilities and a de facto renewal of relations of peace by both belligerents; and, third, by a formal treaty of peace. I have been unable to find any other method than the three enumerated.

I take it we are dealing with the third proposition—that is to say, a formal treaty of peace. If not, then we are dealing with nothing.

Therefore we must assume that the joint resolution under consideration by its phraseology is an attempt to bring about a treaty of peace. Then the question presents itself, in what manner and by what authority can this be accomplished?

The Constitution specifically provides how war may be declared by Congress, and, to my mind, it is just as specific as to making peace.

It is as plain as the English language can make it, that the President shall have the power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur. Nowhere in the Constitution, nor anywhere else as for that, is there a provision that when two-thirds of the Senate fail or refuse to concur that the House of Representatives can assume jurisdiction of treaty making.

It has been argued by some that the power to declare war necessarily includes the power to declare peace. That theory was exploded early in the history of our Government. All governments have specifically fixed these powers by constitution or otherwise. Some have placed the power of declaring war, also of making peace, in a single individual. But, as has already been said, our Constitution provides that the President, and he only, with the advice and consent of the Senate, can make a peace treaty. If the framers of the Constitution had intended the real representatives of the people, namely, the House of Representatives, had to give advice and consent to the President in making a peace treaty, then, undoubtedly, that provision of

the Constitution would have read, "The President shall have the power, by and with the advice and consent of both Houses of Congress, to make treaties, provided two-thirds of the Members thereof present concur." Also if it had been intended by the framers of our Constitution that the making of peace treaties was a matter of legislation, as contemplated by this resolution, there no doubt would have been a provision in the Constitution to the effect that every treaty which shall have passed the House of Representatives and Senate shall, before it becomes a treaty, be presented to the President of the United States; if he approve, he shall sign it; but if not, he shall return it, with his objections, to the House in which it shall have originated, who shall enter the objections at large on their Journal, and proceed to reconsider it. If after such reconsideration two-thirds of that House shall agree to pass the treaty, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House it shall become a treaty.

That is what is sought to be done by this resolution, without any constitutional provision authorizing such procedure, and in open and flagrant violation of the Constitution.

In view of the fact the makers of the Constitution specifically excluded the House of Representatives from any consideration of peace treaties, I can not understand what prompts the leaders of a great party to drag into our deliberations a matter so foreign to the jurisdiction of this House.

To give this House a voice in the making of peace treaties was no doubt anticipated at several times during the making of the Constitution, as can be ascertained by reading the journal of the Constitutional Convention by Madison.

On August 17, 1787, in the debate on this question in the Federal convention there is this record:

Mr. Butler moved to give the legislature power of peace, as they were to have that of war.

"Mr. Garry seconds him," he said. "Eight Senators may possibly exercise the power if vested in that body and 14 if all should be present; and may consequently give up part of the United States. The Senate are more liable to be corrupted by an enemy than the whole legislature."

"On the motion for adding the words 'and peace' after 'war,' it was defeated by a good majority."

I am sure that it was unanimous.

Mr. MOORE of Virginia. May I interrupt the gentleman?

Mr. AYRES. Certainly.

Mr. MOORE of Virginia. It was defeated unanimously.

Mr. AYRES. I thought so.

Mr. MOORE of Virginia. The vote was by States. I think there were two or three members of the other opinion, but it was recorded as a unanimous vote. May I suggest this, further, to the gentleman while I am on my feet: The wisest writers on the Constitution discussed that point. Justice Story and Chancellor Kent both take the view which the gentleman now advances, which is different from that which the gentleman from Kansas [Mr. LITTLE] stated a moment ago.

The gentleman who is now speaking is correct, as I read the history of the convention and the commentaire of Story and Kent, and the gentleman from Kansas [Mr. LITTLE] is incorrect.

Mr. AYRES. I want to read what Mr. Justice Story said relative to this matter. This is section 1173:

In the convention in the first draft of the Constitution the power was given merely "to make war." It was subsequently, and not without some struggle, altered to its present form. It was proposed to add the power "to make peace," but this was unanimously rejected, upon the plain ground that it more properly belonged to the treaty-making power. The experience of Congress under the confederation of the difficulties attendant upon vesting the treaty-making power in a large legislative body was too deeply felt to justify the hazard of another experiment.

Mr. J. I. C. Hare, in his treatise on American constitutional law, says:

The President is as much the representative of the entire people of the United States as any Member of Congress can be of his district, and should therefore exercise the discretionary powers confided to him by the Constitution in the way he may deem best calculated to promote the welfare of the country, which may not be in the way deemed best by Congress. Take, for instance, the case of a war which Congress thinks unnecessary or unjust and wishes to close on terms that the enemy are willing to accept. Still, it is the right of the President, and not of Congress, to determine whether the terms are advantageous, and if he refuses to make peace the war must go on.

Dr. William Rawle, in his treatise on American constitutional law, says:

Treaties, by which peace is completely restored, may, as already shown, be made by the President and Senate alone, without the concurrence and against the will of the House of Representatives.

It has been made a subject of doubt whether the power to make war and peace should not be the same, and why a smaller part of the Government should be intrusted with the latter than the former. Sufficient reasons may be assigned for the distinction. Peace is seldom effected without preparatory discussions, often of length and difficulty, the conduct of which, of course, belongs only to the President and Senate. War is always an evil; peace is the cure of that evil.



In Halleck's International Law, volume 1, may be found the following by that author:

By the Constitution of the United States of America, the President has the exclusive power of making treaties of peace, which when ratified with the advice and consent of the Senate become the supreme law of the land, and have the effect of repealing all other laws of Congress, or of States, which stand in the way of their stipulations.

And I will state there are many other authorities sustaining that view, which I will not have the time to recite.

The only manner in which the House of Representatives can interfere with such power would be for Congress to compel the President to make peace by refusing the means to carry on the war. There is no question but what Congress can do that, but that time has passed, and we are now considering a treaty of peace. It is also true that the House can refuse to enact such legislation as is necessary to carry out the provisions of a treaty after it has been ratified by the President and the Senate, but that is not the question we are called upon to decide in this resolution.

I am confident there can not be found a single authority on constitutional law that will sustain the contention of the supporters of this resolution. Simply because the Constitution does not in words prohibit the House of Representatives from taking jurisdiction of such matters and subjects as are to be considered by the President and Senate under its provisions is no reason why it should assume it has such jurisdiction.

If we are justified in taking that position, why not also take the position we have the authority under the Constitution by joint resolution to confirm the appointments of ministers and ambassadors, members of the Cabinet, judges of courts, postmasters, and all other appointments, as there is no provision in the Constitution prohibiting it? It is just as logical in one case as in the other. We have a provision in the Constitution which reads:

All bills for raising revenue shall originate in the House of Representatives.

Why not say, because there is no provision in the Constitution prohibiting the Senate from taking original jurisdiction of revenue bills that it may do so by joint resolution?

I have heard some say, "Oh, well, if both branches of Congress assume jurisdiction in this matter, neither questioning the jurisdiction of the other, but by joint resolution make a declaration of peace which imposes certain conditions on the German Government and which that Government accepts and agrees to carry out, who can find fault or raise the question of it being unconstitutional?"

I think a fair answer to such logic as that is to call attention to another provision of this same Constitution, which provides that all cases affecting ambassadors and other public ministers and consuls, and also in which a State shall be a party, the Supreme Court of the United States shall have original jurisdiction. Is there a lawyer in this House who will contend for a moment that if parties to a legal controversy in which a State should be a party and some district or State court would assume jurisdiction and neither party to the controversy objected, that a judgment rendered by such a court would be valid? I can not conceive of any arrangement whereby the Supreme Court of the land could be ousted of its original constitutional jurisdiction and transfer it to an inferior tribunal and expect a valid decree.

If that be true, can it be said with any greater logic that this House by a joint resolution can take jurisdiction of a subject matter which is clearly by the Constitution lodged exclusively in the President and Senate? Can it be conscientiously and sincerely contended that any action taken by this House in this matter would be valid and binding?

I am just as anxious as any Member of this House to see peace declared, and feel it should have been done long ago, and believe if the Constitution had delegated such power to this body to make a declaration or treaty of peace it would have been accomplished long ago, and I believe the framers of the Constitution made a mistake when they assumed that all the brains and dignity would be lodged in any one branch of this Government, especially in view of what has occurred within the past year; but I can not bring myself to feel that, owing to my desire for peace, I am willing to do an unlawful or unconstitutional act, nor would I, if I disliked—yes, I will say hated—the President as do some of the Members of this House, permit it to cause me to violate the oath I took that I would support and defend the Constitution of the United States against all enemies, foreign and domestic, and would bear true faith and allegiance to the same.

To bear true faith and allegiance to the Constitution does not admit that by reason of intense partisanship, or because of the hatred you might have for the President or the uncontrollable desire you might have to embarrass him, to knowingly vote for a measure which is clearly in conflict with its provisions.

I am willing to go as far as any Member of this House in demanding and upholding all the powers the Constitution has given us. There is no question but the House of Representatives has the right to exercise its judgment as to whether or not it will approve or disapprove a treaty made by the constituted authorities—that is, the President and Senate. The House is not compelled to vote for an appropriation to carry out the provisions of such treaty.

We have the undoubted right to determine for ourselves, upon the merits of a treaty, whether we will or will not enact such legislation necessary to make it operative. This question was first raised early in the history of the Nation—in 1794 and 1795 over the Jay treaty—and has been a subject of much controversy many times since that date. The great weight of authority is in favor of this position I have stated, but to this extent and no further, however, are we a part of the treaty-making power of the Nation. This power can be exercised only after a treaty has been made and submitted to us for the purpose, and sole purpose, of enacting laws to carry out its provisions. That power does not in any sense authorize the House of Representatives to, in the first instance, take part in the deliberations of making a treaty, or as for that matter, by resolution, declare peace.

Judge Cooley, one of the greatest authorities on constitutional law, says:

The full treaty-making power is in the President and Senate, but the House of Representatives has a restraining power upon it, in that it may, at its discretion, at any time refuse to give assent to legislation necessary to give a treaty effect. Many treaties need no such legislation, but when moneys are to be paid by the United States they can be appropriated by Congress alone, and in some other cases laws are needful. An unconstitutional or manifestly unwise treaty the House of Representatives may possibly refuse to aid, and this, when legislation is needful, would be equivalent to a refusal of the Government, through one of its branches, to carry the treaty into effect. This would be an extreme measure, but it is conceivable that a case might arise in which a resort to it would be justified.

President Jefferson, in his message to Congress relative to the purchase of Louisiana, recognized the extent of the authority of this House. He said:

In my communication to you of the 17th instant I informed you that conventions had been entered into with the Government of France for the cession of Louisiana to the United States. These, with the advice and consent of the Senate, having now been ratified and my ratification exchanged for that of the first consul of France in due form, they are communicated to you for consideration in your legislative capacity. You will observe that some important conditions can not be carried into execution but with the aid of the Legislature and that time presses a decision on them without delay.

All the Presidents from Washington up to and including President McKinley have recognized this principle.

If that was the only question it would be easily solved. This question as to whether or not the House of Representatives is a part of the treaty-making power has been before this body many times, and it has gone on record on more than one occasion that it had no jurisdiction in such matters. In 1794 and 1795, in the controversy over the Jay treaty, a resolution was passed by the House as follows:

*Resolved*, It being declared by the second section of the second article of the Constitution that the President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur, the House of Representatives do not claim any agency in making treaties, but that when a treaty stipulates regulations on any of the subjects submitted by the Constitution to the power of Congress, it must depend for its execution as to such stipulations on a law or laws to be passed by Congress, and it is the constitutional right and duty of the House of Representatives in all such cases to deliberate on the expediency or inexpediency of carrying such treaty into effect, and to determine and act thereon as in their judgment may be most conducive to the public good.

Again on April 3, 1820, Henry Clay, of Kentucky, then Speaker of the House of Representatives, introduced the following resolution:

*Resolved*, That the Constitution of the United States vests in Congress the power to dispose of the territory belonging to them, and that no treaty purporting to alienate any portion thereof is valid without the concurrence of Congress.

This resolution was debated until April 5, when the House passed to other business without any decision.

May I ask the gentleman in charge of the time that I may have 5 or 10 minutes additional?

Mr. McANDREWS. I yield the gentleman 10 minutes more. The CHAIRMAN. The gentleman is recognized for 10 additional minutes.

Mr. AYRES. Again, in 1871, the House of Representatives passed the same resolution, word for word, as was passed by the House in 1794, which I have already recited, showing that 77 years afterwards they were in the same frame of mind relative to their treaty-making power as in the very beginning of our Government.

In 1881, it is said, the House Committee on Foreign Affairs, discussing the treaty-making power, concluded the House had



no share in it and submitted a report on House joint resolution 132, relating to the subject, as follows:

In the opinion of your committee there is no conflict in these provisions. The words "all bills for raising revenue," in section 7 of article 1 of the Constitution, do not embrace treaties; a treaty is not a bill for raising revenue, and the requirement that "all bills for raising revenue shall originate in the House of Representatives" is not a limitation upon the treaty-making power, but is only a condition imposed on the ordinary law-making power of the Government. The President and the two Houses of Congress constitute the ordinary law-making power of the Government; the President and two-thirds of the Senators present constitute the treaty-making power. Neither of these powers has anything to do with the other, and to require the consent of the House of Representatives to make a treaty valid would violate the Constitution by making the House of Representatives a branch of the treaty-making power.

In debate in the United States Senate December 16, 1903, Senator John C. Spooner, who is recognized as authority on the Constitution, said, in answer to Senator Bailey—and I am reciting Republican authority, hoping it may have some effect on my Republican friends on the other side of the aisle. This is what Senator Spooner said:

The point of the Senator's argument was that the House was no part of the treaty-making power. That is true. A treaty which the President and the Senate may lawfully enter into would be no better if it provided for approval by the House, but would be an attempt to confer by contract a power upon the House which under the Constitution it does not possess, which it claimed long ago, in President Washington's day, but which it abandoned then and has never since asserted.

In 1897 Senator Cullom, of Illinois, said in a report he made on a reciprocity treaty:

Section 2 of article 2 of the Constitution provides that the President "shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur."

The President and the Senate are, under the Constitution, the treaty-making power. The initiative lies with the President. He can negotiate such treaties as may seem to him wise and propose them to the Senate for the advice and consent of that body, which is as free and independent in its action upon the same as the President is in exercising his power of initiative and negotiation.

The power of the President and the Senate is derived from the Constitution. There is under our system no other source of treaty-making power. The Congress is without power to grant to the President or to the Senate any authority in respect to treaties, nor does the Congress possess any power to fetter or limit in any way the President or the Senate in the exercise of this constitutional function. It can not enlarge or in anywise limit or attach conditions to the exercise of the treaty-making power.

Whether the treaty is one which is self-executing or one which requires legislation by the Congress to give it effect, it must first, in any event, be negotiated by the President and ratified by the Senate. Whether he will negotiate a treaty and when and what its terms shall be are matters committed by the Constitution entirely to the discretion of the President, and whether the Senate will advise and consent to it, with or without amendment, is a matter committed entirely to the discretion of the Senate.

If a treaty be such as to require legislative action, and when entered into by the President and ratified by the Senate does not meet the approval of Congress, it has the power to withhold the legislation requisite to give it effect, but with the preliminary steps of negotiation and ratification the Congress has nothing whatever, under the Constitution, to do.

I should judge that Senator Cullom, recognized as a statesman of ability, long service, and vast experience as a legislator and a close follower of the Constitution, ought to be considered fairly good authority.

I want to particularly call attention again to what he said relative to the want or lack of power of the House to deal with treaty matters:

The power of the President and the Senate is derived from the Constitution. There is under our system no other source of treaty-making power. The Congress is without power to grant to the President or to the Senate any authority in respect to treaties, nor does the Congress possess any power to fetter or limit in any way the President or the Senate in the exercise of this constitutional function. It can not enlarge or in anywise limit or attach conditions to the exercise of the treaty-making power.

I want to inquire what are we doing now by considering this resolution if not to fetter and limit the President in the exercise of his constitutional functions? Who of the supporters of this resolution can truthfully say it is not attaching conditions to the exercise of the treaty-making power? Every line and syllable attaches conditions to the exercise of the treaty-making power. The argument of the supporters of this resolution is that they are not seeking to make a treaty, but only by joint resolution to bring about peace between this Nation and Germany. While I do not accept this explanation, as to my mind it is solely an effort to make a treaty with Germany, however, for the purpose of meeting the argument of the proponents of this resolution, I will accept that theory for the moment. It certainly can not be denied that it is an attempt on the part of this House to assume jurisdiction of a foreign relations matter clearly within the prerogative of the President. In support of this position I desire at this time to call to the attention of the House a message of President Grant, delivered to the House of Representatives on January 30, 1877, returning, with his objections, the joint resolution of the House (H. J. Res. 171) in reference to the congratulations from certain other countries. He said:

The Constitution of the United States, following the established usage of nations, has indicated the President as the agent to represent the national sovereignty in its intercourse with foreign powers and to receive all official communications from them. It gives him the power, by and with the advice and consent of the Senate, to make treaties and to appoint ambassadors and other public ministers; it intrusts to him solely "to receive ambassadors and other public ministers," thus vesting in him the origination of negotiations and the reception and conduct of all correspondence with foreign States, making him, in the language of one of the most eminent writers on constitutional law, "the constitutional organ of communication with foreign States."

If this resolution should pass, can it be construed that we are at peace with Germany and Austria? This within itself would not restore diplomatic relations with those countries. It will take more than a joint resolution passed by Congress to do that.

The framers of this resolution must feel proud of the fact that they have provided in it that if these countries do not "renounce" all their rights and privileges which may have been left them, and so notify the President within 45 days after this resolution becomes effective that they have done so, we will have no commercial or financial dealings with them. In other words, we say, "Notwithstanding the fact you surrendered once, surrender again or starve."

I can not conceive of a more humiliating position for a strong nation with a generous and fair-minded people to take than to pass this resolution.

It is not only an admission that we are incapable of making peace as provided by our Constitution and as defined by all constitutional and international law writers, but also because of our position as a powerful Nation we will impose unfair and unconscionable demands. Such proceedings will discredit us as a Nation and ought to destroy any party or organization favoring it.

The House of Representatives has certain duties imposed upon it by the Constitution, and to the Senate there are delegated certain powers which the House does not enjoy and certain duties with which the House has nothing to do. If the Senate has failed in the performance of these duties, it is not the business of this House to undertake to perform them. As for one, I do not intend to be used as a cat's-paw to drag from the coals of fire the chestnuts some one else put there. Let whatever branch of the Government responsible for the condition we are in at this time assume the responsibility and not try to divide it with those in no way responsible. This House never shirked a single responsibility during the war. It met every demand made wherein it was authorized and empowered by the Constitution to do so. It should not now commit an unpardonable blunder by violating the provisions of the document that gives it existence in order to extricate some other branch of this Government from an embarrassing position in which it may be at this time, but for which the House is in no way responsible and over which it has no control or jurisdiction. [Applause.]

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The gentleman yields back four minutes.

Mr. CANNON. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MASON]. [Applause.]

Mr. MASON. Mr. Chairman, as a member of the Committee on Foreign Affairs I expected to discuss this question as it bears upon international law and upon the power of the Congress. In passing through, however, I heard the statement of the distinguished gentleman who said that we on this side of the Chamber were insisting that unless we had the kind of peace that we wanted we could not have peace at all. If I may be permitted, without at the present time discussing its legal effect, I desire to enter my protest right here and now. I had hoped that there might be full discussion. Indeed, my associates on the committee were kind enough to say that there might be possibility of amendment and suggestion, but the chairman of the Democratic committee came to Washington and announced publicly that his party would vote solidly against this declaration of peace, and that if we passed it the White House would veto it. And I am now replying to the suggestion not by this side of the Chamber, but over there, and your President is saying and has been saying, "You can not have peace until the peace suits me, the President of the United States." The treaty of peace was amended. It was amended by a majority of the body elected by the people. It was defeated by a Democratic minority. The people of this country believe in international arbitration. I stood here before my colleagues and for an hour, after the armistice was signed, begged and pleaded that we stand behind the President on an international compact of arbitration such as meant a league of nations. I expected that he would come back here with the dove of peace. He came back here with a basket filled with the British lion, not with the dove of peace for America. He came back here with a treaty that gave Great Britain in arbitration six votes for our one. He



came back with the proposition which allowed to a superstate the ordering of your boys and my boys again into war to maintain the rape of China by that great democrat, the Mikado of Japan. [Applause on the Republican side.] He came back with a treaty which announced in the language of that old league of nations, the Holy Alliance, that the men to make peace with the world were appointed by God.

He came back with a proposition that we must obey the dictates of a court, and while the President of the United States was speaking in Idaho or somewhere in the West, saying that Canada could not have a place in the council of the League of Nations, it was discovered in another Chamber of this body Canada had an agreement signed by Wilson and Lloyd-George and Clemenceau that Canada should have a representation on the council. That is when he got sick. [Applause on the Republican side.] They uncovered a secret treaty whereby England would have six votes to our one, and you gentlemen are trying just as hard to get rid of him as we are, and you know it. You tried to "bell the cat" here the other day when my distinguished friend from Mississippi [Mr. HUMPHREYS], a real Democrat, spoke, pleading with the President to say that he would not be a candidate for a third term. You were unanimous, and now it was most heartily approved by gentlemen on my side of the House, it must be unanimous. But what is the use of asking him to agree?

He agreed when he ran the first time that he would not run the second time. Your platform pledged him to that. And now our Democratic friends charge us with delaying peace, when an amendment of the Senate under the Constitution has the right to amend the treaty, and then, instead of voting for the treaty prepared by Mr. Wilson and amended by the majority of that body, he controls just enough votes to defeat the treaty, and now says to the people, "If you want peace you must have it on my terms." How did they beat the treaty? By a minority. How did they amend it? By a majority, representing three-fourths of the people of this country. They amended it along American lines. I am a little bit tired of hearing this talk of "You must have peace according to our terms." I say to you, gentlemen, the boot is on the other foot. It is the gentleman in the White House who is holding this treaty for what he thinks is a great partisan political issue, and you know it as well as I do. You know that he expects you to indorse his League of Nations. You know he wants to go to the country on that. And as a Republican I welcome that issue, as to whether this is an American country or whether it is not. If you want to make the issue, we will meet you in November; we will meet you where people know and understand things—and they will understand—and the result in November will convince the world that the Senate did right when they inserted into that treaty the statement that no money should be paid out of our Treasury without an appropriation of Congress and this country should not enter into war without a legal declaration of war.

I wish I had time to answer the suggestion, but I will do it on Thursday, if I live and have my health. There has been this conflict of authority. The United States has always followed the doctrine that the treaty is the supreme power, and the Congress of the United States has always passed laws, has always passed appropriations, in conformity with a treaty made by the President of the United States and confirmed by the Senate. But those treaties following the Revolutionary War and the War of 1812, and following the Mexican War, were all treaties whereby we agreed to pass laws that took money out of the Treasury of the United States. And when the question came up for discussion, some of the Members of Congress said, "We do not want to pass this." But they were told they must pass it, because under international law and international honor they ought to carry out the agreement of the President and the Senate, as they were the treaty-making power. But for the first time in the history of our Government the President of the United States has entered into a treaty that not only involves damages but it involves the proposition that the United States must send our sons, our boys, our brothers—

Mr. MADDEN. The treaties that were ratified by the Senate in years gone by on which appropriations were made did not amend the Constitution, did they?

Mr. MASON. No; they did not amend the Constitution. There have been changes in international law time after time. It has not kept pace with civil and criminal law, but there were never greater strides made in international law than there was when Jefferson became the Secretary of State of the United States, and when he announced certain doctrines that were in strict violation of what had been international law. And yet they have been accepted. For instance, we became a Republic—

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MASON. I will take the constitutional question up on Thursday.

Mr. CANNON. I yield five minutes more to my colleague.

Mr. MASON. Thank you.

For instance, as an illustration of the method of international law, before this Republic was founded the recognition of a new State by any other State was a *casus belli* by the parent State. After Thomas Jefferson announced the doctrine of the United States that we had the right of "recognition without intervention," it was accepted all over the world, and in no less than 12 or 14 cases have the United States in absolute violence of ancient international law recognized new States against the protest from the parent States, but not a cause for war. And the argument has been used all the while whenever this question came up for discussion in Congress to make appropriations to carry out the terms of peace; it has been one of the questions that have always come up; but the Congress of the United States has always yielded, and with high sense of honor, to carrying out the agreement of the President and the Senate, and they have made all those appropriations. But there has never been a treaty of peace attempted before where there was an attempt to give legislative power, resting alone in the Congress, of making war, to a superstate of gentlemen appointed by the rulers and congresses of any other nation in the world. The argument used in those congresses was, "Mr. Congressman, are you going to appropriate to carry out the treaty with Great Britain?" "Sure." "Do you believe in it?" "I do not believe in it." "But your President has agreed to it." Now, recall this, that all of those treaties sounded in money appropriations, but for the first time we are now invited to enter into a treaty of peace that involves the action of Congress in the sacrifice of American lives and American honor. It leaves Congress no power to say whether they will go to war or whether they will commit an act of war, or, if they go, which side they will go with. And the Senate very wisely, representing four-fifths of the people of the United States, has said, "Now is the time we are going to notify Great Britain to the effect, 'You have fooled us nearly a century; you have robbed us right along; you are taking \$200,000,000 a year from the people of this country; you do not even pay the interest on your bonds; you are denouncing us in your papers as a Nation of strutters; that we did not go into the war until we knew which side was going to win, and that we did not fight.'" Notwithstanding that, we sit silent.

Now, the Senate answers, "Mr. Great Britain, hereafter when you ask America to do anything under this treaty like going to war, we notify you and the world that Wilson and the Senate can not make war. You can not make an agreement that will drive us into war. You can not make an agreement that will bind us to send our boys to fight the battles of the mikados and the kings. They intend by this notice"—

Mr. VENABLE. Will the gentleman yield?

Mr. MASON. I have only a minute. If you will give me a little time out of yours—

Mr. JUUL. Mr. Chairman, I ask unanimous consent that the gentleman have five additional minutes.

Mr. MASON. I do not want to take it out of the time, for we are really not here to discuss this. I want to use the last half minute to say that we will notify the world that hereafter whenever it is decided to do so we may be willing to go into war, we are willing to have arbitration, but the Senate and the President of the United States can not force us into a position where you can come to Congress and say under international law, "You have got to carry out the agreement made by the President." We have adopted a new rule of international law. It is a rule that comes of Americanism, and it is notice to the world that no power this side of God Almighty can force us into a foreign war until the American Congress, representing the American people, has spoken in favor of that war. [Applause.]

Mr. McANDREWS. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. BLANTON].

The CHAIRMAN. The gentleman from Texas is recognized for 15 minutes.

Mr. BLANTON. Mr. Chairman, I want to say to my Republican friends that, however much it may disappoint them and however much it may chagrin them, they have not got a thing on earth to do with the treaty of peace, because both the Constitution and the law have wisely placed the decision of that matter in the hands of the President and the Senate.

Unanticipated by the Speaker, possibly, otherwise he might have been forbidden, the distinguished blind Chaplain of this House this morning tried to guide you good friends of ours off of the rocks and out of trouble when he implored you to "render to Cæsar the things that are Cæsar's, and to God the things that



are God's." Why do you not let the President of the United States and the Senate settle their own business?

Mr. MASON. Which is he, Caesar or God? [Laughter.]

Mr. BLANTON. I want to bring you back from wandering afar off to some of your own business sadly needing attention. There is plenty of House business here for you to transact. Why do you not attend to it? Why do you have to leave your business unattended to and go over to the other side of the Capitol to meddle with something that you have got nothing to do with?

Why, every time your majority leader has gotten up on this floor and implored you to begin to economize, I have applauded him, and the newspapers have applauded him. But they have gotten tired of applauding without action. The country has been waiting too long in a state of expectancy. I want to invite your distinguished majority leader to read some of the editorials of your leading Republican papers to-day, which are saying, "Mr. MONDELL, the time now is for action. We are tired of words. We want economy to begin." They are saying to your majority leader, "Mr. MONDELL, we know that you hold the legislation of the House in the hollow of your hand. We know, and the people of this country know, that you can bring about economy if you will do it. We are holding you responsible. If you are in earnest about the matter you can bring it about, because you have got your Republican colleagues whipped into line in such a way that they will obey your orders." Then, why do we not have some of it?

The gentleman from Wyoming spoke about this legislative appropriation bill coming back to the House—with how much unnecessary additional appropriations put in by the Senate for unnecessary idle-clerk hire? A million and a half dollars put into that bill on the other side of the Capitol in addition to many millions of unneeded appropriations already in that bill when it left the House! Do you know what was in that bill when it left this House? It provided for 1,076 messengers. Think of it! Do you know how many watchmen it provided for? Five hundred and fifteen. You know that not a third of them are needed. We recently passed the Agricultural appropriation bill providing for 754 messengers additional, and providing for 76 watchmen for the Secretary's office. That bill, the Agricultural bill, went to the Senate and came back here to the House; notwithstanding the fact that it originally carried over \$30,000,000 of appropriations, it came back here to the House with over \$2,000,000 added to it, and notwithstanding the fact that at last, in behalf of the people of the country, the people had succeeded in inducing that garden-seed graft to be eliminated from the bill. That saved nearly \$300,000 on that one item. And yet the bill comes back to this House with over \$2,000,000 additional, and the gentleman from Wyoming admitted here this morning that there has been added by the Senate \$1,500,000 in the legislative bill for unneeded clerical hire. It has been admitted here so many times that it is useless to repeat it, by such men as the distinguished gentleman from Illinois [Mr. MADDEN], who is familiar with such matters, and by other men, posted Members, that we still have 40,000 idle, useless, unnecessary clerks on the pay roll in Washington.

Do you know what is going on in the land while you are making so many assertions for economy and taking so little action? The people are becoming disgusted. Here is a whole sheet of 50 different kinds of positions, with numerous clerks to each one, that the Civil Service Commission has just issued and sent broadcast to the country, asking for new people to be examined under the civil service; 50 different kinds of positions and numerous clerkships to each kind of position on that one sheet. Here is another advertisement, a whole sheet with 43 different kinds of positions, with examinations to be held, and here is still another one, of April 5. I ask unanimous consent to place these in the RECORD, to let the people of the country know what really goes on in behalf of economy here in Washington.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD by inserting the matter indicated. Is there objection?

There was no objection.

Following are the announcements referred to:

**SHEET 1. CIVIL-SERVICE EXAMINATIONS ANNOUNCED FOR SPECIFIED DATES.**

Examinations for the following positions in the Federal civil service have been announced. Most of them are for positions in Washington, D. C.; some are for positions in field branches.

In addition to the salaries indicated, a temporary increase of \$20 a month is authorized to June 30, 1920, to employees in practically all positions listed who receive not more than \$2,500 a year and whose services are satisfactory.

Competitors for positions marked with an asterisk (\*) are required to report for examination; those for other positions listed are not assembled at any place, but are rated on their training, experience, etc.

For full information concerning all pending examinations, apply to the secretary United States Civil Service Board, post office or custom-

house, any city, or to the United States Civil Service Commission, 1724 F Street NW., Washington, D. C.

(Form 2279; sheet 1; Mar. 29, 1920. Please post conspicuously.)

For professional, scientific, and other technical positions.

Position.	Usual entrance salary.	Date.	Announcement No.
Civilian assistants, Naval War College..	p. d. \$8	May 4.....	223
*Teachers of stenography.....	\$1,200-1,500	May 11.....	220
Extension specialists in canning and drying.	2,200-2,700	May 4.....	213
Appraisal and assistant appraisal engineers.	1,800-4,800	Aug. 2.....	215
*Junior economists (farm management)..	1,800-2,200	May 5.....	212
*Artists-illustrators.....	1,200	do.....	211
Assistant engineers (experimental ordnance).	2,000	Apr. 27.....	210
Proof directors (ordnance).....	2,000-3,000	do.....	209
Junior mechanical engineers.....	1,800-2,000	do.....	207
Assistant oil and gas inspectors.....	2,000-2,400	do.....	205
Assistants in package standardization...	1,800-2,760	do.....	204
Assistant metallurgists.....	1,400	do.....	202
Structural-steel draftsmen and designers.	2,400	May 11.....	194
Animal husbandmen.....	1,800-2,500	Apr. 27.....	193
Salesmen (telephone and telegraph apparatus).	2,200	Apr. 20.....	192
*Computers—ordnance.....	p. d. 7.20-12	Apr. 28.....	186
Salesmen and appraisers (machine tools).	1,800-4,500	Apr. 20.....	185
Specialists in cotton classing or marketing.	2,700-3,600	do.....	179
Engineers—marine, mechanical, and electrical.	2,400-4,000	do.....	174
Mechanical aids (naval ordnance).....	p. d. 10.56	do.....	173
Technicians (machine-tool experts).....	3,000	do.....	171
Expert designers.....	4,500	do.....	168
*Assistant examiners, Patent Office.....	1,500	Apr. 7-9; May 5-7..	164
Assistants in poultry and egg handling..	1,200-1,620	Apr. 20.....	163
Expert drillers, Bureau of Mines.....	3,000	Apr. 13.....	162
Fuel research assistants.....	1,200-1,800	do.....	158
Assistant specification engineers.....	1,200-2,000	do.....	157
Junior mechanical engineers.....	1,800	do.....	156
Inspectors and agents, antinarcotic act.	1,500-2,000	May 4.....	153
Nut culturists.....	2,400-2,760	Apr. 13.....	150
Investigators in marketing wool.....	2,400-3,300	Apr. 6.....	149
*Assistants in marketing wool.....	1,200-2,400	Apr. 7.....	147
Inspectors of structural steel erection...	p. d. 8.80	Apr. 6.....	143
*Domestic science teachers, Indian Service.	720	Apr. 7; May 5.....	142
Fuel engineers and assistant fuel engineers.	1,620-4,200	Apr. 27.....	141
Assistants in nematology.....	1,000-1,800	Apr. 6.....	139
*Assistant field agents, protective social measures.	1,200-2,000	Apr. 21.....	137
Director of bureau, etc., protective social measures.	3,500-4,500	Apr. 20.....	135
Supervisors of protective social measures.	2,800-3,600	do.....	133
Field agents, protective social measures..	1,800-3,000	do.....	136
Special assistant agents, protective social measures.	900-1,500	do.....	136
*Veterinarians, Bureau of Animal Industry.	1,500	Apr. 7; May 5.....	130
*Lay inspectors, Bureau of Animal Industry.	1,080	do.....	130
*Teachers, Ordnance Department at large.	p. m. 60-140	Apr. 7.....	127
Petroleum engineers (oil and gas production).	3,000-4,500	Apr. 27.....	117
Assistant petroleum engineers (oil and gas production).	2,100-3,000	do.....	117
*Grazing assistants, Forest Service.....	1,200-1,500	Apr. 7-8.....	84
Physicians, Panama Canal Service.....	p. m. 200	May 5; July 7.....	15
*Superintendents of forest pathological field stations.	1,440-1,620	Apr. 21.....	7
*Preparators in entomology.....	720-900	Apr. 7-8.....	1

**SHEET 2. CIVIL-SERVICE EXAMINATIONS ANNOUNCED FOR SPECIFIED DATES.**

Examinations for the following positions in the Federal civil service have been announced. Most of them are for positions in Washington, D. C.; some are for positions in field branches.

In addition to the salaries indicated a temporary increase of \$20 a month is authorized to June 30, 1920, to employees in practically all positions listed who receive not more than \$2,500 a year and whose services are satisfactory.

Competitors for positions marked with an asterisk (\*) are required to report for examination; those for other positions listed are not assembled at any place, but are rated on their training, experience, etc.

For full information concerning all pending examinations apply to the secretary United States Civil Service Board, post office or custom-house, any city, or to the United States Civil Service Commission, 1724 F Street NW., Washington, D. C.

(Form 2279; sheet 2; Mar. 29, 1920. Please post conspicuously.)

For clerical and office positions, etc.

Position.	Usual entrance salary.	Date.	Announcement No.
Telephone auditors.....	\$1,600	May 11.....	227
*Greek translators.....	\$1,200-1,400	May 5.....	219
*Telegraph operators.....	900-1,200	Apr. 28; June 23..	215
*Insurance claims examiners.....	1,800-2,250	Apr. 28.....	201
*Deputy shipping commissioners.....	900	Apr. 28; June 23..	197



For professional, scientific, and other technical positions—Continued.

Position.	Usual entrance salary.	Date.	Announcement No.
Investigators in office management.....	\$1,400-\$3,800	Apr. 27.....	195
*Radio clerks.....	1,400	Apr. 28.....	187
*Automatic 3-A addressograph feeders.....	1,100-1,200	Apr. 7; May 19.....	184
*Automatic 3-A addressograph operators.....	1,200-1,800	Apr. 7; May 19.....	184
*Posting-machine operators.....	1,100-1,320	.....do.....	182
*Posting-machine mechanics and experts.....	1,400-1,800	.....do.....	182
*Money counters.....	700-1,000	Apr. 7.....	176
Specialists in marketing statistics.....	3,000-3,600	Apr. 20.....	169
*Clerks-translators (qualified in Japanese).....	1,000	Apr. 21.....	160
*Land-law clerks.....	1,000	.....do.....	159
*Translators, qualified as assistant tariff experts.....	2,000	Apr. 28.....	152
*Dictating-machine transcribers.....	1,100-1,400	Apr. 21; May 19.....	148
*Typists and clerks with knowledge of stenography.....	900-1,200	Apr. 9; May 7.....	140
*F-1 addressograph operators.....	1,200-1,400	Apr. 7; May 5.....	129
*Automatic 3 addressograph operators.....	1,200-1,400	.....do.....	129
*Calculating-machine operators.....	900-1,200	.....do.....	120
*Operatives (card-perforating machines).....	900-1,000	.....do.....	120
*Administrative assistants, chief clerks or registrars, and property officers.....	1,200-1,550	May 5.....	23
*Stenographers-typists, and typists.....	900-1,200	Every Tuesday.....	807
FOR MECHANICAL TRADES AND MISCELLANEOUS OTHER POSITIONS.			
Oil gaugers.....	1,200-1,500	May 11.....	238
Map printers.....	900-1,200	May 4.....	237
Metal-working pressmen.....	p. d. 3.75	Apr. 27.....	217
Senior inspectors of car equipment.....	1,080-2,400	May 4.....	208
Dairymen.....	840-900	Apr. 27.....	200
Steam-fitters' helpers.....	p. d. 3.20	.....do.....	196
*Apprentice plate cleaners, apprentice transferrers, apprentice picture engravers, and apprentice letter engravers.....	600	Apr. 28; June 9.....	188
Mold makers (optical glass or ceramics).....	1,020-1,680	Apr. 20.....	172
Laboratory apprentices (temporary).....	540	Apr. 6.....	167
*Local and assistant inspectors of boilers.....	2,100-2,950	Apr. 7-8; May 5-6.....	161
*Local and assistant inspectors of hulls.....	2,100-2,950	.....do.....	161
Practical opticians and glass workers.....	1,320-1,600	Apr. 13.....	151
Practical opticians' and glass workers' helpers.....	720-1,200	.....do.....	151
*Matrons (Indian Service).....	500-720	Apr. 21; May 19.....	145
*Reservation wardens (game reservations).....	1,200-1,500	Apr. 7.....	146
Lithographic transferrers.....	1,200	Apr. 6.....	144
*Physical laboratory helpers.....	600-900	Apr. 7; May 5.....	135
*Apprentice fish culturists.....	600-960	.....do.....	134
*Mechanicians and laboratory assistants.....	p. d. 5.25	Apr. 28-29.....	98

UNITED STATES CIVIL SERVICE EXAMINATION, CLERK, BUREAU OF THE CENSUS, BEGINNING APRIL 5, 1920.

The United States Civil Service Commission announces an open competitive examination at Washington, D. C., only, for clerk, Bureau of the Census, on April 5, 1920, and daily thereafter, except Sundays, until further notice, for filling vacancies in the Bureau of the Census, Washington, D. C., at salaries ranging from \$900 to \$1,020 a year. Promotions through the various grades to \$1,080 and \$1,380 will be reasonably rapid for those whose services justify advancement.

Appointees whose ability and qualifications justify such action will also be allowed the increase granted by Congress of \$20 a month, beginning with the second month of service.

This examination is being held only to secure additional employees for the decennial census force, and the work being temporary, no employee of the Census Office will be admitted.

Applicants must have had at least three months' clerical experience.

Applicants will not be eligible for appointment or transfer to any other bureau or service as a result of this examination.

All citizens of the United States who meet the requirements, both men and women, may enter this examination; appointing officers, however, have the legal right to specify the sex desired in requesting certification of eligibles.

Eligibles will be placed in groups, as follows:

(a) Those who have been graduated from a college or university of recognized standing.

(b) Those who have graduated from a standard high school or completed a course of study equivalent to that required for such graduation, and who have had one year's business experience.

(c) Those who do not qualify under either group (a) or (b).

Competitors will be examined in the following subjects, which will have the relative weights indicated:

SUBJECTS.	Weights.
1. Spelling (20 words of more than average difficulty).....	10
2. Arithmetic (fundamental rules, common and decimal fractions, percentage, and their business application).....	30
3. Penmanship (the legibility, rapidity, neatness, and general appearance of the competitor's handwriting in the subject of letter writing).....	15
4. Letter writing (a letter of not less than 150 words on some subject of general interest. The competitor may select either of two subjects given).....	30
5. Copying and correcting manuscript (test in making a smooth, corrected copy of a draft of manuscript, which includes erasures, misspelled words, errors in syntax, etc.).....	15
Total.....	100

Applicants must have reached their eighteenth, but not their fiftieth, birthday on the date of the examination. Age limits do not apply to persons entitled to preference because of military or naval service.

Persons who are addicted to the habitual use of intoxicants, who have been guilty of infamous or notoriously disgraceful conduct, or who are physically or mentally unable to perform the required duties will not be eligible for examination or appointment.

Applicants must submit to the examiner on the day of examination their photographs, taken within two years, securely pasted in the space provided on the admission cards sent them after their applications are filed. Proofs or group photographs will not be accepted. Photographs will not be returned to applicants.

This examination is open to all citizens of the United States who meet the requirements.

Applicants should at once apply for Form 304, stating the title of the examination desired, to the Civil Service Commission, Washington, D. C. Applications should be properly executed, including the medical certificate, and filed with the commission at Washington in time to arrange for the examination.

The exact title of the examination, as given at the head of this announcement, should be stated in the application form.

Issued April 1, 1920.

Mr. JUUL. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. JUUL. Will the gentleman also inform this side of the House who these Cabinet officers are who have asked for that help? [Laughter.]

Mr. BLANTON. Oh, these department heads asking for all of these unnecessary clerks have been Republicans, who have been in the jobs for years, even back to the time when the memory of man runneth not to the contrary. [Laughter.]

Mr. JUUL. Do not the heads of the departments have to do with that?

Mr. BLANTON. They are Republicans in these positions, who have been inherited by the Democratic administration, and we can not get rid of them. They hang on like leeches to their jobs, and you Republicans hang on to them now for that reason. You are afraid to jar them loose from the public pay roll, and you know it. [Laughter.]

That is why the country says to Mr. MONDELL, "If you are in earnest, if you are sincere about this economy program, for God's sake wake up and make your Republican colleagues vote to take this money out of the bills and keep it in the Treasury."

It has been suggested here by the distinguished gentleman from Illinois [Mr. CANNON] so many times that it might be tiresome for me to repeat it now, that this Government has no money of its own except what it takes out of the pockets of the people. We keep on taking it out.

Why, do you know that I nearly died this morning laughing to myself when the gentleman from Wyoming [Mr. MONDELL] began to talk about economy. I happened to think about those 13 surveyors general in that bill that has recently come back to the House that he put back into that bill himself after upon his suggestion of economy his colleagues on the committee had cut them out with a snickersnee, doing away with all of such offices and thereby saving money for the people, and then when he found out that Wyoming, his home State, was about to lose a lot of the public money that was being spent there, he could not stand it. No; he could not stand it; he came back here and took the floor, and in that eloquent, persuasive manner of his, which is overpowering in this House in the Committee of the Whole, he put every single one of those 13 surveyors general and their incidental 13 sets of office forces back into the bill, right in the face of the fact that the Commissioner of the General Land Office of the United States of America, Hon. Clay Tallman, had gone before that committee and said, "We do not need them; we should centralize this work in Washington under one head and save this money." Right in the face of that he put them back, costing thousands of dollars to the people of this country unnecessarily.

Then I laughed again when I thought about the military bill that we recently had up here before the House. There was a chance to cut it down and down, as there was once before when Mr. LaGuardia was here and tried to reduce it and the distinguished gentleman from California [Mr. KAHN] overpowered him, beat some of his amendments, although some of them went through, and he failed there. But some of our colleagues were overly persuaded by the big bunch of Army officers who sat in that gallery hour after hour with eagles and stars on their shoulders, the glimmer of which overpersuaded my friends down here, and they provided a new construction corps in the Army, against the advice of the Secretary of War, in order to make new positions for those pet officers with their pet uniforms on, so that they could better attend the various Army and Navy Club functions here in Washington with a little more fashion and on bigger salaries. When the Committee of the Whole voted that extra corps into our Army reorganization bill, after it was all over, after it had been put in, Mr. MONDELL came in here on the floor of the House with tears streaming from his eyes in crocodile fashion, and said, "Oh, I am so sorry it was done. Oh, you Re-



publican colleagues of mine made an awful mistake. You voted against the good of your country." But did he ask you to change it? No; and I had to get up here on the floor with a pitchfork and prod him and stick him and punch him and push him to make him call his colleagues together when the bill got back into the House to vote out that provision, which he did under pressure, if you please. And thus the money for this extra corps was saved for the people. Why can he not get some real economy in this House, economy that is real, upon a business basis, that amounts to something in the way of sure-enough, honest, sincere retrenchment? Why, all retrenchment and all economy means self-denial on the part of some people. When we get into financial stress in our private business affairs we retrench, and to do so we have to make self-denial. With this Government owing \$25,000,000,000 now and facing a deficit of \$3,000,000,000 more, we have got to make self-denial, all of us. Every department of this Government and every citizen of this country must make some self-denial, and we have got to begin now if we are to rescue this country from bankruptcy. Is the gentleman from Wyoming going to begin? Is he going to get you friends of ours in here and put the whip to you and make you stand up for the country when that bill is finally voted on? The chairman promised to give us a vote on that Senate amendment adding \$1,500,000 for unnecessary clerk hire. Is he going to make you stand up here and vote that million and a half dollars out of that bill? Will he do that? If he does not do it, he is not doing the duty he owes to the people of this country. He is not doing the duty he owes to the Republican Party, which is preaching economy from one end of this land to the other. He is not doing the duty which he owes to this House, because the majority leader of this House owes a certain duty to the whole House, not merely to the party which placed him in his position. I hope he will give us a chance to vote that out and keep it out of that bill.

The chairman promised us that he would give us a vote on those Subtreasuries that have been put back into that bill by the Senate. How are you going to vote on that? You know they are useless. You know that this Government does not need them. You know that they are expensive. You know that this Government can save needed money by doing away with them. We ought to do away with them. We did do away with them here in the House, but when the bill went to the Senate they were put back again. How are you going to vote on that? I admired the distinguished gentleman from Missouri [Mr. DYER] when he stood up here this morning, with a Subtreasury in his district and in his city, and told you that he wanted it taken out of the bill, because it would save money that is needed for this Government. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CANNON. Does the gentleman from Illinois [Mr. McANDREWS] desire to use any further time?

Mr. McANDREWS. I yield 15 minutes to the gentleman from Texas [Mr. BLACK].

Mr. BLACK. Mr. Chairman, I do not know that I will use all of the 15 minutes that have been yielded to me; but probably when the peace resolution is reached on Thursday the gentlemen in charge of the debate will not have any time at their disposal, and I would like to take this opportunity to express my emphatic disapproval of the resolution and my intention to vote against it when a vote is taken. Also there was a line of argument used by the gentlemen from Illinois [Mr. MASON], to which I would like to make brief reply.

I think I am as desirous of seeing peace made as any man in this body. I think that the Democratic side of this House are desirous that peace be made, but we will not make ourselves a party to an endeavor to make peace in a manner that is not authorized by the Constitution of the United States. The treaty making power is lodged in the President and the Senate, and theirs is the responsibility, and I am hopeful that an agreement will yet be reached before this Congress adjourns. Also it is unthinkable to me that the great Government of the United States, after our splendid cooperation with our allies on the battle fields of France, will undertake in a manner of this sort to make a separate peace with the enemy. Up until this hour the only one of the allies that has endeavored to make a separate peace with the enemy was the Russian Bolshevik in the treaty of Brest-Litovsk, and I would not be a party, and I dare say that the Democratic side of this House will not be a party, to joining the Bolshevik in a performance like the treaty of Brest-Litovsk. [Applause.]

I would like to quote for the special benefit of gentlemen on the other side of the House utterances on this point by a very distinguished authority, a very distinguished leader, the senior Senator from Massachusetts, Hon. HENRY CABOT LODGE. If you

gentlemen are in a spirit of merriment this afternoon I would like to see what you think of what Mr. LODGE said in June, 1918, with reference to making a separate peace with the enemy.

Here is what Mr. LODGE said in his speech in June, 1918:

The President who delivered the war message and the Congress who voted for war would be guilty of the blackest crimes if they were willing to make peace on the status quo ante bellum and recreate the situation which existed before the war.

That is what you gentlemen are seeking to do. [Applause on the Democratic side.]

If we send our armies and our young men abroad to be killed and wounded in northern France and Flanders with no result but this, our entrance into the war with such an intention was a crime which nothing can justify.

So say I. If we get no better results out of this war than the resolution you gentlemen propose to enact, then I say we can not justify our action.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. BLACK. Let me finish reading from Senator LODGE first.

The intention of Congress and the intention of the President was that there could be no peace until we could create a situation where no such war as this could recur. We can not make peace in the ordinary way. We can not, in the first place, make peace except in company with our allies. It would brand us with everlasting dishonor and bring ruin to us also if we undertook to make a separate peace.

[Applause on the Democratic side.]

If in June, 1918, we could not make peace in the ordinary way, if we could not make peace except in company with our allies, and if to do so, to use the language of Senator LODGE, would be to "brand us with everlasting dishonor and bring ruin to us also if we undertook to make a separate peace," then I would like to inquire what has so changed the situation as to justify the adoption of the resolution now proposed? Now I will yield to the gentleman from Kansas.

Mr. CAMPBELL of Kansas. I desire to ask the gentleman two questions.

Mr. BLACK. Ask one first and we will see about the other. [Laughter.]

Mr. CAMPBELL of Kansas. Was not the statement made by Senator LODGE, with respect to the kind of peace that we should make, an assailing of the position taken by the President that we should have a peace without victory?

Mr. BLACK. No; I think not. The President made his peace-without-victory speech, as I recall it, in January, 1917, and Mr. LODGE made the statement I have referred to as late as June, 1918.

Mr. CAMPBELL of Kansas. May I not call attention to the fact that the speech made by the President for peace without victory was made on the 22d of February, 1918?

Mr. BLACK. Oh, no; it was made before we got into the war and after the President had, in December, 1916, asked of the belligerents to submit the terms on which they would make peace.

The gentleman from Illinois [Mr. MASON], who spoke a short while ago, took the position that the Senate ought not to ratify the peace treaty because in article 10 it commits us as one of the ratifying parties to the recognition and the preservation of the territorial integrity of the signers of the league. In response to a question propounded by the gentleman from Illinois [Mr. MADDEN]—"Is not that undertaking to amend the Federal Constitution?" he said, "Why, certainly, and for that reason I would not favor a treaty of peace of this sort."

Well, now, our Republican friends have been insistent from the very outset that we should have a reservation in that treaty that specifically affirms the integrity of the Monroe doctrine. I would like for any man to point to me the constitutional provision that affirms the Monroe doctrine which says that the Government of the United States shall adopt the policy of preventing the European nations from interfering with the territorial integrity of other Republics on the Western Hemisphere. There is no clause in the Constitution dealing with that subject, and yet it has been the policy of the Nation since the days of President Monroe and there is not the least particle of difference in principle between this and in undertaking to preserve and recognize the sovereignty and territorial integrity of the members of the league. There is, of course, difference in the policy; there is none in the principle. The American people may or may not approve the provisions of article 10 of the league, but certainly it does not repeal any part of our Federal Constitution.

Mr. WINGO. Will the gentleman yield?

Mr. BLACK. Certainly.

Mr. WINGO. The gentleman may have noticed in this resolution which is to come up on Thursday a proposed treaty of peace with Germany which requires Germany in 45 days to agree to certain things, but we have not noticed that our Republican friends have put in any requirement as to the maintenance of the Monroe doctrine. Does that mean that they have abandoned the Monroe doctrine?



Mr. BLACK. They have taken so many diverse positions that no one can tell to-day what stand they took yesterday or will take to-morrow. [Laughter and applause on the Democratic side.]

Mr. KNUTSON. Will the gentleman yield?

Mr. BLACK. In just a moment. Now, gentlemen, I yield to no man in my reverence for the Constitution of the United States. I remember that it is recorded in the New Testament that a lawyer came to the Savior and said, "Master, what is the greatest of all the commandments?" The answer was, "Thou shalt love the Lord thy God with all thy soul, with all thy strength, with all thy heart. That is the greatest commandment, and the next unto it, thou shalt love thy neighbor as thyself. And upon these two," He said, "rest all of the law and the prophets."

And in a similar way, upon the Constitution of the United States and the Declaration of Independence rest our entire system of law and government, and I yield to no man in my reverence for them. [Applause.]

#### THE LEAGUE OF NATIONS.

I know that these gentlemen who are championing this peace resolution say the League of Nations is a visionary hope. But I recall that one of the greatest of the prophets in the Old Testament said that where there is no vision the people perish. [Applause on the Democratic side.] The trouble with the Republican Party to-day is that it is not a party of vision. For five years now the world has been deluged in blood, and humanity has been passing through its valley of sorrows. Shall this international anarchy give way to peaceful and orderly processes, or shall we fold our hands behind our backs, coolly gaze upon the ruins and devastation of war, and repulse the only great opportunity which is presented? The League of Nations may be a vision and a dream, but humanity has caught the ray of hope which it offers for the settlement of international disputes by mediation and arbitration instead of by fire and sword, and no man or set of men will be able to permanently stifle the great idea.

In a world torn and bleeding from war, where only years can heal the gaping wounds, the United States of America stands as the towering figure of the time.

We have stepped out into the arena of the world's affairs, not as a conqueror with bloody, dripping sword, not as a tyrant flinging the weight of clanking chains at helpless and bewildered peoples, but as a strong and powerful friend seeking to stanch the bleeding wounds of the helpless and repair the wrecks of government which are strewn in the wake of battle fields.

Our motives may not always be properly appraised, and even those we desire to help may at times misjudge us, but if we always keep in mind an unselfish purpose, free from the lure of conquest and imperialism, we are sure to win their confidence in the end and remain for years to come the foremost Nation in the world. [Applause on the Democratic side.]

Mr. CANNON. Mr. Chairman, I yield 20 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, I did not think our Democratic friends were going to get so disturbed over what is going to happen on Thursday that they would begin their bombardment on Tuesday. This seems to be just the popping of the pickets, with the roll of the heavy artillery to come later; and then the passage of the peace resolution. [Applause and laughter on the Republican side.] I am not a lawyer, least of all a constitutional lawyer—certainly not an international lawyer. I do not pretend to know all about the Constitution, but I have some ideas in regard to it, and one of these is that the fathers when they framed the Constitution did not establish an autocracy. [Applause on the Republican side.] I think they established a representative democracy, if that is the proper term, a Government of the people representative in its character—a Republic. The Chief Executive and those joined with him in the duty of negotiating peace having failed to agree on a treaty, certainly the fathers did not leave us powerless to declare. This House, representing the people, having declared that in the opinion of its Members a state of war existed, can now, as representing the people, announce the fact, known of all men, that the conditions of war no longer exist. [Applause on the Republican side.]

The gentleman from Texas [Mr. BLACK] says that we on the Republican side lack vision. I think not. Our vision, we think, projects itself as far into the future as his, but we seem to visualize different ideals. His ideal seems to be one in which the great Republic of the west, with its virile people, its wonderful wealth and limitless resources, shall become one of a considerable number of nations, large and small, bound by solemn obligation to become interested in every petty quarrel of any people anywhere on earth, placed under obligation to send its men and its money anywhere and everywhere from Arabia to Cape Horn,

from Vladivostok to the Rhine, every time anyone anywhere has a difference of opinion with regard to the geographical boundaries of any one of the provinces, principalities, or nations of the world. Our opinion is that if we start on a policy of that sort, the power and prestige and glory of the Republic that now is the greatest and mightiest in all the world will dwarf and dwindle and diminish until from being the greatest, the mightiest, and best approved we will be the least esteemed and the most thoroughly hated people on the face of the globe. We on the Republican side have another vision and ideal. It is that of a Nation strong, mighty, independent, the master of its own fate and destiny, holding aloft the light of liberty, devoted to justice and righteousness, exerting an influence the world around that shall grow and multiply and become more and more powerful, not because we use our might in interference with the petty, trifling differences of any or all of the peoples of the earth, but rather because, free of entangling alliances or selfish ambition, we reserve to ourselves the right to judge when, where, and how our influence and power shall be exerted. [Applause on the Republican side.]

But, Mr. Chairman, I had not expected to talk on the peace resolution or matters related thereto, and with these few remarks I desire to say a word or two with regard to the bill that is now before us. I want to thank the gentleman from Illinois [Mr. CANNON] and his subcommittee and the full committee for the splendid example they have given to the committees and to the House on the way to bring in an appropriation bill. They have brought in a report of 12 pages, which enlightens one with regard to this measure and all it pertains to—12 pages within which one can find an answer to almost any question that would be likely to be asked with regard to pensions or to pensions and war allowances generally. It is a splendid piece of work. Of course it is just what we would expect from the gentleman from Illinois, who always does whatever he does excellently well. [Applause.]

One of my important duties at this particular juncture is from time to time to call attention to expenditures. I was not particularly startled by the figures on page 3 of this report, because I had conned the various items that make up that table more or less in view of our possible expenditures for the next fiscal year, but I had not realized that the sum total would be as great as is set out. The committee estimates that in the next fiscal year our expenditures on account of pensions, compensation allowances, the Bureau of War Risk Insurance, vocational education for soldiers, and expenditures of that sort, will amount to \$630,000,000. I do not see how the amount could be reduced, and I do not think it ought to be reduced, but it is a most striking commentary upon the cost of war and ought to be a solemn warning to the people of this Republic against placing themselves in a position where they are under obligation to engage in every little war and warlette that may occur anywhere on the face of the globe. Six hundred and thirty million dollars is two-thirds of what it cost to run the Government before we went into the European war, and this sum can not well be reduced in the immediate future to any considerable extent; eventually the day will come when it will be likely to expand rapidly. No man can say what its total shall be when the time comes, when we shall be called upon to give aid and comfort and support to the men who bore the standards of the Republic in the late war as they become old and dependent. We will meet them all cheerfully. We will meet all of the charges that may be made on the Treasury in this behalf with cheerfulness, but they should remind us of the price of war and the fearful drain that war is upon the resources of a people for a long period of time. We have already paid to the survivors of the Civil War in pensions a sum in excess of the total cost of the conflict, and we will pay many millions more to these men before they are gathered to their fathers.

Mr. Chairman, I made a statement yesterday, published in quite a good many papers, touching the financial situation. I made it because on Saturday a statement appeared in certain newspapers conveying the very misleading idea that in the month of March we had very greatly permanently reduced the public debt. I think the Treasury of the United States is under most excellent management. I only wish that some of the other departments of the Government were as well managed as the Treasury is and has been; but as I suggested in my statement of yesterday, the Treasury can not perform miracles, and while the Treasury did temporarily reduce the floating debt over \$700,000,000 in March it will be called upon to sell certificates in April and in the merry month of May in a sum in excess of the amount by which the debt was temporarily reduced in March.

The statement in question is as follows:

Contrary to popular belief the peak of our war expenditures was not reached during the war but some months after the signing of the armistice and bequeathed us a deficit, or war overhang, not covered by bonds



or provided for by current revenue of upward of two and one-half billions of dollars, which has been carried in short-time certificates running from three months to a year. Such an enormous volume of uncovered indebtedness would be a serious menace at any time. It is particularly so at a time when the country is trying to recover from the abnormal conditions of war.

The increasing gravity of the difficulties arising out of this enormous volume of indebtedness that must be renewed from time to time is indicated by the fact that while all of these certificates that were offered sold readily in the spring and summer of 1917, bearing an interest rate of 3 per cent, less than two hundred millions of a recent Treasury offering of certificates at 4½ per cent were sold and the Treasury will be in the market in the very near future for loans on short-time certificates at 4½ per cent, with the probabilities that the rate will have to be still further advanced and may go to 6 per cent, or twice the interest rate of the certificates of three years ago.

During the month of March short-time obligations of the Government became due and were paid out of the first installment of the income and excess profit taxes, to an extent that brought a temporary reduction of over seven hundred millions in the outstanding deficit or temporary indebtedness; but, as above stated, the Treasury was immediately in the market for further loans and during the present month must dispose of a further large volume of temporary certificates.

It is very easy, indeed, for one to be misled in this matter of floating indebtedness by the amount outstanding at one date as compared to another, for, of course, these certificates must be paid when they become due. The date when they fall due is so timed as to make the payment possible out of revenue due at that time; but the very next day, week, or month may bring a tremendous increase through a further issue of short-time certificates in anticipation of revenues due at the time of their maturity.

The officials of the Treasury have handled a trying situation most admirably, but the Treasury can not perform miracles and the best management of the Treasury can not avert disaster unless we keep public expenditures within our income. A growing stringency in the money market reflected in increased interest rates rendered the handling of the enormous floating debt increasingly difficult. It must not be increased by a dollar or disaster threatens. On the contrary, we ought in the next fiscal year be able to reduce it somewhat; in fact, we must do that if we are to sustain the national credit.

I am now satisfied that we shall be able to reduce the estimates carried in the Book of Estimates a billion and a quarter, but this great reduction will not save us if we give way to the constant and continuous clamor for expenditures outside of the estimates for increased pay, for rivers and harbors, for new and unnecessary adventures in public expenditure, for excessive appropriations for our Military and Naval Establishments. All these must be kept within bounds or the floating debt will be increased to our peril.

We can not meet further expenditures through the issue of bonds. If anyone had any doubt on this subject, that doubt must have been settled upon hearing the statements recently made by the Secretary and Assistant Secretary of the Treasury and the president of the Federal Reserve Board before the Ways and Means Committee of the House. Further bond issues could only be floated at greatly increased interest rates, at the cost of a considerable reduction in the market value of outstanding Government securities, with the grave danger of wrecking the specie basis of our currency with the certainty of increasing the price of commodities and further enhancing the cost of living. Under these conditions a further bond issue is unthinkable.

Let me repeat in all earnestness and with all the emphasis at my command that we must not increase our floating debt or we shall invite disaster; that we must not issue bonds if we desire to keep on a specie basis and avoid a panic; that we must keep our total expenditure for the fiscal year that begins June 30 next well within our income. If we do not, we are inviting Treasury conditions which, acting upon the financial situation in the country, will bring nation-wide disaster.

We can not, we will not, reduce the public debt out of current revenues this fiscal year; however, we may come within a hundred million of breaking even, let us hope. But we do have the opportunity of keeping within our income in the next fiscal year, and we will accomplish it if we do not give way to extraordinary demands which are made here, there, and everywhere for an increase in payments out of the Public Treasury. [Applause.] One of the most insistent demands which has been made on us for a long time has been on behalf of increased pay for the officers of the Army and the Navy. I do not pretend to say that if we were not paying our officers too much at the outbreak of the war we are probably not paying them as much as we should now, but that is a matter which it seems to me we could best pass upon after we have demonstrated through the passage of our appropriation bills that we are able to keep our expenditures well within our income. If we can demonstrate that when we have passed the last appropriation bill some two or three weeks from now, we shall be in a position to cast up the account for the coming fiscal year and determine how far we can go in the increase of salaries and wages and compensation not only to the men of the fighting establishments but to those of the civil establishments, none of whom receiving more than \$2,500 a year have had their Federal income increased since the war began. I do not claim there is not some argument for some increase in Army and Navy pay, but I do very much regret that the splendid men of the fighting forces of the country have been misled into commercializing their claim for increased pay. I hold in my hand a letter at the top of which appears the name Prudden, King & Prudden, incorporated, publishers' representatives, and the address and date, Chicago, March 22, 1920. The letter is addressed to a newspaper man in my State. After the salutation it goes on to say:

Mr. Matteson, chairman of the Western Council of American Association of Advertising Agencies, 140 North Dearborn Street, Chicago, has written them as follows—

Then a page and a half of argument, mostly very exaggerated argument, in favor of an increase of pay for the officers of the Army and the Navy, Public Health Service, and the Coast Guard. The last paragraph runs as follows:

The advertising agencies corporation, composed of 120 of the leading advertising agencies of America, believe it understands the grave situation very thoroughly—

And so forth.

The letter then proceeds to request the editor to whom it was addressed to use his editorial columns in advancing this cause, and advises him that they will be very glad, indeed, to furnish him material in defense of these increases of pay. Now, whatever may be said about the virtue and propriety of an increase of Army and Navy pay, there will be no difference of opinion as to the lack of either in the method thus pursued to secure it.

If the men of these services believe themselves entitled to more pay, they ought not to have commercialized their cause. After receiving a few letters of this sort from paid advertising agencies, gentlemen will better understand the editorials and letters that they receive from hither and yon in behalf of these increases.

Mr. FIELDS. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Will the gentleman yield me five minutes additional?

Mr. CANNON. Certainly.

Mr. FIELDS. The page-and-a-half letter that the gentleman refers to in support of an increase of the pay of officers of the Army does not mention the fact, does it, that practically all the officers of the Army received increased compensation during the war by reason of the increase in rank?

Mr. MONDELL. Oh, no. The gentleman knows, because he has given this matter much study, that during the war practically all officers of the Regular Establishments, both military and naval, received compensation in excess of their compensation before the war by reason of the increased rank, overseas pay, and allowances.

Mr. FIELDS. Yes; and further, it does not call attention to the fact that practically all of them will receive increased rank under the Army reorganization bill which passed the House a few weeks ago.

Mr. MONDELL. No; this particular article does not give such information.

Mr. FIELDS. I have noticed that they always overlook that fact.

Mr. GREENE of Vermont. If the gentleman will yield, the gentleman has used the term "increased allowances." What does that amount to specifically?

Mr. MONDELL. I do not know just what the increased allowances would amount to.

Mr. GREENE of Vermont. What are those allowances?

Mr. MONDELL. There were some increased allowances during the war period; some of them have been extended by legislation from the committee of which the gentleman is a distinguished and worthy member.

Mr. GREENE of Vermont. That term "allowances" is used sometimes rather loosely.

Mr. MONDELL. Well, commutation of quarters is one of them.

Mr. GREENE of Vermont. But these allowances vary entirely with the economic situation and—

Mr. MONDELL. I think that the provision for compensation of quarters is an increased allowance. However, the fact remains that during the war nearly every officer in the Regular Establishment had a considerable increase over his prewar pay.

Mr. GREENE of Vermont. I would like to have some opportunity to correct some things in which I think the gentleman is in error.

Mr. MONDELL. Does the gentleman insist that these men have not had increased rank and pay?

Mr. GREENE of Vermont. I insist that the construction the gentleman puts upon increased rank seems to resolve itself into more money than that term really will justify. The fact is, they did not get 20 per cent increase of pay abroad, but they got 10 per cent; and the fact is that they were living under conditions much more expensive than if they had been stationed at home.

Mr. MONDELL. Possibly; but the fact also remains that some officers in the Army received during the war practically double the pay they had before the declaration of war.

Mr. GREENE of Vermont. I think the gentleman will find, if he will look over the list of promotions, that that statement is not accurate.



Mr. MONDELL. That statement is, I think, entirely accurate with regard to some officers.

Mr. GREENE of Vermont. Does that justify not paying the others because a few got it?

Mr. MONDELL. They practically all got increased pay.

Mr. GREENE of Vermont. They did not all get it, if the gentleman will permit me.

Mr. MONDELL. I do not know of any officer in the Regular Establishment who was capable of duty, whose rank or compensation, or both, was not increased by reason of the war. And if there are any exceptions, they are so few they are not worth considering.

Mr. GREENE of Vermont. Take the increase of pay from second lieutenant to first lieutenant, for instance, and it is \$300—

Mr. MONDELL. The gentleman can go into that question of increase in his time. I am sorry I have not the time. At any rate, I am not contending that the fact that the officers received increased pay during the war is an argument against considering their claims for increased pay now; it may be a reason for them to possess their souls in patience.

I am not saying now that Congress should not at the proper time consider the matter of increased pay for the officers of the Army and the Navy. I am trying to emphasize the fact that the first duty of this Congress is to see that the Government pays its bills out of its income. [Applause.] Now, that is their first duty. If we can demonstrate that we can do that, there will be no disposition on the part of the Congress to do injustice to any man anywhere in the Federal service.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. I yield one minute further to the gentleman.

Mr. MONDELL. I still say that until quite recently most of these gentlemen were receiving very considerably more in pay and allowances of one sort and another than they were before the war. But that is past and gone, and the Congress will, I am sure, in due time be very glad to consider their reasonable requests for increase, but I do regret, in view of my very high regard for their services, that they have taken to the hiring of commercial agencies to advertise their requests and suggestions.

Mr. CROWTHER. I would like to ask the gentleman if the officers do not have an advantage in these times of the high cost of living in greater reduced rates in the purchase of the necessities of life?

Mr. MONDELL. They have opportunities for purchase at wholesale cost which, to a family of five or six persons, is probably worth at least \$500 to \$600 a year.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

*Be it enacted, etc.,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June 30, 1921, and for other purposes, namely:

Army and Navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, Army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, \$214,000,000: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same shall be sufficient for that purpose: *Provided further*, That the amount expended under each of the above items shall be accounted for separately.

For fees and expenses of examining surgeons, pensions, for services rendered within the fiscal year 1921, \$20,000.

Mr. CANNON. Mr. Chairman, I move that the committee do now rise and report the bill to the House, without amendment, with the recommendation that it do pass.

Mr. BLANTON. Before the gentleman does that I would like to have five minutes. I move to strike out the last word.

The CHAIRMAN. Does the gentleman from Illinois withdraw his motion?

Mr. CANNON. Oh, yes; I withdraw the motion.

Mr. BLANTON. Mr. Chairman, since the details of this bill have not been discussed any, I want to call the attention of the committee to the fact, so that it may go into the Record, that in 1887 our pension appropriation was, in round numbers, \$76,000,000; in 1897 it was \$141,000,000; in 1909 it was \$163,000,000, in round numbers; in 1914, in round numbers, it was \$180,000,000; in 1917, counting the deficiency, it was \$163,000,000. It had been reduced since 1914 from \$180,000,000 to \$163,000,000 in 1917. This present bill is, in round numbers, \$214,000,000, and then it provides for \$20,000 for administration. As the gentleman from Illinois this morning indicated, taking into consideration other appropriations we have made for increases, it runs it up, as I believe the gentleman said, to \$297,000,000. That was the figure, I believe?

Mr. CANNON. I think so.

Mr. BLANTON. Around that sum. Something over \$290,000,000. And, as he said, it is the biggest annual pension appropriation that Congress has ever proposed to pass.

There have been before the committee for some time several measures to take some of these pensioners off the pay roll. I have had a bill myself before the committee for some time to take from this pension roll every German citizen who has not lived in the United States for 25 years and is still on the pension rolls—German citizens who have given aid and encouragement against our flag. I have a bill here that would remove from the pay rolls every pensioner who does not live in the United States of America.

Are you not in favor of that kind of a measure? Are you not in favor of a person who is pensioned and kept alive by the money of this Government being required to live here and be a citizen of this country? If you are, why do you not insist upon my measure being passed? Otherwise, you will just keep on increasing this pension roll with that kind of cattle kept on the pension roll of this country—people who do not live in this country, who are enemies of this Government, and who gave aid and encouragement against our flag in time of war.

Mr. CANNON. Mr. Chairman, I was in error, and the gentleman from Texas [Mr. BLANTON] was in error, a short time ago in regard to the amount that he stated as the highest total of a pension bill. The largest appropriation that was ever made for pensions of all the wars was in 1919. The amount then was \$223,000,000. That was the high-water mark.

Mr. BLANTON. But with the increases in the other bill, placed there by this House, if passed by the Senate, it will run it up to \$290,000,000, will it not?

Mr. CANNON. To \$291,000,000.

Mr. BLANTON. Then that is to be the biggest annual pension appropriation ever passed by this Congress?

Mr. CANNON. If it passes; yes.

Mr. BLANTON. It undoubtedly will pass, and possibly it may be increased by the Senate. We must call a halt some time. I shall vote against this bill.

Mr. CANNON. Mr. Chairman, I renew my motion, that the committee rise and report the bill to the House without amendment, with the recommendation that it pass.

The CHAIRMAN. The gentleman from Illinois renews his motion that the committee rise and report the bill without amendment to the House, with the recommendation that the bill be passed. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MAPES, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 13416) making appropriations for the payment of invalid and other pensions for the fiscal year 1921, had directed him to report the bill back to the House without amendment, with the recommendation that it do pass.

Mr. CANNON. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill. The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. BLANTON. A division, Mr. Speaker.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 73, noes 2.

So the bill was passed.

On motion of Mr. CANNON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 2807. An act to correct the military record of Edward Sigerfoos;

S. 2811. An act for the relief of the York County Savings Bank, of Biddeford, Me.;

S. 3187. An act to dispose of a certain strip of land in Waterville, Me.; and

S. 3610. An act for the relief of William S. Britton, formerly second lieutenant of Infantry, who has been erroneously dropped from the rolls of the United States Army.



## MINORITY VIEWS ON PEACE RESOLUTION.

Mr. FLOOD. Mr. Speaker, the report on House joint resolution 327 has just been filed. I ask unanimous consent to file the minority views to-morrow.

The SPEAKER. The gentleman from Virginia asks unanimous consent to file the minority views on the peace resolution to-morrow. Is there objection?

There was no objection.

## ADJOURNMENT.

Mr. CANNON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 40 minutes p. m.) the House adjourned until to-morrow, Wednesday, April 7, 1920, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Acting Secretary of the Treasury, transmitting supplemental estimate of appropriation required to cover the estimated deficit in the operation of the waterway transportation systems under the War Department (H. Doc. No. 717), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 13253) granting the consent of Congress to the Elmer Red River Bridge Co. to construct a bridge across the Red River, reported the same with amendments, accompanied by a report (No. 793), which said bill and report were referred to the House Calendar.

Mr. GREENE of Vermont, from the Committee on Military Affairs, to which was referred the bill (S. 4082) to amend section 4878 of the Revised Statutes as amended by the act of March 3, 1897, reported the same without amendment, accompanied by a report (No. 794), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. VOLSTEAD, from the Committee on the Judiciary, to which was referred the bill (S. 729) to amend section 217 of the act of Congress entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909, reported the same with an amendment, accompanied by a report (No. 795), which said bill and report were referred to the House Calendar.

Mr. MCKENZIE, from the Committee on Military Affairs, to which was referred the bill (H. R. 13329) to authorize the Secretary of War to transfer certain surplus material, machinery, and equipment to the Department of Agriculture, and for other purposes, reported the same with an amendment, accompanied by a report (No. 796), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ANTHONY, from the Committee on Military Affairs, to which was referred the bill (S. 3706) authorizing the Secretary of War to make settlement with the lessees who erected buildings on a five-year lease on the zone at Camp Funston, Kans., and for other purposes, reported the same without amendment, accompanied by a report (No. 797), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. PORTER, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res. 327) terminating the state of war declared to exist April 6, 1917, between the Imperial German Government and the United States, permitting on conditions the resumption of reciprocal trade with Germany, and for other purposes, reported the same without amendment, accompanied by a report (No. 801), which said joint resolution and report were referred to the House Calendar.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. EVANS of Nebraska, from the Committee on War Claims, to which was referred the bill (H. R. 7682) for the relief of the heirs of Michael Carling, deceased, assignee of Joseph R. Shannon, deceased, reported the same adversely, accompanied by a

report (No. 798), which said bill and report were laid on the table.

Mr. FOCHT, from the Committee on War Claims, to which was referred the bill (H. R. 11414) for the relief of Julia H. Castle, daughter of John H. Howe, deceased, reported the same adversely, accompanied by a report (No. 799), which said bill and report were laid on the table.

He also, from the same committee, to which was referred the bill (S. 3387) for the relief of dependents of Lieuts. Jean Jagou and Fernand Herbert, French military mission to the United States, reported the same adversely, accompanied by a report (No. 800), which said bill and report were laid on the table.

## CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 13460) granting an increase of pension to Sarah Hill, and the same was referred to the Committee on Pensions.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. VOLSTEAD: A bill (H. R. 13468) to prohibit the use of Government aircraft insignia by other than Government aircraft; to the Committee on the Judiciary.

By Mr. PORTER: Resolution (H. Res. 511) for the immediate consideration of House joint resolution 327, being a resolution terminating the war with Germany; to the Committee on Rules.

By Mr. STEDMAN: Joint resolution (H. J. Res. 329) to correct the records of certain naval and marine officers who joined the Confederate forces; to the Committee on Naval Affairs.

By Mr. OVERSTREET: Joint resolution (H. J. Res. 330) authorizing and directing the Secretary of War to sell a certain parcel of land known as Fort Jackson, at New Deptford, on the Savannah River, Ga.; to the Committee on Military Affairs.

## PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. CARAWAY: A bill (H. R. 13469) relating to granting to certain claimants the preferential right to purchase certain alleged public lands in the State of Arkansas, and for other purposes; to the Committee on the Public Lands.

By Mr. EAGAN: A bill (H. R. 13470) granting a pension to Francis H. McGee; to the Committee on Pensions.

By Mr. HUDDLESTON: A bill (H. R. 13471) granting a pension to Rufus S. Hataway; to the Committee on Pensions.

By Mr. IGOE: A bill (H. R. 13472) granting a pension to Winfield S. Cooper; to the Committee on Pensions.

By Mr. KINCHELOE: A bill (H. R. 13473) granting an increase of pension to Virgil Mahan; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 13474) granting an increase of pension to Jacob D. Hoekstra; to the Committee on Pensions.

By Mr. VOLSTEAD: A bill (H. R. 13475) for the relief of Ole Thorpe; to the Committee on the Public Lands.

By Mr. WOODYARD: A bill (H. R. 13476) granting an increase of pension to Lemuel B. McGrew; 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:

2828. By Mr. DYER: Petition of Louis K. Juden Post, No. 63, of the American Legion, at Cape Girardeau, Mo., favoring compensation for ex-service men; to the Committee on Ways and Means.

2829. Also, petition of Atwell T. Lincoln Post, American Legion, St. Louis, Mo., urging the immediate passage of legislation for the benefit of soldiers; to the Committee on Ways and Means.

2830. By Mr. ESCH: Petition of the Board of Trade of the city of Chicago, Ill., urging legislation to increase the funds now available for the railroads, etc.; to the Committee on Interstate and Foreign Commerce.

2831. By Mr. FOCHT: Petition of the Burt J. Asper Post, No. 46, American Legion; also the Bright L. Kratzer Post, No. 182, American Legion, relative to the bonus for the ex-service men and women; to the Committee on Ways and Means.

2832. By Mr. FULLER of Illinois: Petition of the Rockford (Ill.) Chamber of Commerce, favoring the readjustment and the reclassification of the salaries of the postal employees; to the Committee on the Post Office and Post Roads.



2833. Also, petition of D. O. Thompson, secretary Illinois Agricultural Association, favoring the Capper-Hersman bill, etc.; to the Committee on Agriculture.

2834. Also, petition of the Ralston Purina Co., of St. Louis, Mo., opposed to House bills 12379 and 12646; to the Committee on Banking and Currency.

2835. By Mr. MAGEE: Petition of the citizens of Syracuse, N. Y., in favor of House bill 1112; to the Committee on the Judiciary.

2836. By Mr. STEENERSON: Petition of A. J. Rud and others, of Gary, Minn., opposed to universal military training; to the Committee on Military Affairs.

2837. By Mr. TILLMAN: Petition of citizens of Van Buren County, Ark., protesting against universal military training, etc.; to the Committee on Military Affairs.

## SENATE.

WEDNESDAY, April 7, 1920.

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

Almighty God, we give Thee thanks that Thou hast called us to the ministry of freedom; that Thou hast set us to stand guard over the rights of men; that Thou dost commission us to administer the affairs of a great Nation in the interest of justice and freedom and peace. We pray Thee to qualify us for this high office, and this day may we have Thy guidance in the performance of our duties. For Christ's sake. Amen.

### NAMING A PRESIDING OFFICER.

The Secretary (George A. Sanderson) read the following communication:

PRESIDENT PRO TEMPORE,  
Washington, D. C., April 7, 1920.

To the SENATE:

Being temporarily absent from the Senate, I appoint Hon. JAMES E. WATSON, a Senator from the State of Indiana, to perform the duties of the Chair during my absence.

ALBERT B. CUMMINS,  
President pro tempore.

Mr. WATSON thereupon took the chair as Presiding Officer for the day.

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.

### CALLING THE ROLL.

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

The PRESIDING OFFICER. The Clerk will call the roll.

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

Beckham	Gay	Kirby	Simmons
Borah	Gerry	McCumber	Smith, Md.
Brandeggee	Glass	McKellar	Smoot
Capper	Gronna	McLean	Spencer
Chamberlain	Harris	McNary	Thomas
Comer	Harrison	Nelson	Wadsworth
Curtis	Henderson	Norris	Warren
Edge	Jones, Wash.	Nugent	Watson
Elkins	Kellogg	Page	
Fernald	Kendrick	Phipps	
Frelinghuysen	Kenyon	Sheppard	

Mr. GRONNA. I desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent due to illness. I ask that this announcement may stand for the day.

Mr. SIMMONS. I was requested to state that the Senator from South Carolina [Mr. SMITH] is unavoidably absent from the Senate on account of illness in his family.

I wish also to announce the unavoidable absence of my colleague Mr. OVERMAN.

Mr. MCKELLAR. The Senator from Arizona [Mr. ASHURST], the Senator from California [Mr. PHELAN], and the Senator from Florida [Mr. TRAMMELL] are absent on official business.

The PRESIDING OFFICER. Forty-one Senators have answered to their names. There is not a quorum present. The Clerk will call the list of absentees.

The Reading Clerk called the names of the absent Senators, and Mr. KNOX, Mr. RANDELL, Mr. STERLING, and Mr. SWANSON answered to their names.

Mr. LENROOT, Mr. MOSES, Mr. DILLINGHAM, Mr. HITCHCOCK, Mr. PITTMAN, Mr. NEW, Mr. SMITH of Arizona, Mr. LODGE, Mr. TOWNSEND, Mr. FRANCE, Mr. CULBERSON, and Mr. POMERENE entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-seven Senators have answered to their names. There is a quorum present.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, one of its clerks, announced that the House had passed the bill (S. 4082) to amend section 4878 of the Revised Statutes as amended by the act of March 3, 1897.

The message also announced that the House had passed a bill (H. R. 13416) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1921, and for other purposes, in which it requested the concurrence of the Senate.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Presiding Officer:

S. 2807. An act to correct the military record of Edward Sigerfoos;

S. 2811. An act for the relief of the York County Savings Bank, of Biddeford, Me.;

S. 3187. An act to dispose of a certain strip of land in Waterville, Me.; and

S. 3610. An act for the relief of William S. Britton, formerly second lieutenant of Infantry, who has been erroneously dropped from the rolls of the United States Army.

### PETITIONS AND MEMORIALS.

Mr. TOWNSEND presented a petition of the Civic and Commercial Association of Sault Ste. Marie, Mich., praying for the enactment of legislation providing for the transfer of the United States Coast Guard from the Treasury Department to the Navy Department, which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Grand Rapids, Mich., praying for the enactment of legislation providing for the public protection of maternity and infancy, which was referred to the Committee on Education and Labor.

He also (for Mr. NEWBERRY) presented a petition of Charles A. Learned Post, No. 1, American Legion, of Detroit, Mich., praying for the enactment of legislation providing increased pay for the Army, Navy, Marine Corps, and Coast Guard Service, which was ordered to lie on the table.

He also (for Mr. NEWBERRY) presented a petition of A. J. Babcock Camp, No. 20, United Spanish War Veterans, of Flint, Mich., praying for the passage of the so-called Sells bill, granting pensions to Spanish War veterans, which was referred to the Committee on Pensions.

He also (for Mr. NEWBERRY) presented a petition of the American Association of Engineers, of Detroit, Mich., praying for the establishment of a department of public works, which was referred to the Committee on Public Lands.

He also (for Mr. NEWBERRY) presented a petition of the Kiwanis Club, of Detroit, Mich., praying for the repeal of certain provisions of the so-called Lever Act, which was referred to the Committee on Interstate Commerce.

He also (for Mr. NEWBERRY) presented a petition of the Louisa St. Clair Chapter, Daughters of the American Revolution, of Detroit, Mich., praying for the passage of the so-called Kenyon Americanization bill, which was ordered to lie on the table.

He also (for Mr. NEWBERRY) presented a memorial of the Board of Commerce of Detroit, Mich., remonstrating against the fuel-distribution order of the Director of Railroads, which was referred to the Committee on Interstate Commerce.

He also (for Mr. NEWBERRY) presented a petition of the Board of Commerce of Detroit, Mich., praying for the enactment of legislation to increase the efficiency of the Patent Office, which was referred to the Committee on Patents.

Mr. POMERENE presented a telegram in the nature of a petition from James T. Connell, on behalf of sundry citizens of Columbus, Ohio, and a petition of the Wolf Tone Branch, Friends of Irish Freedom, of Toledo, Ohio, praying for the recognition of the Irish Republic, which were referred to the Committee on Foreign Relations.

### BILLS INTRODUCED.

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

By Mr. SMOOT:

A bill (S. 4195) for the relief of George A. Bihler (with accompanying papers); to the Committee on Military Affairs.

By Mr. CAPPER:

A bill (S. 4196) to provide relief to persons who owned wheat of the crop of 1917 before the announcement of the Food Administration price-fixing policy with respect thereto, and who sold such wheat after August 11, 1917; to the Committee on Agriculture and Forestry.