

Congressional Record.

PROCEEDINGS AND DEBATES OF THE SIXTY-SEVENTH CONGRESS SECOND SESSION.

SENATE.

THURSDAY, March 23, 1922.

(Legislative day of Thursday, March 16, 1922.)

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

As in legislative session,

SERVICES FOR SOLDIER DEAD AT BROOKLYN, N. Y.

The VICE PRESIDENT. In compliance with Senate concurrent resolution 20, the Chair designates Mr. CALDER, Mr. FERNALD, Mr. SPENCER, Mr. BROUSSARD, and Mr. HARRIS as the members of the committee on the part of the Senate to represent Congress at the ceremonies attending the arrival of the last of the bodies of American soldiers from the battle fields of France.

EMPLOYMENT OF ATTORNEYS BY ALIEN PROPERTY CUSTODIAN.

The VICE PRESIDENT laid before the Senate the following communication from the Alien Property Custodian, relative to information requested by the Senate pursuant to Senate resolution 191, which was ordered to lie on the table and to be printed in the RECORD:

ALIEN PROPERTY CUSTODIAN,
Washington, D. C., March 20, 1922.

The VICE PRESIDENT,
The Capitol, Washington.

DEAR MR. VICE PRESIDENT: On January 13, 1922, I addressed a communication to the Senate through you, informing them of the receipt by this office of Senate resolution 191, directing that certain information be sent by this office to your honorable body. At that time I indicated that the information would be prepared as expeditiously as possible.

I am taking the liberty of writing you again concerning this matter, having noted from remarks on the floor of the Senate several days ago an inference that the information requested in the Senate's resolution was not forthcoming, and that this office had been negligent in not supplying the same. I desire to notify the Senate through you that the employees of this office have devoted as much time as has been possible on this work. With an increase of daily and routine work and a reduced personnel it has been impossible to complete the data requested up to now. To date the work on the report comprises several thousand typewritten pages, and before completion this amount will be considerably increased.

I wish to assure you that everyone in this office is thoroughly apprised of the import of complying with the Senate's resolution, and it is my intention to forward this report to you at least in part, if not in whole, within 10 days.

Respectfully,

THOMAS W. MILLER,
Alien Property Custodian.

CALL OF THE ROLL.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

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

Ball	Hale	Myers	Sheppard
Brandeggee	Harreld	Nelson	Shields
Bursum	Harris	New	Shortridge
Cameron	Harrison	Newberry	Simmons
Capper	Heflin	Nicholson	Smith
Caraway	Hitchcock	Norbeck	Spencer
Colt	Johnson	Norris	Stanfield
Culberson	Jones, Wash.	Oddie	Sterling
Cummins	Kellogg	Overman	Sutherland
Curtis	Kendrick	Page	Swanson
Dial	Keyes	Pepper	Townsend
du Pont	Ladd	Phipps	Underwood
Edge	La Follette	Pittman	Wadsworth
Ernst	Lenroot	Poindexter	Walsh, Mont.
Fernald	Lodge	Pomerene	Warren
France	McKellar	Ransdell	Watson, Ga.
Glass	McKinley	Rawson	Weller
Gooding	McNary	Robinson	Willis

Mr. SUTHERLAND. I desire to announce that the Senator from North Dakota [Mr. McCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Vermont [Mr. DILLINGHAM], the Senator from Connecticut [Mr. McLEAN], the Senator from Indiana

[Mr. WATSON], and the Senator from New York [Mr. CALDER] are detained at a meeting of the Committee on Finance.

The VICE PRESIDENT. Seventy-two Senators have answered to their names. A quorum is present.

OPINION CONSTRUING TRANSPORTATION ACT OF 1920 (S. DOC. NO. 172).

Mr. CUMMINS. Mr. President, I ask unanimous consent to have printed as a public document a very important opinion, very recently rendered by the Federal court of Ohio, upon a phase of the transportation act of 1920. I think it desirable that it should have general circulation.

Mr. ROBINSON. What is the aspect of the transportation act involved?

Mr. CUMMINS. It is with regard to the jurisdiction of the Interstate Commerce Commission over electric and interurban roads.

Mr. ROBINSON. That is a very important matter.

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

ADVANCES FOR BENEFIT OF AGRICULTURAL INTERESTS.

Mr. POMERENE. Mr. President, I have before me a statement which was sent to me by the War Finance Corporation as to advances which have been made for the benefit of agricultural interests, and also showing the distribution of the money among the several States. I think it is a matter that will be of considerable interest to Senators. Therefore I ask that it may be incorporated in the RECORD and also that it be referred to the Committee on Finance.

There being no objection, the statement was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

WAR FINANCE CORPORATION.

OPERATIONS OF THE WAR FINANCE CORPORATION FROM JANUARY 4, 1921, TO AND INCLUDING MARCH 11, 1922.

I. Advances to assist in financing exports under sections 21, 22, and 24 (par. 2), approved from January 4, 1921, to March 11, 1922, inclusive.

(Sec. 21 was added to the original War Finance Corporation act by the act of Mar. 3, 1919, and secs. 22 and 24 by the agricultural credits act of Aug. 24, 1921.)

COMMODITY.

Grain	\$5,209,810.69
Tobacco	3,596,369.77
Cotton	33,572,373.21
Canned fruits	400,000.00
Meat products	1,000,000.00
Condensed milk	1,000,000.00
Textile products	250,000.00
Sheet steel	180,000.00
Copper	145,000.00
Sugar-mill machinery	470,966.36
Agricultural machinery	500,000.00
Railroad equipment	2,925,000.00
Lumber	1,000,000.00

Total 50,250,120.03

Total does not include advances aggregating \$27,387,816.10 originally applied for and approved under section 21 for export purposes, and subsequently withdrawn by the applicants and resubmitted and approved as advances for agricultural purposes under section 24. Of the total amount \$37,573,650.26 represents advances approved subsequent to August 24, 1921.

II. Advances to banking and financing institutions and cooperative associations for "agricultural and live-stock purposes" under section 24 (par. 1), approved from August 24, 1921, to March 11, 1922, inclusive.

[Sec. 24 was added to the original War Finance Corporation act by the agricultural credits act of Aug. 24, 1921.]

(A) BY COMMODITIES.

Cotton	\$23,404,200.52
Grain	21,290,189.31
Live stock	64,127,443.90
Sugar beets	9,996,000.00
Rice	2,500,000.00
Canned fruits	300,000.00
Dried fruits	1,250,000.00
Peanuts	1,097,700.00
Tobacco	10,000,000.00
General agricultural purposes	124,224,068.53

Total 258,189,602.26

This sum includes advances aggregating \$27,387,816.10 originally applied for and approved for export purposes (under sec. 21) and subsequently withdrawn by the applicants and resubmitted and approved as advances for agricultural purposes under the agricultural credits act of August 24, 1921 (sec. 24).

(B) BY STATES.

(1) To banking and financing institutions.

Alabama	\$321,300.00
Arizona	2,767,500.00
Arkansas	242,000.00
California	2,106,859.06
Colorado	6,177,163.59
Florida	710,000.00
Georgia	5,306,000.00
Idaho	3,117,017.28
Illinois	4,814,000.00
Indiana	1,105,500.00
Iowa	22,631,616.08
Kansas	4,399,206.40
Kentucky	3,346,388.56
Louisiana	1,399,399.77
Michigan	20,000.00
Minnesota	10,581,049.26
Mississippi	1,407,838.19
Missouri	7,384,270.39
Montana	9,533,402.50
Nebraska	11,331,415.15
Nevada	248,000.00
New Mexico	6,224,530.25
New York	600,000.00
North Carolina	5,345,000.00
North Dakota	17,773,272.16
Ohio	1,177,806.00
Oklahoma	2,786,865.56
Oregon	3,515,112.39
South Carolina	8,597,339.25
South Dakota	13,771,684.50
Tennessee	2,767,560.00
Texas	16,719,496.44
Utah	10,651,101.00
Virginia	1,807,700.00
Washington	579,648.00
Wisconsin	4,269,000.00
Wyoming	7,265,744.38

Total 199,801,786.16

(2) To cooperative associations.

Arizona	\$1,200,000.00
Arkansas	1,250,000.00
California	2,800,000.00
Idaho	962,355.66
Kentucky	10,000,000.00
Minnesota	15,000,000.00
Oklahoma	6,000,000.00
Tennessee	5,060,060.29
Texas	9,787,566.50
Virginia	1,000,000.00
Washington	5,327,833.65

Total 58,387,816.10

This total includes advances aggregating \$27,387,816.10 originally applied for and approved for export purposes (under sec. 21) and subsequently withdrawn by the applicants and resubmitted and approved as advances for agricultural purposes under the agricultural credits act of August 24, 1921 (sec. 24).

III. Summary of advances for export and agricultural purposes under sections 21, 22, and 24, approved from January 3, 1921, to March 11, 1922, inclusive.

To cooperative associations	\$63,650,000.00
To banking and financing institutions	235,824,913.40
To exporters	8,965,708.89

Total 308,439,722.29

PETITIONS AND MEMORIALS.

The VICE PRESIDENT laid before the Senate a telegram in the nature of a petition from a mass meeting of citizens at San Francisco, Calif., praying for the ratification of the treaties prepared by the Conference on Limitation of Armament, which was ordered to lie on the table and to be printed in the RECORD, as follows:

SAN FRANCISCO, CALIF., March 22, 1922.

Hon. CALVIN COOLIDGE,

Vice President of the United States, Washington, D. C.:

Ten thousand peace-loving men and women of San Francisco assembled in mass meeting to-night ordered transmitted to you the following resolutions, which were unanimously adopted. We ask that you lay these resolutions before the United States Senate:

"To the Senate of the United States of America:

"Whereas pursuant to a resolution unanimously adopted by your honorable body, as well as by the House of Representatives, the President of the United States invited foreign powers to join with this Republic in a conference to consider the reduction of national armament, and the invitation to join with this Republic in such a conference was accepted in good faith by the major powers of the world, and such conference recognized that the underlying cause of war consists in a state of mind wherein it is assumed that the disputes which inevitably arise between nations will be determined by armed forces finding its initial expression in hostile aggression. And it was determined by the distinguished representatives of all nations participating in the conference that a new state of mind could be best created by evidencing to all peoples of the world that international disputes would be approached and solved through friendly conference rather than by immediate resort to arms; and

"Whereas this thought is the foundation upon which are based the treaties approved at the conference on world disarmament and on which hang the future peace and prosperity of the civilized world and now presented to your honorable body for ratification; and

"Whereas Senator HIRAM W. JOHNSON, one of the Senators now representing California in your body, has joined in opposition to the four-power treaty:

"Now, therefore, we, citizens of California in mass meeting assembled in San Francisco, comprising every religious and political faith, having a profound desire for peace and mutual understanding amongst nations, mindful still of the dying cries of 10,000,000 men, and trusting in the wisdom and policy of the President of the United States and his distinguished American associates who so successfully guided the conference, do here and now urge the ratification of all of the treaties as adopted at the Washington conference, and we do further declare that the attitude of Senator HIRAM W. JOHNSON does not reflect our sober and earnest convictions.

"Resolved, That copies of this resolution be forwarded by telegraph to the President of the United States, to the President of the United States Senate, to Senator LOPEZ, chairman of the Committee on Foreign Relations, to Senator HIRAM W. JOHNSON, and to Senator SAMUEL SHORTRIDGE."

W. W. MORROW, Chairman.

Mr. JOHNSON subsequently said: Mr. President, just prior to the recess there were presented by the Vice President certain resolutions passed at a meeting in California with some references to myself. They were ordered printed in the RECORD. I ask, without reading it, that my reply to the particular telegram may be printed immediately following the resolutions in question.

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

Mr. JOHNSON's telegram is as follows:

[Telegram.]

WASHINGTON, D. C., March 23, 1922.

Hon. W. W. MORROW,

Judge of the United States Circuit Court, San Francisco, Calif.:

I have just received your telegram transmitting to me resolutions passed at a mass meeting held March 22 in San Francisco.

I am always very glad to have the views of any considerable number of my constituents, and, indeed, of any individual Californian. I recognize the right of every man to his opinion and the public expression of that opinion. In a democracy like ours it is not only appropriate but helpful and healthy that individual and mass opinions be transmitted to those who briefly hold official power. But I recognize, too, that one who occupies a position as United States Senator must, in the questions which come to him, reach his decisions and cast his votes as his judgment and his conscience dictate. He would, indeed, be a poor and contemptible representative who yielded his conscience and his judgment to every varying popular gust or to every demand which might be made upon him by groups or individuals. I do not question the sincerity of your opinion and that of those who met with you last night, and I welcome your public expression of it. Equally, of course, I take it, you do not question the sincerity of my opinion, and if I were cowardly enough to fail to give expression to it because any one or any number of my constituents, however many or powerful, demanded otherwise, I would forfeit your respect, and what is worse, and what I value more, I would forfeit my own self-respect.

You and I together but two short years ago faced what seemed to be a rising and irresistible public clamor for a League of Nations. Without thought of the effect, politically or otherwise, we fought then what we believed to be a danger and a peril to the Republic. The exact arguments that were then made, the methods to deter and to silence us, are those now employed. We were told then that there was a new state of mind in the world; that disputes between nations would be solved through friendly conferences rather than by arms; and that the medium of their solution was the League of Nations. We were told then by some of the very gentlemen who participated in your meeting, and by others who are now speaking in California, that if we did not join the League of Nations our beloved country was headed straight for war. You and I fought on though, because we believed we were right, and because we wanted to preserve our cherished heritage just as we had received it for those who follow us. You and I desired to keep our Nation, not aloof from others, but free from their controversies, their spoliation, their imperialism, and their oppression. We fought the good fight then and we won it. Time demonstrated every lugubrious prophecy, and every dire prediction made by those opposing us, to be utterly without foundation. To-day I believe substantially the same situation confronts us. We are by degrees being taken into what two years ago we so fortunately escaped. This step in the Pacific, in my opinion, is but the prelude to others. If we are to enter the league I prefer to take my beating standing, and with head up enter the front door, rather than creep in the back.

I recognize fully the peculiar psychology with which we have to deal to-day, and I sympathize wholly with the yearning of all good people forever to put an end to the horrors of war. I do not oppose and I never have opposed consultation among nations. I have always sincerely advocated it, and do so now. I am unable to understand why if we seek consultation we do not plainly say so, and when pretending only a desire for consultation we undertake to maintain British and Japanese possessions. Instead of conference and consultation alone the treaty before us provides for maintaining territory and meeting aggression. I do not want to put any obligation, direct or indirect, express or implied, upon our country, upon our sons or our grandsons, to meet aggression against British or Japanese possessions, and I will not do so. With the past so indelibly stamped in my memory, with my knowledge of the world situation, a knowledge perhaps greater than that of many of my constituents, I can not by my vote take my country into a partnership with other nations which will inevitably lead us into unknown perils and do just that against which you and I so vigorously fought. The dangers, aye, the consequences, of just such agreements as the one under consideration are written in all the bloody pages of history.

I oppose this present treaty which would carry us into a pact no stronger than that which was in part responsible for the great World War, because I would save this Nation and all the nations of the earth from future murderous horrors and devastating wars. In the name of the 10,000,000 slain in the great World War invoked by you, in the name of the hallowed graves of the Americans who unselfishly gave their lives, I would preserve my country to play its great part in its appointed destiny free and unfettered, the leader of the nations of the earth, the hope of civilization. It was to this and by this to prevent

a recurrence of the awful tragedy from which we have just emerged, I gave of my substance and my effort in the difficult contest we made together. I believe, and I am sure on reflection, you will agree that our country can aid the world better with our ideals untouched, our independence of action undiminished, under the policy by which we have reached our present high eminence and great power, than as a partner of Britain and Japan. I may have been mistaken in my position two years ago; I may be mistaken now; but then I fought, and now I am fighting, as an American for my America, and God helping me, I will continue that fight until I die.

HIRAM W. JOHNSON.

Mr. LODGE presented a resolution of the board of aldermen of the city of Somerville, Mass., favoring the passage of an adjusted compensation bill for veterans of the World War, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Wellesley and Dover, both in the State of Massachusetts, remonstrating against the making of appropriations for the free distribution of seeds, which was referred to the Committee on Appropriations.

He also presented a resolution adopted by members of the Oak Square Methodist Episcopal Church, of Brighton, Mass., favoring the passage of legislation for the relief of the suffering people of Austria, which was ordered to lie on the table.

He also presented communications in the nature of petitions of the congregations of the Church of Christ of Granby; the Marlboro Methodist Episcopal Church, of Marlboro; and the Oak Square Methodist Episcopal Church, of Brighton; a meeting of the executive council of the Beverly Churchmen's Union, representing men of seven Protestant churches and the Young Men's Christian Association, etc., of Beverly; the Men's Club of the North Congregational Church, of Lynn; the executive board of the Boston League of Women Voters, of Boston; members of the First Congregational Church of Georgetown; the Bolton Monthly Meeting of Friends, of Bolton; the Kiwanis Club of Northampton; members of the East Congregational Church, of Ware, and the Federated Church of Somerset; a meeting of the Boston Methodist Social Union, of Boston; the congregation of the Second Church in Dorchester (Congregational); a meeting of over 100, representing the men's clubs of the Baptist, Congregationalist, Episcopalian, and Universalist Churches, of North Cambridge; a meeting of the Unitarian Ministers' Monday Club, of Boston; members of the First Church in Cambridge; members of the faculty of the College of Liberal Arts of Boston University; members of the First Parish in Cambridge and the Epworth Methodist Episcopal Church, of Cambridge, all in the State of Massachusetts, praying for the ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

He also presented resolutions of the Emmet Club, of Brockton, Mass., protesting against the ratification of the four-power and naval limitation treaties, which were ordered to lie on the table.

He also presented a resolution of the Grattan Literary Association, of Whitman, Mass., protesting against the ratification of the four-power treaty, which was ordered to lie on the table.

He also presented communications in the nature of memorials of Thomas J. Fitzgerald Post, No. 561, Veterans of Foreign Wars, of South Boston, and of the Central Council, United Irish Societies, of Springfield, both in the State of Massachusetts, protesting against the ratification of the treaties prepared by the Conference on Limitation of Armament, which were ordered to lie on the table.

Mr. MOSES presented a memorial of sundry citizens of Berlin, N. H., remonstrating against the enactment of legislation providing for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. WARREN presented a resolution adopted by the Fremont County Beekeepers' Association, of Lander, Wyo., favoring inclusion in the pending tariff bill of an adequate duty on imported honey of not less than 5 cents per pound, which was referred to the Committee on Finance.

Mr. CAPPER presented a resolution adopted by members of the Methodist Episcopal Church, of Delphos, Kans., favoring the ratification of the treaties prepared by the Conference on Limitation of Armament, which was ordered to lie on the table.

Mr. WILLIS presented a petition of members of the United Presbyterian Church, of New Concord, Ohio, praying for the ratification of the treaties prepared by the Conference on Limitation of Armament, which was ordered to lie on the table.

He also presented a resolution of the Federated Improvement Associations, of Dayton, Ohio, favoring the passage of more stringent immigration legislation, which was referred to the Committee on Immigration.

Mr. LADD presented a petition of members of Purdue University Chapter, Society of the Sigma XI, Lafayette, Ind., favoring the passage of legislation adopting the metric system of weights and measures, which was referred to the Committee on Manufactures.

He also presented resolutions of Whatcom County Progressive Grange, of Ferndale; Renton Local, No. 2; Western Progressive Grange; Clover Hill Local, No. 7; Western Progressive Grange, of Arlington; Mansford Local, No. 36; and Western Progressive Grange, of Darrington, all in the State of Washington, favoring the passage of Senate bill 2604, the Ladd honest-money bill, which were referred to the Committee on Banking and Currency.

He also presented petitions of Emil Richter and 3 others, of New Salem; J. J. Nettum and 3 others, of Fargo; Edward Olson and 106 others, of Havelock and vicinity; John and Billie H. Evashenk and Aneky Sepchenko and 5 others, of Kief, all in the State of North Dakota, praying for the enactment of legislation reviving the Government Grain Corporation so as to stabilize prices of certain farm products, which were referred to the Committee on Agriculture and Forestry.

REPORT OF A COMMITTEE.

Mr. NELSON, from the Committee on the Judiciary, to which was referred the bill (H. R. 10429) authorizing the Comptroller General of the United States to allow credits to and relieve certain disbursing officers of the War and Navy Departments in the settlement of certain accounts, reported it without amendment and submitted a report (No. 573) thereon.

CHANGE OF REFERENCE.

Mr. NELSON. The bill (S. 3312) to amend section 4730 of the Revised Statutes relating to pensions and the bill (S. 3313) to amend section 4747 of the Revised Statutes relating to pensions were erroneously referred to the Committee on the Judiciary, as they relate to pensions. I move that the Committee on the Judiciary be discharged from the further consideration of these bills and that they be referred to the Committee on Pensions.

The motion was agreed to.

BILLS AND JOINT RESOLUTION INTRODUCED.

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

By Mr. FERNALD:

A bill (S. 3327) to refund to John B. Keating customs tax erroneously and illegally collected; to the Committee on Claims.

By Mr. McNARY:

A bill (S. 3328) for the relief of Almeda Lucas; to the Committee on Claims.

By Mr. SWANSON:

A bill (S. 3329) for the relief of Tom Henderson; to the Committee on Finance.

A bill (S. 3330) granting an increase of pension to Richard H. Atkinson; to the Committee on Pensions.

By Mr. McNARY:

A joint resolution (S. J. Res. 181) providing for the payment of war-risk insurance in certain contingencies; to the Committee on Military Affairs.

PUBLIC-LAND ENTRIES BY DISABLED EX-SOLDIERS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 9633) to extend the provisions of section 2305, Revised Statutes, and of the act of September 29, 1919, to those discharged from the military or naval service of the United States and subsequently awarded compensation or treated for wounds received or disability incurred in line of duty, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WALSH of Montana. I move that the Senate insist upon its amendment, agree to the conference requested by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. SMOOT, Mr. NORRIS, and Mr. WALSH of Montana conferees on the part of the Senate.

THE FOUR-POWER TREATY.

The VICE PRESIDENT. The Senate resumes the consideration of the pending treaty.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating

to their insular possessions and insular dominions in the Pacific Ocean.

Mr. LODGE. Mr. President, I ask that a new print be made of the pending four-power treaty. In printing it the committee reservation was printed as a part of the resolution, not showing that it is an amendment. I desire to have it printed with that part which I have underscored in italics so as to show the committee reservation, which I have already moved as an amendment to the resolution of ratification and which will be taken up when we read the resolution.

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

Mr. BRANDEGEE. Mr. President, I ask that the unanimous-consent agreement which appears on the calendar be printed in the RECORD.

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

The unanimous-consent agreement is as follows:

UNANIMOUS-CONSENT AGREEMENT.

It is agreed by unanimous consent that no vote shall be taken upon any amendment or reservation that may be pending or that may be proposed to Executive N, a treaty between the United States, the British Empire, France, and Japan, relating to their insular possessions and their insular dominions in the Pacific, until the calendar day of Tuesday, March 21, 1922; that beginning at 3 o'clock p. m. on Wednesday, March 22, 1922, no Senator shall speak in the aggregate more than 30 minutes upon any pending amendment or reservation or any amendment or reservation that may thereafter be offered, or more than once or longer than one hour upon the treaty itself, which hour may be utilized at any time; and that on the calendar day of Friday, March 24, 1922, the Senate shall convene at 12 o'clock meridian, and shall immediately proceed to vote, without further debate, upon any amendment or reservation that may then be pending or that may be offered, and immediately thereafter upon the resolution of ratification of said Executive N, as amended by a reservation, or reservations, or otherwise. [March 9 (calendar day, March 15), 1922.]

Mr. BRANDEGEE. I wish to ask the opinion of the Chair, if it is proper to do so, whether, if debate should cease to-day upon any amendment or reservation that is pending, a vote could be had to-day?

The VICE PRESIDENT. It is the understanding of the Chair that a vote is in order at any time after Tuesday on amendments or reservations, but a vote is not in order on the main question of the treaty until 12 o'clock on Friday.

Mr. BRANDEGEE. That was my understanding.

Mr. COLT. Mr. President, the main argument which is so strongly urged against the ratification of the four-power treaty is the familiar argument that the United States should keep aloof from the quarrels of other nations, and that this treaty will involve us in those quarrels in the Far East.

The answer to this argument is that the quarrels of other nations inevitably involve the peace and security of the United States. Our Monroe doctrine affords a striking illustration of this fact. That doctrine rests on the proposition that threatened acts of aggression by any non-American State against any of the Central and South American Republics is injurious to the peace and safety of the United States.

It is upon the ground of self-protection, which is the basic principle of the Monroe doctrine, that we intervene in every quarrel between any of the 20 Republics of the Western Hemisphere and any non-American State where such quarrel concerns the acquisition of territory or threatens the independence of these Republics. And what is true of the New World is also true in a large degree of the Old World, because to-day, broadly speaking, the New World and the Old World are one.

The great lesson taught by the World War is that the United States, on the ground of self-protection, can not stand aloof from the quarrels of other nations. Five-sixths of the human race were drawn into the World War, and that war demonstrated that a conflict between the great powers is not only a menace to America, but will involve us, because nations in time of war, on the ground of self-preservation, will disregard the rules of international law and the rights of neutral nations. And what is true of European wars is especially true of the Far East, where we have large possessions. A war in the Pacific Ocean between the great powers would in all human probability involve the United States. It is manifest, therefore, that the safety of the United States is threatened in the quarrels of other nations, whether in the Western Hemisphere or in Europe or in the Far East. The Great War has emphasized the fact that under modern conditions the nations are one in time of war as in time of peace. There is little force in the suggestion that this menace does not exist in the case of wars between small States, since no one can tell how far the conflagration may spread. The Balkan wars have threatened the peace of the world for more than a generation.

The four-power treaty is further attacked on the ground that it is an alliance, using that term in its ordinary sense, and carries with it the obligation to use armed force.

This question turns upon the proper construction of section 2 of the treaty:

If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

There is clearly in this section no contractual obligation to go to war in the case of "the aggressive action of any other power," since before taking any action the contracting powers are to arrive at an "understanding." Any one of the four parties may refuse to reach an understanding or agreement for the use of armed force. But while there is no legal or contractual obligation to use armed force I can not resist the conclusion, upon reading this section in connection with the preamble of the treaty and looking at the end sought by the treaty—the preservation of the existing rights of the parties to their insular possessions and insular dominions in the region of the Pacific Ocean—that there is an implied moral obligation to use armed force if it should be found that such force is necessary to meet the exigencies of the particular situation. But it is also true that section 2 may be so construed as to impose no legal or moral obligation on the part of the contracting parties to use armed force, and I am satisfied in view of what took place at the conference that the United States could properly and rightfully insist upon this construction. In view, however, of the importance of this question and of the fact that the treaty on its face is open to another construction I believe the Brandegee reservation should be adopted, thus making it perfectly certain that the treaty involves no commitment by the United States to the use of armed force. In other words, with the Brandegee reservation the United States is entirely free to exercise its own independent judgment with respect to the employment of armed force.

It is further contended that with no obligation to use armed force the treaty amounts to nothing more than a conference; but this by no means follows. All the Brandegee reservation does is to make certain that the United States is not committed to the use of armed force, but this does not limit the operation of section 2 to a mere interchange of notes or a mere conference; it merely leaves the use of armed force to the independent judgment of each of the four powers.

With regard to the objection that a conference under the treaty is limited to the four powers, I can see no reason why the United States before reaching any "understanding" under section 2 should not insist upon calling in any interested power.

Mr. President, the four-power treaty is an international association of peace and conference between the United States, Great Britain, France, and Japan. The history of Europe for the past hundred years shows that wars are diminished through international associations of peace and through conferences. Muir, in his work on nationalism, points out that from 1494 to 1815 it is impossible to name a single decade during which all the European States were at peace, while in the hundred years from 1815 to 1914 there have been two long intervals of peace, and that, "leaving out the Turkish Empire, there was no war between European States from 1815 to 1848—33 years—while between 1878 and 1912, 34 years, there has been no war at all except the brief and trifling Bulgar-Serb War, and the Greek War of 1897."

And Phillips, in his work on the confederation of Europe, while pronouncing all attempts at such confederation failures to secure permanent peace, says:

The experiment in the international organization of peace with which we have been concerned failed, it is true, as in the long run it was bound to fail. But it was by no means wasted effort. Its temporary use I have already pointed out; it preserved peace during the critical years following the fall of Napoleon, and so gave to western Europe the opportunity for that marvelous industrial and economic development which was to change the face of the world. It did more than this. It set the tradition of that feeling of common interest among nations the growth of which is the strongest factor making for peace. It gave a new sanction to international law, the outgrowth of this feeling, thus making possible the developments that culminated in the conferences of The Hague which, whatever the disappointments they may have prepared for the world, went a long way toward providing means by which war should be made the exception and not the rule. Last, but not least, it set the proceedings for that concert of Europe to which the world owes more than sometimes, in its more impatient moments, it has been willing to allow.

Mr. President, I now desire to call special attention to the character of the European wars during the century from 1815 to 1914, with a view of emphasizing the importance of international cooperation and conference as a means for preventing war.

Lord Bryce, in his recent work on international relations, calls attention to the fact that very few of the wars which have broken out since the congress of Vienna in 1815 were

susceptible of arbitration by a court on legal principles—in other words, that they were wars arising from political disputes. Of the 16 European wars between 1815 and 1915, two or possibly three could have been averted by any judicial proceedings. Neither the Crimean War of 1853 between Russia and France and England, nor the war of 1859 between France and Austria, nor the war of 1870 between France and Germany, nor the war of 1877 between Russia and Turkey, nor the war of 1897 between Greece and Turkey, nor the war between the United States and Spain in 1898, nor the war of 1904 between Russia and Japan, nor the Balkan wars of 1912-13, nor the World War in 1914 involved in any material way justiciable disputes which could have been adjusted by arbitration.

While arbitration and a world court are necessary in the settlement of legal disputes, it is manifest when we investigate the causes of modern wars that these instrumentalities do not meet the situation, and that the really dangerous causes of wars are of a political nature and must be dealt with by other means, such as international associations of peace, conferences, and reduction of armaments.

Mr. President, the purpose of the four-power treaty is to secure peace in the Pacific by the joint action of the United States, Great Britain, France, and Japan. And in this connection can it not be truthfully said that the future peace of the world, for the next generation at least, rests largely upon the joint action of these great powers? This treaty is an international association of peace confined to the Pacific and designed to dissipate all menace of war from that region of the world. It provides for obligatory conferences, which experience has shown to be the best means yet devised for settling political quarrels between nations. With the ratification of another treaty we shall also have a reduction of naval armament by the great naval powers. We have thus in the Washington conference in the form of treaties the best known human agencies ever devised for the adjustment of those political disputes which are the great cause of modern wars.

Mr. President, the Washington conference was conceived in the loftiest patriotism by the Nation's head and our delegation represented the highest and best in American life. Their work involved no surrender of American independence or American ideals and no commitment to war in our international relations. And it may be said that if the spirit which prevailed in that conference spreads to all nations it will do much to assure the future peace of the world.

The Washington conference has adjourned, but its work will live unless destroyed by the Senate. That conference is America's contribution toward the solution of the gravest problem which confronts the human race—the avoidance of war. It may not solve this problem, but it is certainly a forward step toward its solution. Oh, it is easy to tear down with ruthless criticism any creative work. The Federal Constitution was subjected to this ordeal, but it still lives. As the critics of the Federal Constitution had no other constructive plan to arrest the drift of the thirteen Colonies into anarchy, so the critics of the Washington conference have nothing constructive to propose.

Realizing the awful destruction of life and property and the economic ruin wrought by the Great War and the longing of the nations for an enduring peace, may we not confidently believe that the Senate of the United States, acting in the same spirit in which the conference was conceived and which marked its deliberations, will approve and ratify all its work as an important step in advancing the peace of the world?

Mr. EDGE. Mr. President, in addressing the Senate on the subject of the four-power treaty a few days ago, I took the position that under the terms of the treaty any action that might be proposed would not be binding upon the United States unless the action was unanimous. I have noticed since that time that this viewpoint has been questioned by other Senators who have addressed the Senate on the subject.

It seems to me to be perfectly clear that the view that unanimous action is absolutely essential to bind any country that is a party to the compact is the correct interpretation of the pending treaty. I want to draw attention to the words used in the treaty; and certainly we must arrive at our conclusion by a consideration and study of the meaning and definition of those words.

Article 1 of the treaty refers to controversies arising out of any Pacific question involving the rights of the parties. Then the treaty goes on to article 2, which reads as follows:

If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding—

Note the word "understanding"—

as to the most efficient measures to be taken, jointly or separately—
And so forth.

It appeals to me as conclusive that the word "understanding" describes the obligation on the part of the four powers. You can only arrive at an understanding—to use, as nearly as I can recall it, the language of the distinguished Senator from Connecticut [Mr. BRANDEGEE]—by all arriving at it.

The authorities, it seems to me, make the definition of the word "understanding" perfectly clear.

Webster's New International Dictionary defines an understanding as—

An agreement—

An agreement!—

of opinion or feeling;—

An agreement must be an agreement, not a majority decision—adjustment of differences; anything mutually understood or agreed upon.

Certainly there can be no question in regard to the meaning of the word "mutually."

The Standard Dictionary defines an "understanding" as—

A practical agreement or consensus of opinion between two or more persons, especially an informal or confidential compact.

The very word "compact" is used in the definition.

Also, the subject of such compact; the thing agreed on; sometimes an arrangement or settlement of differences, or of disputed points.

A settlement!

The Century Dictionary and Cyclopedia gives the following definition for the word "understanding":

Intelligence between two or more persons; agreement of minds; harmony; union of sentiment; also, something mutually understood or agreed upon, as, there was an understanding between them.

It seems to me, Mr. President, that on the question of unanimous action there can be no disagreement. The compact, after referring to possible differences and providing the way in which the four powers shall be notified and asked to meet in joint conference if the ordinary diplomatic methods have failed, plainly provides that then they shall endeavor to reach an understanding; and every authority makes it perfectly clear that an understanding must be a mutual agreement.

Therefore I contend that there can be no reasonable doubt that if, after the ratification of this treaty, the United States on any disputed point should not agree with the representatives of the other members of the conference as to the methods suggested, the parties do not reach an understanding, and each of them is in no way morally or legally bound to carry out the views of the others.

Mr. HARRISON. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LADD in the chair). The Secretary will call the roll.

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

Ashurst	Glass	McNary	Ransdell
Ball	Hale	Moses	Robinson
Brandeggee	Harrell	Nelson	Sheppard
Bursum	Harris	New	Shortridge
Cameron	Harrison	Newberry	Simmons
Capper	Heflin	Nicholson	Smith
Caraway	Johnson	Norbeck	Spencer
Colt	Jones, Wash.	Norris	Stanfield
Culberson	Kellogg	Oddie	Sterling
Cummins	Kendrick	Overman	Swanson
Dial	Ladd	Page	Townsend
du Pont	La Follette	Pepper	Underwood
Edge	Lenroot	Phipps	Wadsworth
Ernst	Lodge	Pittman	Watson, Ga.
Fernald	McKellar	Poinceter	Weller
France	McKinley	Pomerene	Willis

Mr. JONES of Washington. I have been requested to announce that the Senator from North Dakota [Mr. McCUMBER], the Senator from Utah [Mr. SMOOT], the Senator from Connecticut [Mr. McLEAN], the Senator from Indiana [Mr. WATSON], the Senator from New York [Mr. CALDER], the Senator from West Virginia [Mr. SUTHERLAND], and the Senator from Vermont [Mr. DILLINGHAM] are in attendance upon a meeting of the Committee on Finance.

Mr. SHEPPARD. I wish to state that the Senator from Montana [Mr. WALSH] is temporarily detained on official business.

The PRESIDING OFFICER. Sixty-four Senators having answered to their names, a quorum is present. The question is on the amendment offered by the Senator from Arkansas [Mr. ROBINSON].

Mr. CARAWAY. Mr. President, before finally we shall vote upon this treaty, I want to submit, only briefly, a few thoughts which seem to me should at least have some consideration before we shall have entered into this alliance.

Either this is an obligation which binds us or it does not bind us. Those who have most recently apologized for having offered it say that it has no binding obligation. If it has not, there is no excuse for having entered into it. If it does bind

us and there is no harm in the obligation assumed, there ought to be no apology for having entered into the obligation. I take it for granted that we mean to keep faith with the nations which have entered into this pact with us and we are going to assume that they will abide by their agreement. If we do, we should not be afraid to tell the world what the obligations are which we assume and the people ought to know. However, we have had a speech to-day, made by the Senator from Rhode Island [Mr. COLT], saying that this treaty has force back of it, and that he expects to support the treaty. We had a similar interpretation that it was an alliance made by the junior Senator from Missouri [Mr. SPENCER], who is going to support the treaty. We had a positive declaration by the junior Senator from Ohio [Mr. WILLIS] that if that be the correct interpretation, he would not support it. We ought to be able to agree.

Most of us have practiced law, and I venture the assertion that if a client had come to any of us with a contract and asked us, as attorneys, whether he should sign, we would determine what his obligation was under the contract, and we would ask him what he was expecting to do, and if he should say, "I do not know what the obligation is I am entering into; I want you to tell me," if we were not able to say positively what his obligations were, we would say, as attorneys, "Do not sign that contract until you know what you are required under it to do."

The future of a nation of 110,000,000 people is at stake, a contract is offered, and we are asked to ratify it. Some Senators say it is a binding obligation; that it is an alliance. Others say it is not. I know that one of the American delegates who negotiated the treaty at one time thought it was an alliance and that it carried with it an obligation to use force, if necessary. He may have changed his opinion, and doubtless has, since he negotiated the treaty, but that was his opinion at one time. That is the opinion now of the Senator from Rhode Island [Mr. COLT]. It seems to be the opinion of the junior Senator from Missouri [Mr. SPENCER]. I know it is the opinion of a majority of the Senators on this side. Some on the other side say it does carry with it no such obligation, and therefore I say, if we would not advise a client to sign a contract involving, we will say, an estate of \$100 until we could determine what his rights and liabilities were under that obligation, shall we rush headlong into an agreement binding 110,000,000 people when none of us knows exactly what the obligations we are assuming are or what the liabilities we incur are?

I do know this: That if treaties mean what treaties are presumed to mean, three of the powers with whom we contract have contracted in an agreement heretofore entered into that if any dispute shall arise between one of them and any other power, whether a party to that treaty or not, that controversy shall be brought before the League of Nations.

I do know, unless they are willing to prove recreant to the obligations they entered into with fifty-odd other powers, if any dispute arises between any of the parties to this alliance we are about to ratify and us, we are going to be invited into the league in order to settle it, or else they must break their obligations to those other people, because the covenant of the league provides that, whether the nation with whom the dispute arises is a member of the league or not, that nation shall be offered membership in the league for the purpose of adjusting that particular dispute, and unless the nations with whom we are dealing are willing to break the obligations they entered into in ratifying the Versailles treaty they must, instead of adjusting any differences which arise between themselves and us as provided in this treaty, take us before the league. If you say they will not do it—and I rather think they will not—if you say they will not live up to that treaty, why should we bind ourselves with this?

Either they must break one treaty or the other if a dispute arises. They can not undertake to settle it among themselves. If they do, they break the word they gave when they signed and ratified the treaty of Versailles. If they do undertake to call us before the league, they must break their faith pledged in this alliance we are about to ratify. One or the other is inevitable.

I was astonished, if I may be permitted without offense to say it, at two statements the senior Senator from Alabama [Mr. UNDERWOOD] made. First, he laid down the proposition that there is no international law or obligation which rested upon one nation to respect the rights of another nation. On the 11th of this month he made the statement over and over again that there was no international law which required us to respect the rights of other nations or which required other nations to respect our rights. If that statement is true, we went to war with Germany under false pretense, and the Senator from Alabama, in

voting for that war, stultified himself, because we said that Germany was ignoring our international rights, was trampling on international law, and therefore we dedicated all of our resources, wealth, and man power to repelling the aggression of Germany on what we said was our international right, which she was, under international law, compelled to respect.

In order to justify this agreement the Senator says there is not any international law which requires us to respect other people's rights or requires other people to respect ours, and therefore we must enter into this treaty. I am proud to say that in the desire of the Senator from Alabama to justify himself for voting for this treaty he alone has been driven to the necessity of declaring that this is a world without law and that there is no international obligation resting upon one nation to respect the rights of another. I was never more astounded than I was when the Senator from Alabama, in order to justify his position, was driven to that extreme.

Let me say, in the beginning, that I wanted to vote for this treaty if I could. It has been charged that the opposition to this treaty upon the part of the Democrats is due to partisanship, that they are trying to make a political question out of it. Let me dispel that idea. The senior Senator from Alabama is the titular leader of the Democratic minority in the Senate. He has not conferred with a single one of his Democratic colleagues about this. He confers every day with the leader of the majority, the senior Senator from Massachusetts [Mr. LODGE], and last night, as before, reported progress to the President of these United States. Therefore it is unfair to say it is a political question. The Senator from Alabama pledges so many votes to the President in favor of ratifying the treaty.

The junior Senator from Wisconsin [Mr. LENROTH] said the other day that if this treaty were defeated it meant war. He said more than that, that if it were defeated the President would be justified in withdrawing the other treaties negotiated by the conference from the consideration of the Senate. The senior Senator from Massachusetts [Mr. LODGE] said practically the same thing. The junior Senator from New Jersey [Mr. EDGE] has practically said that the defeat of this treaty would mean war. I want to call the attention of the Senate to the fact that every one of these Senators who now so loudly proclaim the advantages of this treaty, every one of them who threaten such dire disaster to this country if we shall refuse to ratify, was opposed to the Borah resolution, which resulted in the calling of the conference out of which this treaty grew. If the senior Senator from Massachusetts had been able to control the Senate, if the junior Senator from Washington [Mr. POINDEXTER] could have had his wishes respected, there would have been no conference, there would have been no four-power treaty, and the world, according to their present declaration, would have been plunged into war and into hopeless night.

Mr. HARRIS. Mr. President, I want to ask the Senator from Arkansas how many votes he thinks the Borah resolution would have received if it had provided for a four-power alliance?

Mr. CARAWAY. It would not have received one, because the Senator from Idaho himself would not have voted for it. But the thing I want to call attention to is that these newly arisen prophets, who can see the future now with clearness, and who now threaten the world that if we shall refuse to ratify this treaty it means hopelessness, that it means eternal night, that it means war, three months ago did not know anything about it. I am not willing to concede that they wanted war, that they wanted hopelessness, that they wanted night, and yet if they could have had their way they would have defeated the very conference which drafted this treaty.

It was not in their minds; they did not want it. They had to take the Borah resolution because they found that they did not have votes enough to defeat it, and the President of these United States, who now calls Senators into conference, although he said he would not lobby for the ratification of this treaty, finds himself driven to the necessity of sending for Senators. What arguments he makes I do not know, but I know that whatever inducement he can he brings to bear upon them to get votes to ratify the treaty, and yet he did not want the conference out of which this treaty grew.

Mr. POINDEXTER. Mr. President—
The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Washington?

Mr. CARAWAY. I yield to the Senator.
Mr. POINDEXTER. The Senator said that four months ago we did not know anything about the four-power treaty, and consequently were not aware of the great injury that would result from not having it, because it was not conceived at that time. Four months ago we also did not know about the outcome of the naval limitation treaty.

Mr. CARAWAY. No; and we would not have had it if the Senator from Washington could have prevented it.

Mr. POINDEXTER. The fact of the case is—

Mr. CARAWAY. Oh, I remember the Senator standing on the other side and fighting the Borah resolution day after day—and the Senator was reporting to the President, and I venture the assertion that he appealed to the President for a letter to help him defeat the Borah resolution on the floor of the Senate.

Mr. POINDEXTER. The fact of the case is that whatever may have been my attitude—

Mr. CARAWAY. I know; we will forget the past.

Mr. POINDEXTER. Of course, if the Senator does not allow me to make a statement I will not undertake to do it, but I just wanted to take a few seconds of time—

Mr. CARAWAY. Very well.

Mr. POINDEXTER. I am not forgetting the past at all, but I wanted to call his attention to the fact that I supported the Borah resolution and announced my support of it on the floor of the Senate.

Mr. CARAWAY. May I suggest to the Senator that he had been fighting it until he got the President's letter, which so straddled that he did not know whether he could stand on it or not?

Mr. POINDEXTER. The fact remains—

Mr. CARAWAY. I know it remains.

Mr. POINDEXTER. That I announced my support of the Borah resolution, as shown by the Record. But the Senator can take whatever view he chooses in regard to that.

Mr. CARAWAY. I am going to believe the Senator each time he talks, but he was against it once. He said he was, and I believe he was.

Mr. POINDEXTER. I just wanted to make a very brief statement to the Senator on another phase of this matter, and then I will leave it.

Mr. CARAWAY. I would leave that phase if I were the Senator, but go ahead and make another statement.

Mr. POINDEXTER. I am perfectly willing to return to it; but I was speaking about the Senator's argument, that we could get along without this four-power treaty just as well now as we could several months ago, before the resolution for a conference was adopted. I want to call his attention to the difference between the present situation and the situation then, and the Senator can take the record which he has as to my position in regard to the conference which was being called for the purpose of the limitation of naval power among these nations and confirm my present position in regard to the matter.

Mr. CARAWAY. I do not know what it is.

Mr. POINDEXTER. That is, if we are to abandon our naval strength that we would have had under the 1916 program, and reach an agreement among the nations to so limit their naval power, the four-power treaty to keep peace in the Pacific, and to hold conferences for the purpose of avoiding war, has a new value attached to it different from any value that could have attached to it before an agreement for the cutting down of naval power was arrived at, or even definitely conceived of.

The Senator from Arkansas seems to occupy just the reverse of that position, although I may be mistaken about his attitude in regard to the naval limitations treaty. I understand he is opposed—and I put this in the form of a question, because I want to be correct about it—I understand the Senator is opposed to the four-power agreement to keep the peace, and is in favor of reducing our naval strength at the same time. In other words, he wants to retain the causes of war and at the same time abandon the means by which we could meet the dangers of war.

Mr. CARAWAY. I understand now that this treaty to keep the peace is acceptable to the Senator from Washington, because he could not get power to build the biggest navy in the world, that he would rather the Nation should have played the bully and threatened the world, but if he could not get the armament with which to do it, then he will agree that we will keep the peace.

Mr. GLASS. Does the Senator from Arkansas admit that this treaty is intended to keep the peace?

Mr. CARAWAY. I do not intend to admit that, because no one really admits that, and I do not want to do like the Senator from California [Mr. SHORTRIDGE] did yesterday, stand up and argue the obvious. He said yesterday with a great deal of learning that if a thing is unconstitutional it is void.

Now, the President, who is so interested in having ratified this obligation upon our part, although, as I said, he had announced that he would not lobby for it and he would not trade for votes to ratify it, has scrapped that declaration and is sending for Senators nightly. Whether he is trading or not I do not know. I do not know what the President had in his mind when he said he would not trade. Not being well advised

as to his mental processes, I venture no conclusion as to what he meant when he said he would not trade with any of you gentlemen in order to get your votes, and that he would not lobby with you; but lobbying he is, if I may be permitted to use that term, because Senators are being sent for and are being urged to support the ratification of the treaty.

To show that the President did not want the opportunity to call this conference out of which the treaty grew and that he has been compelled to find himself, as he now says, offering a solution for all the ills of the world, I want to read what the Senator from Maine [Mr. HALE] said when he was on the Naval Affairs Committee and this treaty was not then within the purview of anybody's mind, but the Borah resolution was pending before the Senate out of which this treaty grew, and what the Senator from Washington now says was obviously necessary to grow out of that conference. The Senator from Maine [Mr. HALE] was asked about his and the Senator from Washington's visit to the President. They had gone to see the President and had been informed to kill it. They were again informed to kill it—the Borah resolution—in the Senate, and undertook to do so. They found out after awhile that it took more help than they had, and surrendered. Talking on this very question on the 13th day of May last, he said:

I stated that my impression after talking with the President was that he considered that this is not the time to go ahead with a resolution of this kind. Of course, the Senator realizes our foreign relations at the present time are extremely delicate and that the country at large is looking to the President to straighten out those foreign relations.

He may now have straightened them out, but he had to have a miraculous demonstration of divine power to change from persecutor to a follower in this new way. He was not exactly struck blind, but I presume admits now he was blind and had his sight restored. All these, the Senator from Massachusetts [Mr. LODGE], the Senator from New Jersey [Mr. EDGE], the Senator from Washington [Mr. POINDEXTER], and all those who now say that the destiny of the American people and of the world rests in the ratification of this treaty, were unalterably opposed to having called the conference out of which comes this great treaty.

Mr. POINDEXTER. On the contrary, Mr. President, of course, if it makes any difference to the Senator from Arkansas between stating what is correct and stating what is not correct, the President had made arrangements, so I am informed, to call the conference long before any of the occurrences to which the Senator is referring. He had already begun negotiations with certain of the powers before the Borah resolution came up for the purpose of having this conference.

Mr. CARAWAY. Why was he so bitterly opposed to the Borah resolution?

Mr. POINDEXTER. I was not bitterly opposed to it.

Mr. CARAWAY. I said why was the President?

Mr. POINDEXTER. The Senator had better ask the President. I do not know that he was bitterly opposed to it.

Mr. CARAWAY. The Senator knows. Will he tell me?

Mr. POINDEXTER. The Senator said the President was opposed to the conference. The facts are that he had made arrangements to call the conference. Outside of the fact that he is misstating facts, the Senator from Arkansas is right in other respects.

Mr. CARAWAY. What arrangements had the President made? Will the Senator from Washington tell us?

Mr. EDGE. Mr. President, I think—

Mr. CARAWAY. I will yield to the Senator from New Jersey when the Senator from Washington has told us what arrangement the President made.

Mr. POINDEXTER. I will not undertake to go into detail about it. He had negotiated—

Mr. CARAWAY. With whom?

Mr. POINDEXTER. With one of the powers a party to the treaty.

Mr. CARAWAY. Which one?

Mr. POINDEXTER. Great Britain.

Mr. CARAWAY. When?

Mr. POINDEXTER. I will not undertake to give the exact date, but long before the time to which the Senator refers.

Mr. CARAWAY. The Senator from Washington, if he will pardon me, reminds me of an election contest one time in a county down in my State. A man went down into that county to investigate and came back and made his report. He said there were only two kinds of people down there—one did not know and the other would not tell.

Mr. POINDEXTER. That reminds me very much of another election contest I heard of in the Senator's State. They have a great many of them down there. A man was charged with stealing nine ballot boxes.

Mr. CARAWAY. Stealing what?

Mr. POINDEXTER. He was charged with stealing nine ballot boxes in Arkansas in one of those election contests in Arkansas to which the Senator referred, and his defense was that he did not steal nine, he only stole five.

Mr. CARAWAY. I am satisfied that information is as accurate as anything the Senator has. It is the same kind of information he has been dealing out to the Senate on this treaty. I have just as much faith in one statement as I have in the other. Of course, I know that incident about the ballot boxes did not happen.

I yield now to the Senator from New Jersey.

Mr. EDGE. I think I understood the Senator from Arkansas to include the Senator from New Jersey as one of those who was not in favor of the adoption of the so-called Borah resolution providing for the calling of a conference to consider the limitation of armament. I do not wish in any way to detract from the very able arguments and work of the Senator from Idaho, but if the Senator will look over the RECORD he will find that at the end of the session referred to, at the end of the last special session, I think it was, when the Senator from Idaho was not apparently pushing his resolution for calling the conference, I took it upon myself to reintroduce the same resolution with some slight changes, and it was really as a matter of fact the resolution introduced by the Senator from New Jersey that passed the Senate of the United States unanimously. I think that the record is sufficiently clear to demonstrate the position of the Senator from New Jersey on the question of the limitation of armament.

Mr. CARAWAY. I was certainly mistaken, then. I read a speech which the Senator made and got the wrong impression from it.

Mr. EDGE. The Senator did not see anything in any speech the Senator from New Jersey made to that effect.

Mr. CARAWAY. Evidently I misunderstood it if the Senator is correct now. I do not care which time he is right.

Mr. EDGE. The Senator did not see any speech the Senator from New Jersey made in which he took a different viewpoint on the limitation of armaments.

Mr. SWANSON. Mr. President—

Mr. CARAWAY. I yield to the Senator from Virginia.

Mr. SWANSON. In connection with the naval limitation resolution, it was introduced and referred to the Committee on Naval Affairs. The Senator from Montana [Mr. WALSH], if my recollection is correct, moved to include it in the naval appropriation bill. It received every Democratic vote in the committee, and, if I mistake not, every Republican member of the Committee on Naval Affairs voted against including it in the bill which was reported to the Senate. Consequently, it was understood that the Democrats would press the matter when it came to the Senate.

Mr. CARAWAY. And all the Republicans would oppose it.

Mr. SWANSON. If my recollection is correct, every Republican member of the Committee on Naval Affairs voted against including it as an amendment to the naval bill, and the bill was reported without having it included, and Senators stated they would bring it out on the floor of the Senate.

Mr. CARAWAY. Just for the record, I want to read the names of the Republicans who constituted the membership of the Committee on Naval Affairs. The Senator from Vermont [Mr. PAGE]; the Senator from Massachusetts [Mr. LODGE], who now finds this treaty is the hope of the world, although he borrowed President Wilson's language in order to commend it; the Senator from Washington [Mr. POINDEXTER]; the Senator from Maine [Mr. HALE]; the Senator from Delaware [Mr. BALL]; the Senator from Michigan [Mr. NEWBERRY]; the Senator from New Hampshire [Mr. KEYES]; the Senator from Maryland [Mr. FRANCE]; the Senator from Colorado [Mr. NICHOLSON]; and the Senator from Pennsylvania [Mr. CROW], though I am sure that Mr. CROW was not present.

Mr. SWANSON. I will say that some of the Republican members were not present, but those who were present voted against it and the Democrats who were present voted for it. The Senator from Montana [Mr. WALSH] offered it, but it was defeated in the committee. My recollection is that every Democrat who was present voted for it as an amendment to the naval bill, and the Republicans who were present voted against it.

Mr. CARAWAY. Passing that for the moment, I can see how the Senator from Wisconsin [Mr. LENROOT] could have consistently said that the President, if this treaty were not ratified, would seize upon that opportunity very likely to withdraw the other treaties, because I have shown by the record that the President did not want the conference out of which the limitation of armaments grew. He did not want the conference out of which the four-power pact grew.

The Senator from California [Mr. SHORTRIDGE], who is never quite so humorous as when he is serious, assured us yesterday that we ought to be everlastingly distressed because some people questioned whether or not there was a secret agreement entered into at the same time. Here is what I want to call attention to for whatever it is worth, though I am making no assertion.

When the President brought to the Senate the treaties he brought a bale of manuscript along and referred to it rather dramatically as all the information, the conversations, the agreements, the offers that took place in the conference. Everyone naturally presumed there would be the full information leading up to the negotiation of the four-power pact.

But to everybody's astonishment except those who were on the inside—I rather imagine the Senator from Alabama [Mr. UNDERWOOD] and the Senator from Massachusetts [Mr. LODGE] knew—there was not a word of information about this treaty. When asked under a resolution introduced by the Senator from Nebraska [Mr. HITCHCOCK] to furnish this information, the President declined to do so, but assured us there were "no secret understandings or agreements." Nobody had then intimated, nobody had suspected, nobody had said there was any secret understanding or agreement between the nations who entered into this treaty, and yet in advance of anybody ever suspecting it, anybody ever saying it, the President went out of his way to assure us no secret agreements had been arranged. The senior Senator from Alabama [Mr. UNDERWOOD]—and I regretted to see him do it—stood here like a schoolboy covered with delight and read the letter from the Secretary of State, Mr. Hughes, commending his effort in this matter and backing up what he had said. As if he needed to call a witness here from the other side in order to make his colleagues believe what he said was true, he read with much pleasure the letter of Secretary Hughes. Secretary Hughes, though it had never been charged, went out of his way to say to the Senator from Alabama and have him say to the Senate that there were no secret agreements entered into.

Mr. UNDERWOOD. I am sure the Senator from Arkansas wants to tell the truth.

Mr. CARAWAY. I certainly do, sir, as nearly as I know how, and I am perfectly willing to match my veracity with that of the Senator from Alabama at any time.

Mr. UNDERWOOD. If the Senator from Arkansas remembers the incident, he will recall that I was asked what I knew about the negotiation of this treaty.

Mr. CARAWAY. And the Senator stated he did not know anything about it, or practically that.

Mr. UNDERWOOD. The Senator, I hope, will allow me to make a statement.

Mr. CARAWAY. The Senator prefaced his statement in rather an offensive way.

Mr. UNDERWOOD. I withdraw it if it was offensive.

Mr. CARAWAY. Then I withdraw what I said.

Mr. UNDERWOOD. I certainly did not intend to say anything offensive to the Senator.

Mr. CARAWAY. I accept the Senator's statement.

Mr. UNDERWOOD. During the course of the debate I was asked to state what had occurred in the negotiation of the four-power pact, and I said very frankly that I was called away from the city by reason of a death in my family, and that I was not present when the treaty was negotiated; that the Secretary of State had conducted the negotiation and had told me of it when I returned. The question was really put to the Secretary of State as to what had been done, for it seemed that the information was desired on this side of the Chamber. So when the Secretary of State sent me a letter telling what he had done, it seemed to me that it was entirely in accord with what was proper to read his letter to the Senate.

I know that some of my colleagues continually charge me with the fault of not being present when these negotiations took place, but I could not be present. However, I gave them the information through the only man who possessed the information, the one who actually conducted the negotiations. I think it was entirely proper that I should have read the letter of Secretary Hughes.

Mr. CARAWAY. I am not criticizing the Senator from Alabama for not being present at the conference.

Mr. UNDERWOOD. If I made a statement that the Senator from Arkansas thought was a reflection on him, I wish him to understand that I withdraw it—

Mr. CARAWAY. I know that.

Mr. UNDERWOOD. Because I have no desire to offend him.

Mr. CARAWAY. I am curious to ask the Senator what statement I made which caused him to preface his remarks by saying that he knew I wanted to tell the truth.

Mr. UNDERWOOD. The Senator said I would not give the information.

Mr. CARAWAY. The Senator from Alabama must not say that. I did not say that. I said the Senator got a letter from Secretary Hughes and read it.

Mr. UNDERWOOD. But first the Senator said that I would not give the information.

Mr. CARAWAY. Oh, no.

Mr. UNDERWOOD. That is the way I understood the Senator. I have no objection whatever to the Senator's criticism of me; I only want the facts shown.

Of course I was not a participant in the real negotiation of the four-power pact, for the reasons I have stated, and I could not be. I tried to give the Senate candidly all the information I could, and as a part of it I read a letter from the Secretary of State in reference to the negotiation of the pact. The Senator from Arkansas has overlooked the fact that the letter from the Secretary of State as to whether or not there were secret negotiations was a letter written to the Senator from Massachusetts [Mr. Lodge]; that it was a subsequent letter.

Mr. CARAWAY. No; the letter to which I had reference is in the Senator's speech in the CONGRESSIONAL RECORD which I have before me. To show how inaccurate the memory of the Senator from Alabama is, I may say that during the course of that speech he read the letter of the Secretary of State in which is made the statement upon which I have commented.

Mr. UNDERWOOD. I am not questioning that, and I am sure I said there was no secret negotiation.

Mr. CARAWAY. I did not charge the Senator with having said it. I said that the Secretary of State, Mr. Hughes, in advance of anybody having charged that there were any secret arrangements or understandings entered into, saw fit, in his letter which the Senator from Alabama read to the Senate, to say there were none.

Mr. UNDERWOOD. The Senator from Arkansas is mistaken about that, for there had been such charges made. They were charges of a general nature, but the gravamen of the Secretary's letter to me was not as to the question of secret negotiations; it was as to who negotiated this treaty. The letter was written for the purpose of showing who negotiated the pact; and the Secretary wrote the letter to me to show that he had carried the draft to the conference of the powers where the treaty was framed. I believe the Senator is right that incidentally in that letter there was something stated about there being no secret obligations, but the matter to which I was referring in that connection was the statement which was made by Mr. Cravath as to there being some secret understanding. That letter was not directed to me, but to the Senator from Massachusetts [Mr. Lodge].

Mr. CARAWAY. I knew that; and if the Senator had done me the courtesy to hear anything at all I said he would have been saved the necessity of making a long explanation. I knew that the Senator from Alabama read the letter of Secretary Hughes on the 11th day of March. I have said, and I repeat, as one of the very greatest admirers the Senator from Alabama ever had, that if I were he I would not have called upon somebody on the outside to back up the assertions which had been made by me on the floor of the Senate; but, of course, that is a question of taste for the Senator from Alabama.

Mr. UNDERWOOD. I am sure the Senator will allow me to make a statement. I am the last man in the world to object to my colleagues criticizing me; they have done so, and I take it in good part and in good nature. I try to do so and intend to do so; but, if the Senator will allow me to say so for the RECORD, I think he is mistaken about it being a question of good taste. It was not a matter of backing up my statement. The Secretary of State, Mr. Hughes, and I were both delegates to the conference. I had said that the information which was asked of me on the floor I did not possess, because I was absent for a reason which I stated; but there was a man who had the information; he wrote me a letter giving me the information; and it seems to me it was not only proper that when I had the information from him in my hands that I should read it to the Senate, but it was highly important if the Senate wanted the information. Perhaps they did not want it.

Mr. CARAWAY. That is a question of taste. I am perfectly willing for the Senator to take that view of it; doubtless he is right and I am wrong; but I do want to say, if I may not become embroiled with the Senator from Alabama further, that if the Secretary of State had valuable information which no other member of the delegation negotiating the treaty possessed—and under no other theory ought he, I presume, to have been dragged in here through the medium of a letter—if the Senator from Alabama did not have the information, if the Senator from Massachusetts knew nothing about it, and if Mr. Root had no

information, then I think that the Secretary of State ought not to have left the country when the treaty was before the Foreign Relations Committee, at a time when he could have appeared and given the information. According to the statement of the Senator from Alabama, the Secretary of State was the only man who did know anything about the negotiation of the treaty, and he left the country; he would not give to the Foreign Relations Committee the desired information. I have never had a great deal of admiration, Mr. President, for those who do not want to come before a tribunal where they may be questioned, but, instead, at long distance prefer to write letters to convey the information. It may be scurrilous, perhaps, if the Senator from California will pardon me, but I should like to say that that kind of conduct reminds me very much of a situation that existed at one time in the section of the country where I live. I resided on a river which was the boundary line between two States. When the grand jury sat in one State many young fellows living in that State would cross the river to the other State and return when the court had adjourned. The Secretary of State left the country when the committee could have called him and obtained information; and he now confines himself to writing letters to the Senator from Alabama and to the Senator from Massachusetts. The letter which he wrote to the Senator from Massachusetts showed considerable heat. He said he hoped—I am not quoting his exact language—that we would now have a sufficient sense of propriety to quit making faces; that he had settled this controversy once and he did not want anybody to have such a lack of consideration as to raise it again.

All I want to say is that, in the absence of anybody charging there was a secret understanding of any kind, both the President and the Secretary of State, the two men who knew most and knew least about the facts, said there was no such understanding. I say these two men knew most and least about it, because the President gave out an interview that the mainland of Japan was not included in the treaty.

I do not know whether the Senator from Alabama and others had to inform the President that he evidently did not understand the matter; that he was wrong about it; and that the treaty did include the mainland of Japan; but, at any rate, it became necessary to negotiate a separate treaty in order to embody the President's interpretation. Now, we are told that the Secretary of State, Mr. Hughes, was the only man who knew something about it. The President showed he was the one man who knew absolutely nothing about it.

I do not know whether the pending treaty is to be a blessing or a curse. I do not think I should have had so much suspicion of it if those who negotiated it had not shrouded it in mystery. From past experience, I think all of us are loath to enter into agreements where those who seek to have us become parties to them refused to furnish any information as to why the agreements were reached, what were the necessities for such action, or when those upon whom we ought to be able to rely for a correct interpretation did not agree as to what obligations were incurred.

I have never been charged with saying anything scurrilous about other nations; but there are three land-grabbing nations in the world to-day, and we propose to enter into an agreement with those three nations. There are only three nations in the world to-day whose colonies include more people than inhabit the parent nations; those three nations have partitioned the world until their colonies are greater in population than the mother countries; and we propose to enter into an agreement with those three nations. There are only three nations in the world to-day whose foreign policies threaten war, and we see fit to single out those three nations and to enter into an alliance with them. There are only two nations in the world to-day who are irrevocably committed to militarism; those two nations are France and Japan; and we are asked to enter into an alliance with both of them. There are only three nations to-day which are seeking to destroy the rights of the most ancient peoples on the earth, which have seized their territory, have abridged their political and commercial rights, and we propose to enter into an agreement with those three nations to protect them in their aggressions. There is only one first-class power on the earth to-day with which this country never had a quarrel; never had a dispute; a nation that stood by the Union when the Civil War was raging and prevented the Union from being embroiled with another great empire; a nation which upon every occasion has shown its friendship to the United States, which ceded to us, practically gave to us, one of the richest territories the United States possesses; a nation nine millions of whose men were either killed or hopelessly maimed in waging, as our associate, the World War. Yet we have entered into an agreement which is hostile to that nation with three other

nations with which we have had trouble always, with one of which we have waged two wars, with another of which we raise an Army and a Navy to war with it and commissioned our ships to prey upon its commerce. I refer to France. There is but one colored race that ever attacked a white race—Japan—and we ally ourselves with it.

As for Japan, we were told by some Senator here the other day that Japan was placing orders in every civilized country in the world in order to accumulate munitions of war to attack us. Yet we enter into an alliance with that nation to repel any kind of a force on the part of Russia, which has been our friend always, in any effort to expel Japan from her territory.

If that is good statesmanship, if that is good morals, if that is good common sense, you will have to pardon me, for I do not seem to possess either.

Oh, and there is the matter of the 10 years, as suggested by the Senator from Georgia [Mr. HARRIS]. I am glad he directed my attention to that, for I wanted to call attention to another very remarkable statement made by the senior Senator from Alabama [Mr. UNDERWOOD] in his speech on the 11th of this month. In that speech he said that no one believes that either China or Russia—two nations with which we have always been friendly—would be able in 10 years to assert her rights and repel the aggressions of Japan, and therefore we could safely go into this alliance for 10 years, and trust to the intelligence of a President or a Secretary of State at the end of that time, when these countries might be so recovered that they could resist the aggression, to slip out of it. The high morality that makes us want to go into a compact against the interests of our friends in order to get some kind of an advantage for 10 years, and then to sneak out of it when the obligation might finally be imposed upon us to pay for the benefits we are presumed to have received, is a viewpoint that I am not able to accept.

If this is a good treaty, if it is one that we ought to make, we ought to stay with it, because we will need it 10 years from now as much as we need it now. If it is a bad treaty, if it is a time-serving treaty, if it is a treaty made against the interests of our friends—our national friends for a national lifetime—we ought not to enter into it for 10 years; and either horn of that dilemma I am willing for those who support the treaty to accept.

I presume the treaty will be ratified, and I will venture no assertion about what the people may think of it one way or the other. I do, however, venture the assertion that the Senator from Wisconsin [Mr. LENROOT], who said that if he looked only to politics he would be glad to have the treaty defeated, because it would be of immense political value to the Republican Party, if he was not joking when he made that statement, would vote against its ratification.

Mr. WATSON of Georgia. Mr. President, will the Senator from Arkansas allow me to make a suggestion?

Mr. CARAWAY. I yield.

Mr. WATSON of Georgia. Those powers of propaganda which can put this four-power alliance over on the Senate so soon after the verdict of the people at the polls in 1920 will have gathered additional power in 10 years, and they can extend this alliance indefinitely.

Mr. CARAWAY. I think that is obvious.

I do not charge any man with bad faith for being for or against the treaty, and bad faith is not implied when I say the position is inconsistent. It was said by one or two Senators on the other side that it was incomprehensible, and said by the very distinguished Senator from Ohio [Mr. POMERENE], who read an essay in favor of the treaty last night, that it was inconceivable why anyone could have supported the Versailles treaty and oppose the four-power pact. If there is any reason in that argument it must be that the four-power pact is the same as the Versailles treaty. Therefore, when you try to impale us on the horn of inconsistency by saying we were for the Versailles treaty and against the four-power pact, by that very declaration you admit your own inconsistency, who defeated the Versailles treaty and now support the four-power pact. If that sort of logic appeals to you, I think I can understand why you should vote for ratification. Otherwise, I should be at some loss to understand.

I say this: The Senator from California [Mr. SHORTRIDGE] with a great deal of heat yesterday said that he was opposed to the treaty of Versailles, but that every mother and every God-fearing father in this land and everybody else was praying as he talked, as I understood, and the angels were singing, for the ratification of this treaty. Incidentally, I might say that I wonder if they made the angels delete their songs as they did the chaplain who opened the conference, by requiring him to strike out the name of Jesus Christ from his prayer. If

the Senator from California is correct that all the powers of righteousness are on his side now, I do not know how he is going to account for their being with him last year also, because last year he was against a treaty which extended to the world what this treaty undertakes to do for the Pacific Ocean. If the Senator from California is content to say, "My prayers and my hopes and my love of humanity are confined to the Pacific Ocean, and to the Pacific Ocean only, and I do not care what happens to all the rest of the earth if the Pacific is made what its name implies, a peaceful sea"—if that is his viewpoint, his position is perfectly consistent; but I want to say that there is this difference:

Here are four nations, three of them with selfish ends to serve in the Pacific Ocean, three of them holding subject nations in the Pacific Ocean, three of them in possession of territory that does not belong to them and never did rightfully belong to them, going into an agreement with us in order to stabilize conditions as they now are in the Pacific Ocean. The Versailles treaty went further than that. It provided that all the peoples of the earth should enter into an agreement, and they should guarantee peace throughout the world by each agreeing to respect the rights of the others. If they had lived up to that treaty there could have been no war, if it had been ratified by this country, because if each nation respected the rights of the others there would be no cause for quarrel. If you say they would not live up to that treaty, I ask by what authority you say now that they will live up to this one? If you believe that nations can be bound by treaties—and I at one time hoped they could—how can you justify your act in defeating the Versailles treaty; and if you do not believe nations can be bound by treaty, how can you justify yourselves in voting for this treaty?

I want to call attention to the fact that the Senator from New Jersey [Mr. EDGE] said yesterday, when he made the speech of which he gave us a revised version this morning, that it is impossible to hate if you are brought together; that if you could bring nations together and let them sit around a table it would be impossible to hate, and therefore impossible to have a war. Well, God bless your soul, if it is impossible for people to hate as they sit around a table, why was the Senator from New Jersey then opposed to letting all the people sit around the table? Why was he opposed to the Versailles treaty? Why not ratify it, if sitting around a table banishes hate and banishes war? How, then, can he justify himself for having defeated the treaty that undertook to bring all the people into conference?

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

Mr. CARAWAY. I yield to the Senator from New Jersey.

Mr. EDGE. I am sure the Senator does not desire to get into a controversy at this time as to the great difference between many other principles of the Versailles treaty and this getting around a table, as the Senator describes it. So far as the League of Nations was concerned, the principle of getting around a table, even with all the nations of the world, I heartily agree with. The League of Nations, with proper reservations, received my consistent and regular support.

Mr. CARAWAY. In other words, whether or not you have peace depends upon what table you sit around. Here is what the Senator said yesterday, if I remember correctly: "Many an international misunderstanding has developed and been fanned into flame because of the distance intervening between those arguing by cable or diplomatic notes. Such calamities possibly could have been averted if representatives of the contending nations could have gathered around a table. People often hate each other at a distance. It is difficult to hate each other side by side."

Mr. EDGE. Mr. President, does the Senator from Arkansas differ from the viewpoint that such a misunderstanding possibly could have been averted by discussion around a table?

Mr. CARAWAY. No; I was not falling out with the Senator about that sentiment. I was just wondering how the Senator reconciled his statement with his opposition to the Versailles treaty, which undertook to bring all the people to a common conference.

Mr. EDGE. The Senator from New Jersey has just stated quite clearly, I think, that the principle of the League of Nations, with our country properly protected, always received the support of the Senator from New Jersey.

Mr. CARAWAY. "Properly protected" by killing it, by cutting the heart out of it; then the Senator was willing to ratify it.

Mr. EDGE. Of course the Senator from New Jersey reserves the right to decide what is proper protection.

Mr. CARAWAY. Why, of course the Senator from New Jersey has a perfect right to be just as inconsistent as he sees fit, and I am not criticizing him. I was merely calling attention

to the noble sentiment uttered by the Senator from New Jersey in appealing to his colleagues to ratify this treaty by saying that hate is impossible if you can bring people to a common council table, and entertaining a different view when the treaty of Versailles was before the Senate.

Again, if I may be permitted to suggest it, as it was suggested by the Senator from Tennessee [Mr. McKellar], the Senator from New Jersey voted against the amendment offered by the Senator from Arkansas [Mr. Robinson] which undertook to make it possible to get all the nations involved in the controversy around the table. That amendment said that not only we four nations who bind ourselves together will confer, but we will invite to the conference any nation with which any one of these powers may become embroiled. Now the Senator says that if you can get them around the table they can not hate, or they can not war; and yet the Senator from New Jersey voted against an amendment which would have made it obligatory to get around a table not only those who ally themselves together, but those with whom one of them might have a controversy.

Mr. EDGE. Does the Senator from Arkansas contend that there is anything in the pending treaty which prohibits the members of the compact from inviting to the conference any other nation which might be involved or interested in possible disputes in the Pacific region? Does not the Senator from Arkansas recognize the difference between interests in the Pacific, in which the United States is particularly involved because of territorial possessions, and the interests of the entire world?

Mr. CARAWAY. Why, of course. I do not know whether the Senator from New Jersey is a lawyer or not, but in our profession—

Mr. EDGE. No, Mr. President; I have many things to answer for, but I am not one of the lawyer Members of the Senate.

Mr. CARAWAY. I am very glad the Senator is not, because he can be inconsistent then without being conscious of it. In the practice of law, however, it is always bad faith and one would be disbarred if he were guilty of it if he conferred with his own client and the other man's client also. You have to stay with one side or the other if you obligate yourself to do it. Here we contract with Japan—and if we mean anything by what we say, we will do it—that “If you get into trouble with Russia or China by reason of your aggression upon those people, we will confer with you to enable you with our advice to devise the best means of resisting that nation,” which means to plan campaigns with them, and determine what armies and what navies would be advisable, and what economic pressure might be exerted. It means that you are going to confer with Japan to enable her perpetually to enslave Siberia; and it would be bad taste, and this country would not indulge in it, to say: “While I am your ally, and I am backing you up, I am going to go over and have some conversations with the other side, also.”

It is unthinkable, and the very fact that the Senator from New Jersey voted against an amendment which would require this Nation to do it, shows that he does not believe this Nation would, for otherwise he would be perfectly willing to accept such an amendment. If we intend to do it, if it is our purpose to do it, if it is our right to do it, if it is our moral obligation to do it, I think we should write it in our bond. I have never had any confidence in anybody who would say, “You know, I always do what I say I will do, but I will not sign a contract to do it.”

Mr. EDGE. Mr. President, I have not the honor and the pleasure of being a lawyer, with the additional knowledge that implies and makes possible, but I have a conviction that the fewer the words used in a contract or an agreement the better for those involved, or those who are making the contract. In other words, one of the features of the pending treaty which has appealed to me is its brevity. When the average lawyer finishes writing a contract or an agreement there is so much in it that it always brings on the litigation which he perhaps expects. But the brevity of this document, the absence from it of a statement that the parties will do the obvious thing—that is, will invite other nations into conference if other nations are involved, the fact that there is not put in it provisions for meeting every possible contingency which may arise—appeals to me very strongly. It is left to the representatives of four nations to use common sense and judgment when a contingency arises.

Mr. CARAWAY. May I ask if the Senator is going to vote for the Brandegee reservation?

Mr. EDGE. Yes; if it is necessary to save the treaty, because I think it is more important that the treaty should be ratified than that through some unfortunate circumstances it

should not be ratified. When you can not have everything you want in this world, it is well to compromise, if you do not compromise against principle.

Mr. CARAWAY. What an apology for voting for this treaty. That you take not what you want, but what is in this secretly negotiated treaty thrust upon you.

I love justice, national and international, too well to bind my country to make common cause with the aggressor against an unoffending people; to bind ourselves to support the pagan against the Christian faith; to strike the white race to aid a colored one. I can not, I will not, do it. I will not vote to ally my Nation with a colored nation to oppose a white one. I never will do it.

The VICE PRESIDENT. The time of the Senator from Arkansas has expired. The question is upon agreeing to the amendment offered by the Senator from Arkansas [Mr. Robinson] to article 1 of the treaty.

Mr. LENROOT. Mr. President, I desire to occupy only a very few minutes of the time of the Senate in putting in two or three authorities upon two questions which have been raised during this debate. When it has been shown what the declarations of the negotiators were at the time these treaties were signed, and when the acceptance of that construction by the other members of the conference is shown, some Senators have attempted to brush that aside as being either of no value, or the weakest kind of evidence.

Mr. President, I hold in my hand a work entitled “International Law Chiefly as Interpreted and Applied by the United States,” by Prof. Charles Cheney Hyde, and I want to read his text with reference to the subject of the value to be given to declarations of negotiators. In section 534 he says:

Declarations on the part of the negotiators of a treaty at the time of its conclusion, or by plenipotentiaries exchanging ratifications, indicating the understanding of the parties as to the sense in which particular terms were employed, are useful as sources of interpretation and should not be disregarded. Nor are the declarations of negotiators even long subsequent to the perfecting of an agreement without value. The reason why, according to the common law, declarations of intention could not be given in aid of the interpretation of documents, save under certain exceptional circumstances, was that they were considered as dangerous to a jury, who, not being expert in such matters, might attach to them too great weight. This objection is not applicable to adjudications concerning the interpretation of agreements between States. Declarations of their plenipotentiaries, in so far as they indicate the sense in which terms were employed, are valuable, not merely because they are enlightening, but also because they may be safely entrusted to the consideration of judges or arbitrators, or to the ministers of State. The Department of State has appreciated the significance of such statements. Courts of arbitration have accepted them.

There are very voluminous footnotes as to the value which has been placed by our own Government and by other Governments with whom we have had treaties, upon the understanding of negotiators as to the construction of treaties to which they are parties.

Mr. BORAH. That is, in an instance where there is an ambiguity in the language.

Mr. LENROOT. Of course, I did not suppose that the Senator from Idaho claimed that there was from his standpoint no ambiguity in the language, because no one has ever claimed that there was an express obligation in the instrument for the use of force. It must be admitted that it is silent, and therefore it is clearly a construction of the treaty upon which we must arrive at the intent of the parties, if there could by any possibility be any kind of an implication to use force.

Mr. BORAH. The Senator from Idaho does not contend that the treaty is without ambiguity, but what I was thinking of was that the Senator from Wisconsin was rather severe upon some of us because we had called attention to the construction which had been placed upon the treaty by the representatives of foreign powers. Of course, if the construction of the negotiators or the representatives of the different nations is to be taken, then you want the views of all the nations through their representatives taken as a whole. We now have the situation that while the representatives of the United States place one construction upon it, we do know that a different construction has been placed upon it by the representatives of other powers.

Mr. LENROOT. Mr. President, the Senator from Idaho does not quite accurately state my view or the criticism I have made. I made no criticism because attention was called to statements made by negotiators subsequent to the conference to which the Senator from Idaho has referred. My criticism was that in the debate upon this treaty by its opponents, almost without exception, they have ignored the construction placed upon this treaty by the American delegates and accepted at the time the treaties were signed. They have cast that aside as of no value, and placed upon the treaty the construction of subjects of other countries, most of whom were not negotiators at all, as being of more value. That was what I complained of.

Mr. BORAH. Mr. President, I quite agree with the Senator from Wisconsin that when this treaty is once ratified and becomes binding it would naturally follow that we would take the construction placed upon it by our delegates. I take the very opposite view up until the time the treaty is ratified. For instance, Mr. President, suppose the able Senator and some other able lawyer should be negotiating a contract to close a very important transaction for their respective clients; and suppose that before the contract was signed, sealed, and delivered, the Senator from Wisconsin should learn that the attorney upon the other side placed an entirely different construction upon the contract from that which he had placed upon it. I am quite sure the Senator would hasten to do one of two things. He would either hasten to change the contract to make it read so plainly and specifically that there could be no question about it, or else he would undertake to ascertain the basis upon which the opponent placed his construction.

Up until this time the treaty is not a treaty; it is simply a proposition. Up until that time I think it is not only legitimate, but the highest duty, to understand the construction which other nations are putting upon it.

Mr. LENROOT. Mr. President, in reply to the Senator from Idaho I would say, taking his own illustration, that if he represented a client, and another able lawyer represented a client, and there arose a question of construction of a contract which had been preliminarily entered into, as to which the only step remaining was to make it absolutely binding, I would not expect the Senator from Idaho to place a construction on it against his own client, and accept the construction of the opposing attorney. That is what has been laid down here in the Senate.

Mr. BORAH. The contract is not closed yet.

Mr. LENROOT. No; it is not closed.

Mr. BORAH. The time to debate the other man's view is before it is closed. Let me call the Senator's attention to another illustration. I suppose everybody agrees that Secretary Hay was one of the ablest men and one of the most careful Secretaries of State we have ever had. I feel quite certain that by reason of a lack of thorough discussion and a thorough understanding as to language we are practically the losers in the building of the Panama Canal. A construction was placed upon the treaty under which we built the canal, subsequent to its ratification, which they did not believe it bore before the ratification, but which construction has now obtained to such a degree that we are losing out in the contention entirely and the foreign power is succeeding in its own construction. It would have been infinitely better had the debate taken place before the treaty was ratified, rather than afterwards.

Mr. LENROOT. Mr. President, again taking the Senator's illustration, the Senator must admit that if this treaty is ratified—and it is going to be ratified—the construction he and other Senators opposed to this treaty have given to the treaty may possibly raise a question hereafter which would never have been raised but for the view taken by the Senators, and that, Mr. President, is why I expect to vote for this reservation. When this treaty was first presented to the Senate there was not, in my judgment, the slightest reason for placing upon this treaty any reservation; and if there be any reason now it is because Senators opposing the treaty have throughout this entire debate endeavored to construe it against the interests of America.

Mr. BORAH. If the Senator is correct and follows his logic to its conclusion he must accept the reservation of the Senator from Arkansas then, because, under the Senator's argument, that is more essential now as a reservation than is the reservation of the Senator from Connecticut.

The fact of the business is, with all due respect to those who urge the reservation which is now attached to the treaty, I do not get any consolation out of saying that a thing is not an alliance. I judge whether it is an alliance or not by the language which is contained in the treaty.

Mr. LENROOT. For once the Senator and I agree.

Mr. BORAH. We agree quite often, when the Senator from Wisconsin is right.

Mr. LENROOT. I wish I could agree more often with the Senator from Idaho.

Mr. BORAH. Perhaps that happy day will come. But this treaty is an alliance or it is not an alliance, according to the terms which are in the treaty. You can not by attaching a label to a bottle put anything in the bottle which is not already in it. If you form a partnership, and if the terms of the contract make it a partnership, no court pays any attention to the fact that you may declare it is not a partnership.

Mr. LENROOT. So far as the word "alliance" is concerned, I did not have that in mind at all when I spoke of the reserva-

tion. What I did have in mind with reference to the reservation was as to whether there was any obligation to use force.

Mr. BORAH. The Senator knows that the Senator from Idaho has never taken the position that according to the technical terms of the treaty itself there is any commitment to force.

Mr. LENROOT. Either express or implied?

Mr. BORAH. So far as the technical language of the treaty is concerned, that is correct.

Mr. LENROOT. When the Senator so very ably argued his position with reference to the obligations of this treaty, assuming that the construction of the proponents was correct, I had supposed that he made that assumption only for the purpose of argument. I am very glad to know now that that is his own construction of the treaty.

Mr. BORAH. I took that position in the committee. I take that position now. I have taken it all the time. But here is the question: You have nevertheless created a situation where, without any commitment upon the part of the terms of the treaty, force may be determined upon by those who are representing us in this matter, and then the Congress of the United States, as I contend, will be under moral obligation to carry out whatever they determine upon. I agree, and I have said over and over again, that when this expression "fully and frankly" is given between the representatives of those nations under article 2 that they may agree not to use force, and they are under no obligations by the terms of the treaty to use force. I agree to that perfectly. But I contend just as earnestly that they may agree to use force; and if they do, the Congress of the United States is under the moral obligation to carry out their agreement. It is not in the express terms of the treaty, but in the unlimited discretion of the conferees, which may result in a course from which the Congress can not in honor escape.

Mr. JOHNSON. Mr. President, will the Senator pardon me?

Mr. LENROOT. I yield.

Mr. JOHNSON. Does not that mean, then, that there is an application of force, according to the contention of the Senator from Idaho?

Mr. LENROOT. I leave the Senator from California to argue that out with the Senator from Idaho. The Senator from Idaho says not.

Mr. BORAH. I say that according to the terms of the treaty itself there is no more agreement to use force than there was in the entente—not a particle. There was no agreement to use force under the entente; nevertheless a condition arose by which force became inevitable—the Commons bound itself—morally bound—by the acts of the Secretary of Foreign Affairs.

Mr. LENROOT. Very well; the Senator and I absolutely agree upon the construction of the treaty.

Mr. BORAH. But I say that you have authorized your representatives to take either one course or the other. They may agree not to use force. They may refuse to use force. If they do refuse it there is nothing in the treaty which compels them to take any other course. On the other hand, if they agree to use force we are under moral obligation to carry out the action of our representatives. It is in the uncircumscribed discretion of the conferees, which may leave the Congress no moral discretion.

Mr. JOHNSON. Then, if the Senator from Wisconsin will pardon me, the implication for the use of force is there, and there is no escaping that conclusion.

Mr. BORAH. I have no objection to the Senator from California entertaining that view. He may be right; but my objection lies elsewhere.

Mr. LENROOT. I am very glad to have the Senator from California and the Senator from Idaho disagree.

Mr. JOHNSON. I wanted to make perfectly clear what was said in respect to the implication of force. As I understand the Senator from Idaho, he holds that while there may not be, under article 2 of this agreement, any resort, any understanding, and the like, as to force, yet there may be as well a determination that force ultimately ought to be used, and that then comes the obligation resting upon those who are parties to the contract to carry out the agreement which may be made or the understanding which may be had. Is that accurate?

Mr. BORAH. I think that is accurate. The only difference between the Senator from California and myself is this: The Senator from California finds it in the treaty. I find it in the authority which we give our agents to represent us. That is the only difference between the two propositions.

Mr. JOHNSON. The genesis of it is the treaty which gives the authority.

Mr. BORAH. Exactly; but the representatives may take the very opposite view.

Mr. JOHNSON. Assuredly.

Mr. BORAH. Then there is an implication to arrive at a conclusion through peaceful means. It is just as much an implication to arrive at a conclusion by peaceful means as it is the other.

Mr. JOHNSON. Of course; but the implication is there by which they may arrive at the other means.

Mr. BORAH. Very well. I am perfectly willing, as I said, for the Senator to call it an implication. I do not regard it as an implication at all. What I think is that we have designated these agents to represent us in a certain situation. They are our representatives. They may decide to meet the situation by peaceful means. If so, there is nothing in the treaty upon which we could assess any criticism of them for doing it. On the other hand, they may determine to meet it by force. Now, we are under obligation, in my judgment, to carry out the decision of our representatives; and therefore I say that the moral obligation is binding upon the Congress, not by reason of the terms of the treaty, but because we have created an agent whose execution we must follow to a successful end. In other words, this agency forestalls free action on the part of Congress.

Mr. EDGE. Mr. President, suppose three of the nations agree that force is the only solution of the problem and the representative of the United States disagrees, then what would be the Senator's interpretation of our responsibility and duty?

Mr. BORAH. Of course, the representative of the United States has a right to disagree, but what I want Senators to consider is this: Suppose the representative of the United States agrees? I do not want to turn over what is practically the war-making power to one man, to represent 110,000,000. If you say that he may disagree you must admit that also he may agree or can agree, and if he does agree, the Congress of the United States is morally bound to carry out that agreement and you thus have one man practically committing us to war—one man speaking for 110,000,000 people. I want to bring the war-making power closer to the people. I do not want the people to have a mere technical right after their agents have morally committed them. I wholly distrust diplomats in matters of war. The World War was the work of diplomats; the people did not want it. I do not propose to trust a few men with the power to morally bind us to go to war.

Mr. EDGE. Then, I take it from the Senator's statement that he does not believe an understanding has been arrived at, which term is used in article 2 of the treaty, unless the representative of the United States does agree with the other three—in other words, that the four must agree?

Mr. BORAH. I understand that they must all agree.

Mr. EDGE. That is the question I asked.

Mr. BORAH. Yes. They must all agree. When they do all agree, however, we as a people are morally bound to carry out their agreement. Think of the infamy, after what we now know of the facts about how the World War was brought on, of signing a treaty under which four men may start a world war—may by their action drag the people into war as a dozen men dragged the people into a world war in 1914.

Mr. LENROOT. I think the Senator, if I understand him correctly, is confusing the obligations under article 1 and article 2. Under article 1 there is, of course, a conference. We are obligated to enter into a conference under article 1 where there is a dispute which can not be settled by negotiation between any of the four powers. But under article 2, which I think is the situation the Senator from Idaho refers to, there is no obligation to go into conference at all.

Mr. BORAH. I am perfectly willing to concede that, although I think that if war were imminent men would not stop to write letters. That has not happened very often. If war were imminent they would come face to face just as rapidly as they could. I am perfectly willing to agree that they do not have to come face to face to have a conference. But the result I am afraid of would be just the same if they should write letters and agree by letters to come to the use of military force.

Mr. LENROOT. Right at that point, the understanding that the parties are to arrive at must, of course, be made and agreed to by competent authority. The Senator must admit that proposition. Any proposition involving an understanding to go to war can not be made by the President of the United States or any plenipotentiary of the United States, there being no prior obligation as there was in article 10. If the matter involves the use of force there is but one thing under the treaty that the President can do, and that is to submit it to the Congress and to arrive at the understanding in that way if force is to be used.

But I am very glad, I want to confess, that the position of the Senator from Idaho has been very much cleared up to me this morning. I am very glad to have his construction, because

we clearly now have the Senator from Idaho, as I would have expected from the beginning, to so construe the treaty that there is no obligation, express or implied, for the use of force. But the Senator from Idaho must admit that among the opponents of the treaty he is very lonesome in that position.

Mr. BORAH. No; I do not think so. The Senator from Idaho is taking precisely the position that he took in the Foreign Relations Committee and that he has taken from the very beginning.

Mr. LENROOT. I do not charge the Senator with changing his position.

Mr. BORAH. If the Senator will search the Record and read my remarks he will find nothing to the contrary at all. My sole objection to the treaty, so far as this particular proposition is concerned, is that in my judgment it commits to the discretion of one representative an act which may carry this Nation into war or compel us to repudiate our own agent, or seek dishonor.

Mr. GLASS. If that is not an implication of force, what is it?

Mr. BORAH. If I designate the Senator from Virginia as my agent, to use his discretion either for peace or against it, so far as the designation is concerned, in my judgment, there is no implication. I give him, however, unlimited discretion to decide either upon peace or upon force. I do not want to leave that to the discretion of one man. I think this is a matter which ought to be dealt with by the Congress of the United States, without any previous moral obligation of any kind.

Mr. GLASS. But when you do set up an agency and prescribe a process that may involve us in war, is not that an implication of force?

Mr. BORAH. I do not think so.

Mr. GLASS. Then I can not understand what an implication of force is.

Mr. BORAH. It is an implication of force in one sense, but not by reason of the terms of the treaty itself. We simply here create an agency and we say to that agency that he may do a certain thing. He exercises discretion. What I am objecting to is turning over our discretion to the discretion of an agent.

Mr. GLASS. But we do not say to the agency that he may do a certain thing. We say to the agency, "You may do one of two certain things," and one of those things is to take this Nation into war. In other words, the very process itself involves not only the possibility but the probability of taking this Nation into war.

Mr. BORAH. I agree with the probability that it will. I think that he would have the right to decide for war, and that is my fundamental objection to the treaty, that we are leaving it to a representative to place us in a position where, while we are not legally bound to do it, we are morally bound to carry out his decision.

Mr. LENROOT. Mr. President, I am not going to prolong the discussion upon this point further than to say that if it be admitted, as the Senator from Idaho admits, that there is no obligation in the treaty for the use of force, then it necessarily follows that no representative of the United States can bind the United States beyond the constitutional authority of that representative, and the constitutional authority of the United States, which so far as we are concerned is the Congress of the United States, is the only power in the United States that can determine upon war.

Mr. GLASS. That is a very fine argument that the Senator from Wisconsin took special pains repeatedly to controvert when the covenant of the League of Nations was before the Senate.

Mr. LENROOT. Oh, no. I am surprised at the Senator from Virginia. The reservation that was adopted to article 10 of the league covenant left article 10 substantially as this four-power treaty leaves the four powers. With the reservation to article 10 it left, and left only, the obligation to respect the territorial integrity of all the other members of the league. But I pointed out, and every other Senator who took the same position as I did pointed out, that without that reservation there was a guaranty of territory, and therefore there was a moral obligation entered into by the constitutional authority, the treaty making power, a moral obligation to go to war in order to fulfill the guaranty, which is entirely lacking in this treaty.

Now, I wish to speak of one other point.

Mr. BORAH and Mr. PITTMAN addressed the Chair.

The PRESIDING OFFICER (Mr. SHORTRIDGE in the chair). Does the Senator from Wisconsin yield, and if so, to whom?

Mr. LENROOT. I yield first to the Senator from Idaho.

Mr. BORAH. I want to say that in my opinion article 2 of this treaty and article 10 of the League of Nations covenant contained the same moral obligation exactly.

Mr. LENROOT. Does the Senator make no distinction, then, between the guaranty of political independence and territorial integrity and the guaranty to respect and, in case of dispute, to confer?

Mr. BORAH. Here is the proposition. The Senator does not state it. We agree here that in case of aggressive action—in other words, that in case any outside power may attack our territory or the territory of Japan—then the question of territorial integrity may be involved. That aggressive action may consist of something else, but it may also consist of an attack on territory, and then the whole question of territorial integrity is involved. When that question of territorial integrity is involved, we agree under article 2 to confer as to the most efficient means to meet the situation. That is practically what we agreed to under article 10.

Mr. LENROOT. No; but the Senator has admitted this morning and has admitted many times previously in the debate that there is no obligation under article 2, moral or otherwise.

Mr. BORAH. Oh, no. I did not say not morally.

Mr. LENROOT. That is all an obligation in a treaty is.

Mr. BORAH. I said repeatedly we were under moral obligation to carry out the decision of our agent.

Mr. LENROOT. The Senator is getting away now from the proposition. I am talking about the obligation in the treaty, and that is what the Senator is talking about—that there is no obligation, moral or otherwise, to guarantee the integrity or repel that aggression, because the Senator has this very morning admitted that the United States, when such a case arises, may refuse to have anything to do with it, and there is no moral fault upon our part.

Mr. BORAH. The United States might have refused under article 10, too.

Mr. LENROOT. No.

Mr. BORAH. Let me read that article.

Mr. LENROOT. No; I do not want the Senator to get away from this proposition. We could not under article 10, without the reservation, have refused without being guilty of violating the treaty; but the Senator admits that under article 2 of the pending treaty we can refuse without any violation of the treaty; and that is the distinction.

Mr. BORAH. The same question as to whether there was anything except a moral obligation arose in the conference at the White House between the President of the United States and the Senate Foreign Relations Committee. The President of the United States took the position which is taken here that there was nothing in article 10 except a moral obligation. That matter was debated at the White House. The President always contended that there was nothing in article 10 except a moral obligation. Now I want to read what the then Senator Harding and President Wilson said to one another at that time:

Senator HARDING. The President expressed a while ago surprise that I raised a question as to the value of this compact because of the moral obligation feature. Let me premise by the statement that I look upon a moral obligation as that which the conscience of the contracting party impels. The conscience of any nation in Europe, for example, may be warped by its prejudices—racial, geographical, and otherwise. If that be true and any nation may put aside or exercise its judgment as to the moral obligation in accepting any recommendation of the league, really what do we get out of this international compact in the enforcement of any decree?

The PRESIDENT. We get the centering upon it generally of the definite opinion of the world, expressed through the authoritative organs of the responsible Governments.

The President of the United States placed precisely the same construction upon article 10 of the League of Nations covenant that the supporters of this treaty are placing upon article 2; but the Republican side of the Chamber refused to accept that construction. Why? Because they said that the Nation could not disregard its moral obligations without traveling the path of dishonor. I read further:

Senator HARDING. Would it not be quite as moral for this Republic itself to determine its moral obligations?

The PRESIDENT. Undoubtedly, Senator; but in the meantime the world would not have the knowledge before it that there will be concerted action by all the responsible Governments of the world in the protection of the peace of the world. The minute you do away with that assurance to the world you have reached the situation which produced the German war.

Here is the point:

Senator HARDING. What becomes of our standing among nations if the council fixes a moral obligation upon us and we reject the judgment of the council as to the moral obligation?

What I ask is, What becomes of this Nation if our representatives agree to use force and we reject the obligation? It is the same question exactly that was presented in the League of Nations debate, nothing less and nothing more.

Mr. LENROOT. Mr. President, I had supposed that the question of moral and legal obligations, so far as treaties are concerned, was well settled and accepted by every Senator in the

long debate upon the Versailles treaty. I had supposed that it was an accepted doctrine, accepted by the Senator from Idaho, that all treaty obligations are moral obligations. They are nothing but moral obligations, and can not be anything other than moral obligations. But, Mr. President, I do not want the Senator from Idaho to get away from the proposition now before us. We are arguing now as to whether or not there is any obligation in the pending treaty to use force. The Senator from Idaho has admitted there is not. Therefore the United States will be free at any time in the future to take any such action as it may see fit, and if the action involves war there is no moral obligation, as there was in article 10, but the Congress of the United States will decide that question when it arises, absolutely free from any treaty promise whatever.

Mr. BORAH. Was there any obligation in article 10, except a moral obligation?

Mr. LENROOT. Certainly not. I have said that all treaty obligations are moral obligations.

Mr. BORAH. Precisely. Then we are in the same position that we would be under article 10. If there was no obligation under article 10 except a moral obligation, and there is no obligation under this treaty except a moral obligation, so far as the obligation is concerned we are in precisely the same position under both instruments.

Mr. LENROOT. No; Mr. President.

Mr. BORAH. And we are in just the same position in another respect. If our representatives upon the council of the League of Nations had decided upon the use of force, everybody conceded in the debate upon the treaty that the Congress of the United States would have a right to reject that decision if they wanted to, but we all considered upon this side of the Chamber that it would be an act of moral dishonor if we did so.

Mr. LENROOT. The trouble with the argument of the Senator from Idaho is that in the League of Nations under article 10 the whole jurisdiction of the council was to determine how there should be carried out an obligation which existed by the very terms of the treaty; they were to advise how that obligation was to be carried out; but the Senator from Idaho now admits that there is no obligation in the pending treaty. Therefore, our representative in the conference is under no obligation whatever to give any kind of advice. So, Mr. President, it leaves the United States, when the time arrives, absolutely free to settle this question, if it be one of war, free from any prior moral obligation by the war-making power of the United States, which is the Congress of the United States.

Mr. BORAH. Mr. President, so far as—

Mr. LENROOT. My time is running short, and I should like to conclude.

Mr. BORAH. Just one word, and then I shall not bother the Senator any more. Article 10 of the League of Nations provides that—

In case of any such aggression, or in case of any threat or danger of such aggression, the council shall advise upon the means by which this obligation shall be fulfilled.

Advise; simply advise.

Mr. LENROOT. Exactly, "this obligation"; but here there is no obligation. That is the difference.

Mr. BORAH. Mr. President, we have an obligation to carry out the terms of our representative's act, have we not?

Mr. LENROOT. I am surprised at the Senator from Idaho. Article 10 of the League of Nations, the Senator must admit, expressly laid upon the United States an obligation and a guaranty.

Mr. McCORMICK. Mr. President, I suggest that the Senator read the first sentence of article 10. I am not enamored of this treaty, as the Senator from Idaho knows, but I can see a distinction between the pending treaty and article 10 of the League of Nations covenant.

Mr. BORAH. I know the Senator from Illinois is not enamored of the pending treaty, and I am sorry he has as much "enamoredness" for the treaty as he has.

Mr. McCORMICK. There are sometimes "marriages of convenience."

Mr. LENROOT. The Senator from Idaho must admit that in article 10 there is an obligation to guarantee territory.

Mr. BORAH. All that article 10 provides for is advice.

Mr. LENROOT. No; the Senator is again mistaken.

Mr. BORAH. Article 10 says "shall advise upon the means"; that is the language used.

Mr. LENROOT. Article 10 provides for a guaranty on the part of the United States of the territorial integrity of every other member of the league. I think the Senator from Idaho is one who took the position which I took—that, irrespective of that advice, if there was external aggression affecting territorial integrity, the moral obligation was imposed upon the

United States to send such men and ships as might be necessary to preserve that territorial integrity.

Mr. BORAH. Mr. President, I know that one position which the Senator took was that we were permitting one representative sitting in the council of the League of Nations to place us in a position where we were morally bound to do whatever he said. That is precisely what we are doing under article 2 of the pending treaty. We are placing in the power of one man to decide whether we shall have peace or whether we shall have war. We may, if he decides for war, reject that decision; so might we have done under the League of Nations, but we could not have done so honorably.

Mr. LENROOT. Mr. President, again I must merely repeat that under the League of Nations covenant what the representative was authorized to do was to advise how an existing obligation should be carried out. Now, the Senator from Idaho admits, as I contend, that there is no obligation in the pending treaty to use force, and therefore, it seems to me, with all due deference to the Senator from Idaho, that the case attempted to be made by the opponents of the treaty has fallen to the ground. I am very glad that the opponents of this treaty have not now the assistance of the Senator from Idaho in their construction of it.

Mr. PITTMAN. Mr. President—

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

Mr. LENROOT. I yield.

Mr. PITTMAN. There is the same obligation in the four-power treaty as there was under the league covenant.

Mr. LENROOT. Oh, Mr. President, if the Senator wants to ask me a question, very well; I will yield; but I am not going further to argue a question that is so plain. If the Senator says that there is the same obligation under the four-power treaty as there is under article 10 of the League of Nations, I want to suggest to the Senator that I can not argue such a proposition as that.

Mr. PITTMAN. Will the Senator be so condescending as to permit the reading of the preamble of the treaty he is discussing?

Mr. LENROOT. No; I do not care to permit that to be done; it is perfectly plain to everybody, and I have discussed that at great length.

Mr. PITTMAN. It states emphatically that the treaty is entered into for "the maintenance of their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean."

The whole object of the treaty is to maintain their rights and their possessions.

Mr. LENROOT. Certainly.

Mr. PITTMAN. Is there not an obligation in that respect?

Mr. LENROOT. I have discussed that at great length in times past. I do not desire to take any credit to myself for that, but I have called attention to the clear harmony between the articles of the treaty and the preamble, and stated that, in so far as we did respect the rights of other nations we did maintain the peace, and in so far as we came to friendly understandings, we did to that extent maintain their rights; but for any Senator to undertake to read a guaranty into the preamble of the treaty, while he may do so if he desires, I do not care to argue further any such proposition as that.

Mr. President, it has been asserted—it was asserted quite vigorously yesterday—with reference to article 1 that the provision that in case of dispute there shall be a conference of the four powers or that there shall be an invitation extended to the other parties to confer about the matter, to whom it shall be referred for consideration and adjustment, involves an arbitration, and that such proceeding is subject to all the rules of an arbitration, and there being no rules provided in the treaty itself, that the representatives of the different powers at the conference may make their own rules and may determine that the question shall be settled by a majority vote.

Mr. President, it so happens that our own Supreme Court has had occasion to consider that very question involving the construction of the word "adjustment" and as to whether a reference for "adjustment" can be said to be an arbitration. In the case of Gordon against United States, reported in Seventh Wallace, page 188, the court delivered an opinion bearing on that point. In that case there was under consideration an act of Congress which was passed in 1848 for the relief of certain claimants against the Government and "authorizing and requiring the second auditor of the Treasury Department to examine and adjust"—note the words—"their claims on principles of equity and justice, having due regard for the proofs for the value of the property taken or destroyed, providing that the

said representatives should be paid for the same out of part of any money in the Treasury not otherwise appropriated."

That act was afterwards amended to place the same power and duty with the Secretary of War. After an adjustment had been made and the claims allowed by the Secretary of War, something like a year afterwards, the entire legislation was repealed and Congress annulled the action theretofore taken in so far as it could do so.

The claim was made in the Supreme Court of the United States that this was in the nature of an arbitration; that the adjustment had been made by the regularly constituted authority of the Government, and therefore the claimants had a vested right. With reference to that, and in denying that contention, the court said:

In order to clothe a person with the authority of an arbitrator the parties must mutually agree to be bound by the decision of the person chosen to determine the matter in controversy. The resolution under which the Secretary assumed to act did not authorize him to make a final adjustment of the matter embraced in it.

And so forth.

But, Mr. President, with reference to the language used in article 1, the draftsman of this treaty simply followed the plain, elementary rules of international law, and of course he must be presumed to have known that in providing for a conference the things that could be done in that conference would be governed by the rules of international law touching conferences. I am glad again to have the Senator from Idaho agree this morning, in distinction from those who have insisted that a majority of the conferees could bind the United States, that the United States can not be bound in such a conference unless we ourselves agree to it. In making that statement the Senator from Idaho has simply stated the well-settled rule of international law, and yet it has been deliberately stated upon this floor that if we entered into that conference we can be bound by the action of the conferees by a majority vote.

I read—and I shall read very briefly—from Oppenheim's International Law, the chapter upon "Congresses and Conferences." He says:

International congresses and conferences are formal meetings of the representatives of several States for the purpose of discussing matters of international interest and coming to an agreement concerning these matters. As far as language is concerned, the term "congress" as well as "conference" may be used for the meetings of the representatives of only two States, but regularly congresses or conferences denote such bodies only as are composed of the representatives of a greater number of States.

Now, note the language that he uses as to the object of international conferences:

For the purpose of discussing matters of international interest and coming to an agreement concerning these matters.

That is the object, and of course that is substantially the language that is used in article 1 of the present treaty. It provides for a conference at which they are to consider these matters and to come to an agreement if it is possible to do so.

As to whether, where a matter is submitted to an international conference, a majority vote can bind any one who dissents, I read from page 512:

It is usual—

The author says—

but not obligatory, for the Secretary for Foreign Affairs of the State within which the congress meets to be elected president. If the difficulty of the questions on the program makes it advisable, special committees are appointed for the purpose of preparing the matter for discussion by the body of the congress. In such discussion all representatives can take part. After the discussion follows the voting.

Now—

The motion must be carried unanimously to consummate the task of the congress, for the vote of the majority has no power whatever in regard to the dissenting parties.

Mr. President, I hope we have now heard the last in this debate of any claim that if the United States enters into a conference under article 1 a majority in that conference can bind the United States. I repeat that I am glad to have the view of the Senator from Idaho—whom it is casting no reflection upon to say that he is the leading opponent of this treaty—

Mr. BORAH. Oh, no.

Mr. LENROOT. I am glad to have the view of the Senator from Idaho that an acceptance by the United States is required in order that the United States shall be bound by any adjustment at such a conference.

Mr. BORAH. Under the League of Nations we would have had to have a unanimous vote, would we not?

Mr. LENROOT. Yes.

Mr. BORAH. That is it, exactly. There was no fight on that proposition in the league contest.

Mr. LENROOT. No; but the Senator knows that this contention has been made on this floor.

Mr. BORAH. Of course the Senator from Idaho can not possibly represent anybody's views but his own—

Mr. LENROOT. Certainly not.

Mr. BORAH. And not even those very well.

Mr. LENROOT. Very well.

Mr. BORAH. But I never contended for a moment that we could make a treaty which would take away from the Congress the power to declare war.

Mr. LENROOT. I know that.

Mr. BORAH. No; and I never contended that if we entered the league a majority could bind us and that we would have to consent. What I contended was that if our representative did consent, the Congress of the United States was morally bound to carry out his decision; and that is precisely the position which I take with reference to article 2. If our representative consents, we are morally bound to carry out his decision.

Mr. LENROOT. Mr. President, I shall only repeat what I have heretofore said. Apparently the Senator from Idaho did not read in article 10 any obligation to guarantee the territorial integrity of the other members of the league. He cast that aside, when it seems to me that it must be entirely clear that in article 10—and that is the distinction between this treaty and the Versailles treaty in that respect—there was an express obligation to do everything that was necessary to preserve the territorial integrity of the other members of the league from external aggression, and that all that our representative would have to do was, in conference with others, to advise upon the means of carrying out the obligation. But, Mr. President, if they never advised at all, if they did not come to any unanimous decision, the obligation of the United States would remain just the same and we would be under the moral obligation, though no advice was ever given, to use all the soldiers and all the ships that were necessary in order to carry out the obligation that we had solemnly entered into, when, as I say, the Senator from Idaho now admits that there is no such obligation in the pending treaty.

Mr. BORAH. Mr. President, I am not going to debate this matter at present. I simply want to call attention to one matter, because I did not want to trespass too long upon the time of the Senator from Wisconsin.

As I see it, the moral obligation under article 2 of this treaty is precisely the same moral obligation that there was under article 10, and particularly article 11 of the League of Nations covenant. President Wilson always took the position that there was never anything but a moral obligation to carry out either article 10 or article 11. That was his contention before the Foreign Relations Committee—or, rather, when the Foreign Relations Committee was before him—and also his contention in all his addresses throughout the Western States, that there was simply a moral obligation.

Mr. GLASS. Mr. President, to make the point more emphatic, he stated explicitly that he so said to the peace conference when they were considering the Versailles treaty.

Mr. BORAH. Precisely; and, therefore, so far as the obligation upon the part of the United States was concerned, there is no difference between the obligation here and the obligation under article 10, because they are both nothing more than moral obligations.

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

Mr. BORAH. Yes.

Mr. LENROOT. I should like to ask the Senator a question. Does he think there is any legal obligation at all in international relations? Are not international obligations moral obligations?

Mr. BORAH. In the sense that there is no sanction behind them except that of the discretion of the nation of course that is true; but if that is true, then we come back to the original proposition that there is no difference between this obligation and that of the League of Nations, because if there can not be anything but a moral obligation, then there was not anything in the League of Nations but a moral obligation, and so it is here.

But let me read you article 11 of the League of Nations covenant. Article 11 was accepted by all the Republicans who finally were willing to take the treaty of Versailles with reservations. Article 11 says that:

Any war or threat of war, whether immediately affecting any of the members of the league or not, is hereby declared a matter of concern to the whole league, and the league shall take any action that may be deemed wise and effectual to safeguard the peace of nations.

There is a remarkable similarity between the principle involved in article 2 and the principle involved in article 11, because certainly if there was aggressive action upon the part of an outside power against Japan or against England there would be a war or a threat of war, and in case of aggressive

action or a threat of war the league would take such action as it deemed wise, and in case of a war or threat of war or aggressive action here the conferees, whether by writing to one another or by talking to one another, will take such action as they deem wise.

Under article 11 we would be under a moral obligation to carry out whatever they had unanimously decided upon, and under article 2 we are under a moral obligation to carry out whatever they unanimously decide upon.

Although I know there were others who differed with me, in my contention I assumed all the time that under the league our representative would have to agree to the program; but what I contended against specifically at that time, and what I contend against now, is that we were delegating to one representative upon the council of the league the power to determine upon the most efficient measures to guard the peace of the world, and that if he determined upon a particular measure we were under a moral obligation to carry out whatever he determined upon. As I see it, precisely the same obligation and the same power to decide rests with our agent under article 2.

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

Mr. BORAH. Yes.

Mr. LENROOT. Has not the Senator admitted many times that we are under no obligation to send any agent under article 2—that the understanding, if any is reached, will be reached by the constitutional authorities?

Mr. BORAH. I have said many times that it does not make any difference whether you write a letter or whether you talk to a man. Whether you write a letter or whether you talk to him face to face, you finally come to an agreement, you finally come to an understanding by which all the powers will agree to take a certain course under article 2. I do not care whether they write letters or whether they talk to one another; if they do agree, precisely the same moral obligation exists that existed under article 11 of the League of Nations covenant.

Mr. President, it so happens that article 11 is the one article under which the League of Nations has practically carried on all its actions since it has been in existence. It has never, to my knowledge, invoked article 10. It did in two instances invoke article 11; and when it invoked article 11 and acted under it, in my judgment it was acting under the identical principle that is contained in article 2 of the pending treaty. I remember, too, that Mr. Hughes—then in private life, now Secretary of State—was always in favor of article 11. He was willing to take article 11 without any change or modification whatever, and in my humble judgment there is not a particle of difference between article 2 and article 11 so far as the principle is concerned; and if article 11 is good, then article 10 is unnecessary.

I read further from article 11:

In case any such emergency should arise the secretary general shall, on the request of any member of the league, forthwith summon a meeting of the council.

It is also declared to be the friendly right of each member of the league to bring to the attention of the assembly or of the council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends.

If it be contended that there was an implication of the use of force under article 11, it is clear to my mind that there is an implication of the use of force under article 2; but I always regarded the objection to article 11 as consisting of the fact that we were delegating to one man the question of determining upon a program which might involve us in war.

We are now delegating to one man, the Secretary of State, or whoever may represent him, either in person or by letter, the power to determine as to the most efficient measures to meet the exigency. What exigency? An attack upon the territorial integrity of Japan, an aggression upon Japan, the same as under article 11 of the covenant of the League of Nations.

Mr. GLASS. Mr. President, just on that point, to meet what sort of aggression, an aggression provoked by what considerations? The Senator from Wisconsin says that there is no obligation in this treaty to maintain the territorial integrity of the parties to the treaty.

Mr. BORAH. I do not agree with that view of the Senator from Wisconsin.

Mr. GLASS. What is the purpose of the treaty?

Mr. BORAH. I said a moment ago that in my opinion there is just as much obligation to maintain territorial integrity as under article 10 of the league covenant, because if the aggression takes place, then we are called into conference, and called there for the purpose of meeting the aggression. We may meet it one way or we may meet it in another, but we are there for the purpose of meeting the aggression.

Mr. ROBINSON. The usual way of meeting it is by force, by counteraggression, is it not?

Mr. BORAH. Yes; it is.

Mr. ROBINSON. If one nation attacks another with military force, the nation attacked usually considers no other method than the best means of marshaling military force to resist it.

Mr. PHIPPS obtained the floor.

Mr. GLASS. Mr. President, the Senator from Wisconsin emphasized the fact that article 10 of the covenant bound us to maintain the territorial integrity of the members of the league. So I say this treaty binds us to maintain the territorial integrity of the four contracting parties. What is the purpose of the treaty if that is not its object? It is stated in the very first paragraph, where it says:

With a view to the preservation of the general peace and the maintenance of their rights in relation to their insular possessions and insular dominions.

That means the maintenance of their territorial integrity, and not only of their territorial integrity but the maintenance of their rights, indefinable rights. It goes even further than article 10 of the League of Nations covenant.

Mr. LENROOT. Mr. President—

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

Mr. PHIPPS. I yield.

Mr. LENROOT. May I ask the Senator from Virginia whether he takes the position that a man can not make a contract whereby, in order to carry out certain purposes, he agrees to do certain things, without being obligated to do other things which are not found in the contract?

Mr. GLASS. When a man enters into a contract he is morally bound to observe the very purposes he avows in that contract at the outset, and the major purpose of the contract is to maintain the territorial integrity and rights of the contracting parties. We proceed to set up an agency for the purpose of carrying out the avowed object of this treaty. Then can we say that if our agent commits us to the use of force there is no moral obligation upon this Nation to use force, but that under the covenant of the league there was a moral obligation? Mr. President, that is a legal refinement and quibble that is beyond the discernment or comprehension of a man of ordinary intelligence who does not belong to the legal fraternity.

Mr. LENROOT. Will the Senator from Colorado yield for just one statement?

Mr. PHIPPS. I yield.

Mr. LENROOT. I believe there is such an institution known as the Wilson Foundation. According to the argument of the Senator from Virginia, if he subscribes \$1,000 the purpose of which was to establish the Wilson Foundation, to carry out his view of it, he would be obligated to contribute every dollar he had in order to carry out the purpose, if it was necessary.

Mr. GLASS. Oh, Mr. President, that is childish, if the Senator will excuse me.

Mr. LENROOT. I have offered a childish argument because I thought, perhaps, it would be necessary.

Mr. GLASS. The Senator said he could not argue this proposition, and I quite agree with him that he has not argued it, whether he can or not; but there is the avowed purpose of this four-power pact. It is to maintain the possessions of the signatory nations, and it defines the processes whereby we are to reach conclusions as to the most efficient means of maintaining the possessions and rights of the signatory powers.

Mr. PHIPPS. Mr. President, may I inquire whether the Senator is speaking in his own time or in my time. I thought I was recognized some minutes since.

Mr. GLASS. I thought I was speaking in the time of the distinguished Senator from Idaho. It was that Senator whom I interrupted. I did not observe that the Senator from Colorado was even on his feet.

The PRESIDING OFFICER. The Chair has repeatedly stated that the Senator from Colorado has the floor.

Mr. GLASS. I did not hear the Chair.

Mr. PHIPPS. I did not desire to take the Senator from the floor if he had not concluded his statement. I am perfectly willing to yield, and I might be willing to yield in my own time, if he had not concluded.

Mr. GLASS. I will say what I have to say in my own time.

Mr. BORAH. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. BORAH. I just want to find out for future exigencies how much time I have absorbed in this interchange of views. Is any time charged to me at all?

Mr. GLASS. I beg the Senator's pardon if I encroached upon his time, because I am sure he occupies it to very much better advantage than I could.

Mr. BORAH. I am perfectly willing for the Senator to have it charged to my time, but I want to know how much time I have left.

The PRESIDING OFFICER. Replying to the Senator's inquiry, the Chair will state that the Senator has consumed 10 minutes of the time allotted to him under the unanimous-consent agreement.

Mr. PHIPPS. Mr. President, as I desire to take only a few minutes of the time of the Senate, I prefer to proceed with my statement until its conclusion without being interrupted, after which I shall be very glad to endeavor to answer any questions which may be propounded.

Mr. President, I hesitate to address myself even briefly to the pending treaty in view of the lucid and convincing statements made upon this floor by the distinguished Senators who are deeply versed in international affairs. However, because of the far-reaching importance of this subject, a few words may not be out of place.

The terms of the four-power pact are plain. Article 1 provides that the "parties agree as between themselves to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean." Who will urge that the United States should not respect the territorial rights of other nations? What objection can we have to the agreement on the part of other nations to respect our rights in the Pacific, if they care to enter into such an understanding?

Note that there is no sanction, no obligation, to resort to arms; no agreement to use force should controversies arise between any of the parties regarding their possessions. In such cases, where the matter is not satisfactorily settled by diplomacy, "they shall invite the other high contracting parties to a joint conference to which the whole subject will be referred for consideration and adjustment." That is all.

Mr. President, I have given this matter conscientious consideration, and yet I can not possibly read into this language, so simple and explicit, anything which would justify dark and gloomy forebodings or raise the fear of future complications leading to war.

Article 2 is also self-explanatory. In case of aggressive action in the Pacific on the part of any nation other than the signatories, the parties "shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation." This article can not properly be construed as creating an alliance, offensive or defensive in its nature—as doing anything, in other words, which would bind America to any line of warlike action at any future time. The obligation is merely to "communicate fully and frankly."

What is the real significance of the four-power treaty? Its terms are simple and easily understood, but what of its effect? Has the pact any power for permanent peace among nations? I think so. In fact, I am convinced that the work of the Washington conference, which centers around this treaty, has done more toward establishing a better understanding and friendly relationship among nations than any other single event in history.

It has been reiterated upon this floor and elsewhere that this document contains no commitment to armed force, and it has been urged that it is, therefore, a meaningless thing, without force or effect. But the fact alone that four powers such as these have placed implicit confidence and trust in each other is sufficient to create a great moral power for peace in the world. The whole spirit of this agreement gives the lie to jealousies and suspicions and tends to promote friendly cooperation among those who have signed it. As stated by the senior Senator from Massachusetts:

This is an attempt to remove causes of war over a great area of the globe's surface by reliance upon the good faith and honest intentions of the nations which sign this treaty, solving all differences through the processes of diplomacy and joint consideration and conciliation.

The trite saying that 90 per cent of all business transactions are conducted on faith is generally admitted to be true. It would be even more accurate to say that no treaty ever entered into between two or more nations was disregarded if it had been written and signed in all good faith and that same intent continued in the disposition of the signatory powers. Have we so soon forgotten the sad story of the wrong done Belgium in the year 1914, when a solemn treaty involving her was broken without fair notice or warning? Continued good faith

on the part of Germany would have saved her from the disgrace which became her portion.

The four-power treaty is valuable because of its subject matter. It was generally recognized after the Great War that trouble in Europe on a large scale was not to be expected for many years, but that in the Far East conditions were different. The Pacific was likely to prove a fruitful source of suspicion, of danger, and of warfare. Hence, a pact such as this whereby the nations chiefly interested express their willingness to confer freely and frankly should disputes arise will help to establish confidence and good will and to maintain permanent peaceful relations in that part of the world.

In this connection the four-power treaty expressly terminates the agreement made in London on July 13, 1911, between Great Britain and Japan, known as the Anglo-Japanese alliance, which might prove dangerous to the United States. No argument is necessary to show the value of the provision contained in article 4, which does away with this old agreement. Here was a real alliance. The great difference between the present treaty, an agreement to confer, and the Anglo-Japanese pact, an alliance offensive and defensive, is clearly brought out by a comparison of articles 1 and 2 of the four-power treaty, already quoted in large part, with article 2 of the old agreement between Great Britain and Japan, which reads:

If by reason of unprovoked attack or aggressive action, wherever arising, on the part of any power or powers, either high contracting party should be involved in war in defense of its territorial rights or special interests mentioned in the preamble of this agreement, the other high contracting party will at once go to the assistance of its ally, and will conduct the war in common and make peace in mutual agreement with it.

Note the alliance, Mr. President; note the agreement to be bound to resort to military and naval action at some future time. To my mind there is no similarity between the terms of the two treaties. A peace pact is being substituted for a war alliance.

Again, this treaty should be ratified because around it revolves the whole program of the Washington Conference on Limitation of Armaments. It would be the height of folly to disarm, even in part, without removing as far as possible the causes of future wars. It would be most unwise to agree to limit our armaments or to abandon our proposed naval program while a compact such as the Anglo-Japanese alliance remained in existence. I believe in the effective work of the Washington conference; I intend to support each one of the treaties proposed as a result of that international gathering; and yet I think the whole program would fail if this four-power pact should not be ratified.

Senators, make no mistake. Our citizens are in earnest regarding this pact. Americans are a plain, practical people and can not see any force in the fancied objections which have been raised by some. They do know that there is a vast difference between this simple treaty and the dangerous world commitments and entanglements of the complicated treaty of Versailles. They do know the men who represented the United States at the conference table and have the utmost confidence in them. Our people have been assured in most solemn language that this document makes for peace and that America's rights have been most jealously safeguarded. For that matter, the public has been given the principal details of the negotiations. The treaty itself has been carefully studied from all angles. Our citizens are satisfied with the work of the Washington conference and have called it good.

To summarize: This treaty should be ratified because:

1. In place of warlike preparations it provides for conferences and calm consideration of the difficulties arising between nations, and its moral effect is therefore profound.
2. It furnishes a means for the settlement of questions involving the Pacific, a potential source of danger.
3. It terminates the menacing Anglo-Japanese alliance.
4. It is the pivot around which the work of the Washington conference revolves; and,
5. It meets with the approval of the people of the United States, of whom we are, in part, the representatives.

Mr. President, it is significant that shortly after President Harding submitted these treaties to the Senate he appeared before the Congress with a practical program for the expansion of our merchant marine. That was no idle coincidence. The program of the present administration, and let us hope of administrations to come, is to encourage the arts of peace, to build up American industry, American agriculture, American commerce, and to discourage military and naval ambitions. We shall substitute "trade, the calm health of nations," for the devastating disease of war. We shall proceed, not with our heads in the clouds, but along the beaten highway, working out our ideals, as did our representatives at the conference, along

practical lines and with proper regard for American interests and traditions.

These agreements, which furnish the proper impetus, propose practical methods of keeping the peace among nations, based, as they should be, upon the honor and good faith of the signatories, and will also prevent the huge expenditure of the Nation's assets for war purposes. Not only does the United States save \$68,000,000 in her Navy bill for the coming fiscal year despite the reimbursement which must be made to contractors; not only will there be greater savings in the years to come; but also—and this is much more important—there will not be the dreadful toll of suffering, hatred, and death which comes with the dogs of war.

Mr. President, I hold in my hand a photostat reproduction of the front page of the Illustrated London News, issue of Saturday, June 5, 1909, and desire to call attention to the following inscription which appears beneath the portrait of Mr. Andrew Carnegie and his good wife:

Mr. Andrew Carnegie, ever desirous that the nations shall live in love and charity with their neighbors, proposes that an international conference for the limitation of armaments shall be called, and suggests that the call shall be made by the United States.

I quote as follows his statement made to a newspaper correspondent at that time:

I find Europe in a ferment and nations gone "dreadnought mad." Italy has just decided to spend on battleships many millions of pounds which she can ill spare. Austria has embarked on the same insane program; while France has resolved on no fewer than 38 sea monsters as necessary to her security. All this is caused by German and British rivalry. Now this is not merely a spectacle for the United States of America to marvel at, but it has a direct and vital interest for us. Our country is necessarily about to be drawn into the vortex, and it has become a pertinent question whether it is permissible that any two nations should involve the other chief nations in this mad rivalry or doom them to a practically defenseless state.

Mr. President, I feel that I may properly take this occasion to pay my slight tribute to the memory of an outstanding man and dear personal friend, who devoted his every effort to advance the cause of peace among the nations of the earth. Mr. Carnegie's untimely death was undoubtedly hastened by brooding over the terrible effects of the Great War, which devastated large areas of Europe, and which was only brought to a conclusion through the assistance of our armed forces.

Mr. President, the United States has assumed her rightful position among the leading nations of the world, and by precept and example can accomplish much in the great work of bringing about "peace on earth, good will toward men."

Mr. ROBINSON. Mr. President, it must be surprising to those who attend the debates of the Senate relative to the ratification of the pending treaty to observe how varied and confusing are the constructions placed upon the meaning and the effect of the language employed. Some Senators, unqualifiedly advocating the treaty, declare it to be an alliance and express their emphatic opposition to the reservation expressing the understanding of the United States that the treaty contemplates no alliance. Other Senators say that they support the treaty because it is perfectly clear to them that no alliance is contemplated by its terms, and that no obligation, moral or otherwise, is implied in the treaty to exercise force to carry out the conclusions and purposes of the parties who are signatories to it.

Other Senators have indicated their intention to vote against the resolution to advise and consent to the ratification of the treaty because they assert that under the terms there are implied involvements which might make it the duty of this country to engage in war against the opinion of the Congress of the United States.

That there exist grounds for differences of opinion concerning the true interpretation and effect of the treaty, it appears to me is conclusively established by admitted circumstances. First, the conference which negotiated the treaty found it necessary, or, if not necessary, found it advisable to interpret the meaning and effect of the language employed in two particulars.

Second, the conference which negotiated the treaty found it necessary to negotiate a supplementary treaty explaining the terms of the main instrument to mean something very different from what the language employed was admitted to mean without the interpretation carried in the supplementary treaty.

In the third place, the Committee on Foreign Relations reported the reservation of the Senator from Connecticut [Mr. BRANDEGEE] expressing the understanding of the United States to be that this treaty really means no alliance and no commitment to the use of force.

So we find those who are responsible for the negotiation of the treaty and for the resolution proposing its ratification have admitted the existence of ambiguities and the necessity or advisability of explanatory reservations. Whatever may be the

true interpretation of the instrument, all Senators must admit that it is desirable and wise to secure in advance of the ratification of the treaty, if possible, an interpretation that is acceptable to the governments which are parties to the treaty.

When two or more persons enter into a contract, the first requirement in the law is that there shall be a meeting of the minds of the contracting parties; and if one party understands the instrument differently from the other, it may result that no contract is, in fact, entered into. Since it is perfectly apparent that the American delegates themselves thought the treaty needed explanation, and in order to make clear its terms recommended a reservation; since after debate extending over a period of several days there exist among able lawyers in the Senate great differences, irreconcilable differences as to what the treaty really means and what may occur under it, how can any person who is actuated by good faith, whether that person be a Senator or merely a citizen, oppose a policy that would clarify the meaning of the treaty so that Senators may know and understand and agree as to what that meaning is, and so that the other parties to the treaty may reach a mutual and common interpretation of the provisions and effects of the instrument?

Mr. WATSON of Georgia. Mr. President—

Mr. ROBINSON. I yield with pleasure to the Senator from Georgia.

Mr. WATSON of Georgia. The Senator from Illinois [Mr. McCormick] reminded us a few days ago that the enlarged maps showing distances, which are now in universal use, were first introduced by Lord Salisbury, who has been dead for some years. Can the Senator from Arkansas explain to the Senate and the country how it came about that our representatives at the Washington conference did not know of the relation of the enormous island of Sakhalin to the mainland of Russia, and also the tremendous importance of Singapore, which is not on the Pacific Ocean at all but on the China Sea?

Mr. ROBINSON. Mr. President, I have said on another occasion that it is incomprehensible to me that any delegate should have signed this treaty without first ascertaining the relationship of the territories affected by the treaty to the controversies that already exist. The Japanese islands, including the island of Sakhalin now in its possession, occupy such a position in relation to the continent of Asia that it would be a physical impossibility for any nation to approach an Asiatic port in the Pacific coast without passing through what Japan claims to be Japanese waters. The importance of the island referred to by the Senator from Georgia, considered from a strategic or military standpoint, can not be doubted. To our amazement we are informed that no consideration whatever was given to that subject by the American delegates when they signed this treaty; to our astonishment we are told that no consideration whatever was given by the American delegates when they signed this treaty to the fact that its provisions embraced the mainland of the Japanese Empire.

No explanation has been offered by any Senator satisfactory to a student mind why, if the inclusion of the mainland of Japan was immaterial in the first instance, it became of such great importance that the conference concluded it necessary to report a supplementary treaty taking the mainland of Japan out of the provisions of the treaty.

Mr. President, in my opinion this treaty when ratified in its present form will not promote peace and harmony and justice among the nations which are primarily interested in the regions of the Pacific Ocean. It seems to me to be elemental that all persons interested in a controversy should be given an opportunity to engage in a conference which convenes for the purpose of effecting a harmonious settlement of that controversy. If the principle thus expressed is applicable to the affairs of individuals, how much more applicable must it be when the affairs, the interests, the territory, and the rights of nations become involved?

Underlying the Asiatic problem is a condition with which all Senators are familiar, but which they seem to be loath to discuss. We know, notwithstanding the fact that Korea allied herself with Japan for the defeat of Russia, that, in violation of treaty agreements and every principle of international justice, Japan took possession of Korea, oppressed her citizens, and still maintains oppressive control of Korea. While Japan was doing that the United States, though under an express obligation to respect and to assist in safeguarding the territory and independence of Korea, tacitly consented to her ravishment. We know that Japan, in pursuit of a policy of expansion, has gone into Manchuria, Mongolia, Shantung, and Siberia.

Mr. President, the Japanese mainland is densely populated, and Japan believes that a policy of overflow or expansion must be provided for if her people are to continue existence, much

more if they are to prosper. The United States has not wanted Japanese immigration and Great Britain has not encouraged the coming of Japanese into her colonies; but Great Britain has recognized the necessity for Japanese expansion, and she apparently has been content that Japan should overflow into Asiatic territory. It is not my purpose to enter into a discussion of racial controversies. Neither treaties nor statutes can eliminate from the habits and principles and lives of men those inherent differences that grow out of what we politely call race prejudices. Great Britain and the United States are unwilling to recognize the doctrine of race equality long boldly asserted by the leaders of the Japanese Empire.

They have been content, it seems, to witness Japanese penetration into territory inhabited by peoples of the Caucasian race so long as Japan, in the process of expansion, has not trespassed upon American or upon British territory. Japan has adopted a policy of expansion, as she defines it—of aggression, as her enemies term it—out of a desire for economic advantage, if not out of a desire to overcome economic necessity. Japan is lacking in her mainland and her other islands in the production of certain essential products and materials. She has found that she produces a very limited quantity of certain fundamental materials without which she can not make rapid progress and without which she could not maintain herself during war.

Take, for instance, petroleum. Japan produced in 1918 2,500,000 barrels of petroleum, an essential fuel. The world product that year was 525,000,000 barrels, and of the total amount the United States produced 360,000,000 barrels. Japan, therefore, is clearly dependent upon the United States and upon Great Britain for the petroleum necessary in the conduct of her activities. Japan, it is explained, could supply her war requirements of petroleum for a period of only 30 days.

Another illustration is coal. The annual production of coal in Japan prior to the acquisition of Chosen, or Korea, was 21,000,000 tons. Korea increased that amount 7,000,000 tons. In Manchuria, particularly in the Fushun district, she acquired almost unlimited quantities of coal, and in Shantung other supplies of coal became available. Japan, therefore, under present conditions, if she maintain herself in the territory that she has taken possession of from China, is independent of the world as to the production of coal. Moreover, coal operations at Fushun make possible great and immediate increase in production through a process of stripping the surface.

With respect to iron and steel, important considerations may be mentioned.

Prior to the acquisition of Chosen, Japan's annual production was 150,000 tons per annum. This was increased to 260,000 tons, while at the same time her consumption was increased to 600,000 tons per annum. Shantung contains proven ore deposits approximating 100,000,000 tons. The total production of iron in 1913 was: Japan, 170,000 tons; Chosen, 145,000 tons; China, 425,000 tons. Thus it becomes apparent that Japan is not only dependent upon her Asiatic possessions for coal but likewise for the iron ore necessary in the production of steel for use for military and other purposes.

Japan produced within her own borders in 1918, 180,000,000 pounds of copper. In Siberia, in the regions of the Ural Mountains, she can secure all the additional copper needed in peace or in war.

With respect to platinum, Japan has access to the world's greatest supply in the Ural Mountains.

I have stated these facts to show you that the Japanese policy of expansion, begun out of what she regards to be necessity, continues to be pursued. There is not the slightest likelihood, therefore, of a reversal of the policy that Japan adopted years ago of expanding and acquiring the possession and control of territories in which are deposited minerals and other materials necessary for her prosperity and necessary for the maintenance of her engagements in case of war.

With these facts brought clearly to the attention of the Senate one can readily see the importance of the amendment which the Senate rejected a few days ago and to be proposed as in the form of a reservation, designed to give to Russia and to China, in case of conflict with any one of the four powers parties to this treaty, the right to a hearing in a conference called for the settlement of the dispute. Do not blind yourselves with the delusion that following the Washington conference Japan is going to reverse her policy, based upon what she terms economic necessity, and recede from the territory she has already taken in Korea, Manchuria, Mongolia, Siberia, and Shantung. The reason she went there in the main was not only to further the interests of her commerce, but to acquire possession of materials which she felt she needed, and without which she was dependent from both a commercial and a military standpoint. If that premise be correct, then you must know that back of her move-

ments in the Orient is the purpose of economic penetration, supported by military authority which has already made her the mistress of territory many times greater in extent than the original area of the Japanese Empire.

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

Mr. ROBINSON. I yield to the Senator from Illinois with pleasure.

Mr. McCORMICK. The motive of the so-called open-door policy, upheld by this and other Governments, I presume is no less economic?

Mr. ROBINSON. The open-door policy is not designed to give one nation paramount or dominating interests in China; and the Senator from Illinois, who is well informed on international questions—one of the best-informed men in the Senate—must know that the open-door policy originated on the part of the United States out of a desire to protect China from aggressions threatened or committed by various nations. It could have had no other justification. It could have originated for no other purpose. The open-door policy as it has finally come to exist involves two principles: First, the absolute equal right of all nations to opportunities for commerce with China; second, the agreement and guaranty of all nations engaged in commerce with China that they will respect and safeguard the territorial rights and the political independence of China.

After the open-door policy had been reaffirmed and reexpressed by the Root-Takahira agreement, and during the last war, while Great Britain and France were entering into secret engagements with Japan for a disposition of the islands in the Pacific Ocean to be conquered from the German Empire, the United States entered into an engagement in what is known as the Lansing-Ishii agreement. If you will read it you will find that, while the Lansing-Ishii agreement expressly reaffirmed the principles of the open-door policy, it contained an additional stipulation. It recognized, on account of geographical proximity, that Japan had special interests in China; and during the course of the negotiations, as disclosed by Secretary Lansing before the Committee on Foreign Relations, it was made clear that Japan insisted that "special interests" should be interpreted "paramount interests." Japan has always, at least during the last quarter of a century, taken the view that she occupies toward the Asiatic mainland something of the relation that the United States bears toward the Western Hemisphere. Japan has contended for an oriental Monroe doctrine in which the Japanese Empire should be the controlling and dominating factor. Japan's viewpoint is, and her practice has been, that she should have, and must have, from economic necessity, paramount interests in China and in Russia.

With that in mind, and with the history of her aggressions summarized, does any Senator believe that Japan, as a result of the four-power treaty, is going to reverse her traditional policy in the Orient, withdraw from the various territories which she holds and which she seized because she found it necessary to do so, and adopt a policy entirely different from that which she has pursued since she became a wide-awake nation among the peoples of the world? Japan will continue her present policy of economic penetration supported by military power. She will hold the territory seized in Siberia. The yellow race will dominate there, with cruelty unspeakable, the race to which you and I belong. Nobody pretends that Japan has any intention of early retiring from Siberia. Take into consideration the circumstances under which she seized Sakhalin, the circumstances under which she went into Siberia, the United States going with her, American and Japanese soldiers engaging in a common expedition, Japan sending many times her quota. She will not retire from her advance into Asia. Take this, Senators: Whatever may be your opinion of Japan as a nation or of the Japanese as a man, during the last 50 years you can not point in history to territory once occupied that has been vacated without compensating concessions.

Our troubles with Japan in the past have related in part to her policy respecting the Asiatic mainland. We have protested, ineffectually, against her aggressions upon Russia and China. That policy is still in force. Japanese merchants are swarming out on the mainland, into the great territory of Russia and China; Japanese soldiers, well trained and fully equipped, are carrying with them, as stated so brilliantly by the Senator from Texas last night, the politics, the religion, the purposes of the Emperor of Japan and of his Empire. Their march is always forward, forward, forward. How pitiable it seems that in this conference, where the United States was represented by men of brains and international renown, no consideration should have been given to many subjects of the greatest importance.

You can not escape here, or in the eyes of the people, who will watch your action on this treaty, responsibility for your refusal to say in the treaty that while the four dominating powers—the United States, France, Great Britain, and Japan—are banding themselves together for the protection of their rights and their possessions, and announce their purpose to make common cause against any enemy which assails them, they will not unnecessarily attack an outside power. How, I ask you, can you justify refusal to adopt the declaration, based upon sound American policy, that if Japan has a controversy with China or Russia—as she must have in the years to come; there is no escape from it—all powers concerned may assemble around a conference table and try to work out their problems?

The Senator from New Jersey [Mr. EDGE] made an astonishing declaration this morning while my colleague [Mr. CARAWAY] was speaking. He said that there is a clear implication, an obvious obligation, on the part of the high contracting parties, to invite all interested into any conference which may be called for the purpose of considering a dispute between any one of the high contracting parties and any outside power. Senators heard the declaration. My colleague used a fitting and forceful illustration to disclose the absurdity of the suggestion of the Senator from New Jersey. Under the treaty only the parties to it will confer, and this will prevent, not promote, settlement.

Take an illustration which may be well founded and justified: When the great wounded bear regains his strength and rises to strike in fury at those who have assailed him, what will he do? Russia, with 180,000,000 people, will not always be helpless. If you will read the history of the Russian people, you will realize that in their blood and in their traditions exist the wellsprings of a civilization which can not be overcome by famine, which will not be destroyed by invasion.

When Russia awakens, when she emerges from her stupor, her first act will be to order Japanese soldiers out of Siberia and off her half of Sakhalin. Then Japan will feel justified in calling a conference. Do you imagine she would consent to her associate in this treaty, the United States, conferring with her enemy, Russia? If you do not fear her refusal, then say what manhood and fairness and righteousness require you shall assert, that if a controversy arises between Russia and Japan we will sit at no table where Japan alone is represented, that we will only sit with both Japan and Russia. Throughout the course of this debate the fairness of that proposition and its importance touching the subject matter and purposes of this treaty have been asserted. No Senator, whatever his construction of the treaty, has contested the principles of the reservation, its fairness, aye, even the necessity of it.

If you refuse to adopt the provision that each of the four powers, while safeguarding their own rights and possessions, will respect the rights and possessions of other powers; if you refuse to say that all nations interested in a controversy shall join in the conference in which you participate, then you make yourself a party to the perpetuation of Japanese power and Japanese control not only over China but over Russia, inhabited by white peoples.

Why waste time in quibbling about the meaning of words? The traditional policy of the United States has been one of cordiality and friendliness toward Russia and China. This policy has given to our Government a prestige and an influence in oriental affairs in which all Americans may well take pride. In this treaty, sirs, you are abandoning that policy. In this treaty you are destroying the prestige and popularity of the United States in both China and Russia. Having yielded control of the Pacific in all naval matters, having obligated this Government not further to fortify, and having thus left American possessions in the Pacific Ocean at the mercy of the only nation on this earth likely to overrun them, you are asked now to subscribe to an engagement that if Japan is attacked by any other power you will sit with Japan and France and Great Britain in a conference which will inevitably determine the fate of that other power, and you are asked to say that the outside power shall not even be granted an opportunity of a hearing in the conference which may prove so fateful to her interest and to her destinies.

Is that American? Is it necessary? Is it justifiable to reverse the policy which this Government has pursued, proudly pursued, throughout her dealings with China and Russia, and now enter into an engagement to confer with their probable enemy and refuse conference with them? That is the big proposition, and you can not escape it.

The net result of this treaty as it is written is that Japan will dominate the Pacific Ocean and dominate the Asiatic mainland, and no matter what blood may be shed, no matter what territory may be wrested from peoples of the Caucasian race,

your Government will be powerless to protest until Japan summons you to her counsel, and then your Government's protest can avail nothing.

We have had much to say about what will be our obligation when the hour comes that Russia strikes back. What a pitiable answer it is to say that she will be too feeble and helpless to strike back within 10 years, and that at the end of that time, by giving a year's notice, we may escape the obligations of the treaty. What will happen when the United States gives notice that she terminates this treaty which Japan says is an effective alliance by which she secures three allies instead of one in substitution for the Anglo-Japanese alliance? If at the end of 10 years the United States serves notice upon Japan that she is going to quit the partnership; that she is going to pursue her own course hereafter independent of the Japanese Empire, the same feeling will exist then that arose when Great Britain sought an opportunity to escape from her alliance with Japan.

In the meantime nothing will have been accomplished of which the United States should be proud. Talk about the triumph of Christianity, liberty, enlightenment, and peace under an agreement of this character? Japan will not reverse her policy. She will continue her aggressions, and this Government will be tied, for two reasons: First, by the terms of the treaty and the obligation under it, whatever it may be, growing out of her agreement with Japan; second, by the necessity for acquiescence that must come from having stripped this Government of its power and having removed from the support of our flag the force through which it was first uplifted in the Pacific. Of what use would be a protest of the United States against the ever-continuing advance of the Japanese Empire, whether in Russia or in China, if the United States in the Pacific Ocean and in the possession of her Territories were at the mercy of Japan?

The result will be that Japan will continue her present policy with little molestation. Her arrangements with France, her relationship with Great Britain, justify that conclusion. And the United States, throughout her history the friend of feeble nations, the supporter of right, however menaced, will be powerless to raise a voice or to uplift a hand.

What glory will come to our flag by entering into this combination and denying helpless nations the right to be heard merely because they are too weak to strike? What pride can you take, sir, when you recall the circumstances under which this Republic was born? What boast can you make of your act by which you knowingly seal the doom of peoples who have been friendly to your Government throughout their history? And for what reward? For the contempt of a nation whose people do not love yours, and whose political integrity you dare not trust.

Too often we are diverted from the great proposition to the relatively significant one. Why talk about the meaning of this word or that word? Why make cavilling and technical distinctions when in the clear light of every reasonable construction and application this treaty means not peace but aggressive, merciless war waged with the acquiescence of the United States?

Mr. GLASS. Mr. President, I have very earnestly desired to be numbered among the supporters in the Senate of the four-power pact. I have wanted to vote for the treaty, first, because I had hoped it would accomplish something in the direction of universal peace. Then again I wanted to support it because I am averse to exchanging places with those Senators who are responsible for the defeat of the League of Nations purely upon partisan political grounds. I have not desired to find myself in the attitude of one who would be willing to vote against a league for peace contrived by my political adversaries for no better reason than that these adversaries had voted against the league for peace contrived and presented by an administration of my own faith. Hence, I say, Mr. President, I have very earnestly desired to ratify the work of the so-called Conference for the Limitation of Armament if I could find it at all agreeable to my judgment and conscience to do so.

It has been said that the four-power pact is in no respect akin to the League of Nations which was rejected by the Senate. I grant that it has none of the complete virtues of the League of Nations, but in one respect, at least, it has some resemblance to the league. It has been said and sought here to-day, by the most extraordinary species of casuistry to which a deliberate body ever listened, to show that this pact involves no exercise of force. Article 10 of the League of Nations covenant, it was pointed out, distinctly assumed an obligation, but it was denied that even a moral obligation is in this treaty that would constrain the United States to use force. Quoting from article 10 of the league covenant, the Senator who adopted this amazing refinement called attention to the fact that the League of

Nations undertook to "respect and preserve the territorial integrity" of the members of the league. I call attention to the fact that the only avowed purpose of this four-power agreement now being considered is to "preserve and maintain" not only the territorial integrity, not only the possessions of the parties to the treaty, but to preserve and maintain the "rights" of the respective parties and of all of them.

Ah, but it is answered with the quip of the trained lawyer that, however much this might have been the avowed purpose of the treaty, the makers of the treaty did not accomplish their purpose. Yet the text of the treaty itself says that the parties to it have determined to conclude a treaty "to this effect." Will the distinguished Senator from Massachusetts [Mr. LODGE] or the Senator from Alabama [Mr. UNDERWOOD] confess upon the floor of the Senate that, having specifically set out to "preserve and maintain the possessions and rights" of those nations and to "write a treaty to this effect," they failed in their attempt; that they so juggled the English language as, at least, to cast doubt upon the meaning of their work?

I say the single, avowed purpose of the treaty is to "respect and maintain the territorial possessions and the rights" of the parties to it; and, Mr. President, it was the interpretation of at least one of the American delegates to the conference that the treaty itself imposes just as binding a moral obligation upon this country to use force as was imposed by article 10 of the covenant of the League of Nations. Of course, that delegate had the inalienable right to change his mind. I find no fault with him because he changed his mind. But having, in the first instance, accepted his initial interpretation of the treaty and having found that it was in entire accord with my own interpretation of the language employed, I shall not change my interpretation because he has changed his.

I would have it understood, Mr. President, that I do not object to the implied use of force in this treaty. I most earnestly subscribe to the doctrine once enunciated and advocated by the distinguished Senator from Massachusetts [Mr. LODGE], chairman of the Foreign Relations Committee of this body, when he said:

The limit of voluntary arbitration has, I think, been reached. I think the next step is that which this league [League to Enforce Peace] proposes, and that is to put force behind international peace. We may not solve it in that way, but it can be solved in no other way.

That was what the Senator from Massachusetts thought before his exceeding dislike of Woodrow Wilson and his apparent eagerness to gain a party advantage made him change his mind and keep us out of the League of Nations. Now he brings to the Senate another scheme for "voluntary arbitration," which he says does not involve any moral obligation to use force, although its avowed purpose is to "maintain" as well as to respect the "rights" of the contracting parties!

Not only is there inherent in the pending treaty every conceivable obligation that was imposed by article 10 of the covenant of the League of Nations, but it is broader in its scope. We are to be obligated to preserve and maintain the "rights" of the contracting parties. Who may accurately define the "rights" of Japan in the Pacific Ocean? Yet we are obligated to confer for the purpose of preserving and maintaining any assumed "rights" of Japan in the Pacific Ocean.

That, however, is not the point of my objection, Mr. President. I believe in force behind a treaty to insure peace. What I am objecting to is that there is not force enough behind this treaty. It is not too much force behind the pact that excites my hostility; it is too few member nations. In other words, instead of bringing us a treaty to preserve the peace of the world, the delegates have brought us a group intrigue, such as has disturbed the peace of Europe for 200 years; a group alliance such as our forefathers denounced and against which this Nation has set its face since its existence; a group alliance pregnant with war itself. It is a misnomer, it is a travesty to speak of this pact as a treaty for peace.

Three of the nations signatory to the pact are members of the League of Nations; they are subscribers to the covenant of the league. Surely not one of them has an aggressive purpose. If it has, it has agreed to submit the dispute, first, to arbitration; and if not subject to a satisfactory arbitrament, it has solemnly agreed to submit it for adjustment to the League of Nations. The only other party to the pact is the United States. True, we are outside the League of Nations, but this country has no intent of an aggressive nature against any other nation. It seems such an obvious waste of time as to be trivial for me to reiterate here things that have been so much better pointed out than may be done by me. Yet I must venture to repeat that the real purpose of this pact is not to promote peace but is to assert the supremacy of four great powers over the rest of the

world in the Pacific Ocean and to bind the United States in an entangling alliance which would make us helpless to preserve neutrality in the certain event of war in the Orient.

The distinguished Senator from Arkansas [Mr. ROBINSON] impressively pointed out what may be expected in that quarter of the globe. Who does not believe, who is not morally convinced that when Russia shall have recovered her equilibrium and renewed her military power she will seek, either alone or in conjunction with Germany and China, to drive Japan from the mainland, to exclude Japan from Siberia and Manchuria? Who does not believe that Germany would cheerfully, when she shall have recovered her power, join in that effort to retake from Japan islands in the Pacific?

Yet in that event the United States would find itself obliged to assist Japan to protect and maintain her territorial possessions in the Pacific. That would mean war with Russia and with whatsoever nations Russia may secure as allies. So that my objection to the treaty is that it is not a league of nations for peace, but a group alliance for militaristic purposes, which is certain to constitute itself an international bully and exclude all other nations from consideration. It will provoke other nations to form counter groups; it will excite their animosity against us; it will arouse anew their suspicions; it will cause them to execrate us.

It has been suggested to-day that a plain obligation would rest upon these four nations to invite to their council chamber any other nation with which trouble might be brewing. Why not, then, express the obligation in terms, as is proposed by the reservation of the Senator from Arkansas? We do not express it in the text, because we do not want it there; and it is not there in any guise, whatever Senators may say. Quite the contrary is true. Nobody has told us, and I venture to say nobody will tell us—because they tell us as little as they may—whether it was affirmatively suggested to incorporate in the treaty that precise proposition of admitting other nations concerned in disputes to the council board. When the Senator from Massachusetts is asked the question he conveniently turns his back and walks out of the Senate Chamber, and when the Senator from Alabama is asked the question he frankly states that he does not know.

Mr. President, I have no desire or inclination to speak harshly of any colleague. I have entertained the warmest affection for the senior Senator from Alabama. Before I had qualified as a Senator, while yet in the Treasury Department, I sent word that I should support him for the leadership of the minority in this body. I think it may accurately be said that my decision to do this made him leader of the minority side; but I do feel that it is a matter for exceeding regret that, notwithstanding the distressing bereavement which took the Senator from his duties at the conference for a few days, he should not have learned more about this treaty before coming here with the great prestige of his position as Democratic leader to ask his colleagues to support the conclusions of the conference.

I am not, however, one of those who want to cavil or to exaggerate the importance of learning, either from the President or any one of the delegates to the conference, what is meant by the plain terms of the treaty. Nor do I care who wrote the treaty. As written I think it means force, and I advocate force. If you will put enough of the nations of the earth behind the force we shall have peace, instead of a menacing little imitation league, a four-ply alliance, destined to involve us in distress and humiliation, if not in actual war.

I shall vote for that particular treaty which it is said will bring about, in some measure or degree, disarmament. I shall do it with vastly more relish than those who negotiated and reported it, because originally they did not want any disarmament. They were against the Borah resolution and would have ripped the life out of it right here in the Senate if they had had enough votes to venture.

The indisputable fact is that they only abandoned opposition to the Borah resolution in the conviction that they could not muster the votes necessary to defeat it. Having assented, in these coercive circumstances, to the passage of the resolution in the Senate, they tried to beat it at the other end of the Capitol. They offered a meaningless substitute for it there, but could not muster the votes. However, I cheerfully impute to the other side a degree of astuteness that the minority does not possess. You maintain a cohesion that seems always to put our side to shame. You exhibit a resourcefulness that never fails to deceive the country. You have done it in this case; so that to-day I am getting letters from little misses in Virginia, who would not recognize this four-power pact if they should see it in the road with a red flag attached to it, urging me to support it. Somebody has deceived them into thinking that the four-power pact is a disarmament agreement. They do not know

the difference, but I do. I intend to support the treaty for the limitation of armament; and yet it adds nothing to my zeal to realize that presently we shall have adopted a treaty which a little later will necessitate increased armaments. It is a matter of principle with me. When I am called on to say by my vote and influence whether or not I favor a reduction of armaments, I say "yes." If I could, I would banish from the high seas every man-of-war and every auxiliary vessel with great guns. I am for the measure of disarmament, although what we are doing is to scrap some obsolete battleships that would have the stuffing shot out of them before any one of them could reach a hostile vessel of modern type.

Mr. REED. Mr. President, will the Senator permit an interruption?

Mr. GLASS. I yield to the Senator.

Mr. REED. I have been very much interested in what the Senator is saying, but will he permit a correction? England is scrapping obsolete battleships that are already scrapped. We are scrapping good fighting ships, completed and almost completed. Japan and England are doing what they call scrapping some ships to be built, but they are on paper. Not a single good ship is being scrapped by either Japan or England.

Mr. GLASS. Yes; I understood, Mr. President, that included in our scrapping activities were some of our modern vessels. That simply helped to deceive the public. My information is to the effect that there is not a nation signatory to the disarmament treaty which will not have a navy infinitely more powerful than it had before the World War—not one; not only that, but with all of the murderous appliances of air machines and of poisonous gas and of other things held in readiness.

Mr. REED. Mr. President, may I interject again? I put in the RECORD a few days ago the figures of experts, which nobody has challenged and nobody can successfully challenge, showing that when we are through with the disarmament program England will have at least 20 per cent the advantage of us on the seas.

Mr. GLASS. Mr. President, I have no fear of Great Britain. I am English by lineage. I believe in Great Britain, and I was willing to enter a world alliance with Great Britain for universal peace; but I am not willing to amplify the Anglo-Japanese alliance, characterized here by the distinguished Senator from Alabama as a menace, by joining it ourselves. That is all this group treaty is—as amplification of the Anglo-Japanese menace—and we become a part of the menace to the balance of the world.

We may be sure Japan knows what she is about. We are asked gravely to accept the wretched nonsense as to Japan having renounced her defensive alliance with Great Britain without deriving any compensatory advantage! Japan is not that simple, even if we in the Senate Chamber are. Japan knows what she got. She knows that in addition to Great Britain's powerful support she got a treaty that binds the United States to "preserve and maintain" not only her territorial possessions but to preserve and maintain her "rights" as she may assert them. Already Japan is claiming rightful ownership of the southern half of Sakhalin and is said to be denuding the northern half of its natural wealth. Already Russia is denouncing the invasion and threatening reprisal for the theft. In the controversy the United States, by this group alliance, is bound to side with Japan against Russia. In short, we are intriguing with three powers only, one of which, constantly threatening our peace, is already at war with a nation which constantly has been our friend.

The Senator from Alabama [Mr. UNDERWOOD] made a touching appeal to his colleagues to substitute the power of Christ for the menace of the sword. There is not a semblance of the spirit of Jesus Christ in this alliance with a pagan nation, not a semblance of it. It constitutes a quadruple alliance as the world's bully; it is an invitation to all the outside nations of the earth to hate us because we have deliberately excluded them from participation in this group league of ours. Does that reflect, in any sense or degree, the spirit of Christ? I thought the spirit of the Savior of mankind was all-inclusive. I have been taught that it means the brotherhood of man, and not group alliances to menace the world. There is not even in the agreement to reduce naval armament any thought of Christ. Primarily that pact was not intended to be a contribution to peace. It is not a permanent scheme to prevent war. It is a temporary expedient to avert bankruptcy. Instead of invoking the spirit of Christ, which teaches nations to love one another, the conference merely applied the cold mathematics of trained technicians to make it certain that there was no abridgment of the relative capacity of any contracting nation to precipitate war.

Mr. HITCHCOCK. Mr. President—

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Nebraska?

Mr. GLASS. I yield.

Mr. HITCHCOCK. The Senator might go further, if he pleased, and assert—that will not be denied—that the opening prayer of the clergyman at that conference was censored, and he was not permitted to mention the name of Christ out of regard for Japan.

Mr. GLASS. Oh, it is perfectly obvious that there is nothing about the pact suggestive of the spirit of Christianity. It is brutally exclusive. It was intended to be threatening, and is threatening. It is a challenge to the rest of the world.

A preacher down in my State, visiting my own town, said the League of Nations failed because it did not contain in its text the name of God. I wonder what he thinks of this pact, at the very inception of which the name of Jesus Christ was deleted! Yet, Bible classes and Sunday school scholars write to me to vote for something that could not be prayed for in the name of Christ, something they do not know anything about, something which, after 20 days of discussion and inquiry, I can find out very little about. I will not vote for it. I would not do it if I should never see the inside of the Senate Chamber again. The people in my State, I think, understand that when they sent me here, they sent me here to exercise my best judgment and to heed my own conscience. I will not vote for a cash bonus and I will not vote for this miserable group alliance just because, without knowing what they are asking, misinformed persons write me to vote for them.

Mr. President, I apologize for taking the floor at all. I had not intended doing it, but I thought perhaps I might spare myself some pains and the fatigue of correspondence if I would say what I have said.

Mr. BORAH. Mr. President, article 2 of the league which we are discussing, or the alliance, or the political pact, whatever it may be termed, reads as follows:

If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

There is a wide difference of opinion in the Senate Chamber and elsewhere as to whether or not this constitutes an alliance, and as to whether there is upon the face of the treaty an implication of the use of force.

So far as I am concerned, I have never been particularly interested in the technical term which you would apply to this pact. I am satisfied, in my own mind, that according to the rules and standards and definitions ordinarily adopted, this is an alliance. I should not, however, be at all changed in my opinion if I should be convinced that it was not an alliance. I have not felt that upon the face of the treaty itself, technically speaking, there was any commitment upon the part of the United States to use force. I should not be changed in my position, however, if I should be convinced to the contrary, or if I should be convinced most positively that force was not implied. Those, to my mind, are not the essential and fundamental things with which we have to contend.

I have observed that all the reservations, with the exception of the reservation offered by the Senator from Arkansas [Mr. ROBINSON], which rests upon a different basis entirely, have proceeded upon the theory of clarifying the language of the treaty itself. In other words, if the reservation which was offered by the able Senator from Connecticut [Mr. BRANDEGEE] is adopted, it is supposed to have eliminated any idea of an alliance or of the use of force, but even if that reservation were adopted, and I should understand it as the advocates of it understand it, the fundamental objection to the treaty as I see it would still obtain, and that I desire, as briefly as I may, to discuss.

To enlarge upon this idea a little further, no reservation is offered, or has been offered, to control the action of the conferees. Suppose you do adopt the reservation offered by the Senator from Connecticut which says that this is not an alliance, and that we are not obligated to use force according to the terms of the treaty, nevertheless, when the conferees meet and determine that under the treaty, which is not changed, because there is no proposition to change the terms of the treaty itself, they are authorized to come to an understanding as to the most efficient means or measures to be taken, jointly or separately, to meet the particular exigency which they are called there to consider, there is no limitation upon their jurisdiction. There is no limitation upon their discretion. No one has proposed a reservation that when these conferees meet they shall not be permitted to consider or include within their jurisdiction the

question of force, but that is left open. They simply propose to say that the treaty itself, according to its technical terms, does not commit us to force, but they leave the discretion in our agents, and do not limit or circumscribe their discretion or their jurisdiction, and we are morally bound by whatever judgment they may conclude themselves to be bound by. While the treaty does commit us to force, we create agents and put no limit upon their discretion.

I have before me now the address of Trotsky made before the soviet congress a short time ago, and I can use this address to illustrate what I mean. In his address before that legislative body, which was delivered since the pact before us was written and published, he said:

Japan throws band after band of enemies against us. These bands are paid with her money, and officered by her instructors. Here is an appeal of the Government of the Far Eastern Republic:

"For the fourth successive year Japanese bayonets violate the will of the Russian people in the Far East. Japanese fortifications have been built on the banks of Russian rivers, and the channels of these rivers have been mined with Japanese mines. On the island of Sakhalin Japan rules as though it were her own territory, selling timber and other wealth belonging to Russia. The people of the Far East have more than once raised their voice in protest against these violations, but no one has listened to this voice."

Continuing, Trotsky said:

That voice has not been heard by the capitalist countries, but it has been heard by the laboring masses of Soviet Russia. Great Britain, America, Japan, and partly France, rule the Pacific. On one of its shores are the domains of these powers; on the other is the territory of the Russian workmen and peasants. The four powers have concluded an agreement amongst themselves, and as a result the attacks on the Russian territory have increased; and these attacks are carried out by bands officered by the instructors of one of these powers.

Mr. President, there may be division among the Russians on the question of the Soviet Government, and there may be division among the Russian people on other questions, but there is no division among the Russians as to their opposition to Japan invading Russian territory. On this question all Russia is behind Trotsky. The first apparent result of the treaty is to unite Russia.

I read a few days ago a statement from the former foreign minister of the Kerensky government along the same line, agreeing in principle with Trotsky. It does not make any difference to whom you address your communication or from whom you hear all Russians feel as Trotsky feels with reference to Japanese aggression. So I say it is immaterial whether you call it an alliance or what you call it, or whether upon the face of it it implies force or does not. The outside world construes it as a challenge to their rights from the hour when it is announced. He said:

We have just received telegraphic reports that the city of Khabarovsk has been captured with the aid of the Japanese bayonets. Under these conditions, shall we remove our troops from the territory of the Far Eastern Republic. No; we can only regret that there are not enough of our troops there to defend our territory properly. But we are certain that the time will soon come when red bayonets will be strong enough to repel the attacks of these insolent imperialist vultures.

It is time for them to know that besides the four powers who have just signed some sort of an agreement amongst themselves, there is also a fifth power—Soviet Russia and her red army.

There is a challenge, Mr. President, before this treaty is ever ratified. There is the construction placed upon it, not by men who discuss it technically in the Senate of the United States, but by men who discuss it from the standpoint of the rights of peoples and nations, and whether you call it an alliance or whether it has implied force upon the face of the treaty or not, Russia has construed it as a challenge to the Russian people. Now what happens? Suppose the treaty is ratified and suppose that the reservation offered by the able Senator from Connecticut is adopted, and we have a treaty which provides for a conference and specifically provides that we are not committed to the use of force. Nevertheless, our conferees meet after Mr. Trotsky, with his red army, has started his march down the island of Sakhalin.

I agree with you perfectly that they could decide that we will retreat, that we will not use force; but you must admit also that they have the right to decide that the only method or means by which to meet the exigency is the use of force. If they do decide that the only method or means by which to meet the exigency is the use of force, what position does the United States occupy if it retreats from the decision of its representative? What different position would we occupy than we would have occupied had the same agent decided it on the League of Nations?

Mr. PITTMAN. Mr. President—

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

Mr. PITTMAN. The same argument was made by the leader on the other side, the distinguished Senator from Massachusetts [Mr. LODGE], and his followers with regard to the council of the League of Nations, exactly the same argument. It was

contended by them then that no matter what reservation we had with regard to the use of force, if our agent, with unlimited authority, as a member of the council of the League of Nations should consent with the other members of the council to the use of force, we would be bound by the action of our agent, and to avoid that the Senator from Massachusetts offered the following reservation to the Versailles ratification and it was adopted by almost the unanimous vote of the Members upon the other side of the aisle. It is reservation No. 7 and reads as follows:

No person is or shall be authorized to represent the United States nor shall any citizen of the United States be eligible as a member of any body or agency established or authorized by said treaty of peace with Germany except pursuant to an act of the Congress of the United States providing for his appointment and defining his powers and duties.

Mr. BORAH. I thank the Senator for the suggestion. I have a distinct recollection in regard to that reservation. As I called attention this morning, Mr. Wilson, the ex-President, always contended that there was nothing in article 10 and article 11 except a moral obligation and that we, as a Congress, were not bound to follow our agent if we did not want to do so. But the same question precisely arose and therefore this reservation was offered as to what would be our position should our agent decide to use force. We would undoubtedly have the right to reject it as a Congress, but we would be morally derelict before all the nations of the earth should we do so.

One thing further in regard to that before I go to the other proposition. Suppose that our conferee, whether he write a letter or whether he confer in person, being informed as to the attack from Russia, as to the aggression upon the part of Russia, agrees with his other conferees, whoever they may be, whether he agree by letter or by personal conference, that the only method by which we can meet the situation is by the use of force and that report is made to us by the President of the United States that the Secretary of State, through correspondence, or the Secretary of State, through agents, and the conference have come to the understanding so far as they are concerned that there is only one way to meet the situation, and that is by the use of force.

The President comes to the Congress of the United States and presents it and immediately the Brandegee reservation is read as an answer to it, that we are not committed to the use of force. The President would say, as Earl Grey said, "I agree that you are not committed to the use of force." They then read the other clause that we are not committed to the defense of these islands. The President might reply, as Earl Grey replied, "I agree that you are not committed to the defense of the islands." But you did provide that these governments should confer. The executive department has conferred. We have come to an understanding, so far as we are concerned, that there is no other method by which to reach the situation. What would be the position of the Congress of the United States? It would be in the same position as I always understood it to be under the League of Nations—it could reject it. Technically it would have that power. You can not take away from the Congress by a treaty the power to declare war or not to declare war. That is always in Congress. But you can, by delegating other powers to confer with foreign nations, place us in a position where we can not retreat from following out the program except to retreat over the path of dishonor. You say here that there shall be a communication for the purpose of arriving at the best means to meet the exigency. If the conferees all agree, Congress will be robbed of everything except a bare technical right.

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

Mr. BORAH. I will yield in just a moment. That has always been my objection—that is, the fundamental objection—both to the League of Nations and to article 2; they set up machinery, which machinery, impliedly or morally, passes upon the question and presents it to us. We have reserved the technical right to refuse it. We have the binding moral obligation, however, in my judgment, to follow up and support our conferees.

I yield to the Senator from Wisconsin.

Mr. LENROOT. I was just about to ask the Senator whether that is not the distinction. The League of Nations did set up the machinery through which the United States should act. It provided an agency. But where does the Senator find any machinery in article 2? The understanding to be arrived at is an understanding upon the part of the United States. Where is there any authority clothed in any agent to act for the United States?

Mr. BORAH. Of course, I agree perfectly that there must be an understanding, but I am discussing now the *modus operandi* by which we arrive at that understanding.

Mr. LENROOT. Yes; but unless some agent of the United States be given power to arrive at an understanding, because it is not found in the treaty—the Senator must admit that?

Mr. BORAH. Oh, no; I do not admit that.

Mr. LENROOT. Oh, the Senator must. There is no agency created under the treaty to arrive at an understanding. The understanding is to be had by the United States. The United States is to be communicated with, presumably through the regular diplomatic channels, but the agency is not created that the understanding shall be arrived at with the diplomatic officers of the United States. The understanding must be arrived at by the competent authority of the United States. Is not that a distinction between the League of Nations covenant and this treaty?

Mr. BORAH. Of course, I know that the Senator from Wisconsin and I will never agree upon this proposition, but I am willing to continue my efforts in a good cause.

Necessarily, Mr. President, there must be some one through whom this communication, which is to be fully and frankly had, will be made. The Congress of the United States is not expected to appoint a committee and send it over there after the aggression begins. I assume that it is the executive department. I assume that because under the constitutional subdivisions of our Government it would naturally belong to the executive department. If a controversy should arise, the party who would take it up for consideration, I assume, would be the executive department. The executive department, through the Secretary of State, undoubtedly would communicate with the executive departments of Great Britain, Japan, and France. They would come to an understanding as between themselves. I am perfectly willing to concede, for the sake of the argument, that that would not be a binding understanding until the Congress would pass upon it. I am perfectly willing to concede that.

I am not going to stand upon technicalities in this matter if by eliminating technicalities I can keep the friendship of my friend from Wisconsin.

Mr. LENROOT. The Senator is going to keep that anyway.

Mr. BORAH. I am perfectly willing to concede that; but what I am saying is that the man who goes there and communicates, who ascertains the facts, who talks with the representatives of the other nations, comes back and says to the Congress of the United States, "There is only one way to meet this situation, and that is by force." Then the Congress of the United States is in the position of repudiating the Secretary of State or else following out the judgment he has exercised.

When I think of the moral pressure which has been brought upon the Senate to follow, without the crossing of a "t" or the dotting of an "i," the judgment of the Secretary of State in regard to this treaty, I know what a tremendous influence would be brought to bear upon the Congress to follow the judgment of the Secretary of State when he reported that the Red Army, 1,000,000 strong, was marching against Japan.

I have had a good deal of experience in the short time I have been here about resisting moral pressure, and when it comes from the executive department of the Government—it does not make any difference which party is in power—there is a surrender in the United States Senate, which leads me to believe that it will happen again. While technically Congress retains its power over peace or war, morally its power is forfeited.

Mr. REED. Mr. President—

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

Mr. REED. We have had the point made that we can enter into this agreement because it binds us to do nothing, and consequently binds no other nation to do anything, and therefore amounts to nothing. Now we have the further defense that there is no agency to meet and consult in these consultations which are to bind nobody to do anything.

I want to lay down a proposition. The agreement into which we are asked to enter provides:

With a view to the preservation of the general peace and the maintenance of their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean,

I.

The high contracting parties agree as between themselves to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean.

If there should develop between any of the high contracting parties a controversy arising out of any Pacific question and involving their said rights which is not satisfactorily settled by diplomacy, they shall invite the other high contracting parties to a joint conference.

Then it is provided:

II.

If the said rights are threatened by the aggressive action of any other power, the high contracting parties shall communicate with one another fully and frankly in order to arrive at an understanding.

If that does not mean the ordinary diplomatic channels of communication, does it not follow that the machinery must be created and that it must be created as soon as the difficulty arises? Therefore a machinery must exist, either diplomatic or superdiplomatic. When the conference meets and arrives at a conclusion, why will not that conclusion be just as binding upon us as though the agencies were created now by this treaty and set in motion under the treaty? In either event, an agency must exist before there is any action. So the argument that is made simply comes to this, that the defense of the treaty is that there is no agency to carry it out and therefore we may safely ratify it.

Mr. BORAH. Mr. President, I appreciate the contribution of the Senator from Missouri and I agree with him, but I want to say again, as I said a moment ago, that when the exigency arises there will be no technical construction of this treaty; there will be no looking back over our shoulder to see what authority we may have. When Sir Edward Grey permitted the naval experts of Great Britain to confer with the naval experts of France years prior to the war of 1914 he did not have any authority for doing it; he did not look for any authority; he confessed before the House of Commons afterwards that he had no authority, but he thought the exigency of the situation justified his using his discretion. So, Mr. President, when the exigency arises any man who would stand up here and argue a technicality as to our authority would be shamed out of the Senate. It would be said, "Here is an exigency; our ally is in trouble; our agents have decided we must go or else we travel back over the path of dishonor."

Mr. President, that brings to the forefront the reservation offered by the Senator from Arkansas [Mr. ROBINSON]. The first sentence of that reservation reads:

Each of the high contracting parties will respect the rights and possessions of all other nations and refrain from all acts of aggression against any other power or powers.

We know now that aggression, according to one great nation, is taking place; we know now that their rights are being disregarded in the minds of the Russians; we know that one of the Allies is upon the territory of a nation not a signatory to this treaty. How can the Senate of the United States, if it believes in peace, not require its associate to desist in its aggressions? What answer will we make when, informed as we are, we are asked why we voted down a reservation which simply required the nations signing the treaty to respect the rights of other nations?

Mr. LENROOT. Will the Senator yield to me?

Mr. BORAH. Yes.

Mr. LENROOT. The Senator has been very fair. Does the Senator really think what he has read is a reservation? Is it not an amendment to the treaty?

Mr. BORAH. As I understand, it is to be offered as a reservation.

Mr. LENROOT. I appreciate that; but the Senator is familiar with the rule with reference to reservations and amendments, and does the Senator think that, according to the usual construction of treaties, that is a reservation?

Mr. BORAH. If it is not, it may be changed by two words so as to make it a reservation. It may be made to read that "the United States ratifies this treaty with the understanding that the high contracting powers will respect the rights of all other nations and powers." That would make it a reservation.

Mr. LENROOT. Does the Senator think there is any such understanding conveyed in the treaty as it is?

Mr. BORAH. That we will respect the rights of other nations?

Mr. LENROOT. Yes.

Mr. BORAH. No; there is nothing in the treaty about that.

Mr. LENROOT. Would the Senator be willing to vote for a construction of the treaty of which he himself says it is not capable?

Mr. BORAH. I am making this treaty now.

Mr. LENROOT. Ah, that is what I thought, and that is why the Senator is suggesting an amendment which would clearly be a change of the treaty and not a reservation. That was the point I was making.

Mr. BORAH. According to that reasoning the reservation of the able Senator from Connecticut is an amendment of the treaty, because the Senator from Connecticut, who is no ordinary lawyer, contends that at the present time we are committed to the use of force and that by his reservation he takes that commitment out. That is an amendment to the treaty, according to the argument of the Senator from Wisconsin.

Mr. LENROOT. It is not an amendment, according to the construction of the Senator from Wisconsin.

Mr. BORAH. It may not be according to the construction of the Senator from Wisconsin, but it is according to the construction of the Senator from Connecticut.

Mr. LENROOT. That I leave to the Senator from Connecticut, of course, to decide.

Mr. ROBINSON. Mr. President, will the Senator yield to me for a moment?

Mr. BORAH. I yield.

Mr. ROBINSON. I stated at the time the proposal was submitted as an amendment that in the event the amendment was rejected I would offer it in the form of a reservation. So my friend, the Senator from Wisconsin, will have an opportunity of accepting it as a reservation, having rejected it as an amendment, although I have some doubt whether he will do so.

Mr. REED. Mr. President, I should like to inquire whether it would be more difficult to amend this treaty now than it would be to go into a war into which we might be dragged because of the phraseology of the treaty?

Mr. BORAH. I think now is the time to make the treaty, for we will have no opportunity to make it after the Senate has passed upon it; but even if it were an amendment to the treaty, that would not be an insuperable objection by any means, because if the treaty is made for the purpose of preserving peace, and it is manifest as now written that it is calculated to excite the antagonism of another nation, we ought to do anything that we can in order to remove that antagonism.

Mr. STANLEY and Mr. BRANDEGEE addressed the Chair.

The VICE PRESIDENT. Does the Senator from Idaho yield; and if so, to whom?

Mr. BORAH. I yield first to the Senator from Kentucky; then I will yield to the Senator from Connecticut; and then I am going to ask that I may be permitted to continue my discussion.

Mr. STANLEY. Does not the Senator from Idaho think it a rather ominous admission that any inference that the powers signatory to this treaty intend to respect the rights of other nations should be admittedly excluded, when it is also known to all men that one or more of these nations are now engaged in aggressions that only the weakness of the other nations, and not justice, permits?

Mr. BORAH. I agree with the Senator from Kentucky. I now yield to the Senator from Connecticut.

Mr. BRANDEGEE. Mr. President, I would not intrude upon the time of the Senator from Idaho if he had not referred to the reservation which I offered in the Committee on Foreign Relations. As I understand the Senator, he thinks that reservation changes the treaty. I have not offered it with any such purpose; I have no such intention. In my opinion, there is a doubt in the treaty as to whether we are bound to maintain rights in reference to the insular possessions of the other high contracting parties, and the reservation which I have offered is, according to my purpose, simply a clarifying reservation, an interpretative reservation, a reservation which will declare in clear words that the treaty is what the authors of it, two of whom are members of the Senate, claim it to be.

I think that a very fair argument might be made 10 or 15 years hence to the effect that if some one of the other high contracting parties should be in distress and should call upon us for aid, it may claim that we are obligated by the treaty itself; and it was my idea to negative that by the reservation. I do not claim that it changes the treaty; on the contrary, I claim that it makes the treaty, by the resolution of ratification of the Senate, mean exactly what the two Members of the Senate who were members of the American delegation to the conference which negotiated the treaty say it means, my fear being that some of the other parties, years hence, perhaps, after we are all dead, might set up a different claim.

Mr. BORAH. I was not so badly in error after all. The Senator from Connecticut, in other words, wants to change the treaty from a treaty of ambiguity to a treaty of certainty.

Mr. BRANDEGEE. That is my point exactly.

Mr. BORAH. That is a very important change in the treaty, indeed. If the Senator from Connecticut can change the treaty so that there will be no uncertainty about it, he will have earned the gratitude of all mankind. If the doubt, however, should be resolved in favor of the fact that there was an implication to use force, then the Senator would have to concede that the effect of his reservation would be to change the treaty entirely.

Mr. BRANDEGEE. No; I do not, Mr. President. I confess that the reservation, if adopted, would limit the obligation of the United States of America, because the Senate would have ratified it on that condition.

Mr. BORAH. As I understand the Senator, he wants to clarify the treaty so as to express the view that there is no force implied?

Mr. BRANDEGEE. Yes; and there is no obligation to come to the defense of the other powers.

Mr. BORAH. And the Senator is now afraid that that might be implied?

Mr. BRANDEGEE. Yes. If I were not, I would not have offered the reservation.

Mr. BORAH. Then, the Senator is changing the treaty to that effect, so far as the United States is concerned.

Mr. BRANDEGEE. No; it is ratifying the treaty with that understanding on our part and leaving the treaty where it is on the part of the other powers.

Mr. BORAH. The reservation of the Senator from Arkansas can be changed so as to meet the same condition exactly. The Senator from Arkansas can amend his reservation so as to read that "it is the understanding of the United States," and so forth.

Mr. BRANDEGEE. Yes.

Mr. ROBINSON. That is the form of the reservation I have submitted.

Mr. BRANDEGEE. The Senator from Arkansas could do that, and thereby make it conform to the usual structure of a reservation, but instead of being an interpretation of what the treaty purports to provide it would be an extension of the treaty to comprehend other nations and a state of facts which apparently is not within the scope or purpose of the pending treaty at all, and hence would be an amendment of it.

Mr. BORAH. The advocates of the treaty, it seems to me, must take one of two positions with reference to the so-called Robinson reservation or amendment: They must concede that at the present time there is an obligation upon the part of the four powers to respect the rights of outside nations, or that we are forming an alliance here in which there is no obligation to respect the rights of other nations. Under the present circumstances in the Far East, I think that would be a very dangerous proposition, and if we are not willing to put into the treaty a reservation which interprets it or construes it so far as the United States is concerned, as an obligation to respect the rights of other nations, we must necessarily permit it to go out to the world that the true construction is that there is no obligation to respect the rights of other nations.

Mr. BRANDEGEE. Mr. President, if the Senator is attempting to get me to assent to that proposition, I shall have to differ from him.

Mr. BORAH. No; I am not attempting to get the Senator to assent to it; I was simply looking at him while I was talking.

Mr. BRANDEGEE. Yes; and I was watching the Senator. But, Mr. President, because the Senate of the United States does not add a great many other reservations which it might add and which this country might want to add to the treaty is no reason why he would not be in favor of them if they were presented as independent proposals.

Mr. JOHNSON. Mr. President, may I ask the Senator before he concludes if he will permit me to call his attention to a few articles in Russian newspapers along the line of what he is saying now, concerning the attitude of other countries toward this particular alliance? I do not want to interrupt him, but before he concludes, will he permit me to read these articles?

Mr. BORAH. I am perfectly willing to have the Senator read them now.

Mr. JOHNSON. We need not subscribe to what is said by these newspapers, but it is very interesting as indicating the view in the far eastern press.

Here is an extract from a leading article entitled "The Quadruple Alliance" in the newspaper Russia, December 15, 1921, published in Harbin (politics, independent):

* * * The treaty of the great powers, as should have been expected, is already producing a heated protest from those powers who, by this treaty, have practically been made vassals of the new collective world ruler. * * *

The Chinese public opinion is confronted by the problem of the necessity to defend its national interests. * * * The same problem is confronting Russia and Germany, who must also be joined by Italy, who has been thrown out of the ranks of the great powers at the present time.

As a counterbalance to the quadruple (but in reality "triple") alliance, there must arise new international alliances and alignments of countries at whose expense the bargain is being made at Washington.

The next is an extract from a leading article entitled "The New Entente" in the newspaper Novosti Zhizni, December 15, 1921, published in Harbin. The newspaper is independent in politics, and the leading articles are written by a former official of the Kolchak government:

Conceding that the quadruple alliance is built on a firm foundation, nevertheless the question may be asked whether or not this hegemony of four (powers) will lead to most disastrous consequences to peace. There is no doubt that this entente, realizing its invincible power, will carry on an extremely aggressive policy. Prior to the World War, one international alliance stood against the other: the imperialistic plans of one met with the resistance of the other. The alliance which has been formed now is the only alliance of great powers in the world,

and, not meeting with any obstacles in the effort to achieve its objects, it will inevitably be compelled to enter upon the road of annexation and "peaceful" conquests.

It is necessary to say that under such conditions "harmony" will soon be disturbed, and then, even more clearly than now, will become evident all the beauties of imperialism—competition and rivalry of powers. Any attempt to divide the world in a peaceful manner is nothing but a beautiful dream, and in the process of realizing this beautiful dream such a catastrophe may be expected before which will pale anything that has already been experienced by humanity * * *.

The Washington agreement, by isolating Russia, Germany, Italy, China, and other States, is only a forecast of new adventures and cataclysms.

Versailles created a useless but harmless League of Nations—Washington has forged a union of blood and iron.

One becomes horrified at what the future holds forth.

From the same newspaper, December 25, 1922—and this is the last I shall read, if the Senator will pardon me:

[Extract from leading article entitled "One More Attempt."]

* * * To Russia the new alliance is a direct military threat, and in the best case a serious warning.

In the order of the day of Europe is a struggle with Russia, but not a direct struggle, but through the forces of an Asiatic power.

In regard to the coming Russo-Japanese war, the heads of the European powers hope, like Pilate, to wash their hands.

Mr. BORAH. Mr. President, the reading which I have made from Trotsky and the newspaper articles which have been read by the Senator from California show how utterly useless it is for us here to spend time upon a technical construction of the meaning of this treaty so far as the question of implied force or the question of an alliance or any of those questions are concerned. The outside world not members of the treaty have construed it, and they have construed it as a combination or political grouping upon the part of the four powers which is inimical to those who are not members of the alliance, or whatever you may call it.

Now, Mr. President, I must hurry on, because I have already occupied too much time.

Colonel Roosevelt said, upon a very important occasion:

There is something both pathetic and ludicrous in the belief that signing names to a bit of paper will of and by itself forward the cause of peace.

It is not what nations promise to do, it is what nations by their acts disclose they are willing to do, and the policies which they adopt, which counts for peace. Political pacts such as this have been made from time immemorial, and I do not know of any exception to the rule that they have never been observed after the interest of the nations signing them had changed or had been modified by exigencies or circumstances. In other words, it is not what nations enter into a treaty to do, but it is the attitude in which they place themselves toward the other nations of the world, and the policies which they adopt, and the policies which they are following up, which count for peace and make for peace.

Lloyd-George declared a short time ago:

It matters not what treaties are signed, what pacts are entered into between nations, or what understandings they may establish; if nations are armed against each other for war, war will inevitably ensue in the end.

I said, Mr. President, when this four-power treaty was first published, that my attitude toward it would be determined very largely by what the conference did with reference to disarmament. I do not propose to underestimate the services rendered by the conference to the cause of disarmament. I do not propose, especially, to underestimate the services rendered by the American delegates in the cause of disarmament; but I do say that, regardless of whose fault it was, so far as future wars are concerned there was no disarmament at the Washington conference. There was a very great service rendered to the cause of economy by stopping the building of useless battleships. There was a very great service rendered to the taxpayers by the cessation of building these luxuries which float on the sea, but so far as the weapons with which the next war is to be fought are concerned, there was no limitation of armament at all in my opinion.

If these four powers who were unchallenged in their military supremacy had been desirous of peace and had been willing to rest their cause upon the principles of justice rather than force, there would have been some real disarmament with reference to those weapons with which the next great war, if it comes, will be fought. There has been no disarmament by land. Europe to-day is covered with tremendous armies. France has 750,000 men under arms, more or less, and in addition to that some 400,000 in Poland practically maintained by France. Italy has a vast army, Japan has a vast army, and the military power of the world is now centered in the four nations which are signers of this treaty.

Mr. KELLOGG. Mr. President—

The VICE PRESIDENT. The Senator from Idaho has now spoken for one hour.

Mr. BORAH. I am going to speak for 30 minutes longer, if I can do so.

Mr. ROBINSON. That arrangement, I think, is contemplated by the unanimous-consent agreement.

Mr. BORAH. I will use a part of my 30 minutes now, so as to avoid trespassing upon the patience of the Senate a second time.

Mr. KELLOGG. Mr. President, will the Senator yield to me?

Mr. BORAH. Yes; and then I should like to occupy my own time thereafter.

Mr. KELLOGG. I shall not bother the Senator again.

Did I not understand the Senator, when he was advocating the resolution of Congress requesting the President to call a disarmament conference, to say that he thought it was unwise to include the land forces?

Mr. BORAH. I did.

Mr. KELLOGG. And the Senator simply advocated the limitation of naval armaments. Does not the Senator consider an agreement not to go beyond the armament provided for here a limitation?

Mr. BORAH. I did not understand the last question.

Mr. KELLOGG. Does not the Senator consider that this treaty, limiting the building of war vessels in the future, is a limitation?

Mr. BORAH. I have already stated so. It is a limitation, but not a limitation as to the weapons with which the next war will be fought. In other words, I do not regard the battleship now as anything of great moment with reference to future naval warfare; and while I am very happy indeed that the discontinuance of the building has taken place, and while I am willing to accord all kinds of credit and commendation for having achieved that, I am speaking now with reference to war, and not with reference to economy.

I also stated at the time that I did not think there was any use of including land disarmament, because, in my opinion, nothing could be gained by it. I think the Senator from Minnesota will agree that the prognostication of the Senator from Idaho was correct, that there was no need to include it, because you did not get anywhere with it. I understood perfectly that Europe did not intend to disarm by land, and I understand perfectly now that she does not intend to disarm. What I say is that so long as she does not disarm, there is no hope that a mere promise to keep the peace will result in the maintenance of the peace. Until real disarmament takes place I certainly want no political alliances.

Secondly, Mr. President, we not only have failed to disarm by land but, as I say, we have failed to disarm by sea with those weapons with which the next war will be fought. Before I go to that, however, let me call your attention to just one item with reference to another matter.

This telegram appeared in the New York World the other day. I hesitate these days to read anything here, because I anticipate that somebody will rise the next day and say that the person quoted was misunderstood; but we have to go by what we see in the public prints and by what takes place in public debate, the manuscript of which we are able to get hold of.

The New York World says:

A commission of British experts, headed by Col. M. L. Wilkinson, is now in the United States investigating American methods for producing noxious gases, with a view to incorporating into British practice any improvements.

Despite the sweeping condemnation of poison gas in the arms conference treaty, signed by representatives of the five leading powers, Great Britain holds that the only adequate defense against poison gas in the hands of a possible enemy is preparedness. Accordingly, the British Government proposes to continue without curtailment experimentation in chemical warfare.

The British experts will study both industrial and military plants. Permission to inspect Edgewood Arsenal and other Army posts has already been given.

American Army officials said to-day that nothing would be kept secret from the British experts.

That, possibly, was one thing that misled Mr. Cravath that there was an understanding between the United States and Great Britain in regard to these matters. When military experts begin to reveal to one another their secrets, it has the appearance of an "understanding." But, Mr. President, notwithstanding the treaty, there is no cessation of preparation of the instruments which the different nations signing the treaty regard as essential to future warfare. No limitation has been placed upon submarines. Every effort was made to curtail the building of submarines, and, I understand, of course, that the American delegates were in favor of that curtailment; but the conference as a conference, composed of the nations which signed this treaty, were not only unwilling to prohibit its use but were unwilling even to limit the number of submarines. Mr. President, neither as to the Army nor as to poison gas nor as to airplanes nor as to airplane bombs nor any of those in-

struments is there even a limitation upon the part of those nations. We all know that when the submarine first made its appearance the whole world stood aghast, and trembled, as Milton would say, at the hideous name.

It was believed by all to transgress the last remaining principle even of that bloody business whose highest achievement it is to kill. It wiped out the last vestige of international law. It degraded and brutalized war itself. It seemed as if the spirit of destruction incarnate had searched and chemicaled hell and given to man the results of its efforts. Yet this instrument, regarded as the most brutal and hideous and destructive of modern warfare, especially upon those who are not actually engaged in war, nonbelligerents, and noncontestants, the conference was wholly unable to prohibit or to limit in the production.

Therefore, Mr. President, notwithstanding the efforts of the conference and the efforts of the American delegates, these four powers will have, when this treaty is ratified, the naval power of the world at their command; they will have a navy such as was never before dreamed of; they will be complete masters of the sea. You may say that means peace. If it does, it means peace by force. They will not only have control of the navy but they will have all the standing armies of any moment, outside of Russia, and when they meet in conference there in the Pacific under article 2 they will be the most powerful and controlling military force that ever met for conference in the whole history of mankind.

That will have its bearing upon the construction of article 2. If I felt that there was peace in the hearts of these nations, if they were ready to disarm, if they were ready to practice the policies of peace, I would look with considerable indifference upon the obligations of article 2, but so long as I see Japan unwilling to discharge a single soldier, and France taking control in a military way practically of all Europe, so long as I see the military power centered in these nations, I know that one of two things will happen—either the nation whose rights are being aggressed will have to surrender and yield up its rights or force will be used against it. I see spoliation and injustice on the one hand, just as these things happened under the Anglo-Japanese alliance, or I see war. When you bring in a program which destroys the weapons of modern war, which prohibits, or at least limits, submarines and poisonous gases, airplanes and bombs, and curtails armies to within reason, then I will be more ready to accept your promises written into treaties. But I want a manifestation of faith by good works. I want policies, not promises. I want disarmament, not political alliances the members of which continue to arm, continue to practice imperialism, continue to "aggress" against all other powers. Peace, peace! How can you have peace with a world armed as it was never armed before? There can be no peace, it makes no difference how many treaties you have, until nations disarm and until the power to declare war is brought nearer and more completely under the control of the people—those who must fight and die in case war comes.

Mr. SHORTRIDGE. Mr. President, I hold in my hand a very courteous, forceful article on the results of the late conference, written by Mr. Durand, connected with the San Francisco Chronicle. I ask consent that it may be printed in the RECORD in 8-point type.

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

[From the San Francisco (Calif.) Chronicle.]

NEW AGE WILL FOLLOW NEW WORLD SPIRIT—OLD DIPLOMACY TO GIVE WAY BEFORE PRINCIPLES OF MODERN BUSINESS LIFE—HARDING IS A SUCCESS WHERE WILSON FAILED—BY CREATING NEW METHODS OF DEALING WITH WORLD'S WAR GENERATING DISPUTES.

The Washington conference marks the end of the centuries-old system of secret diplomacy born of the imperialistic principle and the balance-of-power idea. It celebrates the beginning of a new era based upon the principle of business. The Versailles conference was probably the last great congress of the nations to be dominated by the old diplomatic methods. From now on every international conclave for the adjustment of disputes and controversies must be based on the Washington conference and its new methods of friendly discussion, give and take, fair play, and its will to harmonize and conciliate where differences are acute. No future world conference can ignore the lessons Harding has taught the nations.

Look at the wonderful achievements of Harding's new methods:

The first great work done was the four-power Pacific treaty, signed on December 3. The full scope and significance of this pact has not yet been grasped by the public. It is much more than a treaty of amity and good will, and an agreement to respect one another's rights in the Pacific. The distinct achievement of this treaty is to substitute international law for the

use of force in all future disagreements. The signers of the treaty solemnly agreed to meet in friendly discussion and to exhaust every peaceful method of settlement before an appeal to arms.

NAVAL COMPETITION STOPPED FOR 15 YEARS.

This agreement to submit to the orderly processes of evolution virtually amounts to a reinstitution of international law as a living vital force in world affairs, and brings the nations of the earth back to the point where in 1914 chaos took the place of the reign of law and every State became a rule unto itself. That is what is the matter with Europe to-day. But with the nations at the top governing their course by international law the smaller States must eventually fall into line.

The second great achievement of the conference was the five-power naval treaty, by which the signers agreed, not only to limit the size of their navies but to take a naval holiday for 15 years.

The wonderful thing about this important treaty is not that navies are merely limited, the United States alone scrapping some 500,000 tons of battleships, and others proportionately. The great gain is that new shipbuilding has been stopped for 15 years. At one fell swoop a knockout blow has been delivered to the solar plexus of the god of war. It is disastrous naval competition that was principally the cause of the late war. This feverish naval expansion, each nation seeking to beat the other with ever-enlarging fleets, also led to increase of the land forces, both keeping pace with each other in a mad race for supremacy.

Now naval increases are stopped. What a tremendous fact this is. It seems almost impossible, yet it is true. The Washington conference has accomplished what the League of Nations could not do. When this solemn contract is up most of the battleships will be old and obsolete, and the nations will be ready for further reductions.

POISON GAS ELIMINATED FROM FUTURE WARS.

The third agreement reached by the conference was the treaty which eliminates poison gas from future wars, and which prohibits submarines from sinking merchant ships. It was these things which made the late war so horrible and barbarous. Is not this an achievement to be proud of?

The fourth treaty of the conference was a six-power one, which allocated the German Pacific cables that had been a source of so much acrimonious controversy, and which could easily have led to war.

The sixth treaty refers to a settlement of the Chinese tariff question, and this treaty comprehends other questions concerning the Chinese, the contracting nations agreeing to respect her sovereignty, and to cease the old policies of spoliation and special privilege. It means a real open door.

The seventh treaty settles the serious dispute of the United States with Japan as to the island of Yap, and mandates. The eighth treaty deals with the stopping of new fortifications in the Pacific. Has not the absence of fortifications between the United States and Canada contributed to peace for the last century? To build forts and place guns at another's door is not the way to produce confidence and cooperation.

The eighth and remaining treaties of the conference settle the many differences between Japan and China, such as Shantung, the railroad, mines, and the famous 21 points. Shantung is returned intact to China and differences in Manchuria and Mongolia are settled.

Not the least important work of the conference, arising out of the new spirit that it has created making for justice and peace, is the fact that Great Britain has pledged herself to return Wei-hei-wei, one of the most important seaports of China, to its rightful owner, and France has likewise promised to restore Kwang Chow, farther south.

These important possessions were wrested from China by the military powers without show of right. For 40 years strong, strangling hands were reaching for China's throat and robbing her of her choicest possessions, without which a nation can not progress—sovereignty, seaports, mines, railroads, banks, custom duties—usurping even courts of law.

CHINA RESTORED HER RIGHTS OF SOVEREIGNTY.

Now, the Washington conference has stepped forward and called these strong hands off, giving China once more her freedom and making the spoilers return the graft. How preposterous, then, with all these wonderful gains, is it to say that China is getting nothing from the conference. Think what it would mean to us if New York, San Francisco, Boston, and Galveston had been in the possession of alien hands for a generation and had been suddenly restored to us, would it not mean something? Yet that is just what has happened to China. Beyond this is a still greater gain for China, and that is the new spirit of fair play and protection, with hands off, that is going

to permit her to develop according to the will of her own people. In other words, she will now be free as a nation.

Are not these things better than devastated France, the *Lusitania*, aerial bombardment of peaceful cities, lethal gas, the flower of the world's youth wallowing in the trenches, billions of debts for the generations to pay?

Lastly, as a result of all these treaties, and particularly the four-power pact, that great menace to world peace, known as the Anglo-Japanese alliance, has been done away with. This achievement alone would have justified the conference, as there was no greater danger on the political horizon than this union of Japan and England to control in their own interests the development of the Asiatic Continent. It was only a question of time when such a policy of selfish exploitation would have plunged the world into another conflict.

These are the achievements of the Washington conference. They are positive, real, and peace creating. President Harding did not start out like Wilson to create elaborate machinery for producing a perfect world, settling all international disputes at once, and guaranteeing universal peace for ages to come. President Harding erected no magnificent, idealistic scaffolding as the basis of his policy. He formulated no golden dreams of a perfect world and worshiped at no mystic shrine of perfection.

President Harding did not set himself up as the peace underwriter of the world. His idea was to move in the direction of peace, and world peace would come of its own accord. His plan was: Create a new spirit, not a new machinery. It was dwelling on a new machinery, the League of Nations, and forgetting the spirit (vide Shantung, fourteen points, reparations) that ruined Wilson and made his attempt at world peace abortive. Harding's method was different. It was the method of Christ—change the attitude, the way of thinking, the ideal, and a new man and a new world will be born. Do this and the proper institutional machinery will take care of itself. Wilson, on the contrary, sacrificed everything to get his machinery, the League of Nations, and when he did get it it would not work.

The greatest triumph of the Washington conference, therefore, is this marvelous moral success of Harding's, this contribution of a new spirit for future international conclaves, and this creation of a new method of handling serious controversies without impairing the independence and national sovereignty of the nations.

What has been done in the United States as regards naval limitations and future security on the Pacific can certainly be done in Europe if the lesson of the Washington conference be learned.

HARDING METHOD EMPLOYS PRINCIPLES OF BUSINESS.

Only a year ago Czechoslovakia and Austria were at daggers points with all the bitter hates resulting from the war keeping them apart. Since the Washington conference they have come together in a treaty of amity and cooperation which is an object lesson to the rest of Europe. Poland has also joined in a similar treaty.

Can not France and Germany do what these three nations have done? If not, why not? That's the problem of Europe, and not reparations, huge armies, and guarantees of protection. Create a new spirit, put by the old diplomacy, and come into the new age of Harding. That's the lesson of the Washington conference.

No institutional machinery like the League of Nations can bring about world peace. No law can produce it. World peace, if it comes, will be born alone of a new world spirit. There are many serious questions in the air pressing for international solution that carry with them the germs of possible wars. The Washington conference has shown the way to solve these pressing problems, how to handle these difficulties so that they will not lead to war and embroil all the nations.

With Harding's method the gain is the new method of approach, the new spirit of friendly conference, the new necessity of fair play and give and take, the new attitude of mutuality and reciprocal understanding—in a word, the business method applied to international policies.

With such a method there is no dispute among the nations that can not be amicably settled. In time it means a real association of all the nations, and a real international court for arbitration purposes. That great day will be Harding's work and Harding's glory, and will be the reason for inscribing his name in golden letters in the Pantheon of humanity.

GEORGE J. DURAND.

Mr. KELLOGG. Mr. President, the amendment to which the Senator from Idaho addressed himself provides that each of the high contracting parties will respect the rights and possessions of all other nations and refrain from all acts of aggression against any other power or powers.

Of course, the Senator admitted that that was an amendment of this treaty bringing in practically every nation in the world, broader in its terms than article 10 of the covenant of the League of Nations, in which the signatory powers agreed to respect the rights of all members of the league. The Senator objected to that, objected to respecting the rights of those nations which had been created by the conference in Paris. Now, this would make a new treaty, going outside of the parties signing it, forcing these other signatory powers to agree to respect the rights of all nations of the world.

He can not make it less an amendment by saying that the United States understands that each of the high contracting parties will respect the rights and possessions of all other nations, and refrain from all acts of aggression against any other power or powers, because the treaty says nothing of the kind, and nobody could make it so that the Senator from Idaho would understand anything of the kind. This, of course, is an entire change, an amendment of the treaty, which would defeat it. It would require a reassembling of all the signatory powers in order to find out whether they were willing to extend this treaty to all nations of the world.

Mr. President, of course the Senator from Idaho has been perfectly open and frank; he has made no claim that he was for this treaty. He has always opposed it, and would no doubt support a reservation or a resolution which would defeat it.

I stated the other day on the floor of the Senate that I did not understand the Senator from Connecticut [Mr. BRANDEGEE] to claim that this treaty imposed any obligation on this country to use force in the defense of the rights or possessions of any other country. The Senator from Idaho differed with me as to the understanding of the Senator from Connecticut. I am very glad the Senator from Connecticut made his meaning clear to-day. He did not make any claim that the treaty provided for the use of force in maintaining the rights of any other country, but he said, in substance, that there might be some doubt about it, and some country might claim in the future that such was the intent, or that some obligation could be implied from it.

I stated in the speech I made on the treaty when it first came before the Senate that, in my opinion, there was absolutely no obligation resting upon this country or any other of the signatory powers to use force or come to the defense of any one of those countries in the protection of their rights, but only to consult, and see if an adjustment could be made of any disputes which might arise.

I am still of the same opinion, and when the Senator from Arkansas said to-day that the members of the conference who were Senators thought it was necessary to have a reservation in order to protect the United States, I begged to differ with him, because if anything was made clear on the floor of the Senate by the Senator from Massachusetts [Mr. LODGE] and the Senator from Alabama [Mr. UNDERWOOD], it was that they did not believe there was any such obligation, and did not believe the reservation was necessary. The Secretary of State did not believe it; Mr. Root, a great international lawyer and experienced statesman, did not believe it. Every man who spoke at the conference before the treaty was ratified gave the same construction to it which the Senator from Massachusetts has given to it.

I stated the other day that I voted against the reservation in the committee because I did not believe it necessary. I believed there was no obligation imposed. That seemed to be perfectly clear, not only from the language of the instrument, but from the construction given to it by all nations who were parties thereto. I think it would do no harm, unless it might invite other nations to make other reservations or amendments which might do harm.

A few days ago I noticed in the papers a dispatch from Paris, which I intend to read in part. I have a good example for quoting this in the distinguished Senator from Idaho. The dispatch may or may not be true, but it states that Mr. Poincaré said:

I am not the sponsor of the French delegation. I had nothing to do with the shaping of its policies or the naming of its members.

The article further proceeds:

It was tacitly agreed between the interpolators and the Government that there should be no discussion in the open Chamber of Deputies on the Washington conference before the Senate ratifies or rejects them. The probability of amendments being made in the agreements by the American Senate was taken into consideration in reaching this conclusion.

That indicates what I had in mind. If it were necessary to adopt a reservation or an amendment to protect the rights of the United States, or to save an obligation to go to war, I should be perfectly willing to vote for it. I am willing to vote for this reservation, not because I believe it necessary; I would not vote for it if I did not believe that it was necessary to adopt it in order to get votes enough to ratify the treaty.

There are a few Senators who are afraid that some moral obligation may be implied, and I am willing to vote for the reservation in order to get the treaty ratified.

Mr. BORAH. The Senator then regards the reservation as necessary, but not necessary for clarification?

Mr. KELLOGG. No. I stated what necessity I thought there was. I certainly think it is not necessary to make this treaty perfectly clear, and I have excellent authority in the speech of the Senator from Idaho. The Senator from Idaho is too good a lawyer to stand on the floor of the Senate and say that he believes there is any obligation in this treaty to use force or to defend the rights of other nations in the islands of the Pacific.

Mr. BORAH. Let me ask the Senator a question: The Senator says he is going to vote for this reservation because it is necessary to have the reservation in order to get votes enough to ratify the treaty. Then the Senator's understanding is that there are Senators who think this reservation so vital that if it were not adopted they would vote against the treaty?

Mr. KELLOGG. The Senator has heard arguments on the other side of the Chamber from some Senators that they thought there was an obligation implied. I understand there are two or three Senators on our side who feel the same. I am very much pleased that the Senator from Idaho does not believe it.

The Senator from Idaho stated in his speech the other day that he did not consider there was any obligation upon the United States to use any force to come to the defense of the rights of any other nation, or any obligation upon any delegate attending any conference called under this treaty to agree to come to the defense of any other nation a signatory power, and I understood the Senator to-day to reiterate that statement. I agree with him. Therefore I thought, and still think, that the reservation is entirely unnecessary, because there is no obligation in the treaty to use force.

As I understood the Senator the other day in his very able speech, he placed his objection to this treaty not upon any obligation which would require us to go to war or to take up arms in defense of or to come to the defense of any other country, but because it constituted a political grouping, a diplomatic grouping, which, whether an alliance or not, would encourage other countries to create like diplomatic groupings, and that those two groups would ultimately come into antagonism.

That is the position I understood the Senator to take. Of course, that position would make it necessary that this country never have any understanding with any one, two, or three nations, but have such an understanding with every leading nation in the world at the same time.

I think the Senator went the other day rather far in drawing his analogy from the triple alliance and the triple entente to this understanding. In the first place, the triple alliance and the triple entente did array against each other when they were made two antagonistic groups. They were not antagonistic because of the treaty, but they were antagonistic by reason of their relation to each other in Europe, and some of them had been for centuries, and the Senator knows it. Why, the Senator admitted it the other day in response to questions that I asked him. I asked:

Did I understand the Senator to say that if Mr. Hughes attended a conference under this treaty he would be no more bound to agree to a war than if he attended any conference not provided for by this treaty?

The Senator from Idaho said:

I did not say that exactly, but I think I said about the same thing.

Now, in drawing the conclusion that this agreement to consult together about the islands in the region of the Pacific was like the triple alliance and the triple entente, the Senator proceeded to read what he understood to be the principal feature of the triple alliance, and I quote his language from his speech, and I beg the Senator's pardon because he was mistaken. He quoted from a treaty of alliance between Germany and Austria which was an absolute, binding, defensive alliance to go to war.

That was a treaty between Germany and Austria, and it was an absolute binding treaty of alliance by which they agreed to go to war and defend each other's rights and possessions. The Senator read the following statement from it:

Considering, in fine, that an intimate agreement between Austria-Hungary and Germany can threaten no one, but is rather calculated to consolidate European peace as created by the stipulations of the treaty with Berlin.

Their Majesties the Emperor of Austria and King of Hungary and the Emperor of Germany and King of Prussia, promising each other solemnly never to give any aggressive tendency whatsoever to their purely defensive agreement, have resolved to conclude a reciprocal alliance of peace and protection.

The quotation from the preamble of the treaty between Austria and Germany contains that language. Then the Senator said:

That was the language which dedicated the triple alliance to the cause of protection and peace. Considering that they would never give aggression, or attack anyone, they formed the alliance for the purpose, as we say here, of protecting their respective possessions and in the cause of peace. The language used was quite as laudable as that found in this pact.

But that treaty and the various treaties which followed it contained absolute agreements to come to the defense of each other's possessions. That was in the treaty of 1879, and articles 1 and 2 provided:

ARTICLE 1. Should, contrary to their hope, and against the loyal desire of the two high contracting parties, one of the two empires be attacked by Russia, the high contracting parties are bound to come to the assistance one of the other with the whole war strength of their empires, and accordingly only to conclude peace together and upon mutual agreement.

ART. 2. Should one of the high contracting parties be attacked by another power, the other high contracting party binds itself hereby not only to support the aggressor against its high ally but to observe at least a benevolent neutral attitude toward its fellow contracting party.

Should, however, the attacking party in such a case be supported by Russia, either by an active cooperation or by military measures which constitute a menace to the party attacked, then the obligation stipulated in article 1 of this treaty, for reciprocal assistance with the whole fighting force, becomes equally operative, and the conduct of the war by the two high contracting parties shall in this case also be in common until the conclusion of a common peace.

Mr. President, that was far different from this agreement, which includes all of the nations having islands in the Pacific, not a part of them against another part but all of them, and was an absolutely defensive alliance.

That was followed by the triple alliance of 1882, which was superseded by the triple alliance of 1887, and the third triple alliance of 1891, and the fourth triple alliance of 1902, and the fifth triple alliance of 1912, which really went into effect only a few days before the war, owing to the fact that the previous one had not expired. I shall not stop to read the provisions of the various alliances, but simply state that they were absolutely offensive and defensive alliances. I ask to have inserted in the Record as a part of my remarks articles 1, 2, 3, and 4, page 247, the Secret Treaties of Austria-Hungary, 1879-1914.

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

ARTICLE 1.

The high contracting parties mutually promise peace and friendship, and will enter into no alliance or engagement directed against any one of their States.

They engage to proceed to an exchange of ideas on political and economic questions of a general nature which may arise, and they further promise one another mutual support within the limits of their own interests.

ARTICLE 2.

In case Italy, without direct provocation on her part, should be attacked by France for any reason whatsoever, the two other contracting parties shall be bound to lend help and assistance with all their forces to the party attacked.

This same obligation shall devolve upon Italy in case of any aggression without direct provocation by France against Germany.

ARTICLE 3.

If one or two of the high contracting parties, without direct provocation on their part, should chance to be attacked and to be engaged in a war with two or more great powers nonsignatory to the present treaty, the *casus foederis* will arise simultaneously for all the high contracting parties.

ARTICLE 4.

In case a great power nonsignatory to the present treaty should threaten the security of the States of one of the high contracting parties, and the threatened party should find itself forced on that account to make war against it, the two others bind themselves to observe toward their ally a benevolent neutrality. Each of them reserves to itself in this case the right to take part in the war, if it should see fit, to make common cause with its ally.

Mr. KELLOGG. How far different from the simple, benevolent preamble which the Senator from Idaho read to the Senate the other day. Of course the triple alliance became known to every country in Europe, although it was supposed to be secret. After reading this preamble the Senator said:

There, Mr. President, is the basis of the second political grouping in Europe. It provided for nothing except a conference, a discussion; no alliance, no commitment to force, no agreement to use force, no agreement to cooperate with the military forces of the other power. The only thing which they agreed to do is what it is said here we agree to do, and that is in the case of an attack to consult together to determine what measures, if any, we shall take in order to meet the exigencies of the situation.

Let us look at the triple entente a moment and see if that is true as to that agreement. It is true as far as Great Britain's participation was provided for by the correspondence with the French Government, but not true as to the agreement between France and Russia. It is not true that the triple entente was a mere agreement to consult together. The triple entente had its origin in a military alliance between France and Russia which provided as follows:

France and Russia, animated by a common desire to preserve the peace, and having no other aim except to be prepared for the necessities of a defensive war which may be provoked by an attack upon the forces of the triple alliance against one or the other of them, agree to the following terms—

The statesman who wrote that preamble foreshadowed what was to come years later. The agreement proceeded:

If France is attacked by Germany, or by Italy supported by Germany, Russia will employ all its mobile forces to fight Germany.

If Russia is attacked by Germany, or by Austria supported by Germany, France will employ all its mobile forces to fight Germany.

There we have the triple alliance on the one side and the dual alliance between Russia and France on the other side, to which England afterwards became a party, but in the correspondence between the British Empire and the Republic of France it is true that England did not agree to come to the defense of France.

It was not, Mr. President, the political grouping of Europe by these documents which brought on the war. Germany was the ancient enemy of France. She had invaded France, overrun her provinces, and wrung from her large tribute. France feared and rightly feared a recurrence of this attack. When the triple alliance was formed, naturally France sought an ally in Russia, because the triple alliance was aimed at Russia and aimed at France. Oh, the Senator said, the British Empire simply agreed to a discussion of the question and there was no obligation to come to the defense of France. I shall not stop here at this late hour to discuss the reason why Great Britain entered the war. In her declaration of war, as stated by the Senator from Massachusetts [Mr. LODGE] the other day, the sole cause was placed as the invasion of Belgium by Germany. That was sufficiently stated by the Senator from Massachusetts and the Senator from Washington. But, Mr. President, there was another reason, I believe, why Great Britain could not permit the violation of Belgium. Germany would take Belgium and the Netherlands and would overrun France, and England would be the next.

England knew, whether there was any treaty or not, that if Germany, who had been preparing for this war for 30 or 40 years, should succeed in overrunning Holland, Belgium, and France, she would reckon with England next. England was fighting for the very existence of her Empire; every one knows that; and yet this most extraordinary example of the Triple Alliance and the Triple Entente, which were not the causes of the war at all, is brought forward here as the principal argument in opposition to the four-power treaty. As I have already said, the four-power treaty is not between political groups in opposition to political groups, but it includes all the powers having islands in the Pacific. It was not intended to apply to the mainland of Asia or to Russia or to China.

Mr. HITCHCOCK. Mr. President—

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

Mr. HITCHCOCK. Is it not true that the Netherlands has islands in the Pacific?

Mr. KELLOGG. I was about to make a statement in regard to that. As to the Netherlands, the four powers attending the conference sent a note that it was the intention of the signatory powers to respect the territory of the Netherlands.

Mr. HITCHCOCK. Can the Senator state why the Netherlands was excluded from participation in the making of this treaty?

Mr. KELLOGG. The Senator from Massachusetts [Mr. LODGE] sufficiently stated that; I was not a member of the conference, and I can not tell; but would the Senator from Nebraska defeat the pending treaty because the Netherlands was not brought in? Would the Senator vote against the treaty because the Netherlands was not a party to it?

Mr. HITCHCOCK. Can the Senator state why the Netherlands was not admitted?

Mr. KELLOGG. If the Senator from Nebraska will answer my question I will answer his as well as I can.

Mr. President, has it come to this, that four of the great nations having possessions in the Pacific can not agree with each other that they will respect each other's rights, and can not agree that they will consult together if there should arise any dispute in order that the dispute may be adjusted?

In opposition to this treaty, which some of the Senators on the other side of the Chamber say amounts to nothing, if our construction is correct, they raise every objection—all the bogle men—that a distorted imagination can bring forth. It is said that the treaty will protect Japan in ravishing the Province of China. They forget that China has entered into a treaty with Japan settling substantially all the questions which have existed between those two Governments since the war, embodying greater concessions by Japan and resulting in a greater

success than any Senator believed the conference would bring about.

Mr. President, I say the pending four-power treaty meets the approval of the people of this country and the enlightened sentiment of the world. It is a step toward peace, and, coming after the great conflict which laid waste the fair lands of Europe and sacrificed millions of its sons, it does not become the Senate, representing the United States—the leader of this conference—to reject the treaty.

Mr. HARRIS obtained the floor.

Mr. LODGE. Mr. President, I have no desire to interfere with the Senator from Georgia or with the Senator from Wisconsin [Mr. LA FOLLETTE] who desires to present reservations. I was only going to propose that after a short executive session the Senate shall take a recess until 8 o'clock to-night, with the understanding that there shall be no votes taken and no quorum called at the evening session.

The PRESIDING OFFICER (Mr. SHORTRIDGE in the chair). Does the Senator present his suggestion in the form of a request for unanimous consent?

Mr. LODGE. I submit my proposal as a request for unanimous consent.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts? If there be none, it is so ordered. It is, therefore, the order of the Senate that when the Senate takes a recess—

Mr. LODGE. It is understood that the Senator from Georgia [Mr. HARRIS] will now speak, and then the Senator from Wisconsin desires to present certain reservations to the treaty. Under the unanimous-consent agreement heretofore entered into the Senate will meet at 12 o'clock to-morrow. It is very explicit. That is the reason why I said nothing about the time of meeting to-morrow.

Mr. LA FOLLETTE. Of course, the Senate may remain in session all night, if it is desirable to do so?

Mr. LODGE. Absolutely. We have merely agreed to meet at 12 o'clock to-morrow.

Mr. JONES of Washington. And to recess until that time?

Mr. LODGE. The Senate may either take a recess or adjourn.

Mr. HITCHCOCK. I should like to hear what the request is.

Mr. LODGE. My request is that after the Senator from Georgia shall have concluded his speech, and after a short secret executive session, the Senate shall take a recess until 8 o'clock; and that it shall then remain in session as long as it sees fit, with the understanding that there shall be no votes taken and no quorum calls.

Mr. HITCHCOCK. Mr. President, the result of that understanding will be that there will probably not be more than five Senators present and a mere farce will be perpetrated.

Mr. LODGE. That may be. If the Senator from Nebraska thinks he can compel Senators to come here and listen to speeches, he may make the effort; he may compel them to sit about the neighborhood of the Chamber, no doubt.

Mr. HITCHCOCK. I think it would be better to have a session of the Senate and leave the matter as to whether or not a quorum shall be called to be decided at that time, and also as to whether votes may be taken.

Mr. LODGE. Very well, Mr. President, I am ready to vote at any moment. I made my request to suit the convenience of others; and the request came from the side of the Chamber of the Senator from Nebraska, not from my side of the Chamber. Of course, if the Senator from Nebraska wants to hold the Senate in continuous session and to have a series of calls for a quorum in order to make sure that there is a quorum in the neighborhood, it is his privilege to do so. I was trying simply to make an arrangement that I thought was agreeable to the great body of the Senate, as the request, I repeat, came from the side of the Chamber of the Senator from Nebraska, and not from my side of the Chamber.

Mr. HITCHCOCK. I will say to the Senator from Massachusetts that I have not found any Senators on this side of the Chamber who take that view of the matter.

Mr. KING. I do, and there are several others.

Mr. LODGE. It is useless to deny it, Mr. President. When I told the Senator that the request which I have preferred came from his side of the Chamber I meant it, and I told him the truth.

Mr. HITCHCOCK. I have discovered so far only one Senator who has made such a request.

Mr. LODGE. Must I produce evidence?

Mr. HITCHCOCK. No; I am not asking for any evidence. I do not think it makes any difference from which side of the Chamber the suggestion came; it leads to a farce when Senators are required to talk to empty chairs.

Mr. LODGE. I would be the last Senator to put any obstacle in the way of securing a vote, and if the Senator thinks that it is best that we should remain here and continue the session, with the constant demands for a quorum, with the result that Senators who desire to speak and who have put their names down may find themselves at 12 o'clock to-morrow without having had any chance to address the Senate, well and good; I have no objection personally.

The PRESIDING OFFICER. The Secretary will state the request for unanimous consent.

Mr. NORRIS. Mr. President, has there been any objection to the request?

The PRESIDING OFFICER. The Chair did not hear any specific objection.

Mr. NORRIS. Will the Chair not state the request to the Senate?

Mr. HITCHCOCK. I made objection.

The PRESIDING OFFICER. The Chair understands the Senator from Nebraska to object.

Mr. NORRIS. Then, when the absence of a quorum is developed the only motion that may be made is to adjourn.

Mr. LA FOLLETTE. Mr. President, in the meantime, while Senators are negotiating in respect to the session this evening, I should like to offer, if I may, some reservations intended to be proposed by me to the four-power pact. I ask to have them printed in the RECORD and also printed in the usual form and lie on the table.

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

Reservation intended to be proposed by Mr. LA FOLLETTE as a part of the resolution of ratification of the four-power treaty relating to Pacific possessions:

Provided, That the Senate advises and consents to the ratification of the said treaty with the understanding, to be made part of such ratification, that, upon one year's written notice given by one of said high contracting parties to this treaty that the party giving said notice desires to be released from the said treaty, the said party giving such notice shall, upon the expiration of one year from the date when such written notice is given to said other high contracting parties, be released from all obligations of said treaty.

Reservation intended to be proposed by Mr. LA FOLLETTE as a part of the resolution of ratification of the four-power treaty relating to Pacific possessions:

Provided, That the Senate advises and consents to the ratification of the said treaty with the understanding, to be made part of such ratification, that none of the high contracting parties shall, during the life of such treaty, without consulting the other parties, enter into any separate arrangement or understanding with another power, whether one of the high contracting parties or not, with reference either to their insular possessions and insular dominions in the region of the Pacific Ocean or to the Asiatic mainland, which shall in any way prejudice the objects and rights of the said parties under this treaty or which shall be inconsistent with the terms thereof.

Reservation intended to be proposed by Mr. LA FOLLETTE as a part of the resolution of ratification of the four-power treaty relating to Pacific possessions:

Provided, That the Senate advises and consents to the ratification of said treaty with the understanding, to be made part of such ratification, that the agreement between Great Britain and Japan concluded at London on July 13, 1911, shall not in fact or in substance be renewed during the life of said treaty.

Reservation intended to be proposed by Mr. LA FOLLETTE as a part of the resolution of ratification of the four-power treaty relating to Pacific possessions:

Provided, That the Senate advises and consents to the ratification of said treaty with the understanding, to be made a part of such ratification, that in case any of the high contracting parties shall have entered into any separate treaties, agreements, and understandings, whether public or secret, either between themselves or with any other power or powers, which are inconsistent with the terms of this treaty or prejudicial to its objects, it shall be the duty of such high contracting party or parties upon the ratification of this treaty to terminate such separate treaties, agreements, or understandings at the earliest time compatible with their terms.

Reservation intended to be proposed by Mr. LA FOLLETTE as a part of the resolution of ratification of the four-power treaty relating to the Pacific possessions:

Provided, That it being the intention of the United States to grant full and complete independence to the Philippine Islands within 10 years, the Senate advises and consents to the ratification of the said treaty with the understanding, to be made part of such ratification, that the high contracting parties to this treaty agree to recognize and respect the political independence and territorial integrity of the Philippine Islands after such independence is granted.

Reservation intended to be proposed by Mr. LA FOLLETTE as a part of the resolution of ratification of the four-power treaty relating to Pacific possessions:

Provided, That it being the intention of the United States to grant full and complete independence to the Philippine Islands within three years, the Senate advises and consents to the ratification of the said treaty with the understanding, to be made part of such ratification, that the high contracting parties to this treaty agree to recognize and respect the political independence and territorial integrity of the Philippine Islands after such independence is granted.

Mr. LODGE. Mr. President, before the Senator from Georgia proceeds—

Mr. HARRIS. I yield to the Senator from Massachusetts.

Mr. LODGE. Of course, if the Senator from Nebraska is going to insist that the Senate shall remain in session in the effort to secure an audience for the Senators who desire to speak, I shall take the sense of the Senate by making a motion to recess.

Mr. WALSH of Montana. Mr. President—

Mr. HARRIS. I yield to the Senator from Montana.

Mr. WALSH of Montana. I submit an amendment which I intend to propose to the resolution of ratification, and ask that it be printed and lie on the table.

The VICE PRESIDENT. The amendment will be printed and lie on the table.

Mr. HARRIS. Mr. President, I strongly supported the Borah resolution to bring about a naval disarmament conference. The majority leaders in the Senate opposed the resolution until they realized it would pass the Senate, as all of the Democrats and many western Republicans favored it. I am supporting actively the naval armament limitation treaty, as well as the other treaties growing out of the purpose for which the conference was called. Had the Borah resolution provided for a four-power alliance or any such arrangement it would not have passed the Senate.

There is a general idea that the four-power treaty is an integral part of the disarmament feature of the Washington conference. An effort is made to connect with disarmament everything touching the conference, as disarmament is favored by all. The four-power pact has no connection whatever with the other treaties negotiated at the conference, but its supporters are trying to make it appear so in order to secure ratification.

The four-power treaty is an alliance, in my judgment, and one of the kinds of entangling alliances which this country has always avoided, beginning with the first warnings of George Washington. President Wilson fought to prevent such alliances for all time by the creation of the League of Nations, composed of all nations. The four-power treaty is contrary to the ideas and principles advocated by Mr. Wilson, who almost gave up his life to end just such entangling alliances as this one—which history shows have always been breeders of wars.

There is no way to compare a league for all nations with a league of four nations. They are different in purpose and in spirit.

The Republican leaders, with the aid of prominent Democrats, are trying to appeal to friends of the League of Nations with the same kind of argument as was urged by the Democrats when the league was before the Senate. Because the Republicans played politics with our foreign policies in 1919 and 1920 they are trying to create the impression that everyone in disagreement with them now is guilty of their tactics of two years ago. The Democrats have sincerely supported the purpose for which the conference was intended and gave every encouragement to it. They did not offer any embarrassment to the conference, which compares strangely with the tactics of the Republicans in 1919, who did everything they could to destroy President Wilson's influence while he was representing the United States in negotiating a treaty. The Republicans have played politics with foreign policies to such an extent that they think everybody else is guilty of the same policy.

The Senator from Arkansas [Mr. ROBINSON] offered an amendment, for which I voted. Practically all Democrats supported it, but it was defeated by Republican opposition. Had it been adopted I and nearly all of the other Democratic Senators would have voted for the treaty as amended or as a reservation. Under the four-power treaty, if there should develop any controversy between any one of the four powers relating to their insular possessions, far eastern questions, and so forth, only those four powers would consider "the most efficient measures to be taken, jointly or separately."

The Robinson amendment provided:

If there should develop between any one of the high contracting parties and any other power or powers a controversy relating to said insular rights and possessions, or to any far eastern question which is not satisfactorily settled by diplomacy and is likely to affect the harmonious accord subsisting between any party or parties to this compact and any other power or powers, the high contracting powers shall invite all powers claiming an interest in the controversy to a joint conference, to which the whole subject shall be referred for consideration and adjustment.

If China should have trouble with Japan about the island of Formosa, which Japan took from China in the Chino-Japanese War; if Russia should try to recover her losses taken by Japan and resist Japan's recent aggressions in Siberia; or if the Christians in Korea should try to regain their country, taken by Japan—and to-day's paper tells that since the way the

Koreans were treated by the Washington conference they have lost all hope; that is stated in a telegram from Tokyo to the Washington Post—then, under the four-power treaty, the United States is bound to consult only Japan, Great Britain, and France to settle the matter, although we are friends of those nations and people which are suffering from Japanese aggressions. If the views expressed in the Robinson amendment had prevailed all parties to the dispute would be at the conference instead of its being a one-sided affair.

Some who have urged support of the four-power treaty insist that in principle it is like the League of Nations. The opposite is true, in my judgment. It has none of the advantages of the league and all of the dangers feared by those opposing the league.

Just after the armistice, in Manchester, England, former President Wilson said:

You know the United States has always felt from the very beginning of her history that she must keep herself separate from any kind of connection with European politics, and I want to say very frankly to you that she is not now interested in European politics. But she is interested in the partnership of right between America and Europe. If the future had nothing for us but a new attempt to keep the world at a right poise by balance of power, the United States would take no interest, because she will join no combination of power which is not a combination of all of us. She is not interested merely in the peace of Europe but in the peace of the world.

The Senator from Alabama [Mr. UNDERWOOD] frankly admitted that he had not heard of the four-power treaty until it was ready for signature. Last week Mr. Sarraut, a French delegate to the conference, in the presence of Premier Poincare, admitted he had not been consulted about it in the preliminary stages, and he was severely criticized on that account. When the first information was given out about the treaty, President Harding said it did not include the mainland of Japan. Such lack of knowledge of the provisions of the treaty shows that a few questions about it are not out of place, but those in position to know decline to give us information. If President Wilson had made such a statement about the Versailles treaty, it would have furnished a text for daily debate in the Senate, while President Harding's statement has only been mentioned once. For my part, I hope the party to which I belong never will be discourteous to the President of the United States, no matter how much they differ with him; and I do not believe that the Senators who were discourteous to President Wilson are now proud of that record.

A simple request for information seems to offend the Senator from Massachusetts [Mr. LODGE] and other leaders, although the Senator from Massachusetts was very bitter in his denunciation of President Wilson about giving information as to the negotiations at Paris. It is a striking contrast. Secretary Hughes did not appear before the Senate Foreign Relations Committee. The committee declines to call him before them. President Wilson and Secretary Lansing appeared before the committee and were questioned at great length by members of the committee.

Japan and Great Britain have an alliance which is about to expire. Canada, Australia, New Zealand, and other dominions of the British Empire were opposed to a renewal of this alliance. Japan and Great Britain said their alliance did not apply to the United States. Supporters of the treaty say it was intended to end the Anglo-Japanese alliance, which supporters of the treaty disapprove. They argue that we should do away with a two-power alliance, but substitute this four-power arrangement, although Japan and Great Britain said their alliance was not aimed at America. Japan, Great Britain, and France are already members of the League of Nations.

It is likely that the four-power treaty will be ratified, and, in my judgment, when the American people find out what it really means they will agree that it should have been extended to all nations.

No Member of the Senate would go further in supporting measures than I would to bring peace to our country and the world. I would gladly support the four-power treaty if I thought it would accomplish peace. But when history shows that such arrangements between a few countries have always brought about wars, and when all of our great leaders from George Washington to Woodrow Wilson have opposed and warned us against just such alliances, and when it has been against the policy of our Government for all time, I can not give it my support.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Brandegee	Capper	Elkins	Hale
Broussard	Caraway	France	Harris
Burns	Curtis	Gerry	Harrison
Cameron	Edge	Glass	Heflin

Hitchcock	McKellar	Pepper	Stanfield
Johnson	McKinley	Pittman	Sterling
Jones, Wash.	McNary	Ransdell	Townsend
Kellogg	Moses	Rawson	Underwood
Kendrick	Nelson	Reed	Wadsworth
Keyes	New	Robinson	Walsh, Mont.
King	Newberry	Sheppard	Warren
La Follette	Nicholson	Shields	Willis
Lenroot	Oddie	Shortridge	
Lodge	Overman	Smith	

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Fifty-four Senators having answered to their names, a quorum is present.

Mr. LODGE. Mr. President, I wanted a quorum in order to have the Senators here. I fear that some have gone already, expecting that the arrangement would be made which was made last evening. I desire to make the same request—that after a brief executive session the Senate will stand in recess until 8 o'clock, and then return, to sit for such period as it may choose, and that the understanding shall be that there shall be no vote, and no quorum call, of course.

The PRESIDING OFFICER. The Senator from Massachusetts asks unanimous consent that after a brief executive session the Senate will take a recess until 8 o'clock; then that it will convene and remain in session so long as may be desired, with the understanding that there shall be no vote on any proposition and no call for a quorum. Is there objection?

Mr. REED. Mr. President, I presume that we might just as well consent to the request, because the Senator from Massachusetts has it in his power to adjourn the Senate until tomorrow at noon, if he sees fit to take that course. My preference would be that the Senate should remain in session as it would under ordinary circumstances, because then the Senate would be here. Everyone knows that under the arrangement suggested there will be practically no attendance. I want to take this occasion to say that it will be some time before there is another unanimous-consent agreement to vote on any question requiring discussion.

I do not object.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and it is so ordered.

SECRET EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business behind closed doors.

The motion was agreed to; and the Senate proceeded to the consideration of secret executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 45 minutes p. m.), under the order previously made, the Senate took a recess until 8 o'clock p. m.

EVENING SESSION.

The Senate, in open executive session, reassembled at 8 o'clock p. m., on the expiration of the recess.

THE FOUR-POWER TREATY.

The PRESIDING OFFICER (Mr. McNARY in the chair). The Senate resumes the consideration of the pending treaty.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty submitted by the President of the United States between the United States, the British Empire, France, and Japan, relating to their insular possessions and insular dominions in the Pacific Ocean.

Mr. WATSON of Georgia. Mr. President, a lady of this city, Miss Lillian Scott Troy, placed in my possession this morning a booklet which she has caused to be published. While I have not had time to verify her statements, I have no reason to doubt their correctness.

Ordinarily, when a subject of one country publishes a libelous attack upon all the people of another it is a matter of which the government of that country will take no notice, it being considered an individual affair. In this case the publisher is well known as the author of several standard works. He is known to be the personal friend of the British ambassador, Sir Auckland Geddes. He is known to be a frequent visitor at the British Embassy. He has been decorated by the Governments of Great Britain and Japan, as well as that of Belgium. Therefore what he says against our people in general—drawing what Burke said could not be drawn, an indictment against a whole people—has some significance when we remember that we are now asked to enter into an alliance with his country, he the friend of the British ambassador.

It is said that some Senators from the South are going to vote for this revolutionary departure from our traditional policy. I want those Senators from the South to hear what this friend of the British ambassador, this honored guest of the

British Embassy, this wearer of decorations from Japan and Great Britain, has said about us as a people. Writing of the colonizers of Virginia and the South, Mr. A. Maurice Low says:

In the early days many of them went there because they had no option, because they were criminals and paupers; they were transported by the Government, as in later days English criminals were sent to Botany Bay.

Think of that! The South compared to the slave colony of Botany Bay! Criminals! Paupers! So says this friend of the British ambassador, this visitor to the British Embassy. He further said:

Some immigrants to Virginia were, to some extent, a shiftless and degraded set of creatures from slums and jails of English seaport towns.

Virginia, in whose Jamestown settlement was set the foundation of American democracy, representative government, manhood suffrage, trial by jury, while Massachusetts was making the experiment of a theocracy which did not work.

He further said:

The men who have made some parts of the South a dark and bloody ground, where to this day the only law known is the law of the rifle and the knife, where dense ignorance prevails and superstition holds sway, are the legacy of this colonial era and its social system.

And from the South have come so many of the intellectual stars that light the galaxy of America's pride, that one could stand an hour, mentioning their names and giving a brief summary of their deeds. From the South has gone much of the money and the missionaries which converted Korea to Christianity, which Japan is now trying to stamp out.

The negro fastened his own weaknesses, his shiftlessness, and his slowness upon the southerner.

In the South, as elsewhere, we have our shiftless class of negroes, but they are very much in the minority. The greater number of the negroes of the South have learned the ways of civilization and Christianity, and the tax books, the official records, will show how rapid has been their accumulation of property. Their schoolhouses and their churches compare favorably with ours, when we consider that a few years ago they were slaves. Mere justice to my black constituents in the State of Georgia, whose good will and confidence I am proud of, impels me to say that they have been foully slandered in this book of the friend and guest of the ambassador of Great Britain, who now has an office here in Washington City and a membership in the Cosmos Club—which ought to expel him.

Blacks corrupted their masters and corrupted their morals. The effect of slavery was more demoralizing in South Carolina than in any other colony.

This friend of the British ambassador says that slavery demoralized that State to a greater extent than it demoralized and debauched and degraded any other State. I wonder if a Senator from South Carolina would dream of voting for this damnable treaty.

Mr. SMITH. Not this Senator.

Mr. WATSON of Georgia. I know that.

Mr. SMITH. The Senator from Georgia said "a" Senator.

Mr. WATSON of Georgia. I said I wondered if a Senator would vote for the treaty; yes. I know the Senator's position.

Again, another British writer, Mr. P. A. Vaile, in his book *Yankee America's Peril*, said:

Quite a few men in America are effeminate looking. Many of the young men have quite nice waists, and then are developed not quite so sturdily as one who has the welfare of the Nation at heart might wish; in fact, not to put too fine a point on it, their development beneath the waistline is distinctly feminine.

He then goes on to say:

It simply means, of course, that from the boy who shines your boots to the Senator they are a nation of "boodlers."

From the boy who shines your boots to the Senators here in this Chamber, they are boodlers! That is not a pleasant thing to read from the bosom friend, the constant guest of the British ambassador, the man who belongs to the Cosmos Club, and who has entrée to the British Embassy. Boodlers, bootblacks, and Senators! I see one of them standing before me now.

Mr. REED. I will sit down after that.

Mr. WATSON of Georgia. I read further:

Yankee! Yankee! Yankee! Have you anything in your land that is not hollow?

To-morrow's vote will begin to show. To-morrow's vote will show whether we have anything in the land that is not hollow. I am not drawing the inference myself. He is doing it.

A little further on he said:

The population of America consists to a large extent of offcasts from every land on the face of the earth.

Now listen to this:

By the time I had been in the States a month I began to ask myself was any woman in the land to be trusted.

No virtue in these United States! An insult to your mother, if she is alive; an insult to your wife, if she is alive; an insult to your daughter, if she is alive; an insult to your granddaughter, if you have one; an insult to your sister; an insult to American womanhood, for which every American man has been ready to risk and lay down his life if accusation were brought against it, impugning its honor, its splendid elevation.

No American woman pure, says this prominent English writer, who writes in the same way as does the friend of the British ambassador, this man who is the welcome guest at the British Embassy and who wears the imperial decoration of Japan, of Great Britain, and of Belgium.

They may say they did not know he had said it or had written it or had published it. They will know it in the morning.

Mr. President, the junior Senator from Ohio, my good friend Mr. WILLIS, placed in the RECORD two editorials, one by Mr. Clark Howell, Georgia's member of the National Democratic Committee, the other by Mr. William J. Bryan, often the nominee of the Democratic Party for the Presidency, now a resident of Florida.

As to Mr. Howell, who edits, perhaps, the most widely circulated daily newspaper in the State of Georgia, I will simply say this, which the Senator from Ohio [Mr. POMERENE] could not have been supposed to know: In the campaign of 1920 Mr. Howell placed in the race for a seat in this body the governor of Georgia, and he ran on this issue. He was not elected; he was overwhelmingly defeated, in spite of all the valiant service which could be rendered to him by my personal friend, Mr. Clark Howell. Had he been elected he might have been making a different speech from the one which I am trying to make to-night.

As to Mr. Bryan, I would not want to say anything that is at all malicious, although I have no cause to love him. It will be remembered that he opposed the Spanish-American War, and then came, in his grand-stand manner, to offer his services as a soldier to President McKinley. He went to the White House to do it, instead of enlisting as the others did out in Nebraska. President McKinley made him the colonel of a regiment, but another man had to drill it for him. He was sent down to Tampa, Fla., where he fought sand flies and mosquitoes in the most heroic manner. There were no audiences down there to speak to, and President McKinley did not want him to get to Cuba, lest he spoil the plans of the campaign. He was kept at Tampa until he got tired of it. He wanted the war to close, so he came to Washington City, wearing his uniform, and he implored several Democratic Senators to lend their votes to our Republican friends on the other side of the Chamber to ratify the treaty of Paris by which our taxpayers invested \$20,000,000 in buying property which our soldiers had won with their blood. He succeeded in lending our Republican friends a sufficient number of Democratic votes to ratify that treaty. We thereby obtained the Philippines, and the Philippines are now being used as the excuse for going into this four-power pact.

One of the Senators who was persuaded by Mr. Bryan to vote for that treaty was Mr. Clay, of Georgia. I was at Mr. Clay's house a short while before his death. He knew that he was afflicted by an incurable disease. In his house and at his table he told me that his vote for the Paris treaty was the one act of his political life that he most regretted; that he had been persuaded to cast that vote by Mr. Bryan. The widow of Senator Clay still lives, and by the magnanimity of this Republican administration the widow of that Democrat remains the postmaster of her home town at Marietta, and I am sure if she were asked to do so she would corroborate every word that I have said. With the solemnity of a dying confession Senator Clay expressed his profound sorrow that he had allowed Mr. Bryan to overpersuade him. Any southern Senator who now allows Mr. Bryan to persuade will carry similar regret to the last day of his life.

The other Senator from Ohio [Mr. POMERENE], who is also personally my very good friend, spoke of George Washington as being obsolete, out of date, old fogey, behind the times; that he had not dreamed of railroads, telegraphs, telephones, radio stations, airplanes, submarines, or any of the new adjuncts of modern civilization, and therefore what he said about the fatal consequences of foreign entanglements did not apply. The natural consequence of the Senator's logic was that if he had known of the railroads, telegraphs, telephones, radio stations, airplanes, and submarines he would have withdrawn his Farewell Address. I wonder what the voters of Ohio will say about that matter in a few days?

Mr. REED. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Missouri?

Mr. WATSON of Georgia. With pleasure.

Mr. REED. I think it is very true that when Washington wrote his Farewell Address he had not heard of the airplane or of the automobile; he had not even heard of a Ford. If the argument is good that because he had not heard of these instrumentalities of modern locomotion, the principles of government which he announced are thereby destroyed. I wonder what my friend from Ohio would say of the Sermon on the Mount. At the time it was delivered, or shortly before, Christ had ridden into Jerusalem on an ass and He had never heard of a "Tin Lizzie," or of any of the modern appliances, and yet some people think that the principles of the Sermon on the Mount live notwithstanding modern inventions.

Mr. KING. The Senator might also mention the Ten Commandments.

Mr. WATSON of Georgia. The line of argument pursued by the senior Senator from Ohio would, first of all scrap the Constitution itself, then, of course, it would scrap the Golden Rule, and, of course, it would scrap, also, the Sermon on the Mount.

Mr. REED. And also the Ten Commandments.

Mr. WATSON of Georgia. Oh, yes; and also the Ten Commandments.

We heard an eulogy delivered here on Mr. Elihu Root, who is said to be a great man actuated by pure and lofty motives. Mr. President, I think that a lawyer who has consciously devoted his whole life to showing law-breakers how to escape the penalty of their crimes does himself become morally warped because of having done that. Let us see. When Mr. Root was Secretary of State under President Roosevelt he violated the honor and the contract this Government pledged to Korea in 1882; and, after having done that and drawn his friend, the President, into it, he went to Chicago and drove a knife into his back; he steam-rolled his delegates, and nominated Mr. Taft, who had placed his brother's law partner in the Cabinet, in which position that law partner of Henry Taft surrendered to the Sugar Trust the Philippine lands, for which this Government had paid the friars \$7,000,000, and he sold them to the Sugar Trust for less than our taxpayers had had to pay for them.

Mr. President, it is a small matter to mention, but the four-power pact and its supplementary treaty show the punctuation of a lawyer, and not that of a literary man. Having been both a lawyer and a literary man, I know the difference between the one system and the other. So I say a lawyer wrote that document, as it has the punctuation of a lawyer. It is not necessary to impute corrupt motives to Mr. Root. He is a lawyer representing his client, and his client is the Anglo-Japanese alliance, and he wants to change that contract in the interest of his client, and to give to that client two more allies which will contribute to Japan's military strength an irresistible force already in existence.

We are told that this pact will exist only for 10 years. Of course, on its face it is plain that it will last for 11 years. It is said that nothing can happen in Russia in 11 years. How does anybody know that? A good deal is happening in Germany right now. With her abundance of paper money she is industrially on her feet, and she is again competing with American and English manufacturers in nearly all the marts of the world. We, deprived of paper money, deprived of circulation to the extent of \$2,000,000,000 in two years, are on the very brink of economic ruin, and unless our financial policy is reversed and the money put back into circulation there will be no rehabilitation of our industrial and economic system.

Mr. REED. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Missouri?

Mr. WATSON of Georgia. Certainly.

Mr. REED. Since the Senator has been speaking about Mr. Root, I should like to ask him if he saw this article in the Chicago Herald-Examiner of Friday, October 28, 1921? It is very short. It is by Oswald F. Schuette, a writer of prominence:

Washington, October 27.—A prominent American who returned recently from London and who had access to the highest British and American officials brought back the following account of British interest in the American delegation to the Washington conference on armaments.

When President Harding made public his plans, the British Prime Minister sought to learn details of the plans from an American in London who is known to sustain exceedingly intimate relations with the White House.

"Do you know whom your President is likely to name as delegates to this conference?" asked Lloyd-George.

"If he follows the usual custom," was the reply, "he would name Senator BORAH, because it was Senator BORAH whose resolution for an armament conference really started this whole matter."

"But he is a fanatic," was the complaint of Lloyd-George. "We never could get along with him. Is there anyone else who is likely to be named?"

"Senator Knox," was the second suggestion. "He is a former Secretary of State, a leader in the Senate, and an authority on international affairs."

"He is too pig-headed," was the explosive comment of the British premier. "Why does not President Harding name some one like Ellhu Root? We could deal with him."

In this connection, I call attention to a fac simile letter which was printed on March 19 in the New York American, on the letterhead of the United States Senate, Committee on the Philippines; in the upper left-hand corner, "Warren G. Harding, Ohio, chairman."

JUNE 30, 1919.

MR. WILLIAM F. BREWSTER,
Edison Building, Chicago, Ill.

MY DEAR MR. BREWSTER: Permit me to make grateful acknowledgment of your gracious letter of June 28.

We seem to be in essential accord about the League of Nations, and I quite agree with you that it has been helpful that we had pioneers in attacking the plan which has been negotiated by the President.

I have been very much interested to note the contents of your letter to . . . What especially attracted my interest was your reference to Mr. Root. I join in paying very high tribute to Mr. Root's commanding ability, but I agree with you that he is not infallible and I am perfectly frank to say he has not been so helpful as he might have been in dealing with this matter, if he had been free from professional entanglements which have committed him more or less to the League of Nations plan.

Very truly yours,

W. G. HARDING.

I think the two statements fit somewhat into the Senator's remarks.

Mr. WATSON of Georgia. Mr. President, they do. I had a photographic copy of that letter in my hands or on my desk when I spoke here the other day; but it had not then been made public property, as it has now been, and it has always been my conception of propriety to not use a private letter in public without the permission of the person who wrote it; and not having that permission, and the letter not then being public property, as it is now, I did not feel free to comment upon it. What the Senator from Missouri has read into my remarks exactly tallies with what I was saying. The English Government wanted Mr. Root because he is their lawyer. He is the attorney for the Anglo-Japanese alliance, and he is the attorney of the J. P. Morgan banking house. He is the attorney of the international bank, and behind all of this drive are the international bankers who mean to exploit China, Siberia, and that island which, it is said, has as much mineral wealth as Mexico—Sakhalin. It is virtually a part of the mainland of Russia, but our negotiators said it was six or eight hundred miles off.

Mr. President, the Senator from California [Mr. SHORTEIDGE], answering a question put to him by the senior Senator from Missouri [Mr. REED], stated to the Senate that he had run on the issue of the League of Nations, but he considered this nothing of a league and that therefore there was no inconsistency in his supporting this while he opposed the other. To show you how careless have been those who wrote this treaty and who have spoken about it, he put into the Record a clause which states that the United States do not assent to the mandates given to Great Britain and to Japan at Paris—mandates over those 25,000 islands in the Pacific Ocean. Why, Mr. President, the Yap treaty contains the express language "The United States consent to those mandates." Which of these was written first? Here is the supplementary treaty, the declaration accompanying the above four-power treaty. It says the United States do not assent. The Yap treaty declares that the United States do consent. Which was written first? Were they written by the same man? Why could he not remember what he wrote?

The Senator from California asked, "What is mysterious about this?" Well, I think that is mysterious. In the one, where we are told it is merely a matter of laying a cable on the way to China, the United States are made to consent to those mandates—to consent so far as Japan is concerned in express terms, and by implication to consent to Great Britain, because we can not consent to the one and deny the other. That must be manifest to every intelligent mind. Yet here we have these two treaties. The cable company Japan may control by buying up a majority of the stock, and censor all the news that we send to the East, and all that the East sends to us. In the Yap treaty we consent to those mandates which carry out the secret agreement which Mr. Balfour denied, and which, if we had known, we would have required to be abrogated before ever we sent our boys abroad to die for France and for Great Britain. In the one we say we will not consent; in the other we do.

And whispering I'll ne'er consent—consented.

What sort of attention was paid to our national honor and our interests when Singapore, at the end of the Malay Peninsula on the China Sea, was classed as a Pacific port—a port of transit through which passes the commerce of 500,000,000 people on the one side and 500,000,000 on the other, one-third of the human race?

Mystery? Why, there is mystery after mystery in this treaty. The Borah resolution did not call for anything but disarmament, and the whole country got the idea that we were going to have peace, pence, no more wars, and there was a grand flourish and a fanfare of trumpets at the opening of the conference in the hall, as I understand, where they were guests of the Daughters of the American Revolution. I wonder if those noble, patriotic women dreamed that as their guests these men were going to conspire to surrender the independence, the glories of the Revolution, which that order was founded to keep fresh in the memories of succeeding generations!

We heard about the naval ratio, 5-5-3. We heard about the tariff that China was to be allowed to increase slightly. We heard about the submarine, the poison gas, and all the rest of it. The one thing we heard not one whisper about was this surrender of American freedom; because you do surrender freedom when you tie your hands in a four-power pact or a pact with any other number of powers. It can not be denied. If you go into any kind of organization, church or lay, you surrender part of your individual independence. In becoming members of society the individual is assumed to have been willing to surrender a part of his individuality to get the protection of the whole. That is the very basis of society; and what is true of a society composed of individuals is necessarily true of a society composed of nations.

With whom are we going into a combination and against whom? We are going into a combination with a pagan Empire which is now waging war upon a Christian-converted country, Korea, and is making war upon a great Greek Catholic Empire, Russia. We are paganizing ourselves to assist the Buddhists to rob the Christians of Russia and Korea. Can that be defended in any forum where reason prevails?

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

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Kentucky?

Mr. WATSON of Georgia. With pleasure.

Mr. STANLEY. I have heard much of this pagan alliance with Japan in answer to the beautiful beatitudes connected in a smoky and vague way with this treaty. The inference is that we are united with our Christian brother, England, in the spread of the spirit of the Redeemer throughout the world. I wish to ask one of the greatest historians who has ever adorned this body whether I am not right in the statement that from the day the first Christian perished on the bloody sands of a Roman arena, until the last Christian gave his life rather than burn incense before the altars of Diana, in one year, in a single 12-month, Great Britain has caused the death of more Christians by Turkish brigands and Turkish janissaries than ever fell before all the powers of all the Nereoes and all the Domitians and all the Tiberiuses that ever made war upon the Christian faith throughout the whole history of the Roman Empire?

Mr. WATSON of Georgia. That is true, Mr. President, and a comparatively recent illustration of it is this: That the Crimean War was fought for the purpose of maintaining the rule of the Turks who had committed all sorts of atrocities against the Christians in the Balkan Peninsula and against the Christians in Armenia.

Mr. STANLEY. At that point, not to interrupt the Senator, I often wondered why—

The PRESIDING OFFICER. The Senator from Kentucky will address the Chair first to determine whether the Senator having the floor will yield. That is the procedure which must be followed.

Mr. WATSON of Georgia. I gladly yield.

Mr. STANLEY. I anticipated no trouble there.

The PRESIDING OFFICER. It is not a question of anticipation; it is a question of a rule of this body.

Mr. STANLEY. If I have stepped incontinently on the toes of the Presiding Officer I most humbly apologize; it was not intentional.

The PRESIDING OFFICER. There is no apology needed. It is only a question of following the rule. Does the Senator from Georgia yield to the Senator from Kentucky?

Mr. WATSON of Georgia. With pleasure, Mr. President.

Mr. STANLEY. Mr. President, may I interrupt the Senator from Georgia?

The PRESIDING OFFICER. The Senator from Georgia yields.

Mr. STANLEY. We are as highly technical as this treaty. I often wondered why, at the foot of that beautiful poem now quoted in all our textbooks, "The Charge of the Light Brigade at Balaklava," where

Cannon to right of them,
Cannon to left of them,
Cannon in front of them,
Volleyed and thundered,

While the Six Hundred went to death and to immortality, they did not write, "Not one of them fought or one of them fell, not one of them gave his red and heroic blood, in order that a pagan Turk might murder a Christian with impunity in Armenia, under the agis of that Christian and canonized nation, Great Britain."

Mr. WATSON of Georgia. Mr. President, that is quite true. The net result of the Crimean War was to continue the power of Turkey; but we need not be surprised at anything done by Great Britain; and when I say that, I mean the governing powers there, the oligarchy. I do not mean the people, because by blood I am an Englishman myself.

Mr. STANLEY. So am I.

Mr. WATSON of Georgia. But the governing power there is like it is in so many other countries—it represents caste and privilege and organized wealth, disregarding the rights of the masses and the true interests of civilization.

I was about to refer to Russia when my friend, the Senator from Missouri, got in. How does anybody know that Russia will not come back within 11 years? How does anybody know that her armies will not be marching toward the Arctic Circle, within the next week or the next month, to hurl the Japanese away from what is really the Russian mainland, not only in Siberia but in the island of Sakhalin, which, for a part of the year at least, is connected with the Russian mainland, and which is as much the property of Russia as Alaska is ours?

In that case, then, we will be bound to raise another expeditionary force, and again have American blood reddening the snows of Siberia. We may have again another blockade of the Russian coast, reducing noncombatants—men, women, and children—to the agonies of starvation. Stranger things have happened. We did not think we would get into this World War, but we did, and we are not out of it yet. I wish to God I could see before me far enough to fix the time when we will be out of it, and out of its direct and dire consequences.

Senators on the other side say that there are no words in this treaty which bind us to an alliance and commit us to sending military and naval aid to repel the aggressions which some fifth power may make on one of these four. No, the words are not there. Elihu Root and Arthur Balfour were too shrewd to show their cards. They dared not write those words expressly in the treaty. They wanted the American people to be duped. They wanted the American people to believe that this treaty meant peace, the end of war. Therefore, with the cunning of a shrewd lawyer who had been cunning enough to keep out of the penitentiary some of the worst criminals that ever trod the American continent, this shrewd lawyer wrote words which, while I think they convey his meaning, are not so very plain as to catch the attention of the ordinary American reader, who suspects no guile, because, as a rule, the American is not a man of guile.

Going to another point, American missionaries, American Bible women, American school-teachers, American surgeons, financed by the money given in our churches by consecrated Christians, had turned Korea into a Christian land, which led our great Georgia Methodist missionary, Warren Candler, to say that St. Paul never had such an opportunity in his life as we had in Korea. At Seoul the Christians had one of the most magnificent universities on the globe. They had thousands of schools, thousands of churches, millions of devoted converts. The Buddhist Japanese have been burning those schoolhouses, burning those churches, burning the worshippers in the churches, torturing the converts, torturing the girls, torturing the boys, torturing the men, torturing the women until the horrors of the Dark Ages have been excelled; and we are becoming partners to it. It was going on while these conferees were sitting as guests of the Daughters of the American Revolution. Was there any protest, any remonstrance, any expostulation? Not a word. On the contrary, we were so tender of the feelings of these Buddhists that the chaplain, the Christian chaplain who opened the session with prayer, was not allowed to mention the name of his Lord and Saviour, Jesus Christ. Surely we must be very much afraid of Japan.

Do not Senators argue here, on both sides of the aisle, that there was a great emergency upon us, a great danger from the Anglo-Japanese alliance? Do they intend to go before their constituents in the fall election—

Mr. STANLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Kentucky?

Mr. WATSON of Georgia. With pleasure.

Mr. STANLEY. The Senator from Georgia, with perfect respect to both! Again invoking the profound knowledge of history of the Senator from Georgia, does he know of another instance in the history of the world except the opening of this

conference where God Almighty was ever insulted by a doctored prayer?

Mr. WATSON of Georgia. Mr. President, I do not know of any such instance. If somebody wanted to censor the prayer of our Chaplain, the worthy Doctor Muir, there would be a riot on the floor of the Senate. I wish to know what line of defense the senior Senator from Ohio [Mr. POMERENE], who is soon to go to the judgment bar of public opinion in his State, will take, able lawyer that he is, when he is asked to explain why he virtually indorsed the striking out of the name of Jesus Christ from a Christian prayer. I would like to know upon what line of reasoning he is going to defend himself before the brave people of Ohio after having stated here that we must vote for this abomination, this surrender of our perfect, unfettered freedom, because we are afraid of Japan.

I, for one, would not dare to go back to the State which I have the honor in part to represent here and tell my people there that I made the plea of a coward, in behalf of cowards, and based my action upon craven cowardice.

The very women would beat me off the hustings with their house brooms. But that is the attitude taken on the other side of the Chamber, and the attitude taken on this side by those who advocate this abominable departure from historic American policy which has made our country the most powerful in the world.

The PRESIDING OFFICER (at 9 o'clock and 1 minute p. m.). The Chair is obliged to state to the Senator from Georgia that his hour has expired.

Mr. WATSON of Georgia. Have I 30 minutes more?

The PRESIDING OFFICER. The Senator has 30 minutes on the pending amendment.

Mr. WATSON of Georgia. I will address myself to that, at once.

As I was saying a moment ago, they have told us that this is an alliance or agreement or compact to confer, as the junior Senator from Missouri [Mr. SPENCER] said, "an agreement to get together and talk." Why was any agreement needed for that? Men can always talk; so can women. Why was any agreement necessary for that? If the propagandists put this over, they will have 11 years in which to perpetuate its life by similar methods. If what the people said at the polls in November, 1920, can be so soon forgotten, what will be forgotten before the 11 years are up? The propagandists, the invisible powers, the irresistible force that can put this thing over, can put anything over, including a life term for the President, which will be a thinly veiled monarchy—and that is the goal toward which we are tending.

The Senator from California [Mr. SHORTRIDGE] declared his belief that the Japanese question on the Pacific coast would not be affected by this treaty. Why, Mr. President, this treaty throws the case into the jurisdiction of a court where Japan will have greater influence than ourselves, because she is a member of the League of Nations, into which she could drag us to try that case, and the league does not love us, for we did not join it. Her case will virtually be tried by herself.

She will be the judge of her own case. Is not this a Pacific question? The treaty expressly states that Pacific questions shall be the subject of conference and of adjustment. She need not try it in the conference composed of the United States, France, England, and Japan. She can summon the United States to plead before the bar of the council of the League of Nations, and if the United States refuses to answer the summons to obey the process our refusal will be an act of war, and every one of the 50 nations in the League of Nations will at once become our enemy under the covenant of the league.

The junior Senator from California said that the treaty binds us to no more than to respect the international rights of other nations. International law does that much. To trample upon the rights of another nation is a cause of war under international law, and it was that which caused President Wilson in his address to Congress to ask for the declaration of war that led us into the European conflict. That is international law. They need not to juggle behind closed doors, whispering to one another, week after week, to reach that point. International law does it. We do not need four powers to agree on that. That is the law applying to all the powers.

The junior Senator from California, who was elected as an opponent of the League of Nations, said that international law allows the State of California freedom of legislation against the Japanese. I dispute that proposition. I know he is an able lawyer, a gentleman for whom personally I have the greatest respect and with whom I live upon the most cordial terms here in the Senate. But, Mr. President, the international law, as he will find it in the standard authority of Hall, sixth edition, pages 211 and 212, says that no State of this Union, nor

can the whole Union, under international law, pass any statute which discriminates against any one country. The law must be uniform. It must apply alike to all. That is in international law.

In the case of a question arising as to whether Japan's nationals are being treated on an equality with the nationals of France, England, Germany, or any other country, Japan decides that question for herself. That is the principle of international law. See what dangers there are in the California question, a Pacific question under international law and under this compact.

As I have said once or twice previously, the old fight, so arduous, so long, and so self-sacrificing, that our forefathers made to win our present freedom thrills me with its memories and inspires me to make one more effort to arouse public sentiment against this abject surrender to Great Britain and Japan. I would like to see our country always free, worthy of the struggles of our forefathers. In the old country a man of my name, of my family and my blood, refused to take office under King George III until he had promised to allow his Prime Minister to recognize the independence of these struggling Colonies. At the same time that he was doing that in the old country my immediate ancestors in name, in family, and in blood were giving their lives to win the independence which has been our proud heritage.

Liberty lighting the world! And now we league ourselves with those who are trampling out the liberties of the world in India, in Korea, in China, in Siberia, in Syria, and in Mesopotamia. When the time comes that we can no longer sing the Star-Spangled Banner, when the flag no longer waves in the sunlight or in the evening's glory, when this no longer is "the land of the free and the home of the brave," I for one would rather be at the bottom of the narrow home where some day my bones must rest.

In the beauty of the lilies Christ was born across the sea,
With a glory in His bosom that transfigures you and me;
As He died to make men holy, let us die to make men free.

Has that old spirit died out? Is the spirit of seventy-six gone? Is it all over, this dream of a free Republic? Is it all over? It seems so, Mr. President; it seems so! We are going into an alliance with the greatest enemy of human freedom that ever built an empire.

Think of their hiring East Indian negroes to burn and ravish day after day and night after night the coast and towns of Virginia. Think of their hiring savage red men to burn, to slave, to scalp, to tomahawk men, women, and children in the South and on the northwestern frontier. Think of their burning this Capitol, burning the White House, stopping our ships on the high seas, seizing American sailors and driving them into involuntary servitude on the battleships of England. Think of the way they murdered millions of Chinese to force the opium trade on them.

Mr. STANLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Kentucky?

Mr. WATSON of Georgia. I yield with pleasure.

Mr. STANLEY. While the Senator is recounting the interesting history of the employment of negro slaves to turn rapists and murderers in Virginia, of red savages to massacre women and children, and of the hiring of the Prussian hordes, I would like to remind the Senator, just to make his picture complete, that the only reason why we did not suffer the horrors of 20,000 Russian cossacks at the same time was because Catherine II—yes, even Catherine II—had too much decency to sell them to George III.

Mr. WATSON of Georgia. I accept with great pleasure that addition to what I was saying.

Would that I had the time to give the Senate and the country something of the public morality of Japan. It is the only country on earth where a candidate for high office publishes the fact that he has been indorsed by the lawyers, by the merchants, by the bankers, and by the prostitutes. I can see where the lawyers might come in and the bankers and the merchants, but how the prostitutes got in I do not know. Japan is the only country on earth where a candidate publishes the testimonial of the head woman of the guild of prostitutes, because they are organized in a guild, these gilded women. It is the only country on earth where a man near to the Emperor published a defense of the foul, cowardly assassination of the Queen of Korea. He had no conception of the moral turpitude of that deed. We could form an idea of the character of such a defense if we could suppose that some American lawyer had published a defense of the assassination of President Lincoln.

Oh, I suppose we are going in. Politics make strange bed-fellows, but it never made a stranger one than when we took in a country where they elect the man vouched by the pros-

titutes. I feel like crying, "Come back to us, Bayard, the knight without fear and without reproach." I feel like the country needs a new baptism in the old doctrines of Americanism for which our fathers fought, of which our statesmen thought, for which our workmen wrought, and which have been the warp and woof of our greatness.

Mr. REED. Mr. President, I am perfectly aware that the only purpose any remarks may have at this point in the debate will be to, in a way, sum up the arguments that have been made and to state the case as it has been clarified by debate. It is too late to change votes in the Senate. It is, perhaps, not too late to enlighten the country.

When the League of Nations compact was before the Senate, the valiant leader on the Republican side fought for time; he exhausted all the ingenuity of his great mind in seeking to gain sufficient time for action by the country. Time was gained; and whether the opponents of that treaty were right or were wrong, a question which I do not propose now to stop to debate, the country was finally permitted to express its voice.

If the last election had been fought out between a four-power alliance and the League of Nations—that is, between a four-power alliance and an alliance of 48 powers—who shall say that Warren G. Harding would have been elected President of the United States? The issue presented to the American people was not that issue. The issue presented to the American people was a League of Nations, whose opponents claimed it to be an alliance with foreign powers, and a candidate who declared on a hundred platforms, and, I think, a thousand times on his own front porch, that he was opposed to every form of entangling alliance. That verdict rendered, he came before the American people in an inaugural address, in the opening paragraphs of which he renewed his pledge of faith to America and to Americanism and reasserted his adherence to the doctrines of George Washington.

The country was lulled to sleep, the sleep of confidence. There was born in the hearts of good men and good women everywhere a desire to limit the horrors and ravages of war and to lift from the taxpayers' heavily burdened shoulders the weight of military establishments.

A resolution was introduced in the Senate by the distinguished Senator from Idaho [Mr. BORAH] calling for a conference looking to the reduction of armament by the principal military powers of the earth. So much was the administration set against that resolution that every power of the administration and of the special representatives of the administration upon this floor was brought to bear to prevent the passage of the resolution. It was only because the determination, the eloquence, the zeal of the Senator from Idaho became irresistible that the administration finally yielded and called a conference for the purpose of considering the reduction of armament. That was a question upon which there was no division of opinion among thinking Americans. The American citizen was for a reduction of armament. All that he asked was that the United States should be left in a position of reasonable security. The American citizen and the Members of this body are still of that opinion.

The conference, we asked, should be held in public; that star-chamber proceedings and dark-lantern methods should for once be abolished; and that the people of the world, who were the parties concerned, should not be kept in ignorance of what their temporary representatives might be doing. We were assured on this floor by the distinguished leader of the Republican side that if the resolution demanding publicity of all matters should be modified so that it was not absolute in its terms the proceedings would be made public in all possible respects.

We had a grand entry, something like the grand entry of a circus, when the band plays and all of the actors appear in their variegated uniforms. We had some speeches, which, of course, told us nothing, except that the world was about to be regenerated and redeemed, and that the sun of the millennium was just painting with glory the horizon of the immediate present. Then the foreign delegates retired into the closet. Sometimes they took with them the American representatives and sometimes they did not, and when they had determined upon a course of policy and fixed what was to be done they came before the public with another grand entry and another flourish of trumpets and another beating of drums and told us what they had done to us; but no one, not even the representatives appointed from this body, pretends to tell us the debates, the history of the negotiations, the demands made upon us by other powers, or the reasons advanced why particular contracts should be made.

But the people were still having their eyes directed toward the sun of peace, toward disarmament, when suddenly, out of the dark, out of the silence, out of the mystery, we were confronted with a four-power alliance. That was followed by a

proposition to turn over to Japan and Great Britain 26,000 islands in the Pacific Ocean, and the people were told only that we were dealing with reference to Yap, and we were told that the only interest we had in Yap was a telegraph pole or two.

That was followed by a disarmament proposition which I demonstrated a few days ago upon this floor—not by my figures, but by the figures of high experts—leaves Great Britain with at least 20 per cent advantage on the ocean as against the American Navy, takes from us the right to fortify the Philippines or to fortify Guam, places the Philippines in a position where they can be taken overnight by Japan, places Guam in a position where it can be taken overnight by Japan, and once taken and once fortified America never can retake the Philippines, never can attack Japan in her home islands or successfully attack Japan's fleet, even though we may have chased it across the Pacific Ocean, and all of this for the very simple reason that no American battleship or any other battleship can sail 6,000 miles of ocean and be prepared to fight a battle, first, because it will not have sufficient fuel to return to its base, and second, because the bottoms of the vessels will be so foul that they can not be successfully navigated in a sea fight. In addition to that is the Chinese treaty—a treaty which denies to China the right to fix her own revenues or to exercise the powers of an independent nation.

This, then, is the outcome of all this treaty making. The American people do not know it to-day, but the American people will know it, and know it in the near future. Propaganda may succeed for an hour; misrepresentation may have its day of success, but in the end the American people will find out the truth regarding every proposition. I hesitate not to say, though I claim not the gift of prophecy, that not a Democratic convention will meet in the United States in the next 12 months or the next 2 years which will not condemn the four-power pact we are considering to-night, and I do not hesitate to predict that great multitudes of American citizens who, regardless of party, voted against what they believed to be an entangling alliance will stand more true to their principles than the irreconcilables who quit the flag of their country when the flag of their party was held above them.

Mr. President, what is the four-power treaty, the four-power alliance? Its language has been quoted over and over again; but I want to take the time very briefly to read the four-power pact when we strike from it language that is practically surplusage. Follow it:

With a view to the preservation of the general peace and the maintenance of their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean * * * the high contracting parties agree—

Notice, first, that they have in view the preservation of the general peace, and that general peace is to be preserved by this alliance; not a peace between the four parties to the treaty, for if that had been the case the language would have been "with a view to the preservation of the peace between England, France, Japan, and the United States." That is not the language. The language is, "with a view to the preservation of the general peace."

I continue reading:

And—

In addition, now, to preserving the general peace—

And the maintenance of their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean.

So there are two objects: One to preserve the general peace; the other to preserve the rights of these four nations in the Pacific Ocean.

Article I:

The high contracting parties agree as between themselves to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean.

That is one of the objects, and that is met by an agreement between the parties with relation to their insular rights. Then we come to article 2, which deals with the other portion of the preamble, which I read:

If the said rights—

That is, the rights of any of these parties—

are threatened by the aggressive action of any other power, the high contracting parties shall communicate * * * in order to arrive at an understanding—

As to what?

As to the most efficient measures to be taken—

How?

to be taken, jointly or separately, to meet the exigencies of the particular situation.

Mr. President, there is nothing in human language that more clearly outlines the fixed purpose of these powers to stand to-

gether in the Pacific Ocean, and, in case of an attack, to meet and agree as to the most efficient means to be employed to repel that attack. What is the most efficient means that can be employed to repel an attack? Clearly, you can not repel an attack by a great navy by passing a resolution. You can not stop the advance of armed ships by a verbal protest. There is but one way, one efficient means—and they are to agree upon the most efficient means—and that is a superior navy, superior guns, superior metal. The man who will stand and try to construe away the plain meaning of those words I will not say is dishonest, but in my opinion he has a mentality that it is not safe for him to trust to take him home at night without a guide, or else he is dishonest. Every man who reads those words, every statesman in the chancelleries of the world, understands what those words mean.

Mr. President, what are we told? We are told, first, that the treaties are all-powerful; that they insure the peace of the Pacific. We ask: "Why are they powerful?" and we are told because this is a combination of the power of the four great fighting nations of the world. Then we inquire if that be not an agreement in the form of an alliance, because if there is no agreement to do those things there is no aggregation of power; for aggregation of power implies the agreement to employ the power, and how the power shall be employed. The moment we confront our friends with that argument—the obvious, the clear, the certain argument—to what position are they driven? They say: "It is not an alliance. We have agreed to do nothing. The other nations have agreed to do nothing." Then the answer is: "If we have agreed to do nothing, and the other nations have agreed to do nothing, then the agreement amounts to nothing, and your declaration that the peace of the Pacific is assured because of a great combination of power is a false argument, is an untrue argument, is a miserable deception practiced upon the people."

There is and there can be no escape from the one or the other of those conclusions.

Finally, this afternoon, when the Senator from Idaho was pressing this same point home, the Senator from Wisconsin rose and proceeded to place the matter one step farther from any effective agreement, for, said he, there is nobody appointed to meet with the other nations, and consequently there is not even any machinery to bind us, there is not any individual authority to bind us morally or otherwise. In other words, we have made an agreement that we will meet and we will agree to do something, and nobody is bound to agree to do anything, and if they do agree to do anything, they are not bound to do it; and, second, there is nobody to meet to agree to do anything, consequently we have as a sum total this result, the addition of two nothings together, a great power that will protect the Pacific and keep the peace of the world.

If that be not idiocy refined, if that be not chicanery reduced to the thousandth power, if that be not subterfuge practiced in the most impudent manner in the face of the American people, then I can not understand what is subterfuge, and I can not see that which is crooked.

Then they tell us it is only a moral kind of an obligation, that if we meet and talk things over we may agree and we may not agree; we will do as we please, and we will get all through, and when we ask what security that gives us, they answer, "None." Yet, on the strength of that security, we are asked to scrap our battleships, to yield our bases, to give up the possibility of protecting our possessions, upon the strength of a thing which they say is a mere moral obligation.

Mr. President, I heard some arguments of that kind made on this floor when we were discussing the League of Nations. I heard some men, not all, say that there was nothing but a moral obligation, that we had not agreed that we would carry out any arrangement which might be made as the result of conferences or agreements, the language in that instrument I am now discussing being almost identical with the language which is employed in this instrument. When that argument was made, it was not the true argument, for the true argument of any man supporting the League of Nations was that it was a league of such power that it could enforce its mandates, and that if it rendered wise decisions and could enforce them, there would be a wise result. Those who took the other ground were the quibblers, who were afraid to face the issue that they were willing to create a great aggregation of world power. When those quibblers advanced that argument they were met by an argument, and I want to read the argument that was hurled in their teeth. Senators will find it in volume 58, page 5221, of the CONGRESSIONAL RECORD, and it was uttered on September 11, 1919.

Let every man make the distinction that he prefers.

This orator was discussing the argument to which I have referred.

A contract is a contract, a covenant is a covenant, and if this Republic does not mean to do as it promises, it has no business to make the promise.

There is no language in the covenant more plain than article 10. Either it means what it says and obligates the member nations to go to war in defense of a member nation, or it means nothing at all. If it leaves any member nation free to exercise its own judgment as to the merits of any attack, it does not guarantee the territorial integrity or peace of any nation. It is worse than phantom; it is the mirage that lures nations thirsting for peace to the very desert of cruel destruction.

Who said that? Warren G. Harding, who now stands sponsor for a compact the defenders of which on this floor are driven to make the same argument Mr. Harding then answered as a Member of the Senate, namely, the argument that we enter a compact and are not bound; that we agree to do something and at the same time do not agree to do it.

Further, he said:

Ours is truly an expanded influence and a world interest, but there is yet for us a splendid isolation. * * * The people of this Republic were not concerned with governing the universe. Their interests, their hearts, their hopes, their ambitions, their weal or woe—all of these are in the United States of America. We wanted nothing abroad but respect for our just rights, and that we mean to have, in peace or war, no matter who threatens.

It would have been so easy, if our commission had thought of America first, to have said to the allied powers, "Look here, friends and allies—yes, and to enemies as well—we came over and helped you bring an outlaw to terms because he trespassed our rights beyond endurance. He is humbled now, and it is yours to restore order and make a just and abiding peace. We want peace, and we want to go to work and replace the waste of war. We will advise, if we can and you wish it, but we are asking nothing, and we will go back home and see to our own affairs. We do not mean to mix in again, unless some bully in making a row infringes our rights and murders our citizens and destroys our lawful property. In that event we will be forced to come back, but we will come more promptly the next time." That would have left a good impression, and we would have been at peace, and so would Europe, months ago.

"We do not mean to mix in again, unless some bully in making a row infringes our rights," and behold, the sun has not circled the earth for one year until we are mixing in again, though no bully threatens our rights. We are mixing in with foreign nations in foreign affairs, and agreeing to unite with them in defense, if you please, or in an attack, if you may, of other powers.

Mr. President, some Senators discussed this same doctrine which the now President was discussing. Some of these Senators to whom I shall refer were then known as "irreconcilables." How brave they were; how valiantly they stood and declared that, regardless of party, and not because of difference in party, but because of love of their country and their respect for the traditions handed down by Washington and Jefferson and the other immortal dead, they were standing against every form of alliance. How valiant those "irreconcilables" looked as they charged over the wall, as they bravely held the line, as they stood foot to foot and elbow to elbow, invincible and unyielding. Now, behold the crowd of reconcilables into which they have been transformed. How tamely they take to the leash. With what subservience they bare their backs to the party whip. How readily they bow their necks to the master's yoke. They are all absent to-night. I wanted to say this in their presence, but there is not one of them but feels to-night like any other man would feel who turned his coat and exposed a very disreputable lining.

Mr. JOHNSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from California?

Mr. REED. I yield.

Mr. JOHNSON. I wish to make merely one observation. Does not the Senator realize that if this treaty had come to us from Woodrow Wilson, instead of four votes on this side against it there would be 40 votes against it?

Mr. REED. Undoubtedly. I want to say about the "irreconcilables," that there are about five over there who stayed true to their colors, thoroughbreds; men who have in the past shown that they have no master except their conscience and their God. Of course, everybody in this country knows who they are; I do not need to name them.

Mr. STANLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Kentucky?

Mr. REED. Certainly.

Mr. STANLEY. I recall very vividly that these temporary irreconcilables were engaged at that time in throwing great big bouquets at the Senator from Missouri for doing what they would no more dare to do than a rabbit would dare to spit in a bulldog's face.

Mr. REED. Mr. President, as I stood then doing what I believed to be my duty, opposing a plan of a Democratic President, for whom I had a great respect, opposing it because I

believed the international agreement which he proposed was full of danger, I remember making arguments in which I asserted that we could not, even in an agreement where there were 48 powers, place ourselves in any manner subject to the influence of the vote of Japan, and when that question came before this body a speech was made by one of the "irreconcilables" on the other side of the Chamber. Let me read it to you:

Ostrichlike, our Government has declined to recognize that the promises of the great Asiatic military power fronting our Pacific coast are to be measured by her performances in the past. By that measure the promises are worthless.

Although "enlightened expediency" may stop the ears of the American peace delegates, the Senate can not be deaf to the truth. For 35 years Japanese foreign policy in Asia has been one of consistent perfidy and aggression. I defy anyone to make candid answer to that charge. The wonderful material advance of Japan was contemporaneous with that of modern Prussia, and in close imitation of it. Japanese society, the Japanese constitution, the Japanese junkerthum, the Japanese monarchy, the Japanese Army, all have been molded in Prussian lines. The diplomacy of Japan has been patterned after that of Frederick the Great in its disregard of truth, solemn pledges, and human rights. If anyone doubts this, let him review his own memory of Japan's relations with China and Korea, her secret and now discovered violation of the pledges exchanged with the Government of the United States.

The man who made that speech was the distinguished Senator from Illinois [Mr. McCORMICK], one of the "irreconcilables." To-day, if rumor is to be credited and if his attitude here is to be credited, he proposes to vote for a treaty with this power that breaks treaties, with this power that is without conscience according to his own words, with this power that does not regard treaties even with the respect due to a scrap of paper, and upon the strength of the written promise of this Nation that he has denounced in these burning words he proposes that we shall junk the battleships of America and shall repose our trust in that nation's plighted word.

Mr. President, I am wondering where my friend from Illinois is to-night; and he is my friend. He came to my State. He made speeches denouncing every form of alliance. He declared that this country is America, and that America should observe the teachings of George Washington and there should be no alliances of any kind whatsoever.

I wish to insert in the RECORD the remarks of the Senator from Connecticut [Mr. BRANDEGEE]. I shall only take the time to read one sentence:

The United States should keep itself in such a position that if it must go to war it may go to war in behalf of such peoples and principles as it itself may decide on at the time, and not permit itself in advance to be dragged into a foreign war upon the side or upon the conditions determined by an international foreign council sitting in secret upon which we will have only one vote.

That is exceedingly applicable to the case in hand. When we sit down to this conference it is to be a conference. The man who sits down in the conference and says in advance that he intends to confer, but intends to be bound by nothing, morally or otherwise, is a dishonest scoundrel who has no business at the council board. If you are not there to counsel and if you have agreed in advance to agree, if you then propose to say, having agreed to counsel and having agreed to agree, that you do not propose to do anything you have agreed to do, you are a trickster and a juggler of words, an unworthy thing.

I ask that the remainder of the remarks of the Senator from Connecticut be inserted in the RECORD without reading, together with brief extracts from the remarks of several other Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Mr. BRANDEGEE. Dragged into this league, as I said, with the Senate claiming one interpretation of our obligations, or denying that we are obligated at all, and the President of the United States, the Commander in Chief of our Army and Navy, the man who appoints all our ambassadors and ministers abroad, claiming that we have assumed the obligation, who is to decide it? The compromise modification of the Lodge reservation provides that the Congress then, "under full liberty of action," shall decide in each specific instance. In what does the "liberty of action" consist?

* * * Why men of honor and good faith only have such liberty of action under those circumstances as would consist in repudiating every practicable means by which the obligation which we have sacredly assumed could possibly be carried out. Is that the sort of camouflage that this mighty Nation of 110,000,000 of Christian people want to take refuge behind in this hour of the world's civilization, when the violation of the sanctity of an international treaty was the cause of all the death and destruction from which we are just now emerging?

Is that the Janus-faced, deceptive quibbling that this Nation wants to make as a guaranty of its good faith under the higher morality of the dawn of a new day? Such a course as that, it seems to me, would be a blot upon that Starry Banner back of you, Mr. President, which could never be eradicated from the flag or the history of this country. Call it moral or legal, it would be a plain case of dishonor, of leaving your accomplice in the lurch in the time of trouble.

Mr. President, if we assume the obligation, or any part of it, it is inevitable that we shall be drawn into a complete fulfillment. Nations in common danger can not quibble with each other about the

exact proportion of the forces that they shall render for the common cause. With the rest of the world financially embarrassed, as they are, some of the countries bled white, and we—the richest and most powerful of all—we can never deny to the call of anguish, if we are obligated at all, that we are obligated to the extent necessary to accomplish the purposes of article 10. We are their reliance, as they say. You do not hear one of them over there but what says they must have us. (Mar. 11, 1920; vol. 59, pp. 4175-76, 66th Cong., 2d sess.)

Mr. POINDEXTER. The ancient and modern policy of America, from Washington and Jefferson down, has been to keep ourselves free from foreign entanglements. How can the President honestly tell the people that a League of Nations which obligates us to participate in every important European quarrel is not a violation of these ancient principles? I think he has told them that; but how can he do it? Under these unwritten laws of our foreign policy we have grown great; we have been free, prosperous, and happy; and we have been able to render valuable service to the world under these ancient muniments of our foreign policy. Why does the President suppose that our condition would be improved, or our ability to render service to the world would be increased, by an abandonment of these policies?

It is not so long, Mr. President, since our fathers made their desperate but successful struggle to free our States from a union with European powers. When the President now utilizes the powerful and almost immeasurable influence of his great office to bring about the formation of a union with European powers, is he not desecrating the memory of the fathers of the Nation? Is he not betraying the most sacred trust of his office?

The President says, in his stately style, "Put up or shut up"; accept the League of Nations or offer a substitute for it. The opponents of the League of Nations offer as a substitute for it the Constitution of the United States, the Declaration of Independence, and Lincoln's "government by the people." That is the substitute for a league of nations.

When Washington was sharing the sufferings of his men in the gloomy winter of Valley Forge there was no doubt in his mind as to the alternative for a union with a European power. Washington's alternative was to sever the union. That was what he was fighting for. That is what he and his soldiers suffered for, and that is what is involved in this issue before the American people to-day.

Now, when a European union is again proposed, the alternative is to reject the proposal and pillory the man who proposes it. If a rattlesnake is about to strike you, would the President ask what alternative you have to propose? The alternative is to kill the rattlesnake. When the President asks this question, does he not know that the alternative to the wars for which he is even now enlisting American boys to be carried on in Asia and Europe under the League of Nations, the hate they will engender, the burdens of taxation on the backs of the poor, the bereft parents of these sons, the widows and orphans of those who would carry out the mandate of the League of Nations on a fool's errand in Asia, the supreme sacrifice of all this, as the President characterizes it—does he not know that the alternative of all this misery and folly is the peace which we have earned in a victorious war that is now finished?

Will he not be frank and tell the people that the "old order," of which he said at Surinnes we were ashamed, brought us the supreme happiness of mankind? If the President is ashamed of our past, as he says he is, does he not know that our people are not ashamed of it?

It was anathema to the great leaders, the greatest who ever lived in this or any other country, the statesmen who founded this Nation upon the natural rights of man, and preserved, through Lincoln, government by the people, to entangle ourselves with European affairs in a League of Nations. We had none. And when, during all that period, did we ever live in isolation from the rest of the world? He says we must live in isolation from the rest of the world or have a League of Nations. We have lived to the present time without a League of Nations, and we have never been for one moment of that time in isolation from the rest of the world. The man who says so is deceiving the people. (Sept. 8, 1919, Cong. Rec., vol. 58, pp. 5027-5028, 66th Cong., 1st sess.)

Mr. POINDEXTER. The argument that Japan would have a cause of complaint against us if we do not agree to the transaction is quite transparent. We are under no obligation to Japan in regard to Shantung, and yet it is said by writers and speakers of influence that if we do not sign this treaty giving Shantung to Japan, Japan will have cause for war against us. She will not have anything of the kind. We are under no obligation to sign that instrument. We never agreed to do it. Japan has no right to expect or to claim that we should do it. We are entirely free agents in the matter. The attempt to coerce and terrorize the public opinion of the United States on this great question by the false assertion that we are liable to have war with Japan or with France or with England if we do not join in the rape of China is a rank deceit attempted to be practiced upon the people. There is no such danger. There is no such condition. (Sept. 8, 1919; vol. 58, p. 5029, 66th Cong., 1st sess.)

Mr. STERLING. Mr. President, the proposal to give the guaranties of article 10 could hardly have come in the first instance from the representatives of the United States. If they did, no expression on the part of the people or the people's representatives ever authorized them; but the proposal having been made, it should not be cause for wonder that since there was to be a league to enforce peace, the willingness of our representatives to assume the burden of so great a guaranty was gladly welcomed by the other nations most concerned.

Mr. President, our forefathers strove and warned against European entangling alliances. Until to-day we have heeded the warning. But the proposed reversal of this great policy does not stop with Europe. To know the full extent of the obligations we assume, the burdens we may have to bear, you must look at the map of the world. Of course, they welcomed our willingness, for had we not just demonstrated our promptness and efficiency in war? And do not our obligations extend to a guaranty of the territorial integrity and political independence against external aggression of the British Empire, which, in addition to the British Isles, means Canada, New Zealand, Australia, South Africa, India, and insular possessions innumerable? Of course, France welcomes our agreement to article 10, for, in addition to the protection the agreement will afford against the invasion of her home territory by

Germany or Austria, may not the French Congo or Sierra Leone, or Algiers in Africa, or her empire in Indo-China in Asia be the subject of attack?

And is it cause for wonder that Italy, with her newly gained possessions in Europe, wrested by force of arms from Austria-Hungary, with her African possessions also to defend and protect, welcomes the guaranty of the United States?

Mr. President, I think Clemenceau was right in insisting on the principle of the balance of power in Europe. Of course, there can be no "concert of Europe" now, and the next best thing, if not a better thing, for France than even the balance of power or "concert of Europe" was to put the resources of the United States at the command of the council of a league of nations which had determined we should make good the guaranties of article 10.

This is a part, and only a part, of the price we are to pay for our first real departure from the old landmarks, for our first diplomatic entanglement in foreign alliances, our first forgetfulness of America and the "passion of America," which has been "to live her own life according to her own principle," our first ambitious attempt to prescribe regulations for the government of the world. (Aug. 4, 1919; vol. 58, pp. 3610-3611, 66th Cong., 1st sess.)

Mr. WADSWORTH. There have been a great many explanations of that article. There have been a great many efforts to assure people that it does not mean what it says; and I do not suppose that there has ever occurred in a discussion of two sentences so much quibbling and squirming and ducking as in connection with the two sentences of article 10. To my mind the President has settled it, and settled it right, as to its meaning. He said it constitutes a binding moral obligation. All the play in and around the meaning of the word "advise" amounts to nothing.

History should teach us that the mandates or decrees of Kings or Emperors or of Congresses or of Parliaments are utterly futile and helpless in preventing this restless human race indulging in these activities, indulging in these efforts to improve its life, indulging in these efforts to climb upon a higher plane of civilization, indulging in these efforts to find the true God. And any group of men in the year 1919 who think they can establish a status quo and mark out a system of boundaries which shall not be disturbed without their consent, and which shall preserve the existing political system subject to their revision, are afflicted with the height of human folly. They are flying in the face of all human experience and are assuming to themselves a wisdom and an infallibility that no group of human beings has ever possessed. (Sept. 19, 1919, vol. 58, pp. 5619, 5620, 66th Cong., 1st sess.)

Mr. WARREN. One of the pillars of our American Constitution has been the right of Congress to sanction any declaration of war. The right of the majority of the people, through Congress as their mouthpiece, to approve or disapprove the sending forth of American soldiers to possible death has never been questioned. And yet article 10 of this document, in my opinion, strangles the breath of life from this principle.

There are those who say that we are only morally bound to protect the members against external aggression. This, to me, is a distinction without a difference. If our Nation is morally bound to do a thing, then certainly in all sincerity we should be legally bound. No sincere American can hold otherwise. Our national integrity and honor would not suggest any other theory. Granting this to be true, I see no other path but to make our position clear to the other contracting parties.

Our eminent doctors of law, in their primary lectures on contracts, lay special emphasis on the necessity of stating clearly and definitely all the terms of an agreement, leaving nothing to be inferred which may later give rise to serious controversy and lawsuit. Unless the minds of the contracting parties have met in one accord, then there is no contract. Let us set out in succinct and definable language the intent and purpose of our mind in order that we may perfect a non-controversial agreement. (Oct. 17, 1919, vol. 58, p. 7065, 66th Cong., 1st sess.)

Mr. WATSON of Indiana. When she (Japan) went into Formosa she promised to retire, but she is still there. When she went into Korea she promised to retire, but she is still there. Count Okuma, the Japanese premier, on October 27, 1914, stated to the people of the United States "As premier of Japan I have stated and now again state to the people of America and of all the world that Japan has no ulterior motive, no desire to secure more territory, no thought of depriving China or other peoples of anything they now possess," but Japan is still there.

On the 18th of January, 1915, without any previous warning, growing out of no unusual conditions between the two countries, and to the utter surprise of the Chinese, Japan issued to her a demand, couched in 5 groups and 21 clauses.

Group 4 provided:

"The Chinese Government engages not to cede or lease to a third power any harbor or bay or island along the coast of China."

These demands close with this threat, Senators, not veiled, not obscured, but bold, open, and defiant, made at a time when all the world was engaged in the greatest war of history, and at a time when Japan knew that she could easily coerce helpless China into agreeing to her imperative demand. This is the demand. Listen to it, for it speaks trumpet-tongued of the intention of Japan with reference to China:

"The Imperial Government again offer their advice, and hope that the Chinese Government, upon this advice, will give a satisfactory reply by 6 o'clock p. m. on the 9th day of May. It is hereby declared that if no satisfactory reply is received before or at the specific time, the Imperial Government will take steps they may deem necessary."

My friends, this discloses the entire intention of Japan with reference not only to the Province of Shantung but the whole of the Chinese Empire.

Japan's ulterior motive is easily seen in the time and manner these demands were made, and clearly shows a determination on the part of Japan to take full possession of the Chinese Empire.

And the mendacious character of these demands and the untoward conduct of Japan throughout the transaction is further evidenced by the fact that when, notwithstanding the injunction of secrecy, it became rumored that Japan had made certain demands upon China Japanese officials denied it. Then when it became no longer possible to conceal the truth the Japanese Government officials supplied the other treaty-making powers with what purported to be a list of the demands, a list which it was afterwards ascertained omitted some of the most important and some of the most drastic features.

Senators, I do not believe that the treaty should be ratified unless and until Japan either withdraws from China or states in unequivocal terms that she will withdraw, or better still, fixes a definite date of withdrawal. If we ratify the treaty with the Shantung provision in it, we give this robbery the seal of our approval; we condone all of Japan's past wrongdoing in all parts of the Chinese Republic; we ratify a secret agreement made between Japan and the allied nations in derogation of the rights of China and in base betrayal of an ally, and we place in Japan's hands a blanket indorsement of whatever future action she may see fit to take in the Chinese Empire. Personally I shall not vote for the peace treaty itself unless some modification is made of the article with reference to Shantung, or until we at least have expressed our intense disapproval of her conduct, coupled with an explicit statement of our determination to take this matter up at once after the league is formed and press for a righteous solution of the problem, for I believe it to be as monstrous a proposition as has ever been proposed to civilization. (Aug. 5, 1919. Vol. 58, pp. 3636-3638. 66th Cong., 1st sess.)

Mr. WATSON of Indiana. The President very forcefully said in his last address to the Senate:

"These were all arrangements of power, not arrangements of natural union or associations. It was the imperative task of those who would make peace and make it intelligently to establish a new order which would rest upon the free choice of peoples rather than upon the arbitrary authority of Hapsburgs or Hohenzollerns."

And he might with propriety have added Mikados. (Aug. 5, 1919. Vol. 58, p. 3643. 66th Cong., 1st sess.)

Mr. WATSON of Indiana. It can not be denied that if the people of Shantung revolt against the galling yoke of Japan, if they weary of her tyrannical and despotic régime and attempt to cast it off, and if China shall rise to protect her own people, then by the provisions of article 10 we shall be compelled to send American soldiers at the expense of our own people to subdue China, struggling for the possession of her rightful territory and fighting for the recovery of her own.

Japan's hostilities toward Christian missions and Christian preachers in Korea have been so extensive and long continued and severe as to amount almost to barbarism, and it is not to be presumed that her treatment of the representatives of the Christian religion in China will be of a milder or a more friendly character.

If the League of Nations is to be formed and Japan is to become a member, let her come into it with clean hands. If she is to sit in the chamber of the council where she, with eight other nations, will direct the destiny of the world, let her prove herself worthy of such high trust. She should not be permitted to sit as one of the judges to determine either the legality or the morals of her larceny. Before she sits in that august tribunal, unless it is to become the gigantic mockery of history, she should be made to leave her stolen fruits outside of the temple gates and, once in, she should release her associates from all obligation to execute the treaty they made in the dark in 1917.

Let them not, while proclaiming peace, hold fast to the results of a militaristic policy practiced upon a helpless race. Let them not come in the name of freedom and fasten the chains of servitude upon a weak and innocent race.

Better Germany in China than Japan, for there Germany was isolated; there she had no neighboring garrisons, while Japan is everywhere. Japan is in Formosa, in Korea, in Manchuria, in Mongolia; Japan is everywhere in the neighborhood of China, and wherever she is she is slowly but surely reaching out her tentacles of power to clutch and hold as spoils the territory of that new Republic.

When they talk of a peace that shall be lasting because founded on justice, our answer shall be "Shantung." When they speak of the equality of races and the right of self-determination of peoples, our response shall be "Shantung." When they proclaim that the central thought of their treaty is that all Governments derive their just powers from the consent of the governed, our reply shall be "Shantung."

Shantung is the fraud that vitiates the entire contract, and Shantung is the cancer that carries the death-dealing poison to the whole body of the treaty. And even though proclaimed in the name of peace, yet the everlasting law of righteousness will prevent the tranquillity of the earth while so great a wrong remains unavenged. Senators, there is but one method of peace, and that is that all the nations of the world shall be inspired by the sense of justice that ever impels the American people and which is at once the pride and the power of the American Republic. (August 5, 1919, vol. 58, p. 3645-3646, 66th Cong., 1st sess.)

Mr. REED. Indeed, Mr. President, it is better stated than that in the paper now before me:

Why men of honor and good faith only have such liberty of action under those circumstances as would consist in repudiating every practicable means by which the obligation, which we have secretly assumed, could possibly be carried out. Is that the sort of camouflage that this mighty Nation of 110,000,000 of Christian people want to take refuge behind in this hour of the world's civilization, when the violation of the sanctity of an international treaty was the cause of all the death and destruction from which we are just now emerging?

Is that the Janus-faced deceptive quibbling that this Nation wants to make as a guaranty of its good faith under the higher morality of the dawn of a new day? Such a course as that, it seems to me, would be a blot upon that Starry Banner back of you, Mr. President, which could never be eradicated from the flag or the history of this country. Call it moral or legal, it would be a plain case of dishonor, of leaving your accomplice in the lurch in the time of trouble.

That is from the eloquent lips of the Senator from Connecticut [Mr. BRANDEGEE]. It was uttered on March 11, 1920, and is recorded in Volume 59, pages 4175 to 4176 of the CONGRESSIONAL RECORD.

The Senator from Maine [Mr. FERNALD] even grew eloquent. He stated that—

We will preserve the principles which have been bequeathed to us by former generations, unweakened by alliances with other Governments of earth.

Former Senator Kenyon, of Iowa, said, in discussing the quibbling over article 10:

If the President's contention is correct, then under article 10 we simply do as we please, which is, of course, true in any event should we desire to utterly disregard the obligations of solemn, binding agreements.

That causes me to pause a moment to answer another miserable argument made here. We are told that we are safe to enter into this agreement because before any war can be declared the Congress of the United States must declare war, and that if we make an agreement binding ourselves to go into war it would be unconstitutional. Let us see where that argument leads us. The distinguished Senator who made it, the Senator from California [Mr. SHORTRIDGE] opposed the League of Nations. He opposed it upon the ground that it would drag us into foreign wars.

Yet it was as true then as it is now that the President can not declare war; that the League of Nations could not declare war; that no power on earth could declare war except the Congress of the United States. If that fact be a protection against this treaty and this agreement, it was equally a protection against the League of Nations; so why not join the League of Nations and say we will make war or we will keep the peace just as the Congress determines, because you are powerless by any league of nations or by any compact to drag us into a war without the voluntary act of Congress.

But the Senator did not say that then. The Senator then said that if we entered the League of Nations and if the decrees of the governing bodies were that we should enter into war, then it would be our duty to obey that mandate and that we would be in honor bound to furnish our men and boys to die in foreign parts. If it was true that we would be compelled to do that under the League of Nations, notwithstanding the fact that Congress itself has the power to make war, then I am asking why it is not true with reference to this compact? Or, if it is true with reference to this compact, why was it not equally true with reference to the League of Nations?

Of course, everybody knows that before war can be made legally by the United States the Congress of the United States must declare the war. Therefore why waste time discussing such a question? The question is, Are we to pledge the national faith, and if we do pledge the national faith are we then to escape from that pledge upon the subterfuge that Congress has the legal power alone to declare war or not as it pleases? Every treaty of peace that has ever been made, or alliance for war, could be violated in the same way, because any nation could say that simply, "We will not furnish the army," and that would be the end of it. That is all we would be doing if we had our Congress refuse to furnish the army.

But what of the faith of the nation that thus violates its pledges?

Would the junior Senator from California be willing that the United States should sit down and agree with France and Great Britain and Japan that in the event of any war against any of them we would send a million men to their aid, and then, having made that sort of an agreement, have a mental reservation, "But we will not send the men if we do not want to send them at the time, because we did not have any constitutional power to make that agreement"? Certainly the Senator would not.

Mr. SHORTRIDGE. Mr. President, may I answer the Senator by saying no.

Mr. REED. Certainly not.

Mr. SHORTRIDGE. Of course, I would not.

Mr. REED. The Senator would not think the Constitution was sufficient, then?

Mr. SHORTRIDGE. On the contrary.

Mr. REED. Now, the question then comes to this: What do we agree to do here? Is this a compact having any vitality? If it is a compact having any vitality, then it contains two, if not three, propositions. First, we agree that we will respect each other's rights in the Pacific. Well and good. There is no objection to that. That is solemnly written in the treaties that we have with every one of these powers now, for we have agreed to remain at peace with them; we have agreed to respect their rights. We have gone further than that, and we have agreed in the event of any dispute that we will arbitrate such dispute. I think we have agreed that we will not go to war for a certain fixed period of time. That is already in agreement, and we gain nothing by having four powers sign the same instrument if they are to act independently of each other and no force is to be applied.

But we agree to do something else here. We agree that if any one of the island possessions of the Nation is attacked, if they are threatened, if the peace of the waters of the Pacific is threatened in substance and effect, that then in that event we will meet with these other powers, and when we meet with these other powers we will do something. What is that something? Is it that we will find who is right and who is wrong? Is it that we will submit this proposition to some tribunal? Is it that we will appeal to the generosity and sense of fairness of the

nation that is invading the waters or assailing the islands? Oh, no; that is not what we agree. We agree that we will consult upon and determine the most effective means to be employed to repel that attack.

The man who says that he does not believe in battleships and cannon, men and blood, is a man who believes that 16-inch shells can be stopped with hot air. No other nation so construes this compact. But, for Heaven's sake, let not the irreconcilables be guilty of making the argument that we have agreed to do something, but yet we agreed to do nothing; that all that this thing is is a great balloon of false pretenses and that a pin prick will send it into eternity, with nothing left except a memory. Yet that is the way its advocates defend their own treaty.

Either this is a treaty with power and force and weight back of it, or it is nothing. If it has power and force and weight back of it, then we must furnish our share of that power, that weight, that force. That means that whenever the island possessions of any of these four countries are attacked, that moment we must sit down and agree as to the best means of repelling the attack—to wit, how many ships we can furnish, how many men we can furnish, how many boys we can send out to die.

The PRESIDING OFFICER. The Chair must inform the Senator from Missouri that his hour has expired. He has 30 minutes left in which to speak on the Robinson amendment.

Mr. REED. I thank the Chair. I will now speak on the Robinson amendment.

Mr. JOHNSON. Mr. President, will the Senator from Missouri yield to me?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from California?

Mr. REED. I do.

Mr. JOHNSON. In the quotations made by the Senator from Missouri I did not observe that he quoted the language of the distinguished leader upon the Republican side concerning Japan and the necessity for caution on our part in dealing with her. Am I correct in that?

Mr. REED. I did not quote those remarks of the Senator from Massachusetts. I have them here, but I should be glad if the Senator from California will contribute them.

Mr. JOHNSON. I will only read two very brief excerpts from the speech of the Senator from Massachusetts in the case of Shantung. The one on page 8 of the pamphlet containing his speech reads:

Does the history of the 21 demands justify Americans now in trusting Japan, even though President Wilson says he trusts them?

Now, from page 12 of his address I quote further from the Senator from Massachusetts one brief extract, and then I shall not further take the time of the Senator from Missouri. The Senator from Massachusetts was admonishing us at that time, mind you, concerning the nation with which now he would have us ally ourselves. He said:

The Senate, I think, should not only keep fully in mind the aggressive measures taken by Japan from 1894 to the present in order to note the strides that she has made and what may be anticipated in the future, not only should they note her methods of unscrupulous disposition, but they also should not lose sight of other acts of hers which will enable them to judge of their effect upon a people falling under her control.

Now, by an alliance the Senator from Massachusetts asks us to assist in the oppression of the peoples falling under her control.

Mr. REED. Mr. President, I thank the Senator from California. I had some quotations from the speech of the Senator from Massachusetts, but I think not those particular ones. If, however, we were to ransack the RECORD of those debates we should find that the Senator from Massachusetts was going directly in one direction, while to-day he is going in exactly the opposite direction. The difference, of course, is that now he is following a Republican President, and the Republican President is following certain advisers, and every one of those advisers was for the League of Nations; but the President can not quite take it all and he has taken a section, or, as the Senator from Ohio [Mr. POMERENE] says, a pocket edition of article 10 of the League of Nations covenant. I venture to predict that the American people will discover the fact that there has been an absolute repudiation by the President of the United States of the position he took when he sought and gained the suffrage of the American people.

Mr. President, since time runs on so rapidly with me, as it does with all except those who are listening—and they are all voluntary listeners, for nobody made even the Members of the Senate who are present come here to-night—I will ask what, after all, is the excuse that is offered for putting us into this four-power pact, this four-power alliance? Driven to the wall, forced to state a reason, its proponents tell us that the reason

for ratifying this treaty is in order to get rid of the Anglo-Japanese alliance. To that point they come; that is the sole reason they assign.

Let us examine that contention for a few moments.

Japan and Great Britain made that alliance a number of years ago. Every student of history knows that in the early days of the World War Japan was getting ready to repudiate the alliance. It was an offensive and defensive alliance. Many of the phrases of the pending treaty were taken directly from the treaty which constituted that alliance. But Japan and Great Britain and about 40 other nations went into the League of Nations, and when they went into the League of Nations and signed the treaty of Versailles the members of the league severally agreed—

that this covenant is accepted as abrogating all obligations or understandings inter se which are inconsistent with the terms thereof, and solemnly undertake that they will not hereafter enter into any agreements inconsistent with the terms thereof.

In case any member of the league shall, before becoming a member of the league, have undertaken any obligation inconsistent with the terms of this covenant, it shall be the duty of such member to take immediate steps to procure its release from such obligations.

In the language which I have read there was a positive agreement by every nation signing the document that all such treaties as the Anglo-Japanese alliance should be abrogated. That is step number one. These nations have an obligation to the other nations; they have pledged their word, and, whether or not we are in the Versailles treaty, if they are honorable nations they will redeem their promise.

Mr. President, they have recognized that. I read from the September, 1920, issue of the official publication of the League of Nations. The text is in both French and English. I will read it in English as a matter of preference.

ANGLO-JAPANESE DECLARATION.

English official text on the Anglo-Japanese declaration forwarded on July 8, 1920, by the foreign office and the Japanese Government.

The declaration was registered by the secretariat of the League of Nations on July 8, 1920.

Spa, July 8, 1920.

The Governments of Great Britain and Japan have come to the conclusion that the Anglo-Japanese agreement of July 13, 1911, now existing between the two countries, though in harmony with the spirit of the covenant of the League of Nations, is not entirely consistent with the letter of that covenant, which both Governments earnestly desire to respect. They accordingly have the honor jointly to inform the league that they recognize the principle that if the said agreement be continued after July, 1921, it must be in a form which is not inconsistent with that covenant.

(Signed.)
(Signed.)

CHINDA.
CURZON OF KEDDLESTON.

Mr. STANLEY. Mr. President, what is the date of that?

Mr. REED. July 8, 1920, is the date of this announcement. It is contained in the September, 1920, issue of the official publication of the league. The Anglo-Japanese alliance had to be abrogated, and it was, in substance and effect, abrogated, and, having been abrogated, we are trading our independence of judgment in signing the four-power alliance to get rid of a thing that already is dead, to escape from the attack of a corpse that has already been interred. But, sir, if that were not true, then to ratify this treaty in order to escape the Anglo-Japanese menace would be to make ourselves party to a thing which was an infamy at its birth and a menace every day it existed. If it is right for Japan and Great Britain to unite and agree to attack and destroy in common any nation with which one of them may have trouble, if that be the policy of the nations of the world, then all the talk about the League of Nations, and all the talk that we hear about humanity and the democratization of the world vanish into thin air, and we have a reign of power.

But, sir, we are asked to join this iniquitous thing, to become parties to it, in order to get rid of the Anglo-Japanese alliance. As I said the other day, it is like the old lady who married the old man to get rid of him. And, by the way, while I did not hear his words, if he has been correctly quoted to me, my distinguished colleague from Missouri [Mr. SPENCER] compared this compact which we are asked to ratify with the contract of matrimony.

I think the comparison was not bad. In the first place, matrimony is a very close relationship, and, in the second place, having once been entered into, it is not to be easily escaped by honorable people. The closest relation in the world is, of course, the marriage relation. The junior Senator from Missouri has occasionally blundered upon a great truth—no; in this case not blundered upon; he arrived at a great truth. He arrived at another when he said that this treaty might affect Korea. Of course, he said it might benefit Korea. He was mistaken in that. It will have directly the opposite effect, but it will affect Korea; and a dispute in Korea could very easily be transferred to the islands of the Pacific, and we could be very easily drawn in for the purpose of forging the chains

doubly tight upon that poor and oppressed country. There is a relationship.

Mr. President, in the few minutes that are left to me I want to tell the Senate and the country what I regard as the certain result of this treaty if it is ratified, and the certain menace there is in it. I affirm that war is in this treaty; that death is in this treaty; that the slaughter of our young men is in this treaty. That is inevitable according to all the laws that govern or control nations.

When the four great militant powers agree to control the Pacific, the nations of the world will construe it as an alliance. Already we have had put in evidence this afternoon documentary proof that Russia so regards it. No man need question the opinion that Germany will have of it. These nations are still upon the earth. They do not intend forever to be subordinate nations. The German has been exterminated, as his enemies thought, many times in history; and when they have returned to the solitude they created, they have been confronted by an army of armed men that have sprung up apparently from the soil.

I believe that Germany was wrong in this war. I voted for this war. I wanted to see it prosecuted with every power of our Government, but I did not want to destroy the German people; and whether you want to destroy them or not, there are 65,000,000 of them left, the most highly educated people on earth, skilled in all the arts and the sciences, and they will not be destroyed as a people.

Yonder on that map is Russia. Look at the dimensions of it—four times the size of the United States, three times the agricultural land, greater mineral resources than we possess, 180,000,000 people, brave people. It took brave men to stand on the field of battle when only every third man had a gun, and the only chance of the unarmed man to get a gun was to wait until his comrade was shot down and then take the weapon from his dead hand. They are an ignorant people, because their rulers were infamous; a people that may not be trained in all the arts and sciences, because their rulers put shackles on their arms and shackles on their brains, and compelled them to the double servitude of mind and of the body; but there they are, with all their vast resources, absolutely illimitable. It is estimated that Russia could herself support within her own borders one thousand million human beings.

Take Russia, and add to her Germany, and add to her Hungary, this part of the map that is shown here, and then let me ask you what is left of Europe? Look at little France. We need not consider Spain. Spain is dead. Portugal is moribund. Norway and Sweden lie off by themselves. There is Poland. There are newly created States that would be crushed as an eggshell is crushed between the hands of two mighty giants. Drive Germany and Russia together and you at once control Asia, and you at once control Europe. You create an absolutely irresistible power, and this treaty drives those two nations together.

What is the eternal logic of it? Four nations conquered Germany. Three of those nations are now exacting tribute from Germany. Germany has agreed to pay; but there is not a German living who does not hope that the day will come when that debt will be wiped out. They have no particular love for those four nations; and if these four nations unite, Germany will regard it as a menace to her.

What about Russia? Six million of her sons went to death fighting the battles of France and of Great Britain and of Japan, if you please. They committed no offense against us except that they withdrew from the battle line; and yet England and France and America invaded Russia from two sides, and Japan invaded her from the other. Japan's feet are still upon her soil. Japan's armies are still holding her cities. Japan's fortresses are still on the banks of her rivers. One of Japan's mighty bases is on the island of Sakhalin, which we agree to protect under this treaty. What will those nations necessarily do? They will necessarily get together for mutual protection. They are driven together by this alliance. German scientists are flocking to Russia by the thousand. German schoolmasters are flocking to Russia by the thousand. German military officers are going into Russia and aiding in the management of her armies. German manufacturers are seeking the raw materials of Russia.

Germany may be disarmed; Russia is not. Germany may be held by treaties; Russia is not. Given German science plus German manufacturing ability plus Russian raw material, and you have the ability to create cannon, to create armaments, to prepare for the conflict. Give them a few years to get upon their feet—and they are bound to get upon their feet—and you have amalgamated the greatest force that has ever been drawn together in all the tides of time. When that force strikes, it will strike with a deadly power; and when it strikes, it will

strike at France and strike at England and strike at Japan, and this treaty will bind us to come into the conflict.

You, sirs, who ought to occupy these vacant benches—you, Senators, who are regarding the whip of a political master—are voting for a treaty here that may be redeemed in the blood of our sons, that may be washed out in the tears of our mothers, that may bring impoverishment and want upon our blessed country. You may proceed as you are, thinking you will gain a political advantage; but I say that the man who ties the United States to Japan in her effort to invade the land of Russia, who pledges directly or indirectly the blood of America's sons, commits a crime against humanity. He does not vote for peace; he votes for bloody war; and within the womb of the future we can not tell how soon that war will be incubated.

I tell you, sirs, that those who think that Russia can not do anything within 10 years are wiser in their day and generation than the children of light if they can see that far into the future.

Who shall say that within 18 months' time—aye, within eight months' time—the armies of Russia may not be pressing the Japanese back? Who shall say that Japan will not be sending over fleets carrying more and more soldiers? Who shall say that the line of Japan shall not be broken? Who shall say that the island of Sakhalin shall not be invaded for the purpose of driving the Japanese from that place and for the purpose of destroying the Japanese forces? When that time comes, and when the conference is called, who will dare say that America has made no compact, that she has agreed to do nothing, that we stand acquit, that we went through an idle, silly form, that we engaged in a performance of buffoonery and tomfoolery? Who will then dare say it?

I appeal to the American sentiment. In the World War I voted to send away the last boy to fight on foreign soil. Unless I know that he must go abroad again to fight for America's flag and for America's honor, never will I give my consent to send away a boy to die in foreign lands. Never will I by my vote send him to defend the Japanese who seeks to take away the white man's home. Never will I give my consent to vote away the life of an American boy in order to fasten the paganism of Japan upon a Christian land and a Christian people.

Let those who will carry out this compact; let those who will turn their coats; let those who will betray their country; but as for me, I stand where I have always stood: "America for Americans." Behind our seagirt walls we will stand and defend our own rights. Beyond them we will not go to infringe upon the rights of others. We will revere the name of Washington though he never rode in an automobile; we will believe in his principles though he never saw an airplane, for his principles of government were as eternal in government as the principles taught by Jesus Christ were eternal in the great realm of religion and morals. As Christ never saw an automobile, and as He never saw a submarine, and as Moses as he came from the mountain never had seen any of these modern inventions, yet as they proclaimed great and eternal truths which will stand forever in the realm of morals and in the realm of religion, so the doctrines of George Washington will outlive all the quibblers of this earth and all of those who trifle with the destiny of the Republic he established with his sword. [Applause in the galleries.]

Mr. STANLEY. Mr. President, before the Senator takes his seat I wish to add that what he has said very eloquently has only expressed, in my opinion, half of the truth. If this anticipated, almost certainly coming, war between the allied nations of this four-power pact and the nations the Senator has mentioned should arise from the aggressions of Japan against China, he could throw another country as big as Russia and 400,000,000 more people into the scales.

Mr. REED. I might add, the latest utterance of Lord Northcliffe, the wisest of English statesmen, that the whole Mohammedan world is gathering for a conflict to throw off the thralldom of Great Britain. I have Lord Northcliffe's statement, followed by the statement made only a few days ago, that the Mohammedan world is already seething and making its demands, followed by the statements of British statesmen that the armies of India must be increased, followed by the further fact that the revolutionist of India has been thrown into prison for six years, the poor, half-naked man Gandhi, whose revolution consisted in insisting that the Mohammedans of India should make their own clothing, weaving the yarns upon their own spinning wheels, the spinning wheel being the only weapon. He advocated no force, but the right of each man to make his own clothing. For that he has been thrown into prison by the British Government.

So you may have the Moslem world also brought into this conflict, and we are to be the pawns, moved about by the skillful

fingers of European-diplomats, while our own representatives knew so little of this treaty that the President himself did not know the treaty had included Japan's mainland. Another of our distinguished representatives said that the question of the strategic value of islands was never considered. Another one of our illustrious representatives said that he was absent and did not know what was going on. But Japan knew, France knew, England knew, and I must say in my closing words what has been entirely omitted from this discussion, that the Franco-Japanese alliance still exists and is not removed. It still remains, and our troubles with Japan now exist and remain unadjusted.

Mr. WATSON of Georgia. Mr. President, I wish to add to what the Senator has so eloquently said, that according to the press dispatches, England is even now demanding soldiers of Japan to crush the liberty movements in India.

RECESS.

Mr. CURTIS. Under the agreement there was to be no vote to-night, and if there is no other Senator who desires to address the Senate, I move that the Senate now take a recess, the recess being under the unanimous-consent agreement, until 12 o'clock to-morrow.

The motion was agreed to; and (at 10 o'clock and 47 minutes p. m.) the Senate, in open executive session, took a recess until to-morrow, Friday, March 24, 1922, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 23 (legislative day of March 16), 1922.

CHIEF JUSTICE OF THE SUPREME COURT OF HAWAII.

Emil C. Peters, of Honolulu, Hawaii, to be chief justice of the Supreme Court of the Territory of Hawaii, vice James L. Coke, whose term has expired.

ASSOCIATE JUSTICE OF THE SUPREME COURT OF HAWAII.

Antonio M. Perry, of Hawaii, to be associate justice of the Supreme Court of the Territory of Hawaii, vice Samuel B. Kemp, whose term has expired.

ASSOCIATE JUSTICE OF THE SUPREME COURT OF PORTO RICO.

Carlos Franco Soto, of Porto Rico, to be associate justice of the Supreme Court of Porto Rico, vice Emilio del Toro.

POSTMASTERS.

ALABAMA.

Emory Folmar to be postmaster at Troy, Ala., in place of T. E. Hill, resigned.

Anthony J. Bowab to be postmaster at Atmore, Ala., in place of J. F. Beatty. Incumbent's commission expired July 21, 1921.

ARKANSAS.

Robert B. Landers to be postmaster at Melbourne, Ark. Office became presidential October 1, 1921.

Horace D. Cammack to be postmaster at Crossett, Ark., in place of J. L. McCain. Incumbent's commission expired January 24, 1922.

CALIFORNIA.

Charles J. Towson to be postmaster at El Monte, Calif., in place of G. P. Dobyns, resigned.

COLORADO.

Anna B. Danford to be postmaster at Haswell, Colo., in place of R. N. Frame. Incumbent's commission expired January 24, 1922.

FLORIDA.

Charles N. Hildreth, jr., to be postmaster at Live Oak, Fla., in place of W. R. Dorman. Incumbent's commission expired January 31, 1922.

IDAHO.

Benjamin O. Braham to be postmaster at Kellogg, Idaho, in place of C. L. Hollar. Incumbent's commission expired August 6, 1921.

ILLINOIS.

Charles W. Grant to be postmaster at Bement, Ill., in place of W. G. Cloyd, resigned.

Bernard A. Dorries to be postmaster at Breese, Ill., in place of Henry Werth, resigned.

INDIANA.

Joseph A. Spears to be postmaster at Loogootee, Ind., in place of Lewis Walker. Incumbent's commission expired July 21, 1921.

IOWA.

Laura M. Smith to be postmaster at Montour, Iowa. Office became presidential July 1, 1920.

Sid J. Backus to be postmaster at Algona, Iowa, in place of I. M. Fennell. Incumbent's commission expired January 24, 1922.

LOUISIANA.

Esther Boudreaux to be postmaster at Donner, La. Office became presidential April 1, 1921.

Dennis M. Foster, jr., to be postmaster at Lake Charles, La., in place of H. J. Geary. Incumbent's commission expired July 21, 1921.

Carl C. Brown to be postmaster at Haynesville, La., in place of C. C. Brown. Incumbent's commission expired July 21, 1921.

Harry J. Monroe to be postmaster at Elton, La., in place of E. S. Hart. Incumbent's commission expired January 31, 1921.

MASSACHUSETTS.

Arthur I. Randall to be postmaster at Rockland, Mass., in place of M. A. Keegan. Incumbent's commission expired May 14, 1921.

Harry E. King to be postmaster at Millis, Mass., in place of James Sheehan. Incumbent's commission expired August 3, 1920.

Almon L. Pratt to be postmaster at Belchertown, Mass., in place of E. E. Sargent. Incumbent's commission expired January 24, 1922.

MICHIGAN.

Fred L. Wright to be postmaster at Bad Axe, Mich., in place of Joseph Fremont. Incumbent's commission expired January 24, 1922.

MISSOURI.

Vaughn V. Hammitt to be postmaster at Curryville, Mo. Office became presidential April 1, 1921.

William M. Harbin to be postmaster at Puxico, Mo., in place of Fred Kelley, declined.

MONTANA.

James N. Starbuck to be postmaster at Valier, Mont., in place of J. H. Hines, resigned.

Leontine M. Turco to be postmaster at Absarokee, Mont., in place of C. B. Arnold. Incumbent's commission expired December 20, 1920.

NORTH CAROLINA.

Robert F. Blevins to be postmaster at Jefferson, N. C. Office became presidential July 1, 1920.

Charlie L. Walters to be postmaster at Mayodan, N. C., in place of H. R. Martin. Incumbent's commission expired March 16, 1921.

NORTH DAKOTA.

Victoria Quesnel to be postmaster at Bathgate, N. Dak. Office became presidential January 1, 1920.

James W. Pratten to be postmaster at Milton, D. Dak., in place of W. T. Reilly. Incumbent's commission expired January 24, 1922.

Mary B. Engbrecht to be postmaster at Goldenvalley, N. Dak., in place of J. H. Isaak, removed.

Carl Indergard to be postmaster at Belfield, N. Dak., in place of John Galyen. Incumbent's commission expired July 21, 1921.

NEW HAMPSHIRE.

Albert C. Cochran to be postmaster at Andover, N. H., in place of A. H. Rollins. Incumbent's commission expired March 16, 1921.

NEW JERSEY.

Mary E. Cubberley to be postmaster at Hamilton Square, N. J. Office became presidential July 1, 1921.

Charles Morgenweck, sr., to be postmaster at Egg Harbor City, N. J., in place of Henry Otto. Incumbent's commission expired January 24, 1922.

NEW MEXICO.

Claud E. Herndon to be postmaster at Cloudcroft, N. Mex., in place of B. B. Sellars, resigned.

NEW YORK.

Mortimer F. McKeel to be postmaster at Yorktown Heights, N. Y. Office became presidential October 1, 1920.

Harrison M. Russell to be postmaster at Staatsburg, N. Y., in place of J. J. Maher. Incumbent's commission expired January 24, 1922.

John W. Hedges to be postmaster at Pine Plains, N. Y., in place of A. D. Barton. Incumbent's commission expired January 24, 1922.

George A. Case to be postmaster at Honeoye Falls, N. Y., in place of R. L. Earl. Incumbent's commission expired January 24, 1922.

Albert Van Essendelft to be postmaster at West Sayville, N. Y., in place of G. C. Ross. Incumbent's commission expired December 20, 1920.

Percy Burr to be postmaster at West Haverstraw, N. Y., in place of Charles M. Roes, removed.

Frederick F. Dickerson to be postmaster at Walton, N. Y., in place of J. G. More. Incumbent's commission expired January 24, 1922.

Fred C. Stadler to be postmaster at Pleasantville, N. Y., in place of W. Y. McIntosh. Incumbent's commission expired January 24, 1922.

Moses W. Drake to be postmaster at Bay Shore, N. Y., in place of P. J. O'Neill. Incumbent's commission expired January 24, 1922.

OHIO.

John C. Caldwell to be postmaster at Oxford, Ohio, in place of W. B. Meyer. Incumbent's commission expired January 31, 1922.

Florence S. Van Gorder to be postmaster at Warren, Ohio, in place of L. C. Brown, removed.

Orlow L. Wertenberger to be postmaster at Leroy, Ohio, in place of W. W. Daniels. Incumbent's commission expired January 31, 1922.

OKLAHOMA.

George M. Caldwell to be postmaster at Maramec, Okla. Office became presidential July 1, 1921.

LeRoy K. Butts to be postmaster at El Reno, Okla., in place of M. B. Cope. Incumbent's commission expired July 23, 1921.

John E. T. Clark to be postmaster at Coalgate, Okla., in place of M. B. Hickman. Incumbent's commission expired August 30, 1917.

James W. Elliott to be postmaster at Fairland, Okla., in place of J. C. Baker, removed.

OREGON.

James E. Whitehead to be postmaster at Turner, Oreg. Office became presidential January 1, 1921.

Ralph R. Huron to be postmaster at La Grande, Oreg., in place of E. E. Bragg. Incumbent's commission expired January 24, 1922.

PENNSYLVANIA.

Nathaniel E. Lyons to be postmaster at Cheat Haven, Pa. Office became presidential April 1, 1921.

Ellis D. Keyes to be postmaster at Aerial, Pa., in place of J. W. Andrews. Incumbent's commission expired September 7, 1920.

SOUTH CAROLINA.

Francis B. Gaffney to be postmaster at Gaffney, S. C., in place of F. B. Gaffney. Incumbent's commission expired August 10, 1921.

SOUTH DAKOTA.

Emma Peterson to be postmaster at Draper, S. Dak., in place of F. A. Northrup, resigned.

John W. Woods to be postmaster at Worthing, S. Dak., in place of W. F. Berens, declined.

Lester W. Button to be postmaster at Bradley, S. Dak., in place of E. A. Sproat. Incumbent's commission expired July 21, 1921.

TENNESSEE.

Solomon Seches to be postmaster at Memphis, Tenn., in place of C. W. Metcalf, jr., resigned.

TEXAS.

John Plummer to be postmaster at Thurber, Tex., in place of W. P. Boyd. Incumbent's commission expired January 24, 1922.

Frank L. Irwin to be postmaster at Terrel, Tex., in place of A. H. Ables. Incumbent's commission expired July 21, 1921.

Thomas A. Matlock to be postmaster at Petrolia, Tex., in place of E. M. Duvall, resigned.

Hugo Simon to be postmaster at Farmersville, Tex., in place of R. S. Rike. Incumbent's commission expired January 24, 1922.

Augustus S. Hightower to be postmaster at Millsap, Tex. Office became presidential July 1, 1920.

Hugh D. Burleson to be postmaster at Streetman, Tex. Office became presidential January 1, 1920.

Wilmer D. Randolph to be postmaster at Menard, Tex., in place of J. F. Highsmith, resigned.

Charles E. Wood to be postmaster at Alto, Tex., in place of W. D. Armstrong. Incumbent's commission expired January 24, 1922.

Lee K. McKewen to be postmaster at Huntington, Tex., in place of R. N. McMullen, removed.

UTAH.

Gussie Harkness to be postmaster at Scofield, Utah, in place of A. L. Downing, resigned.

WASHINGTON.

Cora A. Smith to be postmaster at Seaview, Wash. Office became presidential January 1, 1922.

Clarence E. Hiatt to be postmaster at Deer Park, Wash., in place of E. E. Wood, resigned.

VERMONT.

Frank C. Stewart to be postmaster at Fairfax, Vt., in place of G. C. Parris. Incumbent's commission expired January 24, 1922.

VIRGINIA.

Dwight D. Ball to be postmaster at Barboursville, Va. Office became presidential October 1, 1920.

Harvey W. Nester to be postmaster at Fieldale, Va. Office became presidential July 1, 1921.

WEST VIRGINIA.

William N. Cummins to be postmaster at Red Jacket, W. Va. Office became presidential July 1, 1921.

Herman H. Haeberle to be postmaster at Macdonald, W. Va., in place of W. G. Bayliss, resigned.

Mamie H. Barr to be postmaster at Winfield, W. Va. Office became presidential January 1, 1921.

J. Carlin Hustead to be postmaster at Meadowbrook, W. Va. Office became presidential January 1, 1921.

WISCONSIN.

Harry B. Loper to be postmaster at West De Pere, Wis., in place of J. V. Linden. Incumbent's commission expired January 24, 1922.

Theodore Buehler, jr., to be postmaster at Alma, Wis., in place of Theodore Buehler, jr. Incumbent's commission expired January 24, 1922.

Carlton C. Good to be postmaster at Neshkoro, Wis. Office became presidential January 1, 1921.

Emma Thompson to be postmaster at Deer Park, Wis. Office became presidential January 1, 1921.

WYOMING.

Robert E. Fuller to be postmaster at Shoshoni, Wyo., in place of L. E. Blackwell. Incumbent's commission expired January 24, 1922.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 23 (legislative day of March 16), 1922.

APPOINTMENTS IN THE DIPLOMATIC SERVICE.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Hoffman Philip to be envoy extraordinary and minister plenipotentiary to Uruguay.

PROMOTIONS IN THE DIPLOMATIC SERVICE.

SECRETARIES OF EMBASSIES OR LEGATIONS OF CLASS 2.

Robert M. Scotten.

Herbert S. Gould.

R. Henry Norweb.

SECRETARIES OF EMBASSIES OR LEGATIONS OF CLASS 3.

Alan F. Winslow.

Curtis C. Jordan.

F. Lamont Belin.

George A. Gordon.

Pierre de L. Boal.

Wallace S. Murray.

Benjamin Reath Riggs.

UNITED STATES ATTORNEY.

Raymond U. Smith to be United States attorney, district of New Hampshire.

ASSISTANT SURGEONS IN THE PUBLIC HEALTH SERVICE.

Hilaire D. Ogden, jr.

Lieuen M. Rogers.

POSTMASTERS.

ALABAMA.

Joe R. Melton, Pine Apple.

Joseph J. Langdon, Reform.

Dona M. Dees, Repton.

IDAHO.

Paul F. Kuehn, Fernwood.

INDIANA.

Jennette Mertz, Bunker Hill.

Hattie B. Moore, Clermont.

Earl R. Shinn, Mentone.

Mervin C. Bond, Oaktown.

Othor Wood, Waldron.

NEW YORK.

La Dette G. Elwood, Alden.

Elbridge O. Hurlbut, De Kalb Junction.

Wilbur A. Van Duzee, Gouverneur.

Warren S. Hutchison, Lyndonville.

Frederick J. Sheldon, Lyons Falls.

Clinton D. Drumm, Malverne.

Thomas A. Gorman, Niagara University.

Jesse W. Lewis, Petersburg.

Carlton H. Topping, Sodus Point.
Isaiah S. Head, Sylvan Beach.
Jennie Mitchell, White Lake.

NORTH CAROLINA.

Malphus F. Hinshaw, Randleman.
Wade E. Vick, Robersonville.
Bertie L. Matthews, Vass.

OHIO.

Nellie E. Beam, Ansonia.
Jacob W. Simon, Bloomdale.
Vashti Wilson, Corning.
Louis A. Conklin, Forest.
William H. Pfau, Hamilton.
Edward W. Williams, New Carlisle.
Albert W. Davis, Norwalk.
Edwin M. Stover, Oakwood.
Fred J. Wolfe, Quaker City.
Millard H. Bell, West Mansfield.

TENNESSEE.

William D. Howser, Clarksville.
Albert F. Adair, Decaturville.
Robert H. Hurst, Grand Junction.

TEXAS.

John J. Allen, Alpine.
John F. Furlow, Alvord.
Ferman Wardell, Avery.
Emma L. McLaughlin, Blanket.
Mary A. Kent, Corrigan.
Bertie Freeman, Detroit.
Frank W. Dusek, Flatonia.
May S. Johnson, Follett.
Edna Sirman, Grayburg.
William D. McGown, Hemphill.
Leonard M. Kealy, Lewisville.
William J. Wade, Littlefield.
Homer Howard, Lockney.
Fred M. Carrington, Marquez.
Charlie N. Hooser, May Pearl.
Mary S. Ray, Midland.
William F. Neal, Overton.
Nathaniel C. Brown, Robert Lee.

WEST VIRGINIA.

Charles L. Pinckard, Berwind.
John O. Stone, Davy.
Ira Greathouse, Flemington.
John C. Smith, Tralee.
Belfrad H. Gray, Welch.

WITHDRAWALS.

*Executive nominations withdrawn from the Senate March 23
(legislative day of March 16) 1922.*

POSTMASTERS.

MONTANA.

Arie W. De Groot to be postmaster at Absarokee in the State of Montana.

OKLAHOMA.

John W. S. Opdyke to be postmaster at El Reno in the State of Oklahoma.

HOUSE OF REPRESENTATIVES.

THURSDAY, March 23, 1922.

The House met at 11 o'clock a. m. and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in Heaven, be not far away, for we would speak to Thee. Thou hast not forgotten us; having loved us, Thou wilt surely love us to the end. How we thank Thee for this miracle of Thy mercy! Continue to create in us the noblest conceptions of life, character, and duty. Throughout our broad land give truth power and victory. Keep us in the serene faith of its progress and high destiny. In all things may we gain in knowledge, in wisdom, and in all those virtues that make good men and wise citizens of the Republic. Be gracious to all peoples and help them to come to their liberty by coming to righteousness and fidelity. In the name of Jesus. Amen.

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

SUSPENSION DAY.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged resolution from the Committee on Rules.

The SPEAKER. The gentleman from Kansas submits a privileged resolution from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

House Resolution 309.

Resolved, That it shall be in order on Thursday, March 23, 1922, after the adoption of this resolution, to move to suspend the rules under the provisions of Rule XXVII of the House of Representatives: *Provided, however*, Instead of 20 minutes' debate being allowed to each side for and against the motion, there shall be two hours for such debate to each side.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of order that the resolution is not privileged.

The SPEAKER. The Chair will hear the gentleman.

Mr. GARRETT of Tennessee. In that it is violative of the latter part of Rule XI, I believe it is, which reads as follows:

The Committee on Rules shall not report any rule or order which shall provide that business under paragraph 7 of Rule XXIV shall be set aside by a vote of less than two-thirds of the Members present.

That is the Calendar Wednesday rule, which is not involved in my point of order. Then further:

Nor shall it report any rule or order which shall operate to prevent the motion to recommit being made as provided in paragraph 4 of Rule XVI.

Mr. Speaker, it has been openly and frankly avowed everywhere outside this Chamber by Members of this body, and it has been openly and frankly avowed by the responsible leaders of this body outside the Chamber, that the sole purpose of this rule was to have a suspension of the rules for the consideration of the soldiers' adjusted-compensation measure, and that the sole purpose of having a suspension of the rules in order to consider the measure was to prevent any motion to recommit. If that be the purpose—and the Speaker, of course, knows whether it is the purpose—then it does violate in all of its essentials the spirit of the language which I have just read from the rule.

I call the attention of the Chair respectfully to the exact wording of the rule:

Nor shall it report any rule or order which shall operate to prevent the motion to recommit being made.

I have before me the debate which was had in the House at the time that this provision which I have just read was adopted, on March 15, 1909. It will be remembered by the Chair, of course, and those who were present at the time that this particular resolution, along with others, was presented by the gentleman from New York, Mr. Fitzgerald, one of the ablest parliamentarians who ever sat in this House, and in the course of his argument he stressed with great vigor the importance of this particular section, to the end that the rights of the minority might be preserved to offer its motion to recommit.

"It is the spirit that keepeth alive." I am aware of the fact that two years ago this same subject matter came before the House and in the same way in a degree a ruling was then made by the present occupant of the Chair, overruling a similar point of order, except that there was then included in the point of order a proposition referring to Calendar Wednesday. I think the Speaker will recall that the principal arguments made by different gentlemen who discussed it revolved around Calendar Wednesday and not so much around the point I am making, although that was then directed to the attention of the Chair by myself. That probably will be referred to as a precedent.

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

Mr. GARRETT of Tennessee. I yield to the gentleman.

Mr. MANN. Does the gentleman remember that I made a point of order against a rule reported from the Committee on Rules on the ground that it would set aside Calendar Wednesday in its effect, and Mr. Speaker Clark overruled the point of order?

Mr. GARRETT of Tennessee. I do not recall the occasion.

Mr. MANN. There was such an occasion.

Mr. GARRETT of Tennessee. At any rate, the Calendar Wednesday rule is not involved here. I took the view at the time we were debating that before, so far as Calendar Wednesday was concerned, that a point of order would not lie, because I thought probably the Committee on Rules had the right to report a rule where it takes two-thirds, because it takes two-thirds to set aside Calendar Wednesday; I mean a rule where it takes two-thirds to bring up a suspension on a Calendar Wednesday day. Calendar Wednesday is not involved here, and I do not want to get it confused with this proposition. This rule is designed—it is not only the effect of it, but it is designed—to take away the right to make a motion to recommit, which the rules adopted for the first time on March 15, 1909, and since adopted at the beginning of every Congress undertook to protect for all time the House.