

By Mr. RAKER: A bill (H. R. 9524) authorizing the Secretary of War to donate to the Preston School of Industry, Waterman, Calif., two German cannons or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

By Mr. KING: Resolution (H. Res. 310) expressing commendation and approval for the patriotic efforts of certain Senators; to the Committee on Foreign Affairs.

By Mr. RODENBERG: Resolution (H. Res. 311) authorizing the Committee on the Judiciary to investigate certain reports relative to presents received by the President; to the Committee on Rules.

By Mr. SMITHWICK: Memorial from the legislature of the State of Florida, relative to a canal across the State of Florida; to the Committee on Railways and Canals.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. DRANE: A bill (H. R. 9525) granting authority on certain conditions to the Secretary of the Navy to reinstate William H. Caldwell in the United States naval service; to the Committee on Naval Affairs.

By Mr. FAIRFIELD: A bill (H. R. 9526) granting a pension to Mrs. Vincent F. Dilley; to the Committee on Invalid Pensions.

By Mr. GARD: A bill (H. R. 9527) granting a pension to Milton L. Stover; to the Committee on Pensions.

By Mr. HAYS: A bill (H. R. 9528) granting an increase of pension to Archibald W. Mayden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9529) granting a pension to A. M. Radcliff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9530) for the relief of U. S. Davis; to the Committee on Claims.

By Mr. HERSMAN: A bill (H. R. 9531) granting an increase of pension to Samuel Barton; to the Committee on Invalid Pensions.

By Mr. IRELAND: A bill (H. R. 9532) granting an increase of pension to Mary L. Taylor; to the Committee on Invalid Pensions.

By Mr. JONES of Texas: A bill (H. R. 9533) authorizing the Secretary of the Interior to issue patent to Nathan R. Wright to homestead entry known as Clayton 022303; to the Committee on the Public Lands.

Also, a bill (H. R. 9534) granting a pension to Olive Dixon; to the Committee on Pensions.

By Mr. SWOPE: A bill (H. R. 9535) granting a pension to James E. Johnson; to the Committee on Pensions.

By Mr. WHEELER: A bill (H. R. 9536) to correct the military record of John C. Berry; to the Committee on Military Affairs.

By Mr. WOODYARD: A bill (H. R. 9537) granting an increase of pension to Adam Landsittel; to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

By Mr. BABKA: Petition of members of the "Sokol Cleveland," of Cleveland, Ohio, protesting against the passage of the Myers bill; to the Committee on Ways and Means.

By Mr. BRIGGS: Petition of executive committee of the Farmers' League of Texas, requesting Congress to extend Government guaranties and credits to enable American cotton to be marketed at fair prices; to the Committee on Agriculture.

By Mr. FESS: Petition of sundry citizens of Wilmington, Ohio, urging the repeal of sections 800, 906, and 1001 (subsection 5), of revenue act of 1918; to the Committee on Ways and Means.

By Mr. FULLER of Illinois: Petition of Williams Hardware Co., of Streator, Ill., opposing Senate revenue explosive bill 2896; to the Committee on Interstate and Foreign Commerce.

Also, petition of the National Association of Hosiery and Underwear Manufacturers, opposing the Longworth bill (House bill 8078); to the Committee on Ways and Means.

By Mr. HICKEY: Petition of the South Bend Retail Merchants' Bureau, South Bend, Ind., urging opposition to the Siegel bill; to the Committee on Interstate and Foreign Commerce.

By Mr. KEARNS: Petition of James Kelso, of New Boston, protesting against the Jones and Siegel bills; to the Committee on Interstate and Foreign Commerce.

By Mr. MacGREGOR: Petition of G. W. Flint and 49 other ex-service men of Akron, N. Y., favoring the passage of the

Gronna-Baer bill, granting to all ex soldiers and sailors a year's pay; to the Committee on Military Affairs.

By Mr. MOORE of Pennsylvania: Resolution of District No. 1 of the Graduate Nurses' Association of Pennsylvania, urging that rank be given to members of Army Nurse Corps; to the Committee on Military Affairs.

By Mr. MURPHY: Memorial of 63 citizens of Damascus, Ohio, and vicinity, asking Congress not to pass law making military training compulsory; to the Committee on Military Affairs.

By Mr. O'CONNELL: Petition of Marden, Orth & Hastings Corporation, of New York, favoring the passage of the Longworth bill; to the Committee on Ways and Means.

Also, petition of Gimbel Bros., of New York, protesting against the passage of Senate bill 2904 and House bill 8315; to the Committee on Interstate and Foreign Commerce.

Also, petition of Mrs. Frank Allport, of Chicago, Ill., requesting that the Kenyon-Fess bill be referred back to the committee before it is voted on in the House of Representatives; to the Committee on Interstate and Foreign Commerce.

By Mr. ROWAN: Petition of R. T. Lyman, of Boston, Mass., protesting against the Longworth bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Gimbel Bros. and Best & Co., of New York, protesting against the passage of the Jones Senate bill and the Siegel bill; to the Committee on Interstate and Foreign Commerce.

By Mr. TAYLOR of Tennessee: Petition of Thomas J. Wyrick, of Bearden, Tenn., protesting against the league of nations; to the Committee on Foreign Affairs.

Also, petition of Mrs. H. A. Evans, secretary of the Woman's Missionary Society of Knoxville, Tenn., protesting against the United States going to war with our neighbor, Mexico; to the Committee on Military Affairs.

By Mr. YATES: Petition of W. D. Honohan, Chicago, protesting against the Kendrick and Kenyon bills; to the Committee on Interstate and Foreign Commerce.

Also, petition of J. L. McCracken and others, of Greenville, urging the passage of Senate joint resolution 84, increasing the salaries of postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of National Retail Hardware Association, Argos, Ind., by Mr. Herbert P. Sheets; to the Committee on the Judiciary.

Also, petition of Jesse H. Smith, Chicago, Ill., urging the passage of House bill 8376; to the Committee on Expenditures in the Post Office Department.

Also, petition of Retail Grocers and Merchants' Association, Springfield, Ill., by E. B. Harris, submitting resolutions concerning the reduction of the high cost of living; to the Committee on Agriculture.

Also, petition of Arnold Joerns Co., Chicago, Ill., urging the passage of the Chamberlain-Kahn bill, House bill 8068; to the Committee on Military Affairs.

Also, petition of Jenkins Manufacturing Co., Bloomfield, N. J., protesting against more power being given to the Federal Trade Commission; to the Committee on the Judiciary.

SENATE.

FRIDAY, September 26, 1919.

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

Almighty God, Thou hast given to us a world in which fitness of character is fitness for life. In all the performance of duty we turn to Thee, the author of all goodness. The law of life has come from Thee. We pray Thee to so incline our hearts that we may keep Thy law and glorify Thy name in our lives. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. NELSON and by unanimous consent, the further reading was dispensed with and the Journal was approved.

REGULATION OF RAILROAD RATES.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 641) to amend section 10 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes."

Mr. CUMMINS. I move that the Senate disagree to the amendments of the House, and request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. CUMMINS, Mr. LA FOLLETTE, and Mr. SMITH of South Carolina conferees on the part of the Senate.

PERSONAL EXPLANATION—PEACE TREATY.

Mr. JONES of Washington. Mr. President, I desire to make a short statement.

A day or two ago I voted against the motion of the Senator from Massachusetts [Mr. LODGE] to postpone for a week the consideration of a certain amendment to the peace treaty. That vote seems to have caused more excitement in my State than the visit of the President. At any rate, I have received many more telegrams in reference to it than I have in reference to the effect of his visit. Some of my friends seem to think that I have gone back on America. Others seem to think that I have announced my defiance to the league of nations. I was entirely innocent of any intention to indicate my position on the amendment or the covenant.

I want to say that that vote had absolutely no significance whatever except that I am in favor of proceeding with the consideration of the amendments and the covenant just as promptly and rapidly as possible. I know what I am going to do with reference to them, and I expect to state my position on the treaty some time next week. I thought I made it pretty clear when I was in the State a short time ago. I understand that some Senators have been just a little worried about my position because of that vote. I thought this statement might ease their minds also.

PETITIONS AND MEMORIALS.

Mr. MOSES. I present resolutions on the league of nations adopted by the American Legion, of Westchester, N. Y., which I ask may be read.

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

The Secretary read as follows:

[Action by American Legion, of Westchester, on the league of nations. Charles H. Duell, Jr., chairman of convention.]

COURTHOUSE,
White Plains, N. Y., September 25, 1919.

Whereas the American Legion has been created primarily to safeguard Americanism, liberty, our national sovereignty, and the best traditions of American life, and in joining the same we did so to uphold these very things if need be against the world; and

Whereas to-day we believe there is great danger that these principles may be sacrificed, destroyed in fact, as effectively as if the independence which the thirteen Colonies fought for had been lost or never fought for, and in any event, if this danger is not averted, the United States will have lost its leadership and independence in world affairs, and we will to that extent become again a "colony" of another nation that after 143 years has become the "real victor"; and

Whereas this danger which confronts the Nation is the present attempt to force adoption by the United States of America of a league of nations which does not, as it now stands, adequately safeguard our national life as a people, free and independent: Now, therefore, be it

Resolved, By the American Legion, of Westchester, in convention assembled, that we protest most vigorously against this attempt on the part of certain elements in our own country to undermine the American character and to foist upon the Nation a wicked idealism which banishes all the practical safeguards for the country's future that have hitherto stood the test of time and is contrary to the purpose of liberty for which America entered the war and for which we veterans of the war offered our life's blood and sacrificed to maintain: And so be it further

Resolved, The American Legion, realizing that the league of nations is by no means a party or political issue, but rather a national calamity and disaster if adopted as at present drawn, that we therefore stand opposed to any league of nations which does not adequately protect:

(1) The Monroe doctrine, which America alone shall interpret.
(2) Our domestic affairs from foreign interference or domination.
(3) Our right of withdrawal from the league, the United States to be the sole judge of whether or not her international obligations have been fulfilled.

(4) That any action by the United States under so-called "Article 10" shall be had only as Congress shall determine.

(5) That the vote of the United States in the league of nations shall at all times be equal to the vote of the British Empire; and toward that end we heartily indorse the red-blooded attitude of the Foreign Relations Committee of the United States Senate in favorably reporting such reservations and amendment as above outlined, and we commend those Senators who on the floor of the Senate and elsewhere are making the fight to preserve American independence.

And in view of the fact that this action taken by the veterans of Westchester, one of the great counties of the State of New York, is typical in their opinion of the same feeling existent among their fellow veterans everywhere with whom they fought side by side, and with whom they have learned to think alike and stand as one man when the Nation is in danger, it is hereby ordered that a copy of this resolution be forwarded to the Foreign Relations Committee of the Senate, to every United States Senator, and to the President of the United States, in the hope that the deep and earnest convictions of men who fought their country's fight may help to avert disaster.

CHARLES H. DUELL, JR.,
Chairman of Convention.

Mr. MOSES presented a memorial of the Polish-American Society of Manchester, N. H., remonstrating against German atrocities now being committed in Silesia, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Polish-American Society of Manchester, N. H., praying for the ratification of the proposed league of nations treaty, which was ordered to lie on the table.

Mr. CURTIS. I present a memorial of the George T. Davies Post, of the American Legion of Concordia, Kans., which I ask may be printed in the RECORD and referred to the Committee on Military Affairs.

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

CONCORDIA, KANS., September 22, 1919.

MY DEAR SIR: The following is a true copy of a resolution introduced and passed by the George T. Davies Post, of the American Legion.

Respectfully,

DANIEL C. IMBODEN, Post Commander.
LESTER B. SHROUF, Post Adjutant.

"Whereas the George T. Davies Post, of the American Legion, Concordia, Kans., believing that the United States is a great, glorious, and wonderful country and fit to live in and believing further that if the United States is fit to live in that it is a country fit to fight for, hereby

Resolved, That the action of Secretary of War Newton D. Baker in discharging the conscientious objectors serving prison sentences is condemned as unpatriotic and unworthy of a Secretary of War; that the action of Secretary of War Newton D. Baker in discharging the conscientious objectors serving prison sentences is a complete surrender of law and order to anarchy; that the action of Secretary of War Newton D. Baker in discharging conscientious objectors serving prison sentences is a menace to the future of the United States; that the action of Secretary of War Newton D. Baker in discharging the conscientious objectors serving prison sentences is an insult to the large body of patriotic American soldiers who gave or were ready to give their lives for the traditions of the United States; and be it further

Resolved by the George T. Davies Post, of the American Legion, That the post requests the Congress of the United States to investigate and report to the people of the United States the reason why Secretary of War Newton D. Baker discharged the conscientious objectors serving prison sentences; that the post send copies of these resolutions to the United States Senators from Kansas and to the Congressmen from Kansas requesting their cooperation in seeing that the public, and especially the ex-service men of the United States, are informed why the conscientious objectors serving prison sentences were discharged; and be it further

Resolved by the George T. Davies Post, of the American Legion, That the Congress of the United States be requested to pass laws deporting from the limits of the United States the conscientious objectors serving prison sentences subsequently discharged by Secretary of War Newton D. Baker; and be it further

Resolved by the George T. Davies Post, of the American Legion, Concordia, Kans., That there is only one principle upon which true Americanism can stand, and that is the United States being a country fit to live in is a country fit to fight for."

Mr. CURTIS presented a petition of Local Lodge No. 1028, International Association of Machinists, of Newton, Kans., praying for the adoption of the so-called Plumb plan for the operation and control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. MCLEAN presented a petition of Local Grange, Patrons of Husbandry, of Wethersfield, Conn., praying for the ratification of the proposed league of nations treaty, which was ordered to lie on the table.

He also presented a petition of Local Lodge No. 11, Lithuanian National League of America, of Waterbury, Conn., praying for the recognition by the United States of the independence of Lithuania, which was referred to the Committee on Foreign Relations.

He also presented a petition of Local Union No. 71, International Molders' Union of North America, of Ansonia, Conn., and a petition of Local Union No. 282, Cigar Makers' International Union, of Bridgeport, Conn., praying that the State Department request that Great Britain extend to Americans in England the same protection to their person and property that is demanded of Russia and Mexico, which were referred to the Committee on Foreign Relations.

He also presented a petition of the Thomas Francis Meagher Branch of the Friends of Irish Freedom, of Bridgeport, Conn., and a petition of the Ancient Order of Hibernians and Ladies' Auxiliary, of Danbury, Conn., praying that the United States refuse to grant loans of money to Great Britain until such time as the army of occupation is removed from Ireland and the Irish government be allowed to function in accordance with the expressed will of the Irish people, which were referred to the Committee on Foreign Relations.

Mr. PHELAN presented a memorial of Major McBride Branch, Friends of Irish Freedom, of Stockton, Calif., remonstrating against the deportation of certain Hindus, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. OWEN, from the Committee on Banking and Currency, to which was referred the joint resolution (S. J. Res. 88) to amend an act entitled "An act to provide further for the national security and defense, and, for the purpose of assisting in the prose-

cution of the war, to supervise the issuance of securities, and for other purposes," reported it with an amendment.

Mr. WADSWORTH, from the Committee on Military Affairs, to which was referred the bill (H. R. 3143) to provide for further educational facilities by authorizing the Secretary of War to sell at reduced rates certain machine tools not in use for Government purposes to trade, technical, and public schools and universities, other recognized educational institutions, and for other purposes, reported it with an amendment and submitted a report (No. 221) thereon.

CAMP A. A. HUMPHREYS, VA.

Mr. WADSWORTH. From the Committee on Military Affairs I report back favorably without amendment the joint resolution (H. J. Res. 208) authorizing the Secretary of War to expend certain sums appropriated for the support of the Army for the fiscal years ending June 30, 1919, and June 30, 1920, at Camp A. A. Humphreys, Va., and I wish to ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. NELSON. I object to its present consideration. I have been at Camp Humphreys and I have seen enough of it. The idea of squandering more money on that camp is outrageous.

Mr. WADSWORTH. Of course, I can not overcome the objection of the Senator from Minnesota, but this has nothing to do with the squandering of money at Camp Humphreys.

The VICE PRESIDENT. If there is no objection—

Mr. KING. I think the Senator from Minnesota objected.

Mr. WADSWORTH. The Senator from Minnesota did object.

Mr. NELSON. I objected.

Mr. WADSWORTH. Perhaps the Senator from Minnesota will withdraw his objection. I assure him that this has nothing to do with the squandering of money.

Mr. NELSON. I do not want any measure to pass that allows the Secretary of War to transfer certain funds to Camp Humphreys. I want the Senator to go down and look at that camp. I wish the whole Senate would go down and look at it, and they would not vote to sink another dollar there.

Mr. WADSWORTH. I have been there; but, of course, that does not cause the Senator to withdraw his objection.

The VICE PRESIDENT. The joint resolution will be placed on the calendar.

DIGEST OF BUDGET LEGISLATION (S. DOC. NO. 111).

Mr. MOSES, from the Committee on Printing, reported the following resolution (S. Res. 193), and it was considered by unanimous consent and agreed to:

Resolved, That the manuscript entitled "Digest of budget legislation in the several States" be printed as a Senate document.

BILLS INTRODUCED.

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

By Mr. TRAMMELL:

A bill (S. 3085) granting authority, on certain conditions, to the Secretary of the Navy to reinstate William H. Caldwell in the United States Naval Service; to the Committee on Naval Affairs.

By Mr. WALSH of Montana:

A bill (S. 3086) granting a pension to John R. Rogers (with accompanying papers); to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 3087) for the relief of Albert Bieffer (with accompanying paper); to the Committee on Military Affairs.

A bill (S. 3088) amending an act to pension the survivors of certain Indian wars and Mexican marauders from January 1, 1859, to January, 1891, inclusive, and for other purposes, approved March 4, 1917; to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 3089) authorizing the Secretary of War to make donation of a captured German cannon and cannon balls to the city of Harrington, Wash.; to the Committee on Military Affairs.

A bill (S. 3090) to repeal the espionage act; to the Committee on the Judiciary.

A bill (S. 3091) for the construction and equipment of a naval base for fleet operation and for works of defense on the island of Guam; to the Committee on Naval Affairs.

A bill (S. 3092) for cooperation by the Federal Government in the construction of roads; to the Committee on Agriculture and Forestry.

A bill (S. 3093) granting an increase of pension to Loucette E. Glavis (with accompanying papers); to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 3094) granting an increase of pension to Susan C. Cray (with accompanying papers); and

A bill (S. 3095) granting an increase of pension to Ellis C. Howe (with accompanying papers); to the Committee on Pensions.

INLAND TRANSPORTATION BY WATER.

Mr. RANDELL. I offer an amendment relative to inland transportation by water, intended to be proposed by me to the bill (S. 2906) further to regulate commerce among the States and with foreign nations and to amend an act entitled "An act to regulate commerce," approved February 4, 1887, as amended, which I ask to have printed and referred to the Committee on Interstate Commerce.

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

AMENDMENT TO FIRST DEFICIENCY APPROPRIATION BILL.

Mr. SPENCER submitted an amendment proposing to appropriate \$14,000 to increase the compensation of the astronomical, geodetic, tidal, and miscellaneous computers, Coast and Geodetic Survey, in no case to exceed 33 1/3 per cent of the basic compensation of any such employee, intended to be proposed by him to the first deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

AMENDMENT OF WAR-RISK INSURANCE ACT.

Mr. HARDING submitted an amendment intended to be proposed by him to the bill (H. R. 8778) to amend and modify the war-risk insurance act, which was referred to the Committee on Finance and ordered to be printed.

JAPANESE AND CHINESE RELATIONS.

Mr. POINDEXTER. I offer the resolution which I send to the desk, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. The resolution submitted by the Senator from Washington will be read.

The Secretary read the resolution (S. Res. 196), as follows:

Resolved, That the President is requested, if not incompatible with public interest, to transmit to the Senate, confidentially if required, the copy of the cable dispatch from the ambassador of the United States to China addressed to the President in January, 1919, in which the ambassador discussed fully and confidentially the Japanese-Chinese relations, which dispatch was forwarded to the President through the State Department about January 6, 1919.

The President is also requested, if not incompatible with public interest, to cause to be transmitted to the Senate, confidentially if required, copies of the dispatches of the military attaches of the United States at Tokyo and Peking addressed to the Chief of the Bureau of Military Intelligence, War Department, in and about the month of January, 1919.

The VICE PRESIDENT. Is there objection to the request of the Senator from Washington for present consideration of the resolution?

Mr. HITCHCOCK. I think the resolution ought to go to the Committee on Foreign Relations, and I ask that it be so referred.

The VICE PRESIDENT. The resolution will be printed and referred to the Committee on Foreign Relations.

U. S. S. "HENDERSON."

Mr. LODGE submitted the following resolution (S. Res. 194), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of State be requested to inform the Senate whether the U. S. S. *Henderson*, Capt. W. R. Sayles, United States Navy, which sailed on the 12th of September, is being sent to Europe in connection with the work of carrying out that section of the treaty with Germany which provides for a plebiscite of the people of Schleswig-Holstein, and whether the *Henderson* carries marines to be employed in any way in connection with that plebiscite.

ACTIVITIES OF AMERICAN MARINES IN DALMATIA.

Mr. KNOX submitted the following resolution (S. Res. 195), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy be requested to inform the Senate whether American marines were landed from a torpedo-boat destroyer or any other naval vessel to compel the Italians to evacuate Trau, Dalmatia, as reported in the following dispatch by the Associated Press published in the Washington Post of September 26, 1919:

"COPENHAGEN, September 25.

"American marines landed from a torpedo-boat destroyer to compel the Italians to evacuate Trau, Dalmatia, according to a dispatch received here from Spalato, a short distance east of Trau.

"The Italians left after the inhabitants fired on them. Jugo-Slav troops took over the town from the Americans.

"The dispatch, which is dated September 25, says that a Jugo-Slav detachment began an advance toward Trau when the American destroyer entered the harbor to compel the retirement of the Italians.

"The inhabitants of Trau then opened fire on the Italians, who hastily departed.

"200 AMERICANS LAND."

"The Italian commander and three men in an armored car fell into the hands of the Slavs. In the meantime 200 American marines, with machine guns, landed and took over the armored car and the prisoners, who subsequently were transferred to an Italian ship.
 "Then the Serbians arrived and were enthusiastically welcomed. The Americans handed over the town to the Jugo-Slav troops and reembarked. The destroyer will remain in the harbor for a few days.

LABOR STRIKES.

Mr. THOMAS. I submitted two or three days ago Senate resolution 190, which went over under the rule and has not been disposed of. I ask that it be sent to the Committee on the Judiciary.

There being no objection, the resolution was referred to the Committee on the Judiciary, as follows:

Whereas the right of citizens to organize for the promotion of their views and the improvement of their condition, and to utilize all means to the attainment of their ends, which are consonant with law, justice, and the limitations of the Constitution; and
 Whereas this right, long exercised and enjoyed for some time past, has been and is being utilized oppressively, unjustly, and for the accomplishment of aims and objects wholly repugnant to free institutions and to the inalienable rights of the citizen, thus promoting riot, restraining trade and commerce, overthrowing law and destroying order, and imperiling the lives and limbs of the people of States and communities: Therefore be it

Resolved, That we view with deep concern and disapproval all combinations, conspiracies, and disturbances designed to accomplish objects lawful or unlawful by frauds, force, disorder, or resort to other criminal methods.

That in America every citizen in the enjoyment of life, liberty, and the pursuit of happiness, has the constitutional right to follow any calling or to refrain therefrom as he may choose. That this right is mutual and universal, any denial or interference with which is wholly contrary to free institutions and individual liberty.

That the so-called closed shop, the denial to the citizen of the right to a livelihood for the support of himself and family free from limitations imposed upon him outside the law are tyrannous, un-American, and wholly in conflict with the fundamentals of American freedom.

That so-called strikes for power, paralyzing business, interfering with distribution, lowering production, defying the laws, and necessarily resulting in riot, insurrection, murder, and the destruction of property, are conspiracies in restraint of trade and should be prevented whenever possible and resisted at all times.

That no person, association, or corporation can be safely or constitutionally exempted or excluded from the obligations, penalties, and prohibitions of general laws enacted for the public safety and welfare.

WITHDRAWAL OF PAPERS—HARLIN L. CLARK.

On motion of Mr. BECKHAM, it was

Ordered, That the papers accompanying the bill, S. 1509, Sixty-sixth Congress, first session, granting increase of pension to Harlin L. Clark, be withdrawn from the files of the Senate, no adverse report having been made thereon.

LEAGUE OF NATIONS.

Mr. EDGE. Mr. President, I desire to have inserted in the RECORD a copy of a letter forwarded to me from New Jersey demonstrating a State-wide propaganda among the people of that State in favor of the covenant of the league of nations as presented, and demonstrating that the ministers of the State are being called upon to hold special Sunday services for that purpose. It is in the form of a letter, and in order to make it public I ask to have it inserted in the RECORD.

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

LEAGUE TO ENFORCE PEACE.

TRENTON, N. J.

Rev. ROBERT C. JENKINS,
 Camden, N. J.:

We are endeavoring to put on record immediately the sentiment of the leading people of the State in regard to the league of nations. A campaign has been started to that end and you are asked to enroll at once.

Our plan is to have every individual and organization possible wire or write our Senators, hence we desire wide distribution of the inclosed slip, also to reach ready-made meetings by means of speakers sent from our speakers' bureau under the direction of Mr. William J. Tighe, West Hoboken, N. J.

Will you not set aside a Sunday service for the favorable presentation of this vital question?

Encouraging letters are coming in daily from the thinking men and women of the State, and now is the crucial moment. Will you not advise us of the course you have taken?

Cordially, yours,

HENRY VAN DYKE.

Kindly reply to Miss MacIlvaine, 154 West State Street, Trenton, N. J.

Mr. HITCHCOCK. I ask to have inserted in the RECORD resolutions adopted by the Associated Advertising Clubs of the World indorsing the league of nations and asking for the ratification of the treaty of peace with Germany. This association, composed of men very close to the business interests of the world, recently held its convention in New Orleans.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

"The Associated Advertising Clubs of the World notified the league to-day that the following resolution calling for ratification of the peace treaty and the covenant 'at the earliest possible moment without amendments or reservations involving the renegotiation of the treaty with Germany' had been adopted at their convention in New Orleans:

"The Advertising Clubs of the World pause at the threshold of this their victory convention to express their gratification that the United States Senate is giving uninterrupted consideration to the one matter upon which hangs the settlement of gravest business and industrial problems and the assuagement of the agonies of the whole world.

"Pledged in the printed word, as it helped to rally the patriotic man power and monetary strength of the Nation in a war against wars, this body feels impelled by good faith, as well as by its desire to hold to the high vision that made America invincible, to reaffirm its unanimous advocacy of the peace of Versailles and the league of nations at the earliest possible moment, without amendment or reservations involving the renegotiation of the treaty with Germany.

"To hold companionship with truth with which it has linked the business ideals of two hemispheres, the Associated Advertising Clubs of the World would speedily evoke peace, covenanted peace, so that the economic world, now divided and discordant, may catch the inspiration of the wiser way of composing its differences, and that this Republic may garner the full fruitage of its wartime unity, heroisms, and sacrifices."

"This resolution was introduced by James Schermerhorn, editor of the Detroit Times, and adopted unanimously."

SPEECHES BY PRESIDENT WILSON.

Mr. HITCHCOCK. I also ask to have printed in the RECORD the authentic copies of the speeches delivered by the President of the United States September 9, 10, and 11.

There being no objection, the speeches of the President were ordered to be printed in the RECORD, as follows:

THE PRESIDENT AT MINNEAPOLIS, MINN., SEPTEMBER 9, 1919.

"Your honor, your excellency, my fellow countrymen, I have come here to discuss a very solemn question, and I shall have to ask your patience while you bear with me in discussing somewhat in detail the very great matter which now lies not only before the consideration of the people of the United States but before the consideration of the people of the world. You have heard so many little things about the treaty that perhaps you would like to hear some big things about it. To hear some gentlemen you would think it was an arrangement for the inconvenience of the United States, whereas, as a matter of fact, my fellow citizens, it is a world settlement, the first ever attempted, attempted upon broad lines which were first laid down in America. For, my fellow citizens, what does not seem to me realized in this blessed country of ours is the fact that the world is in revolution. I do not mean in active revolution. I do not mean that it is in a state of mind which will bring about the dissolution of governments. I mean that it is in a state of mind which may bring about the dissolution of governments if we do not enter into a world settlement which will really in fact and in power establish justice and right.

"The old order of things the rest of the world seemed to have got in some sense used to. The old order of things was not to depend upon the general moral judgment of mankind, not to base policies upon international right, but to base policies upon international power. So there were drawn together groups of nations which stood armed, facing one another, which stood drawing their power from the vitality of people who did not wish to be subordinated to them, drawing their vitality from the energy of great peoples who did not wish to devote their energy to force, but wished to devote their energy to peace. The world thought it was inevitable. This group of nations thought that it represented one set of principles; that group of nations thought that it represented another set of principles and that the best that could be accomplished in the world was this that they used to call the balance of power.

"Notice the phrase. Not the balance that you try to maintain in a court of justice, not the scales of justice, but the scales of force; one great force balanced against another force. Every bit of the policy of the world, internationally speaking, was made in the interest of some national advantage on the part of the stronger nations of the world. It was either the advantage of Germany or the advantage of Great Britain or the advantage of Italy or the advantage of Japan. I am glad to say that I am not justified in adding that the policy of the world was ever conceived by us upon the basis of the advantage of America. We wished always to be the mediators of justice and of right, but

we thought that the cool spaces of the ocean to the east and the west of us would keep us from the infections that came, arising like miasmatic mists out of that arrangement of power and of suspicion and of dread.

"I believe, my fellow countrymen, that the only people in Europe who instinctively realized what was going to happen and what did happen in 1914 was the French people. It has been my privilege to come into somewhat intimate contact with that interesting and delightful people, and I realize now that for nearly 50 years, ever since the settlement which took Alsace-Lorraine away from them in 1871, they have been living under the constant dread of the catastrophe which at last came; and their thought throughout this conference was that they must concert some measure, must draw together some kind of cooperative force, which would take this intolerable dread from their hearts, that they could not live another 50 years, expecting what would come at last. But the other nations took it lightly. There were wise men in Great Britain, there were wise men in the United States, who pointed out to us not only what they suspected, but what we all knew with regard to the preparations for the use of force in Europe. Nobody was ignorant of what Germany was doing. What we shut our eyes against deliberately was the probability that she would make the use of her preparation that she did finally make of it. Her military men published books and told us what they were going to do with it, but we dismissed them. We said, 'The thing is a nightmare. The man is a crank. It can not be that he speaks for a great Government. The thing is inconceivable and can not happen.' Very well, could not it happen? Did not it happen? Are we satisfied now what the balance of power means? It means that the stronger force will sometimes be exercised or an attempt be made to exercise it to crush the other powers.

"The great nations of the world have been asleep, but God knows the other nations have not been asleep. I have seen representatives of peoples over there who for generations through, in the dumbness of unutterable suffering, have known what the weight of those armaments and the weight of that power meant. The great Slavic people, the great Roumanian people, the people who were constantly under the pressure of that power, the great Polish people—they all knew, but they were inarticulate; there was no place in the world where they dared speak out. Now the catastrophe has come. Blood has been spilt in rivers, the flower of the European nations has been destroyed, and at last the voiceless multitudes of men are awake, and they have made up their minds that rather than have this happen again, if the governments can not get together, they will destroy the governments.

"I am not speaking revolution, my friends. I believe that the most disastrous thing that can happen to the underman, to the man who is suffering, to the man who has not had his rights, is to destroy public order, for that makes it certain he never can get his rights. I am far from intimating that, but I am intimating this, that the people of the world are tired of every other kind of experiment except the one we are going to try. I have called it an experiment; I frankly admit that it is an experiment, but it is a very promising experiment, because there is not a statesman in the world who does not know that his people demand it. He is not going to change his mind. He is not going to change his direction. He is not speaking what he wants, it may be, but he is speaking what he knows he must speak, and that there is no turning back; that the world has turned a corner that it will never turn again. The old order is gone, and nobody can build it up again.

"In the meantime what are men doing? I want you to reflect upon this, my fellow countrymen, because this is not a speech-making occasion; this is a conference. I want you men to reflect upon what I am about to call your attention to. The object of the war was to destroy autocratic power; that is to say, to make it impossible that there should be anywhere, as there was on Wilhelmstrasse, in Berlin, a little group of military men who could brush aside the bankers, brush aside the merchants, brush aside the manufacturers, brush aside the Emperor himself, and say, 'We have perfected a machine with which we can conquer the world; now stand out of the way, we are going to conquer the world.' There must not be that possibility any more. There must not be men anywhere in any private place who can plot the mastery of civilization. But in the meantime look at the pitiful things that are happening. There is not a day goes by, my fellow citizens, that my heart is not heavy to think of our fellow beings in that great, pitiful kingdom of Russia, without form, without order, without government. Look what they have done. They have permitted a little handful of men—I am told there are only 34 of them constituting the real Bolshevik government—to set up a minority government just as autocratic and just as cruelly unmerciful as the Government of the Czar ever was. The danger to the

world, my fellow citizens, against which we must absolutely lock the door in this country, is that some governments of minorities may be set up here as elsewhere. We will brook the control of no minority in the United States. For my own part, I would as leave live under one autocracy as another; I would as leave obey one group as another; I would as leave be the servant of one minority as another, but I do not intend to be the servant of any minority. As I have told you, the mass of men are awake. They are not going to let the world sink back into that old slough of misused authority again.

"Very well, then, what are we discussing? What are we debating in the United States? Whether we will take part in guiding and steadying the world or not. And some men hesitate. It is the only country in the world whose leadership and guidance will be accepted. If we do not give it, we may look forward, my fellow citizens, to something like a generation of doubt and of disorder which it will be impossible to pass through without the wreckage of a very considerable part of our slowly constructed civilization. America and her determinations now constitute the balance of moral force in the world, and if we do not use that moral force we will be of all peoples the most derelict. We are in the presence of this great choice, in the presence of this fundamental choice, whether we will stand by the mass of our own people and the mass of mankind. Pick up the great volume of the treaty. It is a great volume. It is as thick as that [illustrating]. You would think it just had three or four articles in it to hear some men talk about it. It is a thick volume, containing the charter of the new order of the world. I took the pains to write down here some of the things that it provides for, and if you will be patient I will read them, because I can make it more brief that way.

"It provides for the destruction of autocratic power as an instrument of international control, admitting only self-governing nations to the league of nations. Had you ever been told that before? No nation is admitted to the league of nations whose people do not control its government. That is the reason that we are making Germany wait. She says that henceforth her people are going to control her Government, but we have got to wait and see. If they do control it, she is as welcome to the league as anybody else, because we are not holding nations off. We are holding selfish groups of men off. We are not saying to peoples, 'We do not want to be your comrades and serve you along with the rest of our fellow beings,' but we are saying, 'It depends upon your attitude; if you take charge of your own affairs, then come into the game and welcome.' The league of nations sends autocratic governments to Coventry. That is the first point.

"It provides for the substitution of publicity, discussion and arbitration for war. That is the supreme thing that it does. I will not go into details now, but every member of the league promises not to go to war until there has been a discussion and a cooling off of nine months, and, as I have frequently said on this tour, if Germany had submitted to discussion for nine days she never would have dared go to war. Though every foreign office in Europe begged her to do so, she would not grant 24 hours for a meeting of the representatives of the Governments of the world to ask what it was all about, because she did not dare tell what it was all about. Nine months' cooling off is a very valuable institution in the affairs of mankind. And you have got to have a very good case if you are willing that all your fellow men should know the whole case, for that is provided for, and talk about it for nine months. Nothing is more valuable, if you think your friend is a fool, than to induce him to hire a hall. If you think he is a fool the only way to prove it is to let him address a mass of his fellow citizens and see how they like his ideas. If they like them and you do not, it may be that you are the fools! The proof is presented at any rate.

"Instead of using force after this period of discussion, something very much more effective than force is proposed, namely, an absolute boycott of the nation that does not keep its covenant, and when I say an absolute boycott I mean an absolute boycott. There can not be any kind of intercourse with that nation. It can not sell or buy goods. It can not receive or send messages or letters. It can not have any transactions with the citizens of any member of the league, and when you consider that the league is going to consist of every considerable nation in the world, except Germany, you can see what that boycott will mean. There is not a nation in the world, except this one, that can live without importing goods for nine months, and it does not make any difference to us whether we can or not, because we always fulfill our obligations, and there will never be a boycott for us.

"It provides for placing the peace of the world under constant international oversight, in recognition of the principle that the peace of the world is the legitimate and immediate interest of

every nation. Why, as it stands at present, my fellow citizens, if there is likely to be trouble between two nations other than the United States it is considered an unfriendly and hostile act for the United States to intervene. This covenant makes it the right of the United States, and not the right of the United States merely, but the right of the weakest nation in the world to bring anything that the most powerful nation in the world is doing that is likely to disturb the peace of the world under the scrutiny of mankind. [Voice in audience, 'And that is right!'] My friend in the audience says that is right, and it undoubtedly is, because the peace of the world is everybody's business. Yet this is the first document that ever recognized that principle. We now have the attitude of the Irishman, you know, who went into one of those antique institutions known as a saloon. It was rather a large place and he saw two men fighting over in the corner. He went up to the bartender and he said, 'Is this a private fight, or can anybody get in?' Now, in the true Irish spirit, we are abolishing private fights, and we are making it the law of mankind that it is everybody's business and everybody can get in. The consequence is that there will be no attempt at private fights.

"It provides for disarmament on the part of the great fighting nations of the world.

"It provides in detail for the rehabilitation of oppressed peoples, and that will remove most of the causes of war.

"It provides that there shall be no more annexations of territory anywhere, but that those territories whose people are not ready to govern themselves shall be entrusted to the trusteeship of the nations that can take care of them, the trustee nation to be responsible in annual report to the league of nations; that is to say, to mankind in general, subject to removal and restricted in respect to anything that might be done to that population which would be to the detriment of the population itself. So that you can not go into darkest Africa and make slaves of those poor people, as some governments at times have done.

"It abolishes enforced labor. It takes the same care of the women and children of those unschooled races that we try to take of the women and children of ours. Why, my fellow citizens, this is the great humane document of all time.

"It provides that every secret treaty shall be invalid. It sweeps the table of all private understandings and enforces the principle that there shall be no private understandings of any kind that anybody is bound to respect. One of the difficulties in framing this treaty was that after we got over there private—secret—treaties were springing up on all sides like a noxious growth. You had to guard your breathing apparatus against the miasma that arose from some of them. But they were treaties, and the war had been fought on the principle of the sacredness of treaties. We could not propose that solemn obligations, however unwisely undertaken, should be disregarded, but we could do the best that was possible in the presence of those understandings and then say, 'No more of this; no more secret understandings.' And the representatives of every great nation in the world assented without demur—without the slightest difficulty.

"I do not think you realize what a change of mind has come over the world. As we used to say in the old days, some men that never got it before have got religion.

"It provides for the protection of dependent peoples.

"It provides that high standards of labor, such as are observed in the United States, shall be extended to the working-man everywhere in the world.

"It provides that all the great humane instrumentalities, like the Red Cross, like the conventions against the opium trade, like the regulation of the liquor traffic with debased and ignorant people, like the prohibition of the selling of arms and ammunition to people who can use them only to their own detriment, shall be under the common direction and control of the league of nations. Now, did you ever hear of all these things before? That is the treaty, my fellow citizens; and I can only conjecture that some of the men who are fighting the treaty either never read it themselves or are taking it for granted that you will not read it. I say without hesitation that no international agreement has ever before been drawn up along those lines—of the universal consideration of right and the interest of humanity.

"Now, it is said that that is all very well, but we need not go in. Well, of course we need not. There is perfect freedom of the will. I am perfectly free to go to the top of this building and jump off, but if I do I will not take very much interest in human affairs. The Nation is at liberty in one sense to do anything it pleases to discredit itself; but this is absolutely as certain as I stand here, that it never will do anything to discredit itself. Our choice in this great enterprise of mankind that I have tried to outline to you is only this: Shall we go in

and assist as trusted partners or shall we stay out and act as suspected rivals? We have got to do one or the other. We have got to be either provincials or statesmen. We have got to be either ostriches or eagles. The ostrich act I see being done all around me. I see gentlemen burying their heads in something and thinking that nobody sees that they have submerged their thinking apparatus. That is what I mean by being ostriches. What I mean by being eagles I need not describe to you. I mean leaving the mists that lie close along the ground, getting upon strong wing into those upper spaces of the air where you can see with clear eyes the affairs of mankind, see how the affairs of America are linked with the affairs of men everywhere, see how the whole world turns with outstretched hands to this blessed country of ours, and says, 'If you will lead, we will follow.' God helping us, my fellow countrymen, we will lead when they follow. The march is still long and toilsome to those heights upon which there rests nothing but the pure light of the justice of God, but the whole incline of affairs is toward those distant heights; and this great Nation, in serried ranks, millions strong—presently hundreds of millions strong—will march at the fore of the great procession, breasting those heights with its eyes always lifted to the eternal goal!"

THE PRESIDENT AT AUDITORIUM, ST. PAUL, MINN., SEPTEMBER 9, 1919.

"Mr. Chairman, my fellow countrymen, I am very happy that the mayor sounded the note that he has just sounded, because by some sort of divination he realized what was in my heart to-night. I do not feel since I have left Washington this time that I am on an ordinary errand. I do not feel that I am on a political errand, even in the broad sense of that term. I feel rather that I am going about to hold counsel with my fellow countrymen concerning the most honorable and distinguished course which our great country can take at this turning point in the history of the world. And the mayor was quite right when he said that this is a conference concerning the true interpretation of the American spirit. I believe, I hope without an undue touch of national pride, that it is only the American spirit that can be the true mediator of peace.

"The theme that I find uppermost in my thought to-night is this: We are all actuated, my fellow countrymen, by an intense consciousness and love of America. I do not think that it is fancy on my part; it is based upon long experience that in every part of the world I can recognize an American, the minute I see him. Yet that is not because we are all of one stock. We are of more varied origins and stocks than any people in the world. We come from all the great races of the world. We are made up out of all the nations and peoples who have stood at the center of civilization. In this part of the country it is doubtful whether in some of our great cities 50 per cent of the people come of parents born in America. One of the somewhat serious jests which I allowed myself to indulge on the other side of the water was with my Italian colleagues when they were claiming the city of Fiume upon the Adriatic because of its Italian population, and other cities scattered here and there whose surrounding population was not Italian but in whom an Italian element played an important part. I said, 'That is not a sufficient argument for the extension of Italian sovereignty to these people, because there are more Italians in New York City than in any city in Italy, and I doubt if you would feel justified in suggesting that the sovereignty of Italy be extended over the city of New York.' I advert to this, my fellow citizens, merely as one illustration, that could be multiplied a hundredfold, of the singular make-up of this great Nation.

"I do not know how it happens that we are all Americans; we are so different in origin; we are so different in memories. The memory of America does not go very far back as measured by the distances of history, and great millions of our people carry in their hearts the traditions of other people, the traditions of races never bred in America; yet we are all unmistakably and even in appearance Americans, and nothing else. There is only one possible explanation for that; my fellow citizens, and that is that there is in the practice and in the tradition of this country a set of principles which, however imperfectly, get into the consciousness of every man who lives in this country.

"One of the chief elements that make an American is this: In almost every other country there is some class that dominates, or some governmental authority that determines the course of politics, or some ancient system of land laws that limits the freedom of land tenure, or some ancient custom which ties a man into a particular groove in the land in which he lives. There is none of that in America. Every man in America, if he behaves himself, knows that he stands on the same footing as every other man in America, and, thank goodness, we are in sight of the time when every woman will know that she

stands upon the same footing. We do not have to ask anybody's leave what we shall think or what we shall do or how we shall vote. We do not have to get the approval of a class as to our behavior. We do not have to square ourselves with standards that have been followed ever since our great-grandfathers. We are very much more interested in being great-grandfathers than in having had great-grandfathers, because our view is to the future. America does not march, as so many other peoples march, looking back over its shoulder. It marches with its eyes not only forward, but with its eyes lifted to the distances of history, to the great events which are slowly culminating, in the Providence of God, in the lifting of civilization to new levels and new achievements. That is what makes us Americans.

"And yet I was mistaken a moment ago when I said we are nothing else, because there are a great many hyphens left in America. For my part, I think the most un-American thing in the world is a hyphen. I do not care what it is that comes before the word 'American.' It may be a German-American, or an Italian-American, a Swedish-American, or an Anglo-American, or an Irish-American. It does not make any difference what comes before the 'American,' it ought not to be there, and every man who comes to take counsel with me with a hyphen in his conversation I take no interest in whatever. The entrance examination, to use my own parlance, into my confidence is, 'Where do you put America in your thoughts? Do you put it first, always first, unquestionably first?' Then we can sit down together and talk, but not otherwise. Now, I want you distinctly to understand that I am not quarreling with the affectionate memories of people who have drawn their origin from other countries. I no more blame a man for dwelling with fond affection upon the traditions of some great race not bred in America than I blame a man for remembering with reverence his mother and his father and his forebears that bred him and that gave him a chance in the world. I am not quarreling with those affections; I am talking about purposes. Every purpose is for the future, and the future for Americans must be for America.

"We have got to choose now, my fellow citizens, what kind of future it is going to be for America. I think that what I have said justifies me in adding that this Nation was created to be the mediator of peace, because it draws its blood from every civilized stock in the world and is ready by sympathy and understanding to understand the peoples of the world, their interests, their rights, their hopes, their destiny. America is the only Nation in the world that has that equipment. Every other nation is set in the mold of a particular breeding. We are set in no mold at all. Every other nation has certain prepossessions which run back through all the ramifications of an ancient history. We have nothing of the kind. We know what all peoples are thinking, and yet we by a fine alchemy of our own combine that thinking into an American plan and an American purpose. America is the only Nation which can sympathetically lead the world in organizing peace.

"Constantly, when I was on the other side of the water, delegations representing this, that, and the other peoples of Europe or of Asia came to visit me to solicit the interest of America in their fortunes, and, without exception, they were able to tell me that they had kinsmen in America. Some of them, I am ashamed to say, came from countries I had never heard of before, and yet even they were able to point, not to a handful, not to a few hundreds, but to several thousand kinsmen in America. I never before knew that they came, but they are here and they are our interpreters, the interpreters on our behalf of the interests of the people from whom they sprang. They came to America as sort of advanced couriers of those people. They came in search of the Golden West. They came in search of the liberty that they understood reigned among that free and happy people. They were drawn by the lure of justice, by the lure of freedom, out of lands where they were oppressed, suppressed, where life was made impossible for them upon the free plane that their hearts had conceived. They said, 'Yonder is our star in the west,' and then the word went home, 'We have found the land. They are a free people that are capable of understanding us. You go to their representatives in Paris and put your case before them, and they will understand.' What a splendid thing that is, my fellow countrymen! I want you to keep this in your minds as a conception of the question that we are now called upon to decide.

"To hear some men talk about the league of nations you would suppose that it was a trap set for America; you would suppose that it was an arrangement by which we entered into an alliance with other great, powerful nations to make war some time. Why, my fellow countrymen, it bears no resemblance to such description. It is a great method of common counsel with regard to the common interests of mankind. We

shall not be drawn into wars; we shall be drawn into consultation, and we will be the most trusted adviser in the whole group. Consultation, discussion, is written all over the whole face of the covenant of the league of nations, for the heart of it is that the nations promise not to go to war until they have consulted, until they have discussed, until all the facts in the controversy have been laid before the court which represents the common opinion of mankind.

"That is the league of nations. Nothing can be discussed there that concerns our domestic affairs. Nothing can be discussed there that concerns the domestic affairs of any other people, unless something is occurring in some nation which is likely to disturb the peace of the world, and any time that any question arises which is likely to disturb the peace of the world, then the covenant makes it the right of any member, strong or weak, big or little, of that universal concert of the nations to bring that matter up for clarification and discussion. Can you imagine anything more calculated to put war off, not only to put it off, but to make it violently improbable? When a man wants to fight he does not go and discuss the matter with the other fellow. He goes and hits him, and then somebody else has to come in and either join the fight or break it up. I used a very homely illustration the other night, which perhaps it may not be amiss for me to use again. I had two friends who were becoming more and more habitually profane. Their friends did not like it. They not only had the fundamental scruple that it was wrong, but they also thought, as I heard a very refined lady say, 'It was not only wrong but, what was worse, it was vulgar.' They did not like to see their friends adjourning all the rest of their vocabulary and using only those words. So they made them enter into a solemn agreement—I ought to say they lived in a large city—that they would not swear inside the corporate limits, that if they got in a state of mind which made it necessary to explode in profanity they would get out of town and swear.

"The first time the passion came upon them and they recalled their promise they got sheepishly on a street car and made for the town limits, and I need hardly tell you that when they got there they no longer wanted to swear. They had cooled off. The long spaces of the town, the people going about their ordinary business, nobody paying any attention to them, the world seeming to be at peace when they were at war, all brought them to a realization of the smallness of the whole business, and they turned around and came into town again. Comparing great things with small, that will suffice as a picture of the advantage of discussion in international matters as well as in individual matters, because it was universally agreed on the other side of the water that if Germany had allowed the other Governments to confer with her 24 hours about the recent war, it could not have taken place. We know why. It was an unconscionable war. She did not dare discuss it. You can not afford to discuss a thing when you are in the wrong, and the minute you feel that the whole judgment of the world is against you, you have a different temper in affairs altogether.

"This is a great process of discussion that we are entering into, and my point to-night—it is the point I want to leave with you—is that we are the people of all people in the world intelligently to discuss the difficulties of the nations which we represent, although we are Americans. We are the predestined mediators of mankind. I am not saying this in any kind of national pride or vanity. I believe that is mere historic truth, and I try to interpret circumstances in some intelligent way. If that is the kind of people we are, it must have been intended that we should make some use of the opportunities and powers that we have, and when I hear gentlemen saying that we must keep out of this thing and take care of ourselves I think to myself, 'Take care of ourselves? Where did we come from? Is there nobody else in the world to take care of? Have we no sympathies that do not run out into the great field of human experience everywhere? Is that what America is, with her mixture of bloods?' Why, my fellow citizens, that is a fundamental misconception of what it is to be an American, and these gentlemen are doing a harm which they do not realize. I want to testify to you here to-night, my fellow citizens, because I have the means of information, that since it has seemed to be uncertain whether we are going to play this part of leadership in the world or not, this part of leadership in accommodation, the old intrigues have stirred up in this country again. That intrigue which we universally condemn—that hyphen which looked to us like a snake, the hyphen between 'German' and 'American'—has reared its head again, and you hear the 'his-s-s' of its purpose. What is that purpose? It is to keep America out of the concert of nations, in order that America and Germany, being out of that concert, may stand—in their mistaken dream—united to dominate the world, or, at

any rate, the one assist the other in holding the nations of the world off while its ambitions are realized.

"There is no conjecture about this, my fellow citizens. We know the former purposes of German intrigue in this country, and they are being revived. Why? We have not reduced very materially the number of the German people. Germany remains the great power of central Europe. She has more than 60,000,000 people now (she had nearly 70,000,000 before Poland and other Provinces were taken away). You can not change the temper and expectations of a people by five years of war, particularly five years of war in which they are not yet conscious of the wrong they did or of the wrong way in which they did it. They are expecting the time of the revival of their power, and along with the revival of their power goes their extraordinary capacity, their unparalleled education, their great capacity in commerce and finance and manufacture. The German bankers and the German merchants and the German manufacturers did not want this war. They were making conquest of the world without it, and they knew that it would spoil their plans, not advance them; and it has spoiled their plans, but they are there yet with their capacity, with their conception of what it is to serve the world materially and so subdue the world psychologically. All of that is still there, my fellow countrymen, and if America stays out then the rest of the world will have to watch Germany and watch America, and when there are two dissociated powers there is danger that they will have the same purposes.

"There can be only one intelligent reason for America staying out of this, and that is that she does not want peace, that she wants war sometimes and the advantage which war will bring her, and I want to say now and here that the men who think that by that thought they are interpreting America are making the sort of mistake upon which it will be useful for them to reflect in obscurity for the rest of their lives. This is a peaceful people. This is a liberty-loving people, and liberty is suffocated by war. Free institutions can not survive the strain of prolonged military administration. In order to live tolerable lives you must lift the fear of war and the practice of war from the lives of nations. America is evidence of the fact that no great democracy ever entered upon an aggressive international policy. I want you to know, if you will be kind enough to read the covenant of the league of nations—most of the people that are arguing against it are taking it for granted that you have never read it—take the pains to read it, and you will find that no nation is admitted to the league of nations that can not show that it has the institutions which we call free. Nobody is admitted except the self-governing nations, because it was the instinctive judgment of every man who sat around that board that only a nation whose government was its servant and not its master could be trusted to preserve the peace of the world. There are not going to be many other kinds of nations long, my fellow citizens. The people of this world—not merely the people of America, for they did the job long ago—have determined that there shall be no more autocratic governments.

"And in their haste to get rid of one of them they set up another. I mean in pitiful Russia. I wish we could learn the lesson of Russia so that it would be burned into the consciousness of every man and woman in America. That lesson is that nobody can be free where there is not public order and authority. What has happened in Russia is that an old and distinguished and skillful autocracy has had put in its place an amateur autocracy, a little handful of men exercising without the slightest compunction of mercy or pity the bloody terror that characterized the worst days of the Czar. That is what must happen if you knock things to pieces. Liberty is a thing of slow construction. Liberty is a thing of universal cooperation. Liberty is a thing which you must build up by habit. Liberty is a thing which is rooted and grounded in character, and the reason I am so certain that the leadership of the world, in respect of order and progress, belongs to America is that I know that these principles are rooted and grounded in the American character. It is not our intellectual capacity, my fellow citizens, that has given us our place in the world, though I rate that as high as the intellectual capacity of any other people that ever lived, but it is the heart that lies back of the man that makes America. Ask this question of yourselves. I have no doubt that this room is full of mothers and fathers and wives and sweethearts who sent their beloved young men to France. What did you send them there for? What made you proud that they were going? What made you willing that they should go? Did you think they were seeking to aggrandize America in some way? Did you think they were going to take something for America that had belonged to somebody else? Did you think that they were going in a quarrel which they had provoked and must maintain? The question answers itself.

You were proud that they should go because they were going on an errand of self-sacrifice, in the interest of mankind. What a halo and glory surrounds those old men whom we now greet with such reverence, the men who were the soldiers in our Civil War! They saved a Nation. Ah, when these youngsters grow old who have come back from the fields of France, what a halo will be around their brows! They saved the world. They are of the same stuff as those old veterans of the Civil War. Mind you, I was born and bred in the South, but I can pay that tribute with all my heart to the men who saved the Union. It ought to have been saved. It was the greatest thing that men had conceived up to that time. Now we come to a greater thing—to the union of great nations in conference upon the interests of peace. That is the fruitage, the fine and appropriate fruitage, of what these men achieved upon the fields of France.

"I saw many fine sights in Paris, many gallant sights, many sights that quickened the pulse; but my pulse never beat so fast as when I saw groups of our boys swinging along the street. They looked as if they owned something, and they did. They owned the finest thing in the world, the thing that we are going to prove was theirs. They owned the ideals and conceptions that will govern the world. And on this errand that I am going about on I feel that I am doing what I can to complete what they so gallantly began. I should feel recreant, my fellow citizens, if I did not do all that is in my power to do to complete the ideal work which those youngsters so gallantly began.

"This was a war to make similar wars impossible, and merely to win this war and stop at that is to make it certain that we shall have to fight another and a final one. I hear opponents of the league of nations say, 'But this does not guarantee peace.' No; nothing guarantees us against human passion and error, but I would like to put this business proposition to you: If it increases the probability of peace by, let us say, 10 per cent, do you not think it is worth while? In my judgment, it increases it about 99 per cent. Henceforth the genius of the world will be devoted to accommodating the counsels of mankind and not confusing them; not supplying heat but supplying light; not putting friction into the machine, but easing the friction off and combining the parts of the great machinery of civilization so that they will run in smooth harmony and perfection. My fellow citizens, the tasks of peace that are ahead of us are the most difficult tasks to which the human genius has ever been devoted. I will state the fundamental task, for it is the fundamental task. It is the relationship between those who toil with their hands and those who direct that toil. I will not say the relationship between capital and labor; that means something slightly different. I say the relationship between those who organize enterprise and those who make enterprise go by the skill and labor of their hands. There is at present, to say the least, a most unsatisfactory relationship between those two and we must devote our national genius to working out a method of association between the two which will make this Nation the nation to solve triumphantly and for all time the fundamental problem of peaceful production. You ask, 'What has that got to do with the league of nations?' I dare say that you do not know, because I have never heard anybody tell you that the great charter, the new international charter, of labor is in the treaty of peace and associated with the league of nations. A great machinery of consultation is set up there, not merely about international political affairs, but about standards of labor, about the relationships between managers and employees, about the standards of life and the conditions of labor, about the labor of women and of children, about the humane side and the business side of the whole labor problem. And the first conference is going to sit in Washington next month; not the conference which some of you may have heard of, which I have just called of our own people, but an international conference to consider the interests of labor all over the round world. I do not know—nobody knows—whether the Senate will have stopped debating by that time or not. I heard a Member of the Senate say that nobody knew that except God Almighty! But whether it has finished or not, the conference is going to sit, and if it has not finished, the only question that will be left unsettled is whether we are going to sit inside of it or outside of it. The conference at Paris voted, in their confidence in the American people, that the first meeting should be held in Washington and should be called by the President of the United States. They supposed in their innocence that the President of the United States represented the people of the United States. And in calling this conference, as I have called it, I am confident that I am representing the people of the United States. After I have bidden

the delegates welcome, perhaps I can have a chair just outside the door and listen.

"I am jesting, my fellow citizens, but there is a little sadness in the jest. Why do we wait to do a great thing? Why do we wait to fulfill the destiny of America? Why do we make it possible that anybody should think that we are not coming in now, but are going to wait later and come in with Germany? I suppose there is a certain intellectual excitement and pleasure in debate, but I do not experience any when great issues like this are pending, and I would be very sad, indeed, if I did not have an absolute, unclouded confidence of the result. I had the great good fortune to be born an American, I have saturated myself in the traditions of our country, I have read all the great literature that interprets the spirit of our country, and when I read my own heart with regard to these great purposes, I feel confident that it is a sample American heart. Therefore I have the most unbounded confidence in the result. All that is needed is that you should be vocal and audible. I know what you want. Say it and get it. I am your servant; all the men elected to go to Washington are your servants. It is not our privilege to follow our private convictions; it is our duty to represent your convictions and execute your purposes, and therefore all that is needed is a consciousness. Tell me that you do not want to do what I am urging and I will go home; but tell me, as your faces and your voices tell me, that you do want what I want, and I will be heartened for the rest of my journey, and I will say to the folks all the way from here to the Pacific, 'Minnesota is up and on her tiptoes and behind you. Let's all of us get in the great team which is to redeem the destinies of mankind.'

"Our fathers of the revolutionary age had a vision, my fellow citizens. There were only 3,000,000 Americans then, in a little strip of settlements on the Atlantic coast. Now the great body of American citizens extends from ocean to ocean, more than a hundred millions strong. These are the people of whom the founders of the Republic were dreaming, those great hosts of free men and women who should come in the future and who should say to all the world, 'Here are the testaments of liberty. Here are the principles of freedom. Here are the things which we must do in order that mankind may be released from the intolerable things of the past.' And there came a day at Paris when the representatives of all the great governments of the world accepted the American specifications upon which the terms of the treaty of peace were drawn. Shall we have our treaty, or shall we have somebody else's? Shall we keep the primacy of the world, or shall we abandon it?"

THE PRESIDENT AT BISMARCK, N. DAK., SEPTEMBER 19, 1919.

"Gov. Frazier, my fellow countrymen, I esteem it a great privilege to stand in your presence and to continue the discussion that I have been attempting in other parts of the country of the great matter which is pending for our determination. I say that it is pending for our determination, because, after all, it is a question for the thoughtful men and women of the United States. I believe that the gentlemen at Washington are trying to assess the opinion of the United States and are trying to embody and express it.

"It seems very strange from day to day as I go about that I should be discussing the question of peace. It seems very strange that after six months of conference in Paris, where the minds of more than 20 nations were brought together and where, after the most profound consideration of every question and every angle of every question concerned, an extraordinary agreement should have been reached—that while every other country concerned has stopped debating the peace, America is debating it. It seems very strange to me, my fellow countrymen, because, as a matter of fact, we are debating the question of peace or war. There is only one way to have peace, and that is to have it by the concurrence of the minds of the world. America can not bring about peace by herself. No other nation can bring about peace by itself. The agreement of a small group of nations can not bring about peace. The world is not at peace. It is not, except in certain disturbed quarters, actually using military means of war, but the mind of the world is not at peace. The mind of the world is waiting for the verdict, and the verdict they are waiting for is this, Shall we have in the future the same dangers, the same suspicions, the same distractions, and shall we expect that out of those dangers and distractions armed conflict will arise? Or shall we expect that the world will be willing to sit down at the council table to talk the thing over; to delay all use of force until the world has had time to express its judgment upon the matter at issue? If that is not to be the solution, if the world is not to substitute discussion and arbitration for war, then the world is not now in a state of mind to have peace, even for the time being. While victory has been won, my fellow

countrymen, it has been won only over the force of a particular group of nations. It has not been won over the passions of those nations, or over the passions of the nations that were set against them. This treaty which I brought back with me is a great world settlement, and it tries to deal with some of the elements of passion which were likely at any time to blaze out in the world and which did blaze out and set the world on fire.

"The trouble was at the heart of Europe. At the heart of Europe there were suffering peoples, inarticulate but with hearts on fire against the iniquities practiced against them; held in the grip of military power and submitting to nothing but force; their spirits insurgent; and so long as that continued, there could not be the expectation of continued peace. This great settlement at Paris for the first time in the world considered the cry of the peoples and did not listen to the plea of governments. It did not listen to dynastic claims. It did not read over the whole story of rival territorial ambitions. It said, 'The day is closed for that. These lands belong to the stocks, the ancient stocks of people that live upon them, and we are going to give them to those people and say to them, "The land always should have been yours; it is now yours, and you can govern it as you please." That is the principle that is at the heart of this treaty, but if that principle can not be maintained then there will ensue upon it the passion that dwelt in the hearts of those peoples, a despair which will bring about universal chaos. Men in despair do not construct governments. Men in despair destroy governments. Men whose whole affairs are so upset, whose whole systems of transportation are so disordered that they can not get food, that they can not get clothes, that they can not turn to any authority that can give them anything, run amuck. They do not stop to ask questions. I heard a very thoughtful pastor once preach a sermon which interested me very deeply, on the sequence of the petitions in the Lord's Prayer. He called attention to the fact that the first petition was, 'Give us this day our daily bread,' and he pointed out that our Saviour probably knew better than anybody else that a man can not serve God or his fellow men on an empty stomach, that he has got to be physically sustained. When a man has got an empty stomach, most of all when those he loves are starving, he is not going to serve any government; he is going to serve himself by the quickest way he can find.

"You say, 'What has this got to do with the adoption by the United States Senate of the treaty of peace?' It has this to do with it, my fellow citizens, that the whole world is waiting upon us, and if we stay out of it, if we qualify our assent in any essential way, the world will say, 'Then there can be no peace, for that great Nation in the west is the only makeweight which will hold these scales steady.' I hear counsels of selfishness uttered. I hear men say, 'Very well, let us stay out and take care of ourselves and let the rest of the world take care of itself.' I do not agree with that from the point of view of sentiment. I would be ashamed to agree with it from the point of view of sentiment, and I think I have intelligence enough to know that it would not work, even if I wanted it to work. Are we disconnected from the rest of the world? Take a single item. If Europe is disordered, who is going to buy wheat? There is more wheat in this country than we can consume. There is more foodstuffs in this country of many sorts than we can consume. There is no foreign market that anybody can count on wherein there is settled peace. Men are not going to buy until they know what is going to happen to-morrow, for the very good reason that they can not get any money; they can not earn any money amidst a disordered organization of industry and the absence of those processes of credit which keep business going.

"We have managed in the process of civilization, my fellow citizens, to make a world that can not be taken to pieces. The pieces are dovetailed and intimately fitted with one another, and unless you assemble them as you do the intimate parts of a great machine, civilization will not work. I believe that, with the exception of the United States, there is not a country in the world that can live without importation. There are only one or two countries that can live without imported foodstuffs. There are no countries that I know of that can live in their ordinary way without importing manufactured goods or raw materials, raw materials of many kinds. Take that great kingdom, for example, for which I have the most intimate sympathy, the great Kingdom of Italy. There are no raw materials worth mentioning in Italy. There are great factories there, but they have to get all the raw materials that they manufacture from outside Italy. There is no coal in Italy, no fuel. They have to get all their coal from outside of Italy, and at the present moment because the world is holding its breath and waiting the great coal fields of Central Europe are not being worked except to about 40 per cent of their capacity. The

coal in Silesia, the coal in Bohemia, is not being shipped out, and industries are checked and chilled and drawn in, and starvation comes nearer, unemployment becomes more and more universal. At this moment there is nothing brought to my attention more often at Washington than the necessity for shipping out our fuel and our raw materials to start the world again. If we do not start the world again, then we check and stop to that extent our own industries and our exportations, of course. You can not disentangle the United States from the rest of the world. If the rest of the world goes bankrupt, the business of the United States is in a way to be ruined. I do not like to put the thing upon this basis, my fellow citizens, because this is not the American basis. America was not founded to make money; it was founded to lead the world on the way to liberty, and now, while we debate, all the rest of the world is saying, 'Why does America hesitate? We want to follow her. We shall not know which way to go unless she leads. We want the direction of her business genius. We want the suggestions of her principles, and she hesitates. She does not know whether she wants to go or not.' Oh, yes, she does, my fellow citizens. Men among us do not know whether we want to go in or not, but we know. There is no more danger of America staying out of this great thing than there is of her reversing all the other processes of her history and forgetting all the principles that she has spilt so much precious blood to maintain. But, in the meantime, the delay is injuring the whole world and ourselves, of course, along with the rest, because we are a very big and, in my opinion, an extremely important part of the world.

"I have told many times, but I must tell you again, of the experience that I had in Paris. Almost every day of the week that I was not imperatively engaged otherwise I was receiving delegations. Delegations from where? Not merely groups of men from France and other near-by regions, but groups of men from all over the world—as I have several times admitted, from some parts of the world that I never heard the names of before. I do not think they were in geography when I was at school. If they were, I had forgotten them. Did you ever hear of Adjur-Badjan, for example? A very dignified group of fine-looking men came in from Adjur-Badjan. I did not dare ask them where it was, but I looked it up secretly afterwards and found that it was a very prosperous valley region lying south of the Caucasus and that it had a great and ancient civilization. I knew from what these men said to me that they knew what they were talking about, though I did not know anything about their affairs. They knew, above all things else, what America stood for, and they had come to me, figuratively speaking, with outstretched hands and said, 'We want the guidance and the help and the advice of America.' And they all said that, until my heart grew fearful, and I said to one group of them, 'I beg that you will not expect the impossible. America can not do the things that you are asking her to do. We will do the best we can. We will stand as your friends. We will give you every sort of aid that we can give you, but please do not expect the impossible.' They believe that America can work miracles merely by being America and asserting the principles of America throughout the globe, and that kind of assertion, my fellow citizens, is the process of peace; and that is the only possible process of peace.

"When I say, therefore, that I have come here this morning actually to discuss the question with you whether we shall have peace or war, you may say, 'There is no war; the war is over.' The fighting is over, but there is not peace, and there can not be peace without the assistance of America. The assistance of America comes just at the center of the whole thing that was planned in Paris. You have heard some men talk about separating the covenant of the league of nations from the treaty. I intended to bring a copy of the treaty with me; it is a volume as thick as that, and the very first thing in it is the league of nations covenant. By common consent that was put first, because by common consent that is the only thing that will make the rest of the volume work. That was not the opinion at the beginning of the conference. There were a great many cynics on that side of the water who smiled indulgently when you spoke hopefully of drawing the nations together in a common consent of action, but before we got through there was not a man who had not as a hard, practical judgment, come to the conclusion that we could not do without it, that you could not make a world settlement without setting up an organization that would see that it was carried out, and that you could not compose the mind of the world unless that settlement included an arrangement by which discussion should be substituted for war.

"If the war that we have just had had been preceded by discussion, it never would have happened. Every foreign office in Europe urged through its minister at Berlin that no action should be taken until there should be an international conference and the other governments should learn what if any pro-

cesses of mediation they might interpose. And Germany did not dare delay it for 24 hours. If she had, she never could have begun it. You dare not lay a bad case before mankind. You dare not kill the young men of the world for a dishonest purpose. We have let thousands of our lads go to their death in order to convince, not Germany merely, but any other nation that may have in the back of its thought a similar enterprise that the world does not mean to permit any iniquity of that sort, and if it had been displayed as an iniquity in open conference for not less than nine months, as the covenant of the league of nations provides, it never could have happened.

"Your attention is called to certain features of this league—the only features to which your attention ever is called by those who are opposed to it and you are left with the impression that it is an arrangement by which war is just on the hair trigger. You are constantly told about article 10. Now, article 10 has no operative force in it unless we vote that it shall operate. I will tell you what article 10 is; I think I can repeat it almost verbatim. Under article 10 every member of the league undertakes to respect and preserve as against external aggression the territorial integrity and the existing political independence of the other members of the league. So far so good. The second sentence provides that in case of necessity the council of the league shall advise what steps are necessary to carry out the obligations of that promise; that is to say, what force is necessary if any. The council can not give that advice without a unanimous vote. It can not give the advice, therefore, without the affirmative vote of the United States, unless the United States is a party to the controversy in question. Let us see what that means. Do you think the United States is likely to seize somebody else's territory? Do you think the United States is likely to disregard the first sentence of the article? And if she is not likely to begin an aggression of that sort, who is likely to begin it against her? Is Mexico going to invade us and appropriate Texas? Is Canada going to come down with her nine or ten millions and overwhelm the hundred millions of the United States? Who is going to grab territory, and, above all things else, who is going to entertain the idea if the rest of the world has said, 'No; we are all pledged to see that you do not do that.' But suppose that somebody does attempt to grab our territory or that we do attempt to grab somebody else's territory. Then the war is ours anyhow. Then what difference does it make what advice the council gives? Unless it is our war we can not be dragged into a war without our own consent. If that is not an open and shut security, I do not know of any. Yet that is article 10.

"I do not recognize this covenant when I hear some other men talk about it. I spent hours and hours in the presence of the representatives of 13 other Governments examining every sentence of it, up and down and crosswise, and trying to keep out of it anything that interfered with the essential sovereignty of any member of the league. I carried over with me in March all the suggestions made by the Foreign Relations Committee of the Senate, and they were all accepted, and yet I come back and find that I do not understand what the document means. I am told that plain sentences which I thought were unmistakable English terms mean something that I never heard of and that nobody else ever intended as a purpose. But whatever you may think of article 10, my fellow citizen, it is the heart of the treaty. You have either got to take it or you have got to throw the world back into that old conquest over land titles, which would upset the State of North Dakota or any other part of the world. Suppose there were no guaranty of any land title in North Dakota! I can fancy how every farmer and every man with a city lot would go armed. He would hire somebody, if he was too sleepy to sit up all night, to see that nobody trespassed and took squatter possession of his unsecured land. We have been trying to do something analogous to that with the territories of Europe; to fix the land titles, and then having fixed them, we have got to have article 10. Under article 10 these titles are established, and we all join to guarantee their maintenance. There is no other way to quiet the world, and if the world is not quieted, then America is sooner or later involved in the mêlée. We boast, my fellow citizens—but we sometimes forget—what a powerful Nation the United States is. Do you suppose we can ask the other nations of the world to forget that we are out of the arrangement? Do you suppose that we can stay out of the arrangement without being suspected and intrigued against and hated by all the rest of them? And do you think that is an advantageous basis for international transactions? Any way you take this question you are led straight around to this alternative, either this treaty with this covenant or a disturbed world and certain war. There is no escape from it.

"America recalls, I am sure, all the assurances that she has given to the world in the years past. Some of the very men who

are now opposing this covenant were the most eloquent advocates of an international concert which would be carried to a point where the exercise of independent sovereignty would be almost estopped. They put it into measures of Congress. For example, in one, I believe the last, Navy appropriation bill, by unanimous vote of the committee, they put in the provision that after the building program had been authorized by Congress the President could cancel it if in the meantime he had been able to induce the other Governments of the world to set up an international tribunal which would settle international difficulties. They actually had the matter so definitely in mind that they authorized the President not to carry out an act of Congress with regard to the building of great ships if he could get an arrangement similar to the arrangement which I have now laid before them, because their instinctive judgment is, my instinctive judgment and yours is, that we have no choice, if we want to stop war, but to take the steps that are necessary to stop war.

"If we do not enter into this covenant, what is our situation? Our situation is exactly the situation of Germany herself, except that we are not disarmed and Germany is disarmed. We have joined with the rest of the world to defeat the objects that Germany had in mind. We now do not even sign the treaty, let us suppose, that disarms Germany. She is disarmed, nevertheless, because the other nations will enter into the treaty, and there, planted in her heart, planted in the heart of those 60,000,000 people, is this sense of isolation; it may be this sense that some day, by gathering force and change of circumstances, they may have another chance, and the only other nation that they can look to is the United States. The United States has repudiated the guaranty. The United States has said, 'Yes; we sent 2,000,000 men over there to accomplish this, but we do not like it now that we have accomplished it and we will not guarantee the consequences. We are going to stay in such a situation that some day we may send 2,000,000 more over there. We promised the mothers and the fathers and the wives and the sweethearts that these men were fighting so that this thing should not happen again, but we are now to arrange it so that it may happen again.' So the two nations that will stand and play a lone hand in the world would be Germany and the United States.

"I am not pointing this out to you, my fellow citizens, because I think it is going to happen. I know it is not. I am not in the least troubled about that; but I do want you to share fully with me the thought that I have brought back from Europe. I know what I am talking about when I say that America is the only nation whose guaranty will suffice to substitute discussion for war, and I rejoice in the circumstance. I rejoice that the day has come when America can fulfill her destiny. Her destiny was expressed much more in her open doors, for she said to the oppressed all over the world, 'Come and join us; we will give you freedom; we will give you opportunity; we have no governments that can act as your masters. Come and join us to conduct the great government which is our own.' And they came in thronging millions, and their genius was added to ours, their sturdy capacity multiplied and increased the capacity of the United States; and now, with the blood of every great people in our veins, we turn to the rest of the world and say, 'We still stand ready to redeem you. We still believe in liberty. We still mean to exercise every force that we have and, if need be, spend every dollar that is ours to vindicate the standards of justice and of right.'

"It is a noble prospect. It is a noble opportunity. My pulses quicken at the thought of it. I am glad to have lived in a day when America can redeem her pledges to the world, when America can prove that her leadership is the leadership that leads out of these age-long troubles, these age-long miseries into which the world will not sink back, but which, without our assistance, it may struggle out of only through a long period of bloody revolution. The peoples of Europe are in a revolutionary frame of mind. They do not believe in the things that have been practiced upon them in the past, and they mean to have new things practiced. In the meantime they are, some of them, like pitiful Russia, in danger of doing a most extraordinary thing, substituting one kind of autocracy for another. Russia repudiated the Czar, who was cruel at times, and set up her present masters, who are cruel all the time and pity nobody, who seize everybody's property and feed only the soldiers that are fighting for them; and now, according to the papers, they are likely to brand every one of those soldiers so that he may not easily, at any rate, escape their clutches and desert. Branding their servants and making slaves of a great and lovable people! There is no people in the world fuller of the naive sentiments of good will and of fellowship than the people of Russia, and they are in the grip of a cruel autocracy

that dare not, though challenged by every friendly Government in Europe, assemble a constituency; they dare not appeal to the people. They know that their mastery would end the minute the people took charge of their own affairs.

"Do not let us expose any of the rest of the world to the necessity of going through any such terrible experience as that, my fellow countrymen. We are at present helpless to assist Russia, because there are no responsible channels through which we can assist her. Our heart goes out to her, but the world is disordered, and while it is disordered—we debate!"

THE PRESIDENT, FROM REAR PLATFORM, MANDAN, N. DAK., SEPTEMBER 10, 1919.

"I am glad to get out to see the real folks, to feel the touch of their hand, and know, as I have come to know, how the Nation stands together in the common purpose to complete what the boys did who carried their guns with them over the sea. We may think that they finished that job, but they will tell you they did not; that unless we see to it that peace is made secure, they will have the job to do over again, and we in the meantime will rest under a constant apprehension that we may have to sacrifice the flower of our youth again. The whole country has made up its mind that that shall not happen; and presently, after a reasonable time is allowed for unnecessary debate, we will get out of all this period of doubt and unite the whole force and influence of the United States to steady the world in the lines of peace. It will be the proudest thing and finest thing that America ever did. She was born to do these things, and now she is going to do them.

"I am very much obliged to you for coming out."

THE PRESIDENT AT AUDITORIUM, BILLINGS, MONT., SEPTEMBER 11, 1919.

"Mr. Mayor, Judge Pierson, my fellow countrymen, it is with genuine pleasure that I face this company and realize that I am in the great State of Montana. I have long wanted to visit this great State and come into contact with its free and vigorous population, and I want to thank Judge Pierson for the happy word that he used in speaking of my errand. He said that I had come to consult with you. That is exactly what I have come to do. I have come to consult with you in the light of certain circumstances which I want to explain to you, circumstances which affect not only this great Nation which we love, and of which we try to constitute an honorable part, but also affect the whole world. I wonder when we speak of the whole world whether we have a true conception of the fact that the human heart beats everywhere the same. Nothing impressed me so much on the other side of the water as the sort of longing for sympathy which those people exhibited. The people of France, for example, feeling keenly as they do the terrors that they have suffered at the hands of the enemy, are never so happy as when they realize that we across the sea at a great distance feel with them the keen arrows of sorrow that have penetrated their hearts and are glad that our boys went over there to help rescue them from the terror that lay upon them day and night.

What I have come to say to you to-day, my friends, is this: We are debating the treaty of peace with Germany and we are making the mistake, I take the liberty of saying, of debating it as if it were an ordinary treaty with some particular country, a treaty which we could ourselves modify without complicating the affairs of the world; whereas, as a matter of fact, this is not merely a treaty with Germany. Matters were drawn into this treaty which affected the peace and happiness of the whole Continent of Europe, and not of the Continent of Europe merely, but of forlorn populations in Africa, of peoples that we hardly know about in Asia, in the Far East and everywhere the influence of German policy had extended and everywhere that influence had to be corrected, had to be checked, had to be altered. What I want to impress upon you to-day is that it is this treaty or none. It is this treaty because we can have no other.

"Consider the circumstances. For the first time in the world some 20 nations sent their most thoughtful and responsible men to consult together at the capital of France to effect a settlement of the affairs of the world, and I want to render my testimony that these gentlemen entered upon their deliberations with great openness of mind. Their discussions were characterized by the utmost candor, and they realize, my fellow citizens, what as a student of history I venture to say no similar body ever acknowledged before, that they were nobody's masters, that they did not have the right to follow the line of any national advantage in determining what the settlements of the peace should be, but that they were the servants of their people and the servants of the people of the world. This settlement, my fellow citizens, is the first international settlement that was intended for the happiness of the average men and women throughout the world. This is indeed and in truth a people's treaty, and it

is the first people's treaty, and I venture to express the opinion that it is not wise for Parliaments or Congresses to attempt to alter it. It is a people's treaty, notwithstanding the fact that we call it a treaty with Germany; and while it is a treaty with Germany, and in some senses a very severe treaty, indeed, it is not an unjust treaty, as some have characterized it. My fellow citizens, Germany tried to commit a crime against civilization, and this treaty is justified in making Germany pay for that criminal error up to the ability of her payment. Some of the very gentlemen who are now characterizing this treaty as too harsh are the same men who less than a twelvemonth ago were criticizing the administration at Washington in the fear that they would compound with Germany and let her off from the payment of the utmost that she could pay in retribution for what she had done. They were pitiless then; they are pitiful now.

"It is very important, my fellow citizens, that we should not forget what this war meant. I am amazed at the indications that we are forgetting what we went through. There are some indications that on the other side of the water they are apt to forget what they went through. I venture to think that there are thousands of mothers and fathers and wives and sisters and sweethearts in this country who are never going to forget. Thousands of our gallant youth lie buried in France, and buried for what? For the redemption of America? America was not directly attacked. For the salvation of America? America was not immediately in danger. No; for the salvation of mankind. It is the noblest errand that troops ever went on. I was saying the other day in the presence of a little handful of men whom I revered, veterans of our Civil War, that it seemed to me that they fought for the greatest thing that there was to fight for in their day, and you know with what reverence we have regarded all the men who fought in the ranks in the Civil War for the Union. I am saying this out of a full heart, though I was born on the other side of the Mason and Dixon line. We revere the men who saved the Union. What are going to be our sentiments with regard to these boys in khaki and the boys who have just been in khaki in this war? Do you not think that when they are old men a halo will seem to be about them, because they were crusaders for the liberty of the world? One of the hardest things for me to do during this war, as for many another man in this country, was merely to try to direct things and not take a gun and go myself. When I feel the pride that I often have felt in having been the Commander in Chief of these gallant armies and those splendid boys at sea, I think, 'Ah, that is fine, but, oh, to have been one of them and to have accomplished this great thing which has been accomplished!'

"The fundamental principle of this treaty is a principle never acknowledged before, a principle which had its birth and has had its growth in this country, that the countries of the world belong to the people who live in them, and that they have a right to determine their own destiny and their own form of government and their own policy, and that no body of statesmen, sitting anywhere, no matter whether they represent the overwhelming physical force of the world or not, has the right to assign any great people to a sovereignty under which it does not care to live. This is the great treaty which is being debated. This is the treaty which is being examined with a microscope. This is the treaty which is being pulled about, and about which suggestions are made as to changes of phraseology. Why, my friends, are you going to be so nearsighted as to look that way at a great charter of human liberty? The thing is impossible. You can not have any other treaty, because you can never get together again the elements that agreed to this treaty. You can not do it by dealing with separate governments. You can not assemble the forces again that were back of it. You can not bring the agreement upon which it rests into force again. It was the laborious work of many, many months of the most intimate conference. It has very, very few compromises in it and is, most of it, laid down in straight lines according to American specifications. The choice is either to accept this treaty or play a lone hand. What does that mean? To play a lone hand means that we must always be ready to play by ourselves. That means that we must always be armed, that we must always be ready to mobilize the man strength and the manufacturing resources of the country; it means that we must continue to live under not diminishing but increasing taxes; it means that we shall devote our thought and the organization of our Government to being strong enough to beat any nation in the world. An absolute reversal of all the ideals of American history! If you are going to play a lone hand, the hand that you play must be upon the handle of the sword. You can not play a lone hand and do your civil business except with the other hand—one hand incidental for the business of peace, the other hand constantly for the assertion of force. It

is either this treaty or a lone hand, and the lone hand must have a weapon in it. The weapon must be all the young men of the country trained to arms, and the business of the country must pay the piper, must pay for the whole armament, the arms and the men. That is the choice. Do you suppose, my fellow citizens, that any nation is going to stand for that? We are not the only people who are sick of war. We are not the only people who have made up our minds that our Government must devote its attention to peace and to justice and to right. The people all over the world have made up their minds as to that. We need peace more than we ever needed it before. We need ordered peace, calm peace, settled peace, assured peace—for what have we to do? We have to reregulate the fortunes of men. We have to reconstruct the machinery of civilization. I use the words deliberately—we have to reconstruct the machinery of civilization.

"The central fact of the modern world is universal unrest, and the unrest is not due merely to the excitement of a recent war. The unrest is not due merely to the fact of recent extraordinary circumstances. It is due to a universal conviction that the conditions under which men live and labor are not satisfactory. It is a conviction all over the world that there is no use talking about political democracy unless you have also industrial democracy. You know what this war interrupted in the United States. We were searching our own hearts, we were looking closely at our own methods of doing business. A great many were convinced that the control of the business of this country was in too few hands. Some were convinced that the credit of the country was controlled by small groups of men, and the great Federal reserve act and the great land-bank act were passed in order to release the resources of the country on a broader and more generous scale. We had not finished dealing with monopolies. We have not finished dealing with monopolies. With monopolies there can be no industrial democracy. With the control of the few, of whatever kind or class, there can be no democracy of any sort. The world is finding that out—in some portions of it in blood and terror.

"Look what has happened in Russia, my fellow citizens. I find wherever I go in America that my fellow citizens feel as I do, an infinite pity for that great people, an infinite longing to be of some service to them. Everybody who has mixed with the Russian people tells me that they are among the most lovable people in the world, a very gentle people, a very friendly people, a very simple people, and in their local life a very democratic people, people who easily trust you, and who expect you to be trustworthy as they are. Yet this people is delivered into the hands of an intolerable tyranny. It came out of one tyranny to get into a worse. A little group of some 30 or 40 men are the masters of that people at present. Nobody elected them. They chose themselves. They maintain their power by the sword, and they maintain the sword by seizing all the food of the country and letting only those who will fight for them eat, the rest of them to go starved; and because they can command no loyalty we are told by the newspapers that they are about to brand the men under arms for them, so that they will be forever marked as their servants and slaves. That is what pitiful Russia has got in for, and there will be many a bloody year, I am afraid, before she finds herself again.

"I speak of Russia. Have you seen no symptoms of the spread of that sort of chaotic spirit into other countries? If you had been across the sea with me, you would know that the dread in the mind of every thoughtful man in Europe is that that distemper will spread to their countries, that before there will be settled order there will be tragical disorder. Have you heard nothing of the propaganda of that sort of belief in the United States? That poison is running through the veins of the world, and we have made the methods of communication throughout the world such that all the veins of the world are open and the poison can circulate. The wireless throws it out upon the air. The cable whispers it underneath the sea. Men talk about it in little groups, men talk about it openly in great groups not only in Europe but here also in the United States. There are apostles of Lenin in our own midst. I can not imagine what it means to be an apostle of Lenin. It means to be an apostle of the night, of chaos, of disorder; there can be no creed of disorganization. Our immediate duty, therefore, my fellow countrymen, is to see that no minority, no class, no special interest, no matter how respectable, how rich, how poor, shall get control of the affairs of the United States.

"The singular thing about the sort of disorder that prevails in Russia is that while every man is, so to say, invited to take what he can get, he can not keep it when he gets it, because, even if you had leave to steal, which is the leave very generously given in Russia at present, you have got to get somebody to help you to keep what you steal. Without organization you can not

get any help, so the only thing you can do is to dig a hole and find a cave somewhere. Disordered society is dissolved society. There is no society when there is not settled and calculable order. When you do not know what is going to happen to you tomorrow, you do not much care what is going to happen to you to-day. These are the things that confront us. The world must be satisfied of justice. The conditions of civilized life must be purified and perfected, and if we do not have peace, that is impossible. We must clear the decks of this matter we are now discussing. This is the best treaty that can possibly be got, and, in my judgment, it is a mighty good treaty, for it has justice, the attempt at justice at any rate, at the heart of it.

"Suppose that you were feeling that there was a danger of a general conflagration in your part of the country; I mean a literal fire. Which would you rather have, no insurance at all or 10 per cent insurance? Don't you think some insurance is better than none at all? Put the security obtained by this treaty at its minimum, and it is a great deal better than no security at all, and without it there is no security at all, and no man can be sure what his business will be from month to month, or what his life will be from year to year. The leisureliness of some debates creates the impression on my mind that some men think there is leisure. There is no leisure in the world, my fellow citizens, with regard to the reform of the conditions under which men live. There is no time for any talk, but get down to the business of what we are going to do.

"I dare say that many of you know that I have called a conference to sit in Washington the first of next month, a conference of men in the habit of managing business and of men engaged in manual labor, what we generally call employers and employees. I have called them together for the sake of getting their minds together, getting their purposes together, getting them to look at the picture of our life at the same time and in the same light and from the same angles, so that they can see the things that ought to be done. I am trying to apply there what is applied in the great covenant of the league of nations, that if there is any trouble, the thing to do is not to fight, but to sit around the table and talk it over. The league of nations substitutes discussion for fight, and without discussion there will be fight. One of the greatest difficulties that we have been through in the past is in getting men to understand that fundamental thing. There is a very interesting story and a very charming story told of a great English writer of a past generation. He was a man who stuttered a little bit, and he stuttered out some very acid comment on some man who was not present. One of his friends said, 'Why, Charles, I didn't know you knew him.' 'Oh, n-n-no,' he said, 'I-I d-d-don't k-know him; I-I c-c-can't hate a m-man I-I know.' How much truth there is in that, my fellow countrymen! You can not hate a fellow you know. I know some crooks that I can not help liking. I can judge them in cool blood and correctly only when they are not there. They are extremely fetching and attractive fellows; indeed, I suspect that a disagreeable fellow can not be a successful crook.

"But, to speak seriously, conference is the healing influence of civilization, and the real difficulty between classes, when a country is unfortunate enough to have classes, is that they do not understand one another. I sometimes think that the real barriers in life are the barriers of taste, that some people like one way of doing things and that other people do not like that way of doing things; that one sort of people are not comfortable unless the people they are with are dressed the way they are. I think that goes so much deeper than people realize. It is the absence of the ability to get at the point of view and look through the eyes of the persons with whom you are not accustomed to deal. In order, therefore, to straighten out the affairs of America, in order to calm and correct the ways of the world, the first and immediate requisite is peace, and it is an immediate requisite. We can not wait. It is not wise to wait, because we ought to devote our best thoughts, the best impulses of our hearts, the clearest thinking of our brain, to correcting the things that are wrong everywhere.

"I have been told, my fellow citizens, that this western part of the country is particularly pervaded with what is called radicalism. There is only one way to meet radicalism and that is to deprive it of food, and wherever there is anything wrong there is abundant food for radicalism. The only way to keep men from agitating against grievances is to remove the grievances, and as long as things are wrong I do not intend to ask men to stop agitating. I intend to beg that they will agitate in an orderly fashion; I intend to beg that they will use the orderly methods of counsel, and, it may be, the slow processes of correction which can be accomplished in a self-governing people through political means. Otherwise we will have chaos; but as long as there is something to correct, I say Godspeed to the men

who are trying to correct it. That is the only way to meet radicalism. Radicalism means cutting up by the roots. Well, remove the noxious growth and there will be no cutting up by the roots. Then there will be the wholesome fruitage of an honest life from one end of this country to the other.

"In looking over some papers the other day I was reminded of a very interesting thing. The difficulty which is being found with the league of nations is that apparently the gentlemen who are discussing it unfavorably are afraid that we will be bound to do something we do not want to do. The only way in which you can have impartial determinations to this world is by consenting to something you do not want to do. Every time you have a case in court one or the other of the parties has to consent to do something he does not want to do. There is not a case in court, and there are hundreds of thousands of them every year, in which one of the parties is not disappointed. Yet we regard that as the foundation of civilization, that we will not fight about these things, and that when we lose in court we will take our medicine. Very well; I say that the two Houses of Congress suggested that there be an international court, and suggested that they were willing to take their medicine. They put it in a place where you would not expect it. They put it in the naval appropriation bill, and, not satisfied with putting it there once, they put it there several times; I mean in successive years. This is the sum of it:

"It is hereby declared to be the policy of the United States to adjust and settle its international disputes through mediation or arbitration (that is, the league of nations), to the end that war may be honorably avoided. It looks with apprehension and disfavor upon a general increase of armament throughout the world, but it realizes that no single nation can disarm and that without a common agreement upon the subject every considerable power must maintain a relative standing in military strength. In view of the premises, the President is authorized and requested to invite at an appropriate time, not later than the close of the war in Europe (this immediately preceded our entry into the war), all the great Governments of the world to send representatives to a conference which shall be charged with the duty of formulating a plan for a court of arbitration or other tribunal to which disputed questions between nations shall be referred for adjustment and peaceful settlement, and to consider the question of disarmament and submit their recommendations to their respective Governments for approval. The President is hereby authorized to appoint, etc. A provision for an appropriation to pay the expenses is also embodied.

"Now that they have got it, they do not like it. They also provided in this legislation that if there could be such an assemblage, if there could be such an agreement, the President was authorized to cancel the naval building program authorized by the bill, or so much of it as he thought was wise in the circumstances. They looked forward to it with such a practical eye that they contemplated the possibility of its coming soon enough to stop the building program of that bill. It came much sooner than they expected, and apparently has taken them so much by surprise as to confuse their minds. I suppose that this would be a very dull world if everybody were consistent, but consistency, my fellow citizens, in the sober, fundamental, underlying principles of civilization is a very serious thing indeed.

"If we are, indeed, headed toward peace with the real purpose of our hearts engaged, then we must take the necessary steps to secure it, and we must make the necessary sacrifices to secure it. I repudiate the suggestion which underlies some of the suggestions I have heard that the other nations of the world are acting in bad faith and that only the United States is acting in good faith. It is not true. I can testify that I was cooperating with honorable men on the other side of the water, and I challenge anybody to show where in recent years, while the opinion of mankind has been effective, there has been the repudiation of an international obligation by France or Italy or Great Britain or by Japan. Japan has kept her engagements, and Japan here engages to unite with the rest of the world in maintaining justice and a peace based upon justice. There can be cited no instances where these Governments have been dishonorable, and I need not add that there is, of course, no instance where the United States has not kept faith.

"When gentlemen discuss the right to withdraw from the league of nations and look suspiciously upon the clause which says that we can withdraw upon two years' notice, if at that time we have fulfilled our international obligations, I am inclined to ask, 'What are you worried about? Are you afraid that we will not have fulfilled our international obligations?' I am too proud an American to believe anything of the kind. We never have failed to fulfill our international obligations, and we never will, and our international obligations will always

look toward the fulfillment of the highest purposes of civilization. When we came into existence as a Nation we promised ourselves and promised the world that we would serve liberty everywhere. We were only 3,000,000 strong then, and shall we, when more than a hundred million strong, fail to fulfill the promise that we made when we were weak? We have served mankind and we shall continue to serve mankind, for I believe, my fellow men, that we are the flower of mankind so far as civilization is concerned.

"Please do not let me leave the impression on your mind that I am arguing with you. I am not arguing this case; I am merely expounding it. I am just as sure what the verdict of this Nation is going to be as if it had been already rendered, and what has touched me and convinced me of this, my fellow citizens, is not what big men have told me, not what men of large affairs have said to me—I value their counsel and seek to be guided by it—but by what plain people have said to me, particularly by what women have said to me. When I see a woman plainly dressed, with the marks of labor upon her, and she takes my hand and says, 'God bless you, Mr. President; God bless the league of nations,' I know that the league of nations has gone to the heart of this people. A woman came up to me the other day and grasped my hand and said, 'God bless you!' and then turned away in tears. I asked a neighbor, 'What is the matter?' and he said, 'She intended to say something to you, sir, but she lost a son in France.' That woman did not take my hand with a feeling that her son ought not to have been sent to France. I sent her son to France, and she took my hand and blessed me, but she could not say anything more, because the whole well of spirit in her came up into her throat and the thing was unutterable. Down deep in it was the love of her boy, the feeling of what he had done, the justice and the dignity and the majesty of it, and then the hope that through such poor instrumentality as men like myself could offer no other woman's son would ever be called upon to lay his life down for the same thing. I tell you, my fellow citizens, the whole world is now in the state where you can fancy that there are hot tears upon every cheek, and those hot tears are tears of sorrow. They are also tears of hope. It is amazing how, through all the sorrows of mankind and all the unspeakable terrors and injustices that have been inflicted upon men, hope springs eternal in the human heart. God knows that men, and governments in particular, have done everything they knew how to kill hope in the human heart, but it has not died. It is the one conquering force in the history of mankind. What I am pleading for, therefore—not with you, for I anticipate your verdict—but what I am pleading for with the Senate of the United States is to be done with debate and release and satisfy the hope of the world."

THE PRESIDENT AT OPERA HOUSE, HELENA, MONT., SEPTEMBER 11, 1919.

"Gov. Stewart and my fellow countrymen, I very heartily echo what Gov. Stewart has just said. I am very glad that an occasion has arisen which has given me the opportunity and the pleasure of coming thus face to face with, at any rate, some of the people of the great State of Montana. I must hasten to say to you that I am not come from Washington so much to advise you as to get in touch with you, as to get the feeling of the purposes which are moving you, because, my fellow citizens, I may tell you as a secret that some people in Washington lose that touch. They do not know what the purposes are that are running through the hearts and minds of the people of this great country, and after one stays in Washington too long one is apt to catch that same reserve and numbness which seems to characterize others that are there. I like to come out and feel once more the thing that is the only real thing in public affairs, and that is the great movement of public opinion in the United States.

"I want to put the case very simply to you to-night, for with all its complexity, with all the many aspects which it wears there is a very simple question at the heart of it. That question is nothing more nor less than this: Shall the great sacrifice that we made in this war be in vain, or shall it not? I want to say to you very solemnly that, notwithstanding the splendid achievement of our soldiers on the other side of the sea, who I do not hesitate to say saved the world, notwithstanding the noble things that they did, their task is only half done and it remains for us to complete it. I want to explain that to you. I want to explain to you why, if we left the thing where it is and did not carry out the program of the treaty of peace in all its fullness, men like these would have to die again to do the work over again and convince provincial statesmen that the world is one and that only by organization of the world can you save the young men of the world.

"As I take up this theme there is a picture very distinct in my mind. Last Memorial Day I stood in an American cemetery in France just outside Paris, on the slopes of Suresnes. The hills slope steeply to a little plain, and when I went out there all the slope of the hill was covered with men in the American uniform, standing, but rising tier on tier as if in a great witness stand. Then below, all over this little level space, were the simple crosses that marked the resting place of American dead. Just by the stand where I spoke was a group of French women who had lost their own sons, but, just because they had lost their own sons and because their hearts went out in thought and sympathy to the mothers on this side of the sea, had made themselves, so to say, mothers of those graves, had every day gone to take care of them, had every day strewn them with flowers. They stood there, their cheeks wetted with tears, while I spoke, not of the French dead but of the American boys who had died in the common cause, and there seemed to me to be drawn together on that day and in that little sunny spot the hearts of the world. I took occasion to say on that day that those who stood in the way of completing the task that those men had died for would some day look back upon it as those have looked back upon the days when they tried to divide this Union and prevent it from being a single Nation united in a single form of liberty. For the completion of the work of those men is this, that the thing that they fought to stop shall never be attempted again.

"I call you to mind that we did not go into this war willingly. I was in a position to know; in the providence of God, the leadership of this Nation was intrusted to me during those early years of the war when we were not in it. I was aware through many subtle channels of the movements of opinion in this country, and I know that the thing that this country chiefly desired, the thing that you men out here in the West chiefly desired and the thing that of course every loving woman had at her heart, was that we should keep out of the war, and we tried to persuade ourselves that the European business was not our business. We tried to convince ourselves that no matter what happened on the other side of the sea, no obligation of duty rested upon us, and finally we found the currents of humanity too strong for us. We found that a great consciousness was welling up in us that this was not a local cause, that this was not a struggle which was to be confined to Europe, or confined to Asia, to which it had spread, but that it was something that involved the very fate of civilization; and there was one great Nation in the world that could not afford to stay out of it. There are gentlemen opposing the ratification of this treaty who at that time taunted the administration of the United States that it had lost touch with its international conscience. They were eager to go in, and now that they have got in, and are caught in the whole network of human conscience, they want to break out and stay out. We were caught in this thing by the action of a nation utterly unlike ourselves. What I mean to say is that the German nation, the German people, had no choice whatever as to whether it was to go into that war or not, did not know that it was going into it until its men were summoned to the colors. I remember, not once but often, sitting at the Cabinet table in Washington, I asked my colleagues what their impression was of the opinion of the country before we went into the war, and I remember one day one of my colleagues said to me, 'Mr. President, I think the people of the country would take your advice and do what you suggested.' 'Why,' I said, 'that is not what I am waiting for; that is not enough. If they can not go in with a whoop, there is no use of their going in at all. I do not want them to wait on me. I am waiting on them. I want to know what the conscience of this country is speaking. I want to know what the purpose is arising in the minds of the people of this country with regard to this world situation.' When I thought I heard that voice, it was then that I proposed to the Congress of the United States that we should include ourselves in the challenge that Germany was giving to mankind.

"We fought Germany in order that there should be a world fit to live in. The world is not fit to live in, my fellow citizens, if any great government is in a position to do what the German Government did—secretly plot a war and begin it with the whole strength of its people, without so much as consulting its own people. A great war can not begin with public deliberation. A great war can begin only by private plot, because the peoples of this world are not asleep, as they used to be. The German people is a great educated people. All the thoughtful men in Germany, so far as I have been able to learn, who were following peaceful pursuits—the bankers and the merchants and the manufacturers—deemed it folly to go into that war. They said so then and they have said so since, but they were not consulted.

The masters of Germany were the general military staff; it was these men who nearly brought a complete cataclysm upon civilization itself. It stands to reason that if we permit anything of that sort to happen again we are recreant to the men we sent across the seas to fight this war. We are deliberately guilty then of preparing a situation which will inevitably lead to what? What shall I call it? The final war? Alas, my fellow citizens, it might be the final arrest, though I pray only the temporary arrest, of civilization itself; and America has, if I may take the liberty of saying so, a greater interest in the prevention of that war than any other nation. America is less exhausted by the recent war than the other belligerents; she is not exhausted at all. America has paid for the war that has gone by less heavily, in proportion to her wealth, than the other nations. America still has free capital enough for its own industries and for the industries of the other countries that have to build their industries anew. The next war would have to be paid for in American blood and American money. The nation of all nations that is most interested to prevent the recurrence of what has already happened is the nation which would assuredly have to bear the brunt of that great catastrophe—either have to bear it or stop where we are. Who is going to check the growth of this Nation? Who is going to check the accumulation of physical power by this Nation—if you choose to put it in that form? Who is going to reduce the natural resources of this country? Who is going to change the circumstance that we largely feed the rest of the world? Who is going to change the circumstance that many of our resources are unique and indispensable? America is going to grow more and more powerful; and the more powerful she is the more inevitable it is that she should be trustee for the peace of the world.

"A miracle has happened. I dare say that many of you have in mind the very short course of American history. You know, when this Nation was born and we were just a little group—3,000,000 people on the Atlantic coast—how the nations on the other side of the water and the statesmen of that day watched us with a certain condescension, looked upon us as a sort of group of hopeful children, pleased for the time being with the conception of absolute freedom and political liberty, far in advance of the other peoples of the world because less experienced than they, less aware of the difficulties of the great task that they had accomplished. As the years have gone by they have watched the growth of this Nation with astonishment and for a long time with dismay. They watched it with dismay until a very interesting and significant thing happened. When we fought Cuba's battle for her, then they said, 'Ah, it is the beginning of what we predicted. She will seize Cuba and, after Cuba, what she pleases to the south of her. It is the beginning of the history we have gone through ourselves.' They ought to have known; they set us the example! When we actually fulfilled to the letter our promise that we would set helpless Cuba up as an independent government and guarantee her independence—when we carried out that great policy we as founded and converted the world. Then began—let me repeat the word again—then began the confidence of the world in America, and I want to testify to you to-night that nothing was more overpowering to me and my colleagues in Paris than the evidences of the absolutely unquestioning confidence of the peoples of the world in the people of America. We were touched by it not only, but I must admit we were frightened by it, because we knew that they were expecting things of us that we could not accomplish; we knew that they were hoping for some miracle of justice which would set them forward the same hundred years that we have traveled on the progress toward free government; and we knew that it was a slow road; we knew that you could not suddenly transform a people from a people of subjects into a people of self-governing units. And I perhaps returned a little bit to my own profession of teaching and tried to point out to them that some of the things they were expecting of us could not be done now; but they refused to be disabused of their absolute confidence that America could and would do anything that was right for the other peoples of the world. An amazing thing! What was more interesting still, my fellow citizens, was this: It happened that America laid down the specifications for the peace. It happened that America proposed the principles upon which the peace with Germany should be built. I use the word 'happened' because I have found, and everybody who has looked into the hearts of some of the people on the other side of the water has found, that the people on the other side of the water, whatever may be said about their Governments, had learned their lesson from America before, and they believed in those principles before we promulgated them; and their statesmen, knowing that their people believed in them, accepted them—accepted them before

the American representatives crossed the sea. We found them ready to lay down the foundations of that peace along the lines that America had suggested, and all of Europe was aware that what was being done was building up an American peace. In such circumstances we were under a peculiar compulsion to carry the work to the point which had filled our convictions from the first.

"Where did the suggestion first come from? Where did the idea first spread that there should be a society of nations? It was first suggested and it first spread in the United States, and some gentlemen were the chief proponents of it who are now objecting to the adoption of the covenant of the league of nations. They went further, some of them, than any principles of that covenant goes, and now for some reason which I must admit is inscrutable to me they are opposing the very thing into which they put their heart and their genius. All Europe knew that we were doing an American thing when we put the covenant of the league of nations at the beginning of the treaty, and one of the most interesting things over there was our dealing with some of the most cynical men I had to deal with, and there were some cynics over there—men who believed in what has come to be known as the old Darwinian idea of the survival of the fittest. They said, 'In nature the strong eats up the weak, and in politics the strong overcomes and dominates the weak. It has always been so, and it is always going to be so.' When I first got to Paris they talked about the league of nations indulgently in my presence, politely. I think some of them had the idea, 'Oh, well, we must humor Wilson along so that he will not make a public fuss about it,' and those very men, before our conferences were over, suggested more often than anybody else that some of the most difficult and delicate tasks in carrying out this peace should be left to the league of nations, and they all admitted that the league of nations, which they had deemed an ideal dream, was a demonstrable, practical necessity. This treaty can not be carried out without the league of nations, and I will tell you some interesting cases.

"I have several times said, and perhaps I may say again, that one of the principal things about this treaty is that it establishes the land titles of the world. It says, for example, that Bohemia shall belong to the Bohemians and not to the Austrians or to the Hungarians; that if the Bohemians do not want to live under a monarchy, dual or single, it is their business and not ours, and they can do what they please with their own country. We have said of the Austrian territories south of Austria and Hungary, occupied by the Jugo-Slavs, 'These never did belong to Austria; they always did belong to Slavs, and the Slavs shall have them for their own, and we will guarantee the title.' I have several times asked, 'Suppose that the land titles of a State like Montana were clearly enough stated and somewhere recorded, but that there was no way of enforcing them.' You know what would happen. Every one of you would enforce his own land title. You used to go armed here long ago, and you would resume the habit if there was nobody to guarantee your legal title. You would have to resume the habit. If society is not going to guarantee your titles, you have got to see to it yourselves that others respect them. That was the condition of Europe and will be the condition of Europe again if these settled land titles which have been laid out are not guaranteed by organized society, and the only organized society that can guarantee them is a society of nations.

"It was not easy to draw the line. It was not a surveyor's task. There were not well-known points from which to start and to which to go, because, for example, we were trying to give the Bohemians the lands where the Bohemians lived, but the Bohemians did not stop at a straight line. If they will pardon the expression, they slopped over. And Germans slopped over into Poland and in some places there was an almost inextricable mixture of the two populations. Everybody said that the statistics lied. They said the German statistics with regard to high Silesia, for example, were not true, because the Germans wanted to make it out that the Germans were in a majority there, and the Poles declared that the Poles were in the majority there. We said, 'This is a difficult business. Sitting in Paris we can not tell by count how many Poles there are in high Silesia or how many Germans, and if we could count them, we can not tell from Paris what they want. High Silesia does not belong to us; it does not belong to anybody but the people who lived in it. We will do this: We will put that territory under the care of the league of nations for a little period; we will establish a small armed force there, made up of contingents out of the different allied nations so that no one of them would be in control, and then we will hold a referendum, and high Silesia shall belong either to Germany or to Poland as the people in high Silesia desire.' That is only one case out of half a dozen. In regions where the make-up of the popula-

tion is doubtful or the desire of the population is as yet unascertained, the league of nations is to be the instrumentality by which the goods are to be delivered to the people to whom they belong. No other international conference ever conceived such a purpose, and no earlier conference of that sort would have been willing to carry out such a purpose. Up to the time of this war, my fellow-citizens, it was the firm and fixed conviction of statesmen in Europe that the greater nations ought to dominate and guide and determine the destiny of the weaker nations, and the American principle was rejected. The American principle is that just as the weak man has the same legal rights that the strong man has, just as the poor man has the same rights as the rich, though, I am sorry to say, he does not always get them, so as between nations the principle of equality is the only principle of justice, and the weak nations have just as many rights and just the same rights as the strong nations. If you do not establish that principle, then this war is going to come again, because this war came by aggression upon a weak nation.

"What happened, my fellow citizens? Don't you remember? The Crown Prince of Austria was assassinated in Serbia. Not assassinated by anybody over whom the Government of Serbia had any control, but assassinated by some man who had at his heart the memory of something that was intolerable to him that had been done to the people that he belonged to, and the Austrian Government, not immediately but by suggestion from Berlin, where it was whispered, 'We are ready for the World War, and this is a good chance to begin it; the other nations do not believe we are going to begin it; we will begin it and overwhelm France, first of all, before the others can come to her rescue.' The Austrian Government sent an ultimatum to Serbia practically demanding of her that she surrender to them her sovereign rights, and gave her 24 hours to decide. Poor Serbia, in her sudden terror, with memory of things that had happened before and might happen again, practically yielded to every demand, and with regard to a little portion of the ultimatum said she would like to talk it over with them, and they did not dare wait. They knew that if the world ever had the facts of that dispute laid before them the opinion of mankind would overwhelm anybody that took aggression against Serbia in such circumstances. The point is that they chose this little nation. They had always chosen the Balkans as the ground of their intrigue. German princes were planted all through the Balkans, so that when Germany got ready she could use the Balkan situation as pawns in her game.

"And what does the treaty of peace do? The treaty of peace sets all those nations up in independence again; gives Serbia back what had been torn away from her, sets up the Jugo-Slavic States and the Bohemian States under the name of Czechoslovakia; and if you leave it at that, you leave those nations just as weak as they were before. By giving them their land titles, you do not make them any stronger. You make them stronger in spirit, it may be, they see a new day, they feel a new enthusiasm, their old love of their country can now express itself in action, but physically they are no stronger than they were before, and that road that we heard so much of—from Bremen to Bagdad—is wide open. The Germans were traveling that road. Their general staff interrupted the game. The merchants and manufacturers and bankers of Germany were making conquest of the world. All they had to do was to wait a little while longer, and long German fingers would have been stretched all through that country which never could have been withdrawn. The war spoiled the game. German intrigue was penetrating all those countries and controlling them. The dirty center of the intrigue, dirty in every respect, was Constantinople, and from there ramified all the threads that made this web, in the center of which was the venomous spider. If you leave that road open, if you leave those nations to take care of themselves, knowing that they can not take care of themselves, then you have committed the unpardonable sin of undoing the victory which our boys won. You say, 'What have we got to do with it?' Let us answer that question, and not from a sentimental point of view at all. Suppose we did not have any hearts under our jackets. Suppose we did not care for these people. Care for them? Why, their kinsmen are everywhere in the communities of the United States, people who love people over there are everywhere in the United States. We are made up out of mankind; we can not tear our hearts away from them. Our hearts are theirs, but suppose they were not. Suppose we had forgotten everything except the material, commercial, monetary interests of the United States. You can not get those markets away from Germany if you let her reestablish her old influence there. The 300,000,000 people between the Rhine and the Ural Mountains will be in such a condition that they can not buy anything, their industries can not start, unless they

surrender themselves to the bankers of Mittel-Europa, that you used to hear about; and the peoples of Italy and France and Belgium, some 80,000,000 strong, who are your natural customers, can not buy anything in disturbed and bankrupt Europe. If you are going to trade with them, you have got to go partners with them.

"When I hear gentlemen talk about America standing for herself, I wonder where they have been living. Has America disconnected herself from the rest of the world? Her ambition has been to connect herself with all the rest of the world commercially, and she is bankrupt unless she does. Look at the actual situation right now, my fellow citizens. The war was a very great stimulation to some of the greatest of the manufacturing industries of this country, and a very interesting thing has been going on. You remember, some of you perhaps painfully remember, that the Congress of the United States put a very heavy tax on excess profits, and a great many men who were making large excess profits said, 'All right, we can manage this. These will not be profits; we will spend these in enlarging our plants, advertising, increasing our facilities, spreading our agencies.' They have got ready for a bigger business than they can do unless they have the world to do it in, and if they have not the world to do it in, there will be a recession of prosperity in this country; there will be unemployment; there will be bankruptcy in some cases. The giant is so big that he will burst his jacket. The rest of the world is necessary to us, if you want to put it on that basis. I do not like to put it on that basis. That is not the American basis. America does not want to feed upon the rest of the world. She wants to feed it and serve it. America, if I may say it without offense to great peoples for whom I have a profound admiration on the other side of the water, is the only national idealistic force in the world, and idealism is going to save the world. Selfishness will embroil it. Narrow selfishness will tie things up into ugly knots that you can not get open except with a sword. All the human passions, if aroused on the wrong side, will do the world an eternal disservice.

"I remember somebody said to me one day, using a familiar phrase, that this was an age in which mind was monarch, and my reply was, 'Well, if that is true, mind is one of those modern monarchs that reign and do not govern; as a matter of fact, we are governed by a great popular assembly made up of the passions, and the best that we can manage is that the handsome passions shall be in the majority.' That is the task of mankind, that the handsome passions, the handsome sentiments, the handsome purposes, shall always have a dominating and working majority, so that they will always be able to out-vote the baser passions, to defeat all the cupidities and meannesses and criminalities of the world. That is the program of civilization. The basis of the program of civilization, I want to say with all the emphasis that I am capable of, is Christian and not pagan, and in the presence of this inevitable partnership with the rest of the world, these gentlemen say, 'We will not sign the articles of copartnership.' Well, why not? You have heard, I dare say, only about four things in the covenant of the league of nations. I have not heard them talk about anything else. It is a very wonderful document and you would think there were only four things in it. The things that they talk about are the chance to get out, the dangers of article 10, the Monroe doctrine, and the risk that other nations may interfere in our domestic affairs. Those are the things that keep them awake at night, and I want very briefly to take those things in their sequence.

"I do not like to discuss some of them. If I go to do a thing, I do not say at the beginning, 'My chief interest in this thing is how I am going to get out.' I will not be a very trusted or revered partner if it is evident that my fear is that I will continue to be a partner. But we will take that risk. We will sit by the door with our hand on the knob, and sit on the edge of our chair. There is nothing in the covenant to prevent our going out whenever we please, with the single limitation that we give two years' notice. The gentlemen who discuss this thing do not object to the two years' notice; they say, 'It says that you can get out after two years' notice if at that time you have fulfilled your international obligations,' and they are afraid somebody will have the right to say that they have not. That right can not belong to anybody unless you give it to somebody, and the covenant of the league does not give it to anybody. It is absolutely left to the conscience of this Nation, as to the conscience of every other member of the league, to determine whether at the time of its withdrawal it has fulfilled its international obligations or not; and inasmuch as the United States always has fulfilled its international obligations, I wonder what these gentlemen are afraid of! There is only one thing to restrain us from getting out, and that is the opinion of

our fellow men, and that will not restrain us in any conceivable circumstance if we have followed the honorable course which we always have followed. I would be ashamed as an American to be afraid that when we wanted to get out we should not have fulfilled our international obligations.

"Then comes article 10, for I am taking the questions in the order in which they come in the covenant itself. Let me repeat to you article 10 nearly verbatim; I am not trying to repeat it exactly as it is written in the covenant. Every member of the league agrees to respect and preserve as against external aggression the territorial integrity and existing political independence of the other members of the league. There is the guarantee of the land titles. Without that clause, there is no guarantee of the land titles. Without that clause the heart of the recent war is not cut out. The heart of the recent war was an absolute disregard of the territorial integrity and political independence of the smaller nations. If you do not cut the heart of the war out, that heart is going to live and beat and grow stronger, and we will have the cataclysm again. Then the article adds that it shall be the duty of the council of the league to advise the members of the league what steps may be necessary from time to time to carry out this agreement; to advise, not to direct. The Congress of the United States is just as free under that article to refuse to declare war as it is now; and it is very much safer than it is now. The opinion of the world and of the United States bade it to declare war in April, 1917. It would have been shamed before all mankind if it had not declared war then. It was not given audible advice by anybody but its own people, but it knew that the whole world was waiting for it to fulfill a manifest moral obligation. This advice can not be given, my fellow citizens, without the vote of the United States. The advice can not be given without a unanimous vote of the council of the league. The member of the council representing the United States has to vote aye before the United States or any other country can be advised to go to war under that agreement, unless the United States is herself a party. What does that mean? Unless the United States is going to seize somebody else's territory or somebody else is going to seize the territory of the United States. I do not contemplate it as a likely contingency that we are going to steal somebody else's territory, I dismiss that as not a serious probability, and I do not see anybody within reach who is going to take any of ours. But suppose we should turn highwayman, or that some other nation should turn highwayman, and stretch its hands out for what belongs to us. Then what difference does it make what advice the council gives? We are in the scrap anyhow. In those circumstances Congress is not going to wait to hear what the council of the league says to determine whether it is going to war or not. The war will be its war. So that any way you turn article 10 it does not alter in the least degree the freedom and independence of the United States with regard to its action in respect of war. All of that is stated in such plain language that I can not for the life of me understand how anybody reads it any other way. I know perfectly well that the men who wrote it read it the way I am interpreting it. I know that it is intended to be written that way, and if I am any judge of the English language, they succeeded in writing it that way.

"Then they are anxious about the Monroe doctrine. The covenant says in so many words that nothing in that document shall be taken as invalidating the Monroe doctrine. I do not see what more you could say. While the matter was under debate in what was called the commission on the league of nations, the body that drew the covenant up, in which were representatives of 14 nations, I tried to think of some other language that could state it more unqualifiedly, and I could not think of any other. Can you? Nothing in that document should be taken as invalidating the Monroe doctrine—I can not say it any plainer than that—and yet by a peculiar particularity of anxiety these gentlemen can not believe their eyes; and from one point of view it is not strange, my fellow citizens. The rest of the world always looked askance on the Monroe doctrine. It is true, though some people have forgotten it, that President Monroe uttered that doctrine at the suggestion of the British cabinet, and in its initiation, in its birth, it came from Mr. Canning, who was prime minister of England and who wanted the aid of the United States in checking the ambition of some of the European countries to establish their power in South America. Notwithstanding that, Great Britain did not like the Monroe doctrine as we grew so big. It was one thing to have our assistance and another thing for us not to need her assistance. And the rest of the world had studiously avoided on all sorts of interesting occasions anything that could be interpreted as an acknowledgment of the Monroe doctrine. So I am not altogether surprised that these gentlemen can not believe their eyes. Here the nations of

Europe say that they are entering into an arrangement no part of which shall be interpreted as invalidating the Monroe doctrine. I do not have to say anything more about that. To my mind, that is eminently satisfactory, and as long as I am President I shall feel an added freedom in applying, when I think fit, the Monroe doctrine. I am very much interested in it, and I foresee occasions when it might be appropriately applied.

"In the next place they are afraid that other nations will interfere in our domestic questions. There, again, the covenant of the league distinctly says that if any dispute arises which is found to relate to an exclusively domestic question, the council shall take no action with regard to it and make no report concerning it, and the questions that these gentlemen most often mention, namely, the questions of the tariff and of immigration and of naturalization, are acknowledged by every authoritative student of international law without exception to be as, of course, domestic questions. These gentlemen want us to make an obvious thing painfully obvious by making a list of the domestic questions, and I object to making the list for this very reason, that if you make a list you may leave something out. I remind all students of law within the sound of my voice of the old principle of the law that the mention of one thing is the exclusion of other things; that if you meant everything, you ought to have said everything; that if you said a few things, you did not have the rest in mind. I object to making a list of domestic questions, because a domestic question may come up which I did not think of. In every such case the United States would be just as secure in her independent handling of the question as she is now.

"Then, outside the covenant is the question of Shantung. Some gentlemen want to make a reservation or something that they clothe with a handsome name with regard to the Shantung provision, which is that the rights which Germany illicitly got, for she got it by duress, from China shall pass to Japan. While the war was in progress, Great Britain and France expressly in a written treaty, though a secret treaty, entered into an engagement with Japan that she should have all that Germany had in the Province of Shantung. If we repudiate this treaty in that matter Great Britain and France can not repudiate the other treaty, and they can not repudiate this treaty inasmuch as it confirms the other. Therefore, in order to take away from Japan, for she is in physical possession of it now, what Germany had in China, we shall have to fight Japan and Great Britain and France; and at the same time do China no service, because one of the things that is known to everybody is that when the United States consented, because of this promise of Great Britain and France, to putting that provision in the treaty, Japan agreed that she would not take all of what was given to her in the treaty; that, on the contrary, she would, just as soon as possible after the treaty was carried out, return every sovereign right or right resembling a sovereign right that Germany had enjoyed in Shantung to the Government of China, and that she would retain at Shantung only those economic rights with regard to the administration of the railway and the exploitation of certain mines that other countries enjoy elsewhere in China. It is not an exceptional arrangement—a very unfortunate arrangement, I think, elsewhere as there, for China, but not an exceptional arrangement. Under it Japan will enjoy privileges exactly similar and concessions exactly similar to what other nations enjoy elsewhere in China and nothing more. In addition to that, if the treaty is entered into by the United States China will for the first time in her history have a forum to which to bring every wrong that is intended against her or that has been committed against her.

"When you are studying article 10, my fellow citizens, I beg of you that you will read article 11. I do not hear that very often referred to. Article 11—I am not going to quote the words of it—makes it the right of any member of the league to call attention to anything, anywhere, that is likely to disturb the peace of the world or the good understanding between nations upon which the peace of the world depends. Every aspiring people, every oppressed people, every people whose hearts can no longer stand the strain of the tyranny that has been put upon them, can find a champion to speak for it in the forum of the world. Until that covenant is adopted, what is the international law? International law is that no matter how deeply the United States is interested in something in some other part of the world that she believes is going to set the world on fire or disturb the friendly relations between two great nations, she can not speak of it unless she can show that her own interests are directly involved. It is a hostile and unfriendly act to call attention to it, and article 11 says, in so many words, that it shall be the friendly right of every nation to call attention to any such matter anywhere; so that if anybody contemplates anything that is an encroachment upon the rights of China he can be summoned to the bar of the world. I do not know when any

nation that could not take care of itself, as unfortunately China can not, ever had such a humane advantage accorded it before. It is not only we, my fellow citizens, who are caught in all the implications of the affairs of the world; everybody is caught in it now, and it is right that anything that affects the world should be made everybody's business.

"The heart of the covenant of the league of nations is this: Every member of the league promises never to go to war without first having done one or the other of two things, either having submitted the matter to arbitration, in which case it agrees absolutely to abide by the award, or having submitted it to discussion by the council of the league of nations. If it submits it for discussion by the council, it agrees to allow six months for the discussion and to lay all the documents and facts in its possession before the council, which is authorized to publish them; and even if it is not satisfied with the opinion rendered by the council, it agrees that it will not go to war within less than three months after the publication of that judgment. There are nine months in which the whole matter is before the bar of mankind, and, my fellow citizens, I make this confident prediction, that no nation will dare submit a bad case to that jury. I believe that this covenant is better than 95 per cent insurance against war. Suppose it was only 5 per cent insurance; would not you want it? If you can get any insurance against war, do not you want it? I ask any mother, any father, any brother, anybody with a heart, 'Do not you want some insurance against war, no matter how little?' And the experience of mankind, from the conferences between employers and employees, is that if people get together and talk things over, it becomes more and more difficult to fight the longer they talk. There is not any subject that has not two sides to it, and the reason most men will not enter into discussion with antagonists is that they are afraid the other fellows' side will be stronger than theirs. The only thing you are afraid of, my fellow citizens, is the truth.

"A cynical old politician once said to his son, 'John, do not bother your head about lies; they will take care of themselves, but if you ever hear me denying anything you may make up your mind it is so.' The only thing that is formidable is the truth. I learned what I know about Mexico, which is not as much as I should desire, by hearing a large number of liars tell me all about it. At first, I was very much confused, because the narratives did not tally, and then one day, when I had a lucid interval, it occurred to me that that was because what was told me was not true. The truth always matches; it is lies that do not match. I also observed that back of all these confusing contradictions there was a general mass of facts which they all stated, and I knew that that was the region into which their lying capacity did not extend. They had not had time to make up any lies about that, and the correspondences in their narratives constituted the truth. The differences could be forgotten. So I learned a great deal about Mexico by listening to a sufficiently large number of liars. The truth is the regnant and triumphant thing in this world. You may trample it under foot, you may blind its eyes with blood, but you can not kill it, and sooner or later it rises up and seeks and gets its revenge.

"That is what it behooves us to remember, my fellow citizens, in these radical days. The men who want to cure the wrongs of governments by destroying government are going to be destroyed themselves; destroyed, I mean, by the chaos that they have created, because remove the organism of society and, even if you are strong enough to take anything that you want, you are not smart enough to keep it. The next stronger fellow will take it away from you and the most audacious group amongst you will make slaves and tools of you. That is the truth that is going to master society in Russia and in any other place that tries Russia's unhappy example. I hope you will not think it inappropriate if I stop here to express my shame as an American citizen at the race riots that have occurred in some places in this country where men have forgotten humanity and justice and ordered society and have run amuck. That constitutes a man not only the enemy of society but his own enemy and the enemy of justice. I want to say this, too, that a strike of the policemen of a great city, leaving that city at the mercy of an army of thugs, is a crime against civilization. In my judgment, the obligation of a policeman is as sacred and direct as the obligation of a soldier. He is a public servant, not a private employee, and the whole honor and safety of the community is in his hands. He has no right to prefer any private advantage to the public safety. I hope that that lesson will be burned in so that it will never again be forgotten, because the pride of America is that it can exercise self-control. That is what a self-governing nation is, not merely a nation that elects people to do its jobs for it, but a

nation that can keep its head, concert its purposes, and find out how its purposes can be executed.

"One of the noblest sentences ever uttered was uttered by Mr. Garfield before he became President. He was a Member of Congress, as I remember it, at the time of Mr. Lincoln's assassination. He happened to be in New York City, and Madison Square was filled with a surging mass of deeply excited people when the news of the murder came. Mr. Garfield was at the old Fifth Avenue Hotel, which had a balcony out over the entrance, and they begged him to go out and say something to the people. He went out and, after he had attracted their attention, he said this beautiful thing: 'My fellow citizens, the President is dead, but the Government lives and God Omnipotent reigns.' America is the place where you can not kill your government by killing the men who conduct it. The only way you can kill government in America is by making the men and women of America forget how to govern, and nobody can do that. They sometimes find the team a little difficult to drive, but they sooner or later whip it into harness. And, my fellow citizens, the underlying thought of what I have tried to say to you to-night is the organization of the world for order and peace. Our fortunes are directly involved, and my mind reverts to that scene that I painted for you at the outset—that slope at Suresnes, those voiceless graves, those weeping women—and I say, 'My fellow citizens, the pledge that speaks from those graves is demanded of us. We must see to it that those boys did not die in vain. We must fulfill the great mission upon which they crossed the sea.'"

YUMA IRRIGATION PROJECT, ARIZONA.

Mr. SMITH of Arizona. I ask unanimous consent for the present consideration and passage of a bill which I am sure will be unobjectionable. It is important that it be passed at an early day. It provides for the disposition of the waste and drainage water at the end of the Yuma irrigation project in Arizona. We desire to have the advantage of the use of this water on the American side, but have at present no power to use it. I therefore ask unanimous consent for the present consideration of the bill (S. 2610) to provide for the disposal of certain waste and drainage water from the Yuma project, Arizona.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and empowered to dispose of the waste and drainage waters which are or may become available at the southern end of the Yuma reclamation project, Arizona, which was constructed under the provisions of the reclamation act of June 17, 1902 (32 Stat., p. 388), on the best terms obtainable without incurring any obligation for delivery of any specific quantity of water at any future time.

SEC. 2. That the proceeds of the disposal of said waters shall be covered into the reclamation fund and be employed in defraying the expenses incident to the delivery of such water, including pumping and river protection, and the balance, if any, is hereby appropriated, and shall be expended under the supervision of the Secretary of the Interior for improving and maintaining the river protection works of the Yuma project.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PAY OF OFFICERS IN COAST GUARD.

Mr. NELSON. I ask unanimous consent for the present consideration of the resolution (S. J. Res. 102) to equalize the pay and allowances of commissioned officers, warrant officers, and enlisted men of the Coast Guard with those of the Navy. I ask leave to make a brief statement as to what the joint resolution relates.

The joint resolution proposes legislation relative to the pay and allowances of officers of the Coast Guard Service. The Coast Guard is composed of the old Revenue Service and the Life-Saving Service. During the war they were attached to the Navy Department, and received the pay and allowances which were received in the Navy. They have, however, since been detached from the Navy Department, which relegates them to the scale of wages that prevailed before the war. The department now finds difficulty in obtaining crews for that service at the present pay. Men are leaving the service because they can get higher wages in other sea service.

It is very important that the joint resolution should pass promptly.

The VICE PRESIDENT. Is there any objection to the present consideration of the joint resolution?

Mr. KING. I ask that the joint resolution be read, because, if I understand its terms and provisions, I shall object to its consideration.

The Secretary proceeded to read the joint resolution.

Mr. KING. I will not ask to have the joint resolution read further. I object to its consideration.

The VICE PRESIDENT. Objection is made.

CONFIRMATION OF CAPT. WILLIAM EDWARD REYNOLDS.

Mr. JONES of Washington. Mr. President, on yesterday, when the executive session was held, I could not be present. I had been previously called away from the Senate. I have had in my desk for some time a nomination to report favorably. I ask unanimous consent that, as in executive session, I may now be permitted to report the nomination referred to, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there any objection? The Chair hears none. The Secretary will read the report.

The SECRETARY. From the Committee on Commerce Mr. JONES of Washington reports favorably the nomination of Senior Capt. William Edward Reynolds to be captain commandant of the Coast Guard to fill an existing vacancy.

The VICE PRESIDENT. Is there any objection to the confirmation of the nomination?

The Chair hears none, and the nomination is confirmed, and the President will be notified.

TREATY OF PEACE WITH GERMANY.

The VICE PRESIDENT. Morning business is closed.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business in open executive session.

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

Mr. CUMMINS. Mr. President, if I could hope to record accurately my views with respect to the German treaty in the votes I shall cast during its consideration by the Senate, I would not add to the already tremendous volume of discussion; but all of us know through long experience how impossible it is to express through parliamentary forms our exact opinions upon an intricate and difficult subject, and this situation constrains me to do what otherwise I would gladly have left undone.

Strange as it may seem, I intend to assume that every Senator, whether he is for the treaty or against the treaty, whether he is for the league of nations or against the league of nations, whether he demands reservations or is opposed to reservations, is sincere and honest in his beliefs; that every Senator is a patriot and wants to do the thing with respect to this matter which will most effectually promote the welfare of his country and the interests of humanity. The whirlwind of accusations impliedly, if not expressly, impugning the motives of Senators has been exceedingly painful to those of us who still believe in the integrity of the Senate; and its effect upon the people who are earnestly endeavoring to preserve some degree of confidence in this tribunal has been most demoralizing and distressing. It is to be deeply regretted that some Senators feel themselves at liberty to charge other Senators with the base though unbelievable purpose of opposing the treaty simply to discredit the President and to accomplish their political designs. It is equally to be regretted that some Senators feel themselves at liberty to challenge the patriotism and Americanism of their associates and to impute to those who are supporting the President indifference, if not hostility, toward the vital concerns of their own country. Down in their hearts the Senators from Nebraska, Mississippi, Arkansas, Montana, Ohio, and Nevada, who are the powerful advocates of an unqualified ratification of the treaty, can have no doubt that the Senators from Massachusetts, Connecticut, Pennsylvania, Idaho, California, and New Mexico are just as devotedly attached to the maintenance of the national honor in the association with our allies to the lofty sentiments of peace and the welfare of the world as it is possible for men to be. On the other hand, the Senators I have last named do not, can not, question that the group I first named are as strongly wedded to American institutions and the perpetuation of our national independence as mortals can become.

Nevertheless a casual observer in the Senate would be inclined to reach the conclusion that the most influential Senators upon this side of the Chamber are altogether insensible to the awful horrors of war and are determined to keep the world in conflict simply to antagonize the President or to work out some petty ambition for party supremacy, while at the same time he could not well resist the inference that the most persuasive Senators upon the other side of the Chamber are bent on wrecking their own country simply to vindicate the infallibility of the Chief Executive in his work at Paris. Nothing could be more unfortunate than the impression which such a situation creates in the country. The unhappy consequences are not limited to the treaty under consideration, but extend to all the subjects of legislation, for how dare we expect that the people will be law-abiding if they believe that the lawmakers are neither sincere in their purposes nor honest in their legislation? If little by little we destroy the faith of the masses of the

people in the integrity of representative government, we will ourselves be chiefly responsible for the greatest calamity which can befall the human race.

It ought not to excite surprise to find the widest differences of opinion with respect to policies and measures which should be adopted in both our domestic and foreign affairs, but I appeal with all my strength for a course of debate which proceeds upon the assumption that all of us are mindful of our constitutional obligations and that each of us in his own way is endeavoring to advance the interests of the people of the United States with single-minded fidelity.

It was inexpressibly shocking to me to read in the newspapers a few days ago that the President had characterized Senators who are opposed to the treaty as "contemptible quitters," and that he had sent to them the message, "Put up or shut up." I will not believe until these reports are corroborated that the Chief Executive of the Nation ever used these or similar expressions, but if he did he has lost something which, try as he may, he will never regain—something indispensable to the successful conduct of the high office which he now occupies. I can understand his tremendous anxiety for the approval of his work, but he ought to understand, and presently he will understand, that such epithets and such coarse and brutal threats will not advance his cause in the Senate, and will—and this is the deplorable reflection—inevitably tend to overthrow the institutions he has sworn to protect and preserve. The German treaty is vastly important, but it shrinks into nothingness when compared with the defense of law and order, with the maintenance of peace and security within our own borders. With these preliminary observations, which, trite and obvious as they are, I could not refrain from making, I turn to the subject under our immediate consideration.

It is not my purpose to review analytically that part of the treaty which relates to the terms imposed upon Germany. It is my opinion that in some respects these terms are not as severe as they should be, and that in other respects they are more severe than they ought to be. It has been my view that Germany should be made helpless or harmless in a military way and left as free as is consistent with safety in a commercial and industrial way, in order that she might be able to make the reparations and restitutions which in justice she ought to make. I fear that the German people may not be able to maintain a continuous, successful government under the conditions which have been imposed; and if she fails in that respect she will be a plague spot in the world and the hope of reparations will vanish in the chaos that must ensue. This is, however, an abstract suggestion purely; for, whatever may be my opinion upon the subject, these terms have been agreed upon by Great Britain, France, and Italy, the chief sufferers of the war, and, from my standpoint, the United States should be content with the disposition which these powers have made of the matter.

The one great, irremediable error which our country has committed was made when the President outlined, in his now famous message, the terms of peace. However exalted his purpose may have been, he embarrassed beyond measure the three nations most directly concerned and planted the seeds of dissension and discontent everywhere. For years and years to come this country will feel the weight of that crowning mistake of overpowering egotism. This observation leads me to consider for a moment our attitude toward the war, the end which we sought to accomplish, and the responsibilities which its victorious conclusion imposed upon us. It seems to me absurd to iterate and reiterate that America entered the war to "make the world safe for democracy" or that any other beligerent took up arms in order to bring about that happy result. If democracy is to be accepted as a broad, general synonym for free government, it necessarily implies that the people who compose the government are to come together with or without the struggle which ordinarily precedes the establishment of an independent nation, of their own volition, and rule according to their own will. Not only so, but it involves the thought that an already established power will not oppose the withdrawal from it of a body of men who, by reason of race, color, religion, community of purpose, or other circumstance, desire to do so. There was no nation engaged in the war which fought for any such thing, nor is there a nation in the world that would permit the application of this glittering generality and meaningless catchword to its own affairs. The constant use of this deceptive cry has done infinite harm, and at this moment is beclouding the real issues of an appalling situation.

Our entrance into the conflict was simply an acceptance of a brutal challenge which Germany insolently issued to our honor and interest. We raised an Army, mobilized our Navy, and began to fight, because Germany was already making war upon

us, and we knew that if she overcame Europe our country would be in the gravest peril. Under these circumstances it was perfectly clear that we must fight and that we must fight in France. We had just one object, and no soldier or sailor ever misunderstood it: It was to whip Germany and reduce that criminal nation to a state of military helplessness and thus forever remove the peril which threatened to overcome us. When we accomplished that object, our part in the cruel drama was played, and our exit from the stage of war should have been as speedy and complete as possible. This does not mean that we should have abandoned our allies or that we ought to have made a separate peace with Germany; but it does mean that it was not our duty to associate ourselves with foreign powers in reforming the map of the world and in agreeing to maintain it as the victors had made it. We were bound to join Great Britain, France, Italy, and Japan in whatever measures were necessary to be taken to make it sure that Germany would not again assault the world, and, plainly, the American people must bear the burden, whatever it may be, of enforcing such terms upon Germany that she will not again become a menace to the safety of the United States. I have not the least sympathy with the suggestion that the moment Germany was overcome upon the field of battle we should have incontinently left Europe and returned to America. We were under the highest obligations of honor, as well as under the most imperative duty to our country, to join our allies in making peace.

It is not true, however, that we are bound to join our associates in arms in every undertaking which they may think necessary in order to compose Europe. The circumstances clearly point out the duty which falls upon us and the duty which falls upon them. Our duty is limited to Germany and her future; their duty expands into whatever concerns their relations with the nations of that continent.

The United States during the last three years has twice entered Europe. It first entered to make war upon Germany, and it was the most impressive spectacle in the history of the world, for it was done in a way and to a degree never before witnessed and which no other power in all the annals of mankind had ever or could ever have paralleled. A little more than a year later, with courage never surpassed, the United States had accomplished its mission; and, when the day of the armistice dawned, it had won the admiration and held the confidence, esteem, and affection of every country of the earth whose people loved justice, revered liberty, and honored manhood. The name and fame of the American soldier and the nation of his allegiance touched the highest point ever attained in the cause of humanity.

A little later the United States again entered Europe; this time not to make war, but to make peace. A great ship was chartered and filled with statesmen of high and low degree, with historians, students, lawyers, experts, and a vast retinue of attendants, and at their head the President of the United States in royal state and ceremonial accompaniment. He had prepared and published his program, and he went like a victorious conqueror—not of Germany alone, but of all the problems of organized and unorganized society—to carry into effect his extraordinary plan for the reformation and the readjustment of all of the peoples of the whole earth. If we may credit the manifestos which preceded him, he went to make everybody happy, comfortable, and prosperous; he went to insure to every human being the highest forms of civilization and the completest freedom known to mankind; he went to appeal, if necessary, to the citizens of the allied countries against the injustice of their own institutions; he went to impose upon America, as the one power of undiminished strength and resources, the task of settling all disputes and imposing her will upon vast populations naturally turbulent and disordered by war.

This he was pleased to call the highest duty of the people of the United States. He remained six months and, in some fashion, ended his work. When he came away the United States had not a friend in Europe, Asia, or Africa, and our brilliant service in the war was almost forgotten in the storm of protests which followed him as he sailed for home. The one thing he brought with him which was joyfully received in America by multitudes of good people was the covenant for a league of nations, and this because, and only because, these people believed, many of them without inquiry, that the league would bring peace to a war-weary world and would maintain it in all the years to come. Gradually these people are beginning to see the tremendous and, indeed, impossibly heavy burdens we are asked to assume, and gradually they are understanding that there are some provisions in the covenant which must inevitably provoke war instead of keeping the peace. Gradually they are being convinced that the United States can not, with safety to its own men and women, guarantee with

our Army and Navy the sovereignty of all the nations as they may emerge from the clouds of the titanic struggle through which we have passed.

It seems to me that a due regard for the interests and honor of the United States would have required this concourse of American representatives who filled the *George Washington* to overflowing to have said to the assembled peace commissioners something like this:

"America has helped as best it could to win the war, and we are here to join you in a peace with Germany that will render her powerless to assault again her sister nations, and that will leave her without hope of future conquest. So far as we are concerned, this ought to be done by disbanding her army and forbidding its recreation; by destroying her navy and prohibiting its reconstruction; by dismantling her fortifications and preventing their restoration; by turning her munition factories into industrial plants and enjoining their reconversion. We recognize that we ought to share the burden of doing these things for your safety as well as our own.

"We are not here, however, and will not stay here, for the purpose of dividing the territory of Germany among the victorious belligerents. We are not here, and we will not stay here, to assist you in bringing about order in Russia, or of establishing the kind of government which you think ought to prevail in that distracted country. We are not here, and we will not stay here, to aid you in determining whether or not Estonia, Livonia, Lithuania, Poland, Czechoslovakia, Ukraine, Armenia, Hungary, Jugo-Slavia, Roumania, Bulgaria, and Turkey should be independent sovereignties or to maintain their respective territories by force of American arms and the support of the American Treasury. If new boundaries are to be decreed; if plebiscites and elections are to be held; if backward peoples are to be trusted; if races are to be assigned to this or that power, these are things which belong to you, and the United States, 3,000 miles across the sea, will not become the arbiter or policeman for Europe, Asia, or Africa.

"We are here, and will stay here, to create a compact among nations for peace. We will agree for ourselves that we will submit to the judgment of a world tribunal every arbitrable dispute which may arise between the United States and any other nation, and we will abide by the judgment that may be rendered; not only so, but we will agree that on account of any controversy, whether justiciable or otherwise, we will not go to war for such a period as will enable the reputable nations of the earth to meet in council and hear a full, free discussion of the matter in issue, and a frank interchange of opinion with regard to it, with the understanding that upon such questions the whole province of the council ends with discussion, and that neither decision nor recommendation is to be attempted. We will join you in an honest effort to enlarge and make certain the code of international law so that every nation may know its rights and act accordingly."

It is my deliberate conclusion that if a course the outline of which I have suggested had been pursued this country would still enjoy the respect and confidence of the world, and that everything that mortal wisdom and foresight can do to prevent war would have been done. I ought to add to this thought another which is uppermost in my mind, although I know that it would not have been accepted by the powers associated with us during the war. We ought to have proposed simultaneous and progressive disarmament, for it is my profound belief that the most effective way to prevent wars of great magnitude and general destruction lies in the policy of an unarmed world. I have indicated what I think should have been done, and it will be my purpose as we pass through this treaty to make it conform as nearly as may be, and so far as the United States is involved, to the principles I have attempted to make clear.

Emphatically as I may condemn the disposition of the Chinese Province, or as radically wrong as the distribution of other German territory may be, as indefensible as the delimitation of the borders of these new governments set up in Europe is, or as surcharged with trouble as many of these activities undoubtedly are, I am not willing to disturb these various arrangements between Great Britain, France, Italy, and Japan. The underlying principle which I am advocating is the withdrawal of interference on our part in these affairs. All that I want to do is to lift the United States from this awful tangle. My whole purpose will have been achieved if I can do something toward delivering our country from this body of death to which we have been chained. I want to relieve the American Republic from the eternal odium of the Shantung crime; I want to relieve it from the responsibility of the government of the Saar Valley, with its plebiscites and autocratic power; I want it relieved from the supervision of the elections in Silesia; I want it relieved from the disgrace

of passing over Thrace to Bulgaria; I want it relieved from the everlasting quarrels which will ensue when statesmen and surveyors begin to erect the monuments which will mark the boundaries of the violent peoples in eastern and southern Europe. I want to leave all these and kindred things for disposition by the other belligerents in any way which to them may seem conscionable and humane. The United States can not in justice to its own citizens undertake the responsibility of such an arrangement.

With these observations upon the German treaty proper, I turn for a brief consideration of the covenant for a league of nations. During the closing days of the last session, after the President had returned from Europe with the proposed constitution for a league of nations, I addressed the Senate upon the subject, giving my views with some fullness upon it. I was one of the first, I think, to submit the proposal to a somewhat critical examination. I attempted to state fairly the good that was in it and to point out with such clearness as I could its objectionable provisions. I am not concerned about consistency, for if one speaks the truth as he sees it he need not trouble himself about the harmony of his utterances. It is with some gratification, however, that I find the opinions I now entertain after six months of diligent study and constant reflection are in exact accord with the opinions I then expressed. The intervening period, with its opportunities for examination and reexamination, has but crystallized and deepened the convictions which were then, in a measure, instinctive. In order that others may know that the influence of these months of reflection has brought no change in my opinion, I ask leave to print as an appendix to my present observations the address which I delivered in the Senate on the "Proposed constitution for a league of nations" on the 26th day of February, 1919.

I said then, and I say now, that I am in favor of a league among nations to promote the peaceful settlement of disputes and to prevent war, and the provisions in what was then called a "constitution," but is now described as a "covenant," which look toward the submission of all arbitrable controversies to either arbitration or the judgment of a world court I want to preserve, and I intend to do it if it be possible to disengage it from the evil obligations which other provisions seek to impose upon us. I am earnestly in favor of a world council before which all disputes can be frankly debated before war ensues. I am profoundly convinced that the opportunity which will permit the reputable powers of the earth to meet each other face to face and talk over controversies, pending war, would do more to insure peace among nations than all the obligations which Governments can assume. I am most willing that the United States shall agree that it will not begin a war until it has met its fellow nations in this spirit and made known the causes which seem to lead toward an armed conflict. I am now, as I always have been, for simultaneous and proportionate disarmament proceeding in a progressive way, as confidence grows and fear of war disappears, until we realize our hope in an unarmed world.

These things are not found in full perfection, some of them not at all, in either the proposed "constitution" which the President laid before us last spring nor in the proposed "covenant" which appears as a part of the German treaty, but the beginnings are there and I want to hold fast to them; and I will hold fast to them if I am not asked to ratify certain other articles and clauses in the covenant which are so fatal to free institutions, so subversive of morals in enlightened government, so destructive of American liberty, and so perilous for democracy that I would hold myself a traitor not only to the welfare of our own people but to civilization as well if I did not do everything in my power to eliminate them from the compact, and, failing in that, to refuse my assent to the treaty of which they form a part. In all my life I have never seen good and evil so closely associated and upon such intimate terms as they are in the instrument before us.

In my former address I made three chief objections to the then proposed "constitution for a league of nations": First, to the power given to the league over our domestic questions, including the Monroe doctrine; second, to the obligation to respect and preserve the territorial integrity and political independence of the nations entering the league; and, third, to the authority of the league for the issuance of a mandate requiring the United States to administer the affairs of a foreign country. There were other but, from my standpoint, minor objections which I did not discuss. The present treaty with its covenant, although changed in its phraseology, intensifies my first objection. The second, based upon article 10, remains unchanged. The third, relating to mandates, has been partially met by the stipulation that any nation selected as a mandatory may accept or decline the proposal. This mitigates the enormity of the mandatory provision, and if it is still further safeguarded by a reservation that

Congress alone has the jurisdiction to accept so extraordinary a commission, I can waive my objection, for it is quite impossible for me to conceive that a Congress can be assembled so unmindful of its constitutional limitations and so indifferent to the welfare of the people of the United States as to enter upon any such insane undertaking.

With respect to the jurisdiction of the league, whether in council or assembly, over the domestic affairs of the parties to the covenant and with respect to the exemption of the Monroe doctrine from its authority or interference there seems to be little difference of opinion in principle among Senators. However, we separate widely upon interpretations, and the mere fact that we do differ makes it perfectly clear that there should be a plain, strong, effective reservation upon these subjects in the resolution of ratification; and, without dwelling upon such matters further, I intend to assume that such a reservation will be adopted by a decisive majority.

I approach now, Mr. President, article 10, which, as I have remarked, has been modified only in form but not in substance. It has been often quoted, but I beg to repeat it:

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

The President has frequently described this article as the heart of the league, and when we remember the kind of league—the superstate—which lies deep down in his mind, the accuracy of his description can not be questioned. It is this article which was in his vision when he said that there was force in the covenant—in the background, to be sure, but easily perceived. It is this article from which springs his vision of America leading the world. It is in this article that he finds the power to crush all humanity into an artificial, hardened, and eternal pattern. It is upon this article that he bases his hope and prophecy that the conclusion of the treaty will bring peace and quiet, still the raging passions of man, overflow resentment and disappointment with oblivion, stimulate commerce, and create comfort, content, and happiness everywhere.

Far be it from me to doubt the sincerity of the President as he eloquently urges these and kindred considerations. My divergence from his path of reason comes about because I have an entirely different conception of the development and progress of peoples and nations. I do not believe that the welfare of humanity will be promoted by a compact through which a few strong nations will dominate and control many weaker nations. The protection which article 10 is designed to furnish to feeble powers must inevitably lead either to their complete subjection or to continuous revolution. One of the most interesting reviews of a situation which has arisen in eastern Europe is from the pen of Mr. Frank H. Simonds, a famous war writer. It was published in the Evening Star of September 18, and it illustrates so clearly what American soldiers and American money are expected to do under article 10 that I desire to print it as an appendix to my remarks. The article relates to a controversy between Hungary, Serbia, and Roumania over a part of the territory which has been set apart by the treaty of peace to one or the other of these nations.

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Without objection, leave to print the article is granted.

Mr. CUMMINS. I have noted also a most significant paragraph in a speech delivered by Lloyd George on September 17 before the International Brotherhood Congress, and I quote a brief passage from the report of his address:

Alluding to the league of nations as an organized attempt to substitute fair play for force, the premier was heckled about Russia and Ireland, to which he replied: "We must have fair play in each case on both sides." He added that, at the time of the armistice, he had not foreseen that the league might be required to prevent small nations from destroying each other. "There never was a league of nations more needed," he declared. "I fear the welter of warring nations will continue, unless there is a strong band like that of the federated powers to insist upon peace. I see no hope for the world except in such a strong league."

About the same time I observed an interview with Mr. Henry Morgenthau, a member of one of the many investigating commissions roving through Europe. He is reported to have said:

The only remedy I can see is the league of nations. The league must operate immediately to decide disputes, determine frontiers, and restore order in central Europe, which is threatened with anarchy. Only the league of nations can restore the confidence of new nations and inspire respect from Germany.

Mr. MOSES. Mr. President—

Mr. CUMMINS. I yield to the Senator.

Mr. MOSES. That being the view of Mr. Morgenthau, can the Senator advance any opinion of his own as to why the treaty has so carefully left the league of nations out of consideration as an instrumentality for the determination of boundaries and committed that task to the five principal allied and associated powers?

Mr. CUMMINS. I do not attempt to explain what seems to me a very strange inconsistency. I only know that when these borders and frontiers are established, it then becomes the duty of every member of the league to employ all the force, whether of men or money, to maintain and protect the boundaries that have thus been established.

Mr. MOSES. The Senator, of course, can not have overlooked that one boundary definitely established in the instrument itself, namely, that between the Netherlands and Belgium, has already produced a diplomatic rupture and may lead to very serious complications.

Mr. CUMMINS. That is quite true, Mr. President, and not only so, but the United States is said to have already employed its military or its naval forces in order to eject Italians from Fiume and to compel the restoration or delivery of that city, with its surrounding territory, to the Jugo-Slav State which has been created by the treaty.

Mr. MOSES. Further than that, Mr. President, if the press reports are true, the forces of the United States are acting in alliance with the forces of the inchoate Serb-Croat-Slovene State, a State which has nothing but nominal diplomatic recognition, a State whose boundaries have not yet been established, a State whose people are not yet in harmony with each other in their various elements, a State with which we have formed no alliance through the constitutional methods, and a State with which we are not warranted in joining in warlike measures.

Mr. CUMMINS. I am very much obliged to the Senator from New Hampshire for pointing out these additional circumstances under which we will be called upon, as time goes on, to preserve order and protect borders throughout Europe.

All these utterances point unerringly in one direction—three or four powerful Governments, with the United States at the head for the time being, are to undertake the guardianship of the world. It will require a great military force and vast sums of money to defend these frontiers and keep these restless, warring, half-civilized people in peace with each other. The United States, by reason of its undiminished man power and its great resources, is to be the leader of this impossible undertaking. This seems to be one ideal, at least, so fondly cherished by those who are insistent that we must accept the command which Great Britain, France, Italy, and Japan are so willing to bestow upon us.

Mr. President, if this attitude toward the nations of the earth were in any way tolerable, how long do you think it would be before these strong powers would find themselves in violent disagreement among themselves? We are already emphatically condemning, inferentially at least, our allies in the Shantung affair, and there would be many Shantungs before we had proceeded far in this ambitious program; but if the principal associated powers were to work in harmony, it would mean nothing else than complete and arbitrary mastery of the world. To me the whole proposal is wrong—hopelessly, viciously wrong—and it ought not to receive the assent of those who have behind them the traditions which spring from the history of the United States.

I do not pause to inquire whether the obligation imposed upon this country in article 10 is a legal or moral obligation. I recognize no distinction in such a case as this between legal and moral obligations. I freely grant, sir, that in this article we do not agree to follow the advice which the council may render with respect to the particular measures which should be taken in order to preserve territorial integrity and political independence, but we bind ourselves absolutely and irrevocably to do whatever in our judgment will most effectually accomplish the result. In honor, it binds us to send an army, if an army is necessary; to send a navy, if a navy is necessary; to send supplies, if supplies are necessary; to establish an embargo, if an embargo is necessary; in short, to do for the country assailed exactly what we would do for ourselves under like circumstances.

Mr. HITCHCOCK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Nebraska?

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

Mr. HITCHCOCK. Has the Senator from Iowa ever contemplated article 10 as a method adopted not to put a stop to wars but to put a stop to wars of conquest?

Mr. CUMMINS. I think I have contemplated the article in every light in which it can be viewed. The purpose of article 10 is to crystallize the world as it emerges from this conflict; it is to preserve, as I gather, the territorial integrity and the political independence of every nation as it then exists. I can understand how it might be wise from time to time for the United States to enter a war in order to overcome the desire of some nation for conquest; but my proposition is that it is im-

moral to ask the United States to agree to do that without knowing what the circumstances are under which it will be called upon to act.

Mr. HITCHCOCK. Will the Senator permit me to inquire as to the probabilities? When the Monroe doctrine was enunciated, nearly 100 years ago, it was a threat by the United States to every nation in Europe that we would regard it as an act of war if those nations of Europe, then bent on conquest, undertook to touch any nation of the Western Hemisphere. The Senator knows that that threat by the United States never made it necessary for us to send an army to Brazil or Ecuador or Colombia or to any other country in South or Central America, although the doing of that thing was involved by our threat. The Senator knows that that threat never cost a dollar or a man, but that it nevertheless prevented wars of conquest on the Western Hemisphere.

Now, if all the nations in this league, numbering practically all of the nations in the world, say they will unite in making the threat against any evil-doing nation that may attempt conquest which impairs the territorial integrity or political independence of any nation, does the Senator think that there is any more likelihood that any nation will bring down upon itself that overwhelming penalty than that the nations of Europe should have attacked the nations of North or Central or South America when we promulgated the Monroe doctrine? Is not the fact that the Monroe doctrine, enunciated by one Republic then weak, prevented war, prevented conquest in the Western Hemisphere, a good argument for believing that 20 or 30 nations engaging to prevent conquest anywhere in the world would have the effect of preventing an attempt of conquest?

Mr. CUMMINS. Mr. President, I can conceive a situation in which if Great Britain, France, Italy, Japan, and the United States—they being the principal powers now in the world—were to agree among themselves that there should be no change whatever in the boundaries of the sovereignties of the world, that an attack upon those sovereignties would be unlikely. I grant that. It is against that which I protest.

I do not know that the sovereignties of these countries as they are now arranged ought to be continued; I do not know that Poland should have the boundaries forevermore that are now assigned to her; I do not know that Czechoslovakia should exist just as she is now arranged; I do not know that Roumania and Bulgaria and Turkey and the territories that have been assigned to them or to any other nation should continue as they are. The United States when it proclaimed the Monroe doctrine simply said, "We shall regard any attack upon or interference with the affairs of the Western Hemisphere as unfriendly to the United States, as intended to bring and probably resulting in harm and disaster to the institutions of the United States, and we will look upon any effort of that sort as unfriendly to our interests." We can not say that with respect to the future of the world; and it is just that against which I am complaining.

Mr. MOSES and Mr. HITCHCOCK addressed the Chair.

Mr. CUMMINS. I yield to the Senator from New Hampshire.

Mr. MOSES. Mr. President, may I add to what the Senator from Iowa has so vigorously said that conditions at the time the Monroe doctrine was promulgated were altogether dissimilar to those now existing. Then the European nations making colonizing efforts upon this continent were 3,000 miles away; they were dealing with a people who were dissimilar in blood, in language, in religion, and in traditions. Conditions in Europe to-day which will lead to future trouble—indeed, they have already provoked trouble under the very terms of this covenant—are wholly different from those which confronted the relations of European nations and the Latin-American peoples a hundred years ago. Over there, Mr. President, there are rivalrous nations of the same blood seeking to bring their own people within their boundaries. The conditions can not possibly be compared with those existing on this continent. We have already seen 23 wars spring up since the covenant of the league of nations was given to the world as a valentine last February, and Heaven only knows how many more wars we shall see if the covenant shall be given to the world as a Christmas present.

Mr. CUMMINS. Mr. President, all that the Senator from New Hampshire says is true, but I base my objection to article 10 upon a much broader ground. It is well supported by the considerations stated by the Senator from New Hampshire; but we are asked now, without any knowledge of the future or what it will bring forth, without any possible information with respect to what the condition of the world 10, 20, or 25 years hence may be, to enter into an agreement to enforce present boundaries and frontiers, the present political independence of nations and existing institutions, for all time to come.

The United States had a perfect right to say to the world, if it has the power to support its statement, "We look upon the

extension of autocratic or monarchical institutions in America as unfriendly to our country; we look upon an attempt of that sort as a menace and peril to the Republic which we have now established on this continent"; but does the Senator from Nebraska say that we have surrounded our proposed agreement to defend the boundaries of all the nations of the world in this covenant by any such restrictions, by any such considerations? We are bound by the act of some one else. In the United States we control the event; we may do what we like to defend the doctrine which we announced in 1823; but in article 10 we bind ourselves to do something that depends entirely upon the act or the movement of other and independent nations.

Mr. HITCHCOCK. Mr. President, the Senator would not contend that the United States could undertake alone to put a stop to wars of conquest in the world? It can only do it by uniting with the other nations of the world.

Mr. CUMMINS. I hope it will never do it.

Mr. HITCHCOCK. Does the Senator believe in wars of conquest?

Mr. CUMMINS. There are times when wars of conquest are right, of course. The history of the whole world shows that there are wars of conquest which are wrong, tremendously wrong; but how did the world grow into the attitude which it now occupies? Does not the United States exist by virtue of conquest? You deny the validity of our own title to existence. We came into existence through conquest.

Mr. HITCHCOCK. If the Senator believes in wars of conquest, he is not a believer in a league to enforce peace. This covenant contemplates two kinds of wars and it endeavors to put a stop to both, as the Senator will admit: First, wars arising out of disputes, which it endeavors to settle by arbitration and by inquiry; and, second, wars of conquest, which it endeavors to settle by article 10. They can only be settled by a union of the nations of the world to put a stop to them by an agreement that the political independence and territorial integrity of nations shall not be attacked by other nations. If the Senator believes in wars of conquest, he does not believe in a league of nations.

Mr. CUMMINS. So far as I am concerned, I believe in a league of nations only for the consideration of circumstances as they may exist at a given time. I believe that the judgment of the world ought to be recorded upon those circumstances. It is utterly impossible with accuracy and with justice to record that judgment in advance.

Mr. OWEN. Mr. President—

Mr. CUMMINS. I yield to the Senator from Oklahoma.

Mr. OWEN. Mr. President, I desire to call the attention of the Senator from Iowa to the extremely urgent necessity of the powers at Paris defining the line of demarcation between the governing authorities which were set up of necessity in Europe; that there was no way to establish order of government unless the geographical lines were drawn somewhere, and there was no other power except the emergent power which was gathered at Paris in the prosecution of the war by which those lines could be delimited.

Mr. MOSES. But, Mr. President, many of the lines have not yet been drawn.

Mr. OWEN. Most of them have been and some have to be surveyed and fixed, which takes time, of course.

Mr. CUMMINS. Mr. President, I have attempted to point out the duty which naturally devolved upon the United States at the conclusion of the war with Germany and the duty which naturally fell upon the countries of Europe. It is not true because it is a wise thing for Europe to endeavor to compose itself and to arrange its territory into sovereignties that therefore it is a wise thing for the United States to attempt to assist it in that very difficult, delicate, and burdensome work.

Mr. OWEN. Mr. President—

Mr. CUMMINS. I yield.

Mr. OWEN. I wanted to call the attention of the Senator to the duty which arose to make a delimitation of the European boundaries. It is true, as the Senator from New Hampshire [Mr. Moses] says, that that work has not been fully performed. It is difficult to arrange it; but commissions have been provided to do the surveying in order definitely to define those boundaries. It is because those boundaries are partly undefined and partly in dispute, even where defined, that civil broils have broken out between these States.

Mr. CUMMINS. I do not concern myself with that except sympathetically.

Mr. OWEN. But I should assume that the Senator would feel that the United States, having brought the war to a conclusion so far as the dispersion of military force is concerned, would feel obliged to participate to the extent of establishing

a sound peace where our arms have been employed to end the violence of war. Power is required to compel peace, and I do not think we should desert our noble allies until this task is fairly finished.

Mr. CUMMINS. I do not recognize it to be the duty of the United States to arrange the affairs of Europe to that extent.

I concur with the President in his often-repeated insistence that we can not, will not, divorce ourselves from the community of nations. We are a part of the world, an important part, and we must do our share in the world's work. Sir, we need have no concern about America and her place in the affairs of the earth. I plead for leadership as earnestly as can any advocate of an unconditional ratification of the league of nations; but my hope is that it will be a moral leadership, a leadership through the shining example of the justice which we shall render to all humanity, a leadership through sympathy with the oppressed and unfortunate everywhere. I do not want leadership conferred by caucus or council. I refuse to agree to defend frontiers without respect to their justice. I decline to commit my country to fight for a political independence which ought to be shattered and overthrown. We must leave the United States free to determine what morality, civilization, and righteousness require as the years go on. We must not involve America in entanglements the like of which Washington, Jefferson, and Madison could not have conceived when they so earnestly admonished their fellow men.

When formerly I enjoyed the privilege of addressing the Senate upon this subject I remarked that article 10 was beyond our constitutional authority. I listened with great interest to the recent speeches made by those exceedingly able lawyers, the Senators from Montana and Minnesota, in which they reached the common conclusion that this article is within the treaty-making power. It is, I know, an academic question under the present conditions, but I must be permitted to say that my original opinion remains unshaken. I grant at once the soundness of every decision they have cited, the correctness in reasoning of every text writer they have quoted, and the authenticity of all the historical references they have brought to our attention. I dispute none of these, but I deny the conclusion which has seemed to them so plain. I do not doubt our power to enter into such a treaty as we made with Panama. It is clear to me that we could properly make with Cuba a similar agreement, if we so desired. I go further and say that there would be much reason in the contention that we could make a treaty with such a country as Great Britain for mutual defense, for it would not be difficult to find that the United States had a real interest in such an alliance. It must not be understood, either, that I base my opinion upon the constitutional fact that Congress alone can declare war or raise armies. My objection from a legal standpoint to article 10 is that it changes the whole character of our Government and is, therefore, under the well-settled rule of the Supreme Court of the United States, beyond our constitutional authority. The Senators from Montana and Minnesota will not maintain, I believe, that the treaty-making power is without limitation; they will not insist, I am sure, that a treaty to be invalid must necessarily be repugnant to some express declaration of the Constitution; they will not, I am certain, deny that there must be some fair relation between the treaty we make and the government of the people of the United States. To illustrate, it could hardly be contended that we could enter into a treaty with Russia or with Turkey or with Bulgaria to tax the people of this country to maintain the school systems of those Governments upon the ground that education is essential to the maintenance of peace, law, and order. It is equally clear that we have no authority to enter into a treaty to preserve the political independence of the kingdom of Hedjaz upon the assumption that a disturbance there might imperil the safety of the people of the United States. In the treaty under consideration it is proposed that we do vastly more than this, for we bind ourselves to protect in this way the territory and the independence of all the nations of the earth, if all of them become parties to the league. The learning that can lead one to the conclusion that a country created by a constitution and governed by law can thus adventure into the field of abstract altruism has lost its path somewhere in the wilderness of imagination.

The thought I have advanced might be expanded indefinitely, but I forbear simply because I am altogether sure that not a single vote will, in the end, rest upon a consideration of constitutional limitations. I have made these suggestions solely to keep history straight and to indicate that I for one do not accept the theory of an unlimited treaty-making power.

Upon the quality of reservations, the newspapers, without much regard for consistency, have at various times classified

me as a "mild reservationist," a "temperate reservationist," and as an "irreconcilable reservationist." How they received these impressions I do not know, for I have never been interviewed upon the subject and have never publicly uttered a word upon it except to reiterate the sentiments I expressed in my speech of last winter. I do not complain of these classifications, but I put their doubts, too, at rest now by saying that, if I had my way about the matter, the reservation, so far as article 10 is concerned, would be easy to formulate. I would like to write into the resolution of ratification the plain, simple statement that the United States assumes no obligation whatsoever under article 10. This is not to declare that I will not vote for the reservation upon that subject reported by the Committee on Foreign Relations, for I expect to do so. I am only making it clear that I would prefer to vote for a reservation that would eliminate this article, so far as the United States is concerned, root, trunk, and branch; for it is not only constitutionally wrong, but it is morally wrong in that it robs us of the opportunity to do what we may know to be right when the occasion for action comes.

It has been somewhat difficult for me to determine the wisest course to pursue with respect to some of the amendments which have been proposed to the text of the treaty. I recognize the inequality and, therefore, injustice of the superior voting power given to the British Empire. The other nations signing the treaty seem to be satisfied with this disparity of influence, and I do not forget that the reservations to which I have referred rescue the United States from the power of both council and assembly in many vital matters affecting our national freedom and relieve us to a great extent from the onerous obligations upon which I have commented. I am naturally less concerned about the strength of Great Britain in the assembly than otherwise I would have been; but, notwithstanding these ameliorating circumstances, it is impossible for me to approve so flagrant a departure from the fundamental principles of fairness and equality.

I can not forbear the suggestion at this point, and I commend it to the chairman of the Committee on Foreign Relations, that suitable provision ought to be made in the resolution of ratification for the absence or silence of the United States in both council and assembly when those subjects are being considered concerning which the United States declines to accept the treaty as it was signed. It would be manifestly wrong for our representatives to vote in matters relating to other countries which we repudiate, in our amendments or resolution of ratification, with respect to ourselves.

With regard to the amendment proposing the substitution of "China" for "Japan" in the article relating to the Shantung affair, I can do no more than to express in some way my deep regret that a conference constantly asserting with the utmost vehemence its devotion to the cause of humanity, to free institutions, and to self-determination should forget all of these fair promises at the first opportunity presented for their fulfillment. The truth is that this war has closed very much like every other war, with the good, old plan that "he may take who has the power and he may keep who can." The German, the Austrian, and the Russian garment was divided in the time-honored way. Great Britain took what she wanted, France took what she wanted, Italy took what she wanted, Japan took what she wanted, and as there was some territory that nobody wanted it was set up into something like a half dozen new sovereignties, which the United States as her part is asked to protect, defend, and maintain. Throughout this discussion I have been trying to show how unfortunate it would be for the United States to undertake the responsibility which must accompany this division of peoples and territories, and as much as I deplore the wrong done China I must adhere to the principles I have announced and vote against the Shantung amendment brought forward by the committee.

The remaining amendments relate, as I remember them, to a single subject, namely, the exclusion of the United States from the various committees and commissions—except the reparations commission—which are to be raised or appointed to carry into effect the terms of peace imposed upon Germany. I am in perfect sympathy with the spirit of these amendments. I would rather have accomplished the end in view through the resolution of ratification, but, after all, there is no substantial difference between the two methods, and it is the object which interests me rather than the path which leads to its attainment.

My mind is chiefly fastened upon two things—the protection of the United States against the power over our affairs which, under the guise of peace, is conferred upon the league of nations and of escaping obligations which we have no authority to assume and which would inevitably lead us into all the

storms which will sweep over these vast populations, in whose trials and troubles we can have no more than a sympathetic interest.

All of us know, without being reminded by the lamentations of the President or the ex-President, or by the shrieks and denunciations of the newspapers, how important it is that the peace treaty with Germany and her three allies be concluded; but it is infinitely more important, for the United States at least, that it be concluded in a manner compatible with the spirit of our institutions and in a way which will insure the integrity of this Government than that it be brought to an end at any particular time. Whether it is ratified as it was signed or with amendments and reservations, peace and order will not come to the world until weary years of conflict have settled the deeper disturbances which are shaking our social and industrial fabric to its very foundations. It is hard for me to understand how honest men can go about the country asserting that peace with Germany and a league of nations can make men and women contented with their lot or surrender the principles for which they are fighting. This is not the occasion for an inquiry into the causes of unrest, but he who endeavors to instill into the public mind the false hope that peace with Germany, with or without the league of nations, means peace for the world in the relations of men with each other; that it means a restoration of confidence in the justice of organized society; that it means credit for commerce; that it means producing, selling, and buying according to ancient customs, is inflicting an incalculable injury upon the people of this country. My sincere desire to dispose speedily of the German treaty is not founded upon the faintest hope that it will quiet unrest, but based upon the profound conviction that we ought to be free as quickly as possible to turn our thought to some solution of the problems in our domestic affairs, which are the gravest which ever challenged the minds and hearts of humanity.

In undertaking this work it seems to me an unforgivable crime to embarrass ourselves with all the evil influences of Europe. We all realize that what is now taking place in that unhappy continent will necessarily have some effect upon our people, but the commonest prudence demands that we limit the effect, so far as it is possible to do it. America can help the world in this grave crisis, but it can only help it by showing the way out of the labyrinth into which we have wandered. This is the reason I am appealing for a free America—free to exercise her own genius and power in doing justice to her own citizens, high or low, rich or poor. This is the reason I am appealing for an untrammelled America—at full liberty to lead mankind by precept, practice, and persuasion into the paths of emulation. Mr. President, if America is shackled to the proposed league of nations just as it is written, she will go blindly and blunderingly into the future, incapable of guiding her own people safely through these dark and difficult days.

Mr. President, I would stand—if I stood alone—for an America with the right to choose, from time to time, the company she keeps; for an America at liberty to follow her own conscience as the events of the future transpire; for an America which all the nations of the earth are powerless to order from right doing or command to wrongdoing; for an America concerned for the world but devoted first and always to the protection and welfare of her own people. [Applause in the galleries.]

APPENDIX 1.

[From the CONGRESSIONAL RECORD of Wednesday, Feb. 26, 1919.]

"PROPOSED CONSTITUTION OF THE LEAGUE OF NATIONS."

"Mr. CUMMINS. Mr. President, I may assume, I think, that the most of us have some fighting blood in our veins, but, notwithstanding the natural, the human inclination to the battle field, I hope that the discussion of the greatest, most fundamental, most vital question propounded to the American people since we first assumed a place among the nations of the earth will proceed upon that high level which excludes prejudice or passion. I hope that it may go forward without a challenge of the motives of those who may engage in it, so that eventually the people of the United States may render a decision upon the question which they must presently answer with all the intelligence which the twentieth century can command.

"I listened with infinite pleasure to the lofty strains of patriotism as they were poured out by the Senator from Washington [Mr. POINDEXTER], the Senator from Idaho [Mr. B. GRAH], and the Senator from Missouri [Mr. REED], and every moment I thank God I am an American, and that I inherit in common with all my fellow countrymen the traditions, the wisdom, the

example, the teaching of the age of Washington, of Jefferson, of Monroe, of Lincoln, and their illustrious associates.

"I listened to the graceful periods, the eloquent periods, of the distinguished Senator from Illinois [Mr. Lewis], who, as I observed not long ago, is the interpreter, and properly so, of both the sayings and the silences of the White House. I desire to say to him—and I mark with pleasure that he is before me—that if it were within human power to convince me that it is better to be a citizen of the league of nations than a citizen of the United States he would have accomplished it.

"Mr. President, in a purely preliminary way and as a prelude to the analysis which I shall presently attempt of the proposed constitution of the league of nations, I beg to call to the attention of the Senate and the country certain parts of the speech delivered by the President in Boston, for, in my judgment, he unfolds, with his usual felicity, not only that which is open to our eyes but that which has hitherto been uncertain and vague. I do this without a single suggestion of criticism. I do it because he has enabled me to understand what is really intended in the proposed constitution better than I have ever understood it before.

"Speaking of the acclaim with which the people of Europe have met the American representatives, he says:

"And in the midst of it all every interest seeks out, first of all, when it reaches Paris, the representatives of the United States. Why? Because—and I think I am stating the most wonderful fact in history—because there is no nation in Europe that suspects the motives of the United States.

"Was there ever so wonderful a thing seen before? Was there ever so moving a thing? Was there ever any fact that so bound the Nation that had won that esteem forever to deserve it?

"I would not have you understand that the great men who represent the other nations there in conference are disesteemed by those who know them. Quite the contrary. But you understand that the nations of Europe have again and again clashed with one another in competitive interest. It is impossible for men to forget those sharp issues that were drawn between them in times past. It is impossible for men to believe that all ambitions have all of a sudden been foregone. They remember territory that was coveted; they remember rights that it was attempted to extort; they remember political ambitions which it was attempted to realize. And, while they believe that men have come into a different temper, they can not forget these things, and so they do not resort to one another for a dispassionate view of the matters in controversy. They resort to that Nation which has won the enviable distinction of being regarded as the friend of mankind.

"Again, he says:

"We set up a great ideal of liberty, and then we said, 'Liberty is a thing that you must win for yourself; do not call upon us.' And think of the world that we would leave. Do you realize how many new nations are going to be set up in the presence of old and powerful nations in Europe and left there, if left by us, without a disinterested friend?

"Mr. President, this unveils the picture. No one can congratulate the President of the United States more heartily than I do with respect to his unparalleled reception in Europe. No one can recognize more thoroughly than I do the mighty influence he has exercised upon the deliberations of the conference assembled in Paris.

"It is, however, as plain as noonday that it is his conception of a league of nations that the United States, being the only friend, or disinterested friend, which these new nations of eastern and southern Europe possess, it has become our duty to maintain and protect them against the avarice, the greed, the power of their fellow nations in Europe. He so declares with the utmost precision.

"Here we have the real question which must be determined eventually by the American people. Shall the United States not only attempt to create these nations which are growing out of the most destructive war in which mankind ever engaged, but is it our policy and shall we assume as our obligation that as against the ambitions, against the power of their sister nations in Europe, we must guard and protect them?

"Mr. President, this constitution is not a constitution for permanent peace. It is a constitution for the guardianship on the part of the United States of the weaker nations of Europe. It is not a league for the prevention of war. It is a league for invitation to war, although I do not assert and I do not believe that those who are responsible for the terms in which it is framed have aught but the highest desire to promote the welfare of humanity.

"The President of the United States believes that this compact should be made because he is sincerely of the opinion that the United States can and will control the league of nations and may use it for the government of the earth in the welfare of the people of the earth.

"Lloyd-George is in favor of this form of compact because he believes that Great Britain can control the league which it is proposed now to create. I doubt not that his sincerity is as deep and pervading as that of the President of the United States, but both of them have no other conception, as is here

clearly betrayed, of the province of a league of nations than as an instrument to govern the world in all its vital respects.

"But a discordant note has come floating over the sea. At the very time I was occupied in reading the address of the President at Boston my attention was directed to an article by Frank H. Simonds, which was published in the Washington Star of last night. Mr. Simonds has been one of the great correspondents and writers upon the war. If there has been a man in all of the list of contributors to the literature of the war who has analyzed its meaning and who has described its progress accurately that man is Mr. Simonds. He views the matter from a friendly standpoint, for he has been as stout an advocate of the policies of America as represented in the declarations of the President of the United States as any man either at home or abroad. Mark his perception of the situation and mark his description of it. I read very briefly from this article:

"I have tried many times in these dispatches to point out the peculiar situation of France with the resulting condition of mind and of spirit. It is an unfortunate fact, but it is a fact, that as a consequence of the course pursued by Mr. Wilson in Paris the peace conference has come more and more, both in the minds of the French people and of Americans about the peace commission, to be a battle between Wilson and Clemenceau, in which Mr. Wilson has been championing abstract principles of justice and M. Clemenceau advocating measures which represent questions of life and death to France.

"France came to the peace conference at the end of four and a half years of war, fought mainly upon her soil, with a population diminished by 3,000,000 as a consequence, with half a dozen Provinces in ruins and a score of cities wrecked, to ask two things: Reparation for material injuries and guaranties against future attacks.

"Mr. Wilson came to Paris resolved that there should be a league of nations. Encountering at Paris this unanimous French motion, finding French interest and French attention fixed upon the salvation of France rather than upon the formulation of the principles of a league of nations, Mr. Wilson and those associated with him were not successful in concealing their disappointment or their disapproval of what seemed to them a particularistic national policy. When France as a whole asked Mr. Wilson to go and see her devastated regions that he might understand her heart, he returned a cold and unequivocal negative. I do not think that any single act of any man ever carried with it profounder disappointment than Mr. Wilson's refusal to go to the northern regions and see what the *boche* had done.

"And we have had week after week a slow but sure change in French emotion with respect to the President. He was hailed by the little people of France as a savior. He was hailed as a man who came from another world to deliver France and other peoples of the world from the shadow of tragedy which had been, and little by little his course here had the effect at least of creating the impression that he cared nothing for the life or death of France, that he was not concerned with those things which the tragic years of war had burned into the soul of every French man and woman.

"I do not think it is possible accurately to represent how profound was the disappointment of France at this course of the American President. A sense first of desertion and then of utter isolation crept into the French heart as more and more the American attitude toward France passed from mere coldness with respect of French necessities to open criticism and hardly concealed suspicion. I do not think one would exaggerate by saying that three months ago France believed the war won, and to-day, as a result of what has occurred here in the peace conference, there is something amounting to real terror lest the war shall be lost after all and France left alone again across the pathway of a Germany increased in power and population by the last war.

"Mr. BRANDEGEE. Mr. President—

"The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Connecticut?

"Mr. CUMMINS. I yield.

"Mr. BRANDEGEE. Will the Senator give the date of the newspaper which contains the articles he has just read?

"Mr. CUMMINS. I saw the article in a paper published last night. The Senator from Pennsylvania [Mr. PENROSE] calls my attention to the fact that it was published on Sunday. This article is dated Paris, February 20, of the present year.

"Mr. BRANDEGEE. Mr. President, if it would not interrupt the Senator, I should like to state that there was in the Washington Sunday Star, of February 23, 1919, an article entitled 'Prestige of the President in Europe now at low ebb Simonds asserts,' written by Frank H. Simonds. That is dated from Paris, February 21, 1919. It is a more extended article even than the one which the Senator from Iowa has read.

"Mr. CUMMINS. Mr. President, I do not read this article for the purpose of furnishing ground for criticism against the President. I read it simply to show the points of view as they are now understood in France; to show that what France wants is protection against Germany. France is not so keenly interested nor could she be so keenly interested in the establishment of the nations of the earth in their various borders and their maintenance by the United States or by Great Britain as she is in erecting a bulwark between her and her enemy Germany. I read this article because it seems to me it teaches us that, first and foremost, we ought to agree upon the terms of peace which we shall impose upon this enemy of mankind, and thus protect not only France but the whole world against her aggressions in the future.

"Mr. President, if I felt free to follow my inclination, I would defer my observations upon the proposed constitution for a league of nations until the Committee on Foreign Relations holds its conference with the President and until we hear, as undoubtedly we will hear, from the distinguished Senators composing that committee. Unhappily, however, I do not feel free to postpone this comment, and for this reason: The Congress now in session expires on March 4. We are informed that immediately thereafter the President will return to Europe to conclude the labors he has undertaken. Before the constitution of the league is finally adopted by the peace conference the President ought to know the views of every Senator with respect to its terms. It would be most unfortunate if the nations represented at the conference were to conclude a treaty upon this subject and return to their respective countries only to find that their work had been disapproved by the Senate of the United States, leaving an instrument of such vital importance to the world without force or effect. I believe it is not only the privilege but the duty of every Senator to exercise his constitutional prerogative and to advise the President before he returns to France of his opinion upon a matter which so deeply concerns not alone the people of this country but of all countries who have organized themselves into governments. As I look at it, it is of far greater importance that we discharge this duty at this time than it is to consider appropriation bills or legislation of any character. Inasmuch as we may well yield to the members of the Foreign Relations Committee after the conference to which I have referred takes place, some of us must speak now or not at all.

"Mr. President, no greater mistake could be made than to assume that there may not be an effective compact among nations, the sole purpose of which is to prevent, so far as humanly possible, future wars, without surrendering a single necessary attribute of our own sovereignty. I can not concur in the argument which seems to lead to the conclusion that any form of internationalism is an unwise invasion of nationalism. I can not agree that the highest ideals of Americanism preclude cooperation among nations looking toward the abolition of war. From the very beginning of our national life; indeed, from a time antedating the triumphant close of the Revolution by five years, or more, we have been making treaties of peace and amity with the various powers of the world, and we have now a long and honorable series of agreements for the settlement of international disputes. The United States was a party to The Hague convention, and it joined in establishing The Hague tribunal. In 1909 this country participated in the London conference and approved its work, a conference that was called and held for the purpose of civilizing, clarifying, and simplifying the law of nations.

"I am saying these things not because anyone has specifically denied them but because it is helpful just now to remember that there is an internationalism which is not only in harmony with the most exalted spirit of nationalism but which supplements and strengthens that national power which every self-respecting government must exercise for itself. It must be clear to every thoughtful person that there must be in a world like ours, where an increasing intimacy among nations has been brought about by the genius of invention, the imperative demands of commerce, the drifting tides of population; and, with the constantly growing opportunities of conflict and controversy, a developing internationalism that will meet successfully conditions as they change from year to year. It is not my purpose to enlarge upon this thought or to expand my observations by a more specific recital of the history of mankind, and I mention it simply that you may have it in mind as I turn my attention to the immediate subject which is now uppermost in all discussion throughout the civilized world.

"It is my belief that the close of the unparalleled conflict in which we have been engaged presents the most favorable opportunity that we ever have had or that is likely to occur in years and years to come to do something that will be a distinct advance toward preventing war in the future. I do not believe that treaties with this object in view should precede the settlement of the terms of peace which are to be imposed upon Germany.

"I have just read the heart-breaking emotions of France, awakened simply because the theory of a league of nations to enforce peace precedes the settlement of the terms of peace with Germany and leaves France hopeless in her fear of future encroachments. It is my opinion that we should first dispose of Germany, and that immediately thereafter the peace conference now assembled in Paris should make a determined effort for peace among all nations and for all time to come.

"With respect to the proposed constitution of the league, to which President Wilson has explicitly given his approval and which undoubtedly commands the assent of the remaining American commissioners, I have this to say before I enter upon

any analysis of its somewhat confused and complicated terms. From my standpoint, there is some good in it, and I sincerely hope that at some stage of the proceedings of the Senate I may have an opportunity to express in a definite way my approval not only of the purpose in view but of these parts themselves. There is more that is bad in it; and it is my prayer that these parts may be stricken from it. In order that there may be no doubt about my position, I desire to say to the Senate—and I am saying it to the country as well—that if I were compelled to vote upon the instrument as a whole as now proposed I would unhesitatingly vote against it, because there are articles and parts of articles in the proposed treaty which are not only far beyond our authority to make but which change the whole character of our Government and overturn the institutions upon which we have so long depended for the safety of our people and the perpetuity of our independence. There are provisions in it which not only degrade the spirit of our people but put it beyond the power of the Republic to 'establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity,' and so fulfill, as we ought to fulfill, the initial declaration of the Constitution of the United States.

"It requires no close inquiry into the sentiment of the American people to be certain that there is a universal and passionate desire to do something, to enter into some compact to prevent war with all its deadly and destructive consequences. Nor can it be denied that at this juncture in the world's affairs they believe that something can be done to facilitate a peaceful settlement of international controversies which hitherto have led to the battle field. It is this overwhelming conviction which finds expression in the tumultuous applause which thrills every audience as it listens to the glowing appeals for a league of nations.

"I for one share the feeling with all the intensity of a lover of humanity and a profound believer in the progress of the world. I can not believe, however, that very many of these people will insist that the overthrow of American institutions is necessary in order to accomplish the beneficent purpose they have in mind and to attain the end they so fervently desire. I do not intend to dwell upon those articles which, as I look at the subject, tend in the right direction. I will be better understood if I trace the outlines of the compact which I think ought to emerge from the struggle just closed.

"First. We ought to agree, and all other nations ought to agree, that justiciable disputes—and by justiciable disputes I mean those issues which can be determined by the application of recognized law to established facts—should be settled either by arbitration or adjudication; and we ought to agree, and all other nations ought to agree, without equivocation or reserve, that we and they will abide by and perform the award or judgment.

"Second. We ought to agree, and all other nations ought to agree, that with respect to other nonarbitrable disputes—those which relate to the welfare of the country itself, those which are necessary to its existence, those principles and those policies which must be maintained if the Government itself is to exist—war shall not be made until some permanent, regular, international body, in which every member of the league is represented, shall have had a fair opportunity to discuss and consider it—a body that would combine the enlightened conscience of the world. I am willing, so far as the United States is concerned and my lot and part in it, to agree that we will not make war against any nation until we have discussed the issue, whether it is arbitrable or nonarbitrable, in the face and in the hearing of the whole of civilized humanity. Upon such questions, however, there should be no award, no judgment, and the sanction should be confined to the moral influences which time, thought, and free discussion will awaken.

"Mr. REED rose.

"Mr. CUMMINS. Does the Senator from Missouri wish to ask me a question?

"Mr. REED. Mr. President, I should like to do so if it will not interrupt the Senator. I do not want to interrupt him.

"Mr. CUMMINS. I should prefer to go on. I shall be glad, however, to answer any questions that may occur to Senators after I have finished.

"Mr. REED. I will defer the inquiry, then. Perhaps the Senator will answer it further on in his discourse without interruption.

"Mr. CUMMINS. Third. If any nation should refuse to submit a proper controversy to judgment, or refuse to perform the judgment when rendered, or refuse to delay war until the combined powers have an opportunity to consider the subject in all its aspects, I am willing to agree that ostracism shall be the penalty inflicted upon the offending nation.

"Mr. REED. Mr. President, I will now ask the Senator a question if he will permit me to do so.

"The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Missouri?

"Mr. CUMMINS. I yield to the Senator from Missouri.

"Mr. REED. If ostracism of the character mentioned in this constitution were to be adopted, how would that possibly fail to produce war?

"Mr. CUMMINS. I am about to prove—at least, to my own conscience—that the provisions in the constitution before us are an invitation to war and not measures to prevent war.

"Fourth. It is my firm belief that the compact—and when I say 'compact' I mean the instrument itself, the thing that we sign, the undertaking that we assume—should contain a program of disarmament. I am utterly unwilling to confide to any such body of men as is proposed for the executive council of the league of nations the power to decide for the United States, for Great Britain, or for any other country the program of disarmament. We should agree now to disarm; and, after all, in disarmament largely lies the hope—and, I think, the only hope—of permanent peace. The constitution proposed in Paris is most disappointing in this regard, for a careful study of its provisions gives us little right to believe that there will be any disarmament among the strong powers which are to give the compact life and vigor.

"Who expects Great Britain to disarm under the proposed constitution? Who expects the United States to disarm? No one who surveys the subject with an intelligent and unprejudiced mind.

"This is the international compact which I think the American people are waiting, hoping, and praying for, and the acclaim with which the Paris proposal has been received in some parts of the country and by some bodies of the country is due to the fact that they see in it the approach to the fulfillment of their dreams. I can not, and I will not, believe that Americans with red blood in their veins, with fervid longing for peace in their hearts, who have pride in the history of their country, and who love the institutions with which the honorable distinction of the United States throughout the world is inseparably connected, will endure, much less approve, those parts of the proposed constitution to which I am about to refer; parts which, in my judgment—and I express this conclusion with the utmost solemnity and after the most mature reflection—not only neutralize all the benefits of a peaceful settlement of disputes between nations, but which affirmatively destroy the national structure, and which commit the United States to a course which must inevitably end in humiliation and disaster.

"Article 10 of the proposed constitution is as follows:

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

"There is nothing in this article, however, dependent upon the discretion of the executive council, so far as our duty under it would be concerned. We agree absolutely, positively, unreservedly to preserve the territorial independence and the political independence of all the nations parties to the league, and for all time to come; for there is no provision in the proposed treaty that gives any nation the right to withdraw from it, and there is no provision by which any of its parts can be changed against the will of a single member of the executive council.

"Mr. President, I do not assert that in the ordinary sense this article is unconstitutional. Within its sphere our Government has all the attributes of sovereignty, and making treaties with other nations is one of these attributes; and, moreover, the right to make treaties is specifically recognized in the Constitution.

"Alliances, offensive and defensive, have been common among the powers of the world, and while I do not recall a single instance of that character in our own history, I have no doubt of our constitutional authority to enter into a treaty of that kind. I have some doubt with regard to our power to enter into the treaty proposed in the Paris constitution, a doubt arising from the universality and duration of the obligation we are asked to assume; but I do not rest my objection to the article upon our lack of power to enter into the obligation.

"I am opposed to it because it is the most destructive, unjust, and reactionary proposal which was ever submitted to a patriotic and intelligent people. I predict that when the citizens of the United States thoroughly grasp the meaning of the proposed agreement and fairly understand its inevitable consequences it will be rejected in a storm of obloquy, the like of which has never been witnessed within the borders of the Republic.

"Let us survey it for a moment and endeavor to gather its true import. It means that a few men assembled in Paris in the year 1919 are dividing the whole world into sovereignties, and are assigning the innumerable men and women who in all time to come are to inhabit the earth to these few sovereignties, sovereignties which the ambitions of the men of this, a passing generation, are pleased to call eternal. The man who, even in his thought, is willing to play with the fate of mankind in this fashion is indifferent to both the lessons of the past and the judgment of posterity. We are solemnly asked to guarantee that the boundaries of nations, as they now exist or as they will exist when the peace conference has redrawn the map of Europe, Asia, Africa, and Oceania, shall remain without change forever.

"Mr. HITCHCOCK. Mr. President, does not the Senator think that statement should be limited somewhat?

"Mr. CUMMINS. I do not see any proper limitation for the statement.

"Mr. HITCHCOCK. The guaranty only relates to those nations which are in this league, and it only guarantees them against outside aggression.

"Mr. CUMMINS. Mr. President, I assume—I must assume—that it is intended that this constitution shall finally draw into the membership of the league all the nations of the world. I assume that that must be its purpose; for if we are to accept any other conclusion and are to look upon it as simply an agreement between a few nations—four, five, six, or seven—to become masters of the whole earth, it is still more objectionable than from the standpoint I occupy.

"The agreement is limited to the members of the league, and as I read the article—and I think everybody had that in mind—that so far as the distinction between external aggression and internal revolution is concerned, there is no materiality in it, although I intend to treat that entirely from the external standpoint.

"Mr. REED. I call the Senator's attention to the fact that six or seven nations constitute the league, and they alone can protect and guarantee the integrity of each other's domain. Even if the Senator from Nebraska [Mr. HITCHCOCK] is correct about that, the very next section provides that these six or seven nations, if they constitute a league, shall boss all the rest of the world, and that they have the right in case of war or any threat of war to proceed to take such action as they see fit; of course, if they are to take action in the case of any threat of war it would undoubtedly be exercised in order to prevent invasion. There are other sections of a similar character.

"Mr. CUMMINS. It is utterly impossible to give any other interpretation than that the agreement which we are asked to make will bind us to use all the power, the strength, the force we have to preserve the territorial integrity and the political independence of every considerable country in the world.

"The PRESIDING OFFICER (Mr. Martin of Kentucky in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

"The SECRETARY. A bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920.

"Mr. CUMMINS. The statesmen who are now gathered in Paris might, with equal propriety, have ventured to set bounds to the Heavenly Kingdom or prescribe the activities of the Prince of Darkness. How dare we attempt to determine what sovereignties the civilization of the next century will demand? How dare we attempt to give judgment upon the welfare of all the oncoming generations?

"The proposal is to gridiron the earth with an inflexible territorial pattern. It would be just as reasonable that the constitution of the league of nations should declare that neither man nor woman should pass from one sovereignty to another as to declare that the boundaries of sovereignties should remain forever inviolate.

"I can not help wondering whether those who have submitted this proposition to us have looked over the past and considered what the effect of an agreement of this character would have been, assuming its enforcement, if it had been adopted at other periods of the world's history. I will not concern myself with the ancient days, the days of Alexander, of Rome in her power, of Charlemagne in his triumphs. I am thinking of the days when Charles and Philip of Spain held the world in their grasp.

"If anyone in the days that are left of this session shall have occasion to address himself to this subject, I ask him to tell the country and tell the Senate whether he believes that an agreement of this sort in the days of Charles and Philip of Spain would have helped the civilization of the world and would have accomplished justice among men.

"I am thinking of the days when Napoleon swept over Europe and when a league of nations with the article which I have just read, enforced by France and England, would have choked liberty to death. I am asking those who stand for this extraordinary provision in the proposed constitution whether they believe that it would have been well for mankind if France and England in the days of Napoleonic power should have entered into an agreement of this character which would have divided the world and preserved inviolate the sovereignties which had been established. I am thinking of all the years of the seventeenth century under such an agreement, and we may test the validity, the wisdom of a compact of this sort by the evidences of history. I am thinking now of all the years of the seventeenth century when such an agreement between England, France, and Spain, confirmed by the remaining nations of Europe, respecting territorial integrity in the North American Continent, would have given Canada forever to France, would have partitioned the territory of the United States and Mexico among England, France, and Spain, and would for all time have precluded the Republic of the United States.

"I would like some one to tell me whether he thinks it would have been well for the world if France, England, and Spain among them had entered into an agreement in those days to have preserved inviolate the territory which each claimed for its own in the Western Hemisphere.

"There is no student of history, however dull of comprehension, who does not know that the discord, rivalry, and wars of these three great European powers made it possible for our beloved country to emerge from their struggles a free and independent Nation. I am thinking of the first half of the nineteenth century, when Texas, New Mexico, Arizona, and California became parts of the United States. It matters not whether the Texan war was justifiable or unjustifiable; it matters not whether our war with Mexico was defensible or indefensible; the decree of civilization demanded this territory for the Republic, and let the men and women who inhabit these fair and fruitful regions stand up and declare whether they are willing to bind their country to preserve the territorial integrity and political independence of every nation on earth as it shall exist when the peace conference at Paris concludes its labors.

"Mr. HITCHCOCK. I call the Senator's attention that there, again, he mentions every nation on earth, whereas the guaranty only refers to members of the league, and the constitution of the league specifically makes ineligible certain nations of the earth.

"Mr. CUMMINS. The Senator from Nebraska has no doubt that the war between the Texas Republic and Mexico was a matter of external aggression, I am sure. He has no doubt that the war between the United States and Mexico was a war of external aggression; and if this compact had been in force among the nations of the world, the acquisition of that territory, the pride of every citizen of the United States, would have been impossible. But it is not less so concerning the illustration I gave of France, England, and Spain. The Senator from Nebraska knows if there had been such an agreement preserving existing territorial limits and it had been observed by England, France, and Spain there could not have been, through any possibility, independence in North America. It required the war between Great Britain and France and between France and Spain to make it possible that America should come into her own; and if all the countries in the world had been banded together to insure the territorial integrity of the possessions of these three mighty powers, and the powers themselves had observed their agreement, this hemisphere would still be a possession of one of the European dynasties.

"Mr. HITCHCOCK. I was not questioning the historical reference of the Senator. I was objecting to the statement that this league proposes to guarantee the independence and territorial integrity of all the countries on the earth. It does not propose to do that.

"Mr. REED. Will the Senator from Iowa permit me the very great privilege of asking the Senator from Nebraska a question?

"Mr. CUMMINS. With pleasure.

"Mr. REED. I am directing my interrogatory to the Senator from Nebraska. The position of the Senator from Nebraska is that only the territorial integrity of those who may be permitted to belong to the league is guaranteed. That is correct?

"Mr. HITCHCOCK. That is correct.

"Mr. REED. Is the Senator, then, an adherent to the doctrine that those who join the league are to have their territory protected, and that the rest of the world shall be a prey to the members of the league?

"Mr. HITCHCOCK. Not at all.

"Mr. REED. Is that the idealism we are now seeking?

"Mr. HITCHCOCK. No; it is entirely different from that. The league is dedicated to the idea of preserving peace, and it contains provisions which make it possible to use the agencies of the league to prevent war even among those who are not members of the league, but it does not undertake to guarantee to any country not a member of the league its territorial integrity or its independence, and it specifically makes ineligible to membership in the league certain countries of the world which are incapable of maintaining their international obligations.

"Mr. REED. But this is the point I want to make: If the members of the league guarantee each other as to their territory, then they exclude from the league certain other nations. Is it the proposition that those other nations shall be allowed to invade each other or not?

"Mr. HITCHCOCK. The proposition is that that is a matter which the league will use its agencies and its resources to prevent.

"Mr. REED. To prevent?

"Mr. HITCHCOCK. It will undertake to do what it can to prevent wars among those who are not members of the league.

"Mr. REED. Very well, but—

"Mr. HITCHCOCK. Just as the United States has used its agencies in the Western Hemisphere.

"Mr. REED. Now, if the Senator will pardon an interruption, when it uses its agencies to prevent war between those other nations that are not in the league it does prevent the change of their territory; it does maintain their territories the same as it maintains the territories of the States within the league.

"Mr. HITCHCOCK. Not at all; there is no guaranty at all; it simply—

"Mr. REED. But is it—

"Mr. HITCHCOCK. Let me finish, if the Senator pleases. It simply undertakes to use its offices, its agencies, and its resources to adjust disputes between States which are outside the league.

"Mr. REED. The Senator says to adjust now. A moment ago he said 'to prevent,' and the language of the instrument is 'prevent.'

"Mr. HITCHCOCK. No; the language is not 'prevent.' The language is 'to consider disputes' between nations which are outside the league.

"Mr. CUMMINS. Mr. President, this is digressing a little, but very instructive. I am glad to be able to recur again to the thought of the Senator from Nebraska. Undoubtedly its obligation is confined to the members of the league, and our obligation to preserve the territorial integrity and political independence of other nations of the world is limited to the nations which sign the compact. It will be infinitely more unjust, infinitely more objectionable, if it is the purpose of those who are controlling the destinies of this instrument to confine the privileges of the league to a few self-appointed nations and to refuse admission to the great body of civilized peoples who need its protection, if there is any protection in it.

"However, the point I am making is not disturbed by the suggestions of the Senator from Nebraska. I am not advocating wars of aggression, and I fervently hope that when the welfare of humanity requires changes in sovereign boundaries they may be peacefully effected; but I would hold myself false to the interests of mankind if I should vote to ratify a treaty which obligated my country, under all circumstances and under every condition, to send our men to death on the battle field in any and every land to maintain the boundaries which are now established. I know, the Senator from Nebraska knows, every person within the sound of my voice knows, and every thoughtful citizen of the Republic knows, we would not fulfill any such obligation, and if we were to enter into it we would be guilty of worse than Punic faith.

"I pass, Mr. President, to article 19, which I beg to read:

"To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in the constitution of the league.

"The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations, who by reason of their resources, their experience, their geographical position can best undertake this responsibility and that this tutelage should be exercised by them as mandatories on behalf of the league.

"The character of the mandate must differ according to the stage of the development of the principle of the geographical situation of the territory, its economic conditions, and other similar circumstances.

"Certain communities formerly belonging to the Turkish Empire have reached a stage of development in which their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a mandatory power until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the mandatory power.

"Other peoples, especially those of central Africa, are at such a stage that the mandatory must be responsible for the administration of the territory under such conditions as will guarantee freedom of conscience or religion, subject only to the maintenance of public order and morals, the prohibition of abuses, such as the slave trade, the arms traffic, and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defense of territory, and will also secure equal opportunities for the trade and commerce of other members of the league.

"There are territories, such as southwest Africa and certain of the South Pacific Isles, which, owing to the sparseness of their populations, or their small size, or their remoteness from the centers of population, or their geographical continuity to the mandatory State, and other circumstances, can be best administered under the laws of the mandatory State as integral portions thereof, subject to the safeguards above mentioned in the interests of the indigenous population.

"In every case of mandate, the mandatory State shall render to the league an annual report in reference to the territory committed to its charge.

"The degree of authority, control, or administration to be exercised by the mandatory State shall, if not previously agreed upon by the high contracting parties, in each case be explicitly defined by the executive council in a special act or charter.

"The high contracting parties further agree to establish at the seat of the league a mandatory commission to receive and examine the annual reports of the mandatory powers, and to assist the league in insuring the observance of the terms of all mandates.

"When I first read article 10, I was under the impression that nothing could surpass it in its repugnance to good morals and to the civilization of the world; but I am bound to admit that article 19 is the climax of conflict. This article is not only bad in and of itself, but it is the grossest violation of our powers under the Constitution that has ever fallen under my observation. I can best examine it by taking a concrete instance of what may happen under it, and I select this instance because it is what the members of the league expect shall happen under it.

"The league is authorized to issue a mandate requiring the United States to take possession and administer the affairs of Turkey. I think it is well understood in Paris that under that provision, which declares that the wishes of these communities must be a principal consideration in the selection of the mandatory power, as explained and interpreted by the speech of the President in Boston, in which he says that all those countries want us to rule over them rather than Great Britain, France, or Italy, and it may be, I think, assumed that when the mandate issues from the executive council of the league, it will be to the United States and it will command us to take possession of the Turkish Empire. I repeat, the league is authorized to issue a mandate requiring the United States to take possession and administer the affairs of Turkey with an indefinite territory both east and west of Constantinople. This mandate will command the United States to undertake the tutelage of the Turkish Empire until the people who live in this uncertain territory are 'able to stand by themselves under the strenuous conditions of the modern world.'

"This gigantic task is to be assumed upon the theory 'that the well-being and development of such peoples form a sacred trust of civilization.' This trusteeship may be for years or it may be forever, depending entirely upon the judgment of the league respecting our success in bringing these people up to the high standards which the league may demand for self-governing countries. I confess to more amazement when I reflect upon this proposal than ever filled my mind before. It does not require a man trained in the study of the law to determine instantly that the people of the United States never gave to the President and Congress, or both, the authority to do this thing. There is not a semblance of power in the Constitution to perform such an act, and the proposal is more inconsistent, if that can be, with the spirit of the Constitution than with its letter.

"I will not refer at this moment to the decisions of the Supreme Court, in which that great tribunal has undertaken to define, to explain, to illustrate our authority to enter into treaties with foreign nations, but at some future time that study will be found exceedingly interesting and very enlightening.

"Unquestionably we have the right to acquire territory by conquest, and it is just as clear that we have the right to acquire it by purchase, but we have not conquered the Turkish Empire, nor have we bought one foot of its soil. Moreover, when we acquire territory, whether by conquest or purchase, it becomes the territory of the United States, controlled by the laws of the United States, and destined either for admission as a State, or to be governed directly as a Territory, or to be disposed of as the will of Congress may direct.

"To insist that we can take possession of the territory of any nation, with its millions of people, simply to act as the tutor of these people and to police the country, solely to make the inhabitants better men and women, is the wildest fancy which ever entered the human mind.

"But this is not all. We are commanded to govern Turkey, not according to the laws which our authorities may enact, but

to govern its people, to educate them, to train them, to make them able to stand alone, under the direction and according to the instructions of the league. I quote again from article 19:

"In every case of mandate, the mandatory shall render to the league an annual report in reference to the territory committed to its charge.

"The degree of authority, control, or administration to be exercised by the mandatory State shall, if not previously agreed upon by the high contracting parties, in each case be explicitly defined by the executive council in a special act or charter.

"We are thus not only to assume the responsibility of governing Turkey, but we must attempt to do it in the manner and degree required by the league. If we take the Turkish Empire, and may lawfully do so, it is ours to control, and we can no more surrender that sovereignty to the executive council of the league of nations than we could assign the Constitution of the United States to the British Parliament and vest that body with the authority to govern the people of the United States.

"What I have said I am quite willing to admit is a question for lawyers, and if I ever hear of one who affirms the validity of such a transaction I shall be tempted to tear my certificate of admission to the bar of the courts of this country into little pieces and consign the fragments to the flames, and thereafter I shall do my best to forget that I ever belonged to the honorable profession of the law.

"With a great many the authority to execute this mad proposal will be of little moment, and I turn to examine it from another point of view.

"It is to be assumed that if the mandate for the government or tutelage of Turkey is given to the United States we will perform our mission with our own men and our own money. Anyone who has even casual knowledge of the conditions prevailing in the Turkish Empire knows that the maintenance of order and the enforcement of the laws and for the tutelage which will accompany the endeavor will require an army of more than a hundred thousand men for many years to come. It will require a civilian force of even more. The fathers and mothers of America will be asked to send their sons 5,000 miles from home to keep the Turk, the Armenian, the Syrian, and the Arab in order and train them for self-government. The civil-service employees in Constantinople will outnumber our employees in Washington. It is safe to assume that the annual cost of this enterprise will exceed a billion dollars. It is all too absurd to contemplate. When the American people reflect upon such a proposal they will reject it with all the emphasis of unanimity.

"I hope that it will not be understood that I have any lack of sympathy for the oppressed and miserable people of that part of the world. Whatever we can do for them to lighten their heavy burdens, to bring hope into their cheerless lives, to inspire them for their independence, we ought to do and will do. Were I asked to name the first thing which seems to have been largely forgotten at Paris—and the best thing which can be done—I would instantly say disarm the Turk, just as we ought to disarm the German, and then allow these people, with all the assistance we can lawfully render, to work out their own salvation; and if salvation is to be permanent, they must work it out for themselves.

"Mr. President, until now I have been discussing articles in the proposed constitution the construction of which seems to have created no difference of opinion. At this time I bring to the attention of the Senate certain provisions which may be said to be somewhat obscure and which were interpreted by the Senator from Illinois. I mean the consequences which may follow the failure of nations to agree upon a nonarbitrable or nonjusticiable controversy. It is perfectly clear that, with respect to such disputes—keep your mind fixed, if you will, upon the classification of disputes. First, there are the disputes which arise between nations and which can be adjudicated by reference to recognized law and established facts. These are issues for courts, and I should like to see an international court permanently established for the disposition of issues or controversies of that character. I am now referring to controversies which arise with respect to the policies of nations, with respect to laws which they pass for the government of their own people, which affect their honor, which affect the lives of the sovereignties themselves—with respect to such disputes, we are asked to agree that there shall be no resort to war without previously submitting them to arbitration or to inquiry by the executive council, and that we are not to go to war with respect to them for a period of three months after the award by the arbitrators or a recommendation by the executive council. I have already said that I am heartily in favor of referring such matters to a body representing the powers of the world and agreeing not to resort to war for settlement until there has been ample opportunity for full, open discussion with every civilized nation on earth. My objection to articles 12, 15, and 16 is not alone that they provide for an award or recommendation by the executive council,

That might be tolerated were it not that we bind ourselves not to resort to war against a member of the league which complies with the award of the arbitrators or the recommendation of the executive council. This agreement is found in both article 12 and article 15. In the last article the language is:

"If the report—

"These are nonjusticiable questions, questions of policy, which are internal in their character—

"If the report is unanimously agreed to by the members of the council other than the parties to the dispute, the high contracting parties agree that they will not go to war with any party which complies with the recommendations, and that if any party shall refuse so to comply the council shall propose measures necessary to give effect to the recommendation.

"Nonjusticiable controversies embrace a wide range. They include disputes over exclusion laws, immigration laws, tariff laws, and scores of other subjects which you will at once have in mind.

"Mr. OVERMAN. Will the Senator from Iowa yield to me for a moment?

"The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from North Carolina?

"Mr. CUMMINS. I yield.

"Mr. OVERMAN. I notice that the Senator from Iowa throughout his entire speech calls this 'a constitution.' If it is a constitution, what have we to do with it? If it is a league of peace under a treaty we can, of course, ratify or not ratify it, but if it is a constitution, as the Senator says it is, what are we to do with it?

"Mr. CUMMINS. Mr. President, the Senator from North Carolina is better able to answer that question than am I. I have accepted the terminology which the President of the United States has attached to it. He calls it 'a proposed constitution for the league of nations,' and I am but following his high example in referring to it by that name.

"Do not forget that the proposed constitution makes us agree that we will not go to war with any nation which accepts and performs the recommendation of the executive council. The effect of the proposed agreement can be best understood—and I want the close and sympathetic attention of the Senator from Nebraska [Mr. HITCHCOCK], the chairman of the Committee on Foreign Relations, to this phase of the matter—the effect of the proposed agreement can be best understood by assuming a concrete instance, and I take one that has been the cause of much ill feeling between Japan and the United States.

"These countries are to be the high contracting parties, and under the agreement Japan would have the right to refer to the executive council our discrimination against the citizens of that country, and the executive council, exclusive of the United States and Japan, would have the right to decide it. Suppose it should be decided against the United States; suppose it should be decided that the United States ought to admit the subjects of Japan not only to our borders but to our citizenship upon the same terms on which we admit the citizens or subjects of Great Britain, France, or Italy? Then the council would recommend that subjects of the Japanese Empire should be admitted to the United States upon the same terms and with the same privileges accorded to the subjects of other nations.

"What then? Follow me now, those who have thought that this article did not contain the seeds of war, dissension, and discord. What then? Japan would say to the world, 'We are complying with the recommendation of the executive council as recited in article 12 and as repeated in article 15.' In these circumstances we have agreed not once, but twice, that we will not resort to war against the complying nation. Japan is the complying nation; and that means that Japanese subjects must be admitted as are the people of other countries. We could not keep them out except through war.

"Moreover, under article 16, if we should go to war in order to exclude them we shall then have committed an act of war against all the other members of the league, which would lead to the severance automatically of all trade or financial relations between our country and the world.

"When we reflect upon the composition of the executive council, it is incredible that a provision of this character should commend itself to the American people.

"A controversy of the same character would arise with regard to the qualifications which we demand for admission into the United States of the inhabitants especially of southern and eastern Europe. The same controversy in character would arise were Great Britain or France or any other country to complain of the tariff laws which we may enact in order to protect the industries of our own land.

"I do not mention the wider, more abstract controversies that would inevitably spring up. These are enough. I want at some time—not now—a Senator who proposes to advise the

American people to adopt this constitution precisely as it has come from the hands of the Paris conference to ask the American people whether they are willing that an executive council composed of the five nations which have already been mentioned in the constitution, and four others of whom we do not know, shall pass upon the wisdom of our laws excluding the subjects of certain oriental countries from the United States. I want there to be no doubt with regard to the scope and effect, if not the purpose, of the thing we are asked to undertake, the thing to which we are asked to assent.

"I predict that when you make it fairly known to the people of this country that the validity, the wisdom, and the character of the legislation which we adopt for our own protection and for safeguarding the citizenship of our own country are to be submitted to a tribunal of the world, and that, in the event the decision or recommendation is adverse to us, we must accept it or violate the obligations which we solemnly assume, this proposal will be rejected so emphatically that never again will anyone have the temerity to propose it to a country like ours.

"Mr. President, I must not pursue the analysis further. The constitution of the league as proposed is not a compact among nations to prevent war; it is vastly more than that. It is the creation of a world nation, and if observed it will draw to the executive council and body of delegates so many of the vital powers of government that the remainder will become as unimportant as the jurisdiction of the States in the American Union as compared with the jurisdiction of the Federal Government. This is its purpose. It was not only foreshadowed in the addresses delivered by the President before he went abroad but it is clearly perceived in the report which the President made to the peace conference.

"Other eminent men so understand it. I quote from the newspaper report of a speech made by our distinguished ambassador to Great Britain, delivered in London on Washington's Birthday:

"George Washington employed the idea of a league of nations in the American constitutional convention," declared John W. Davis, the American ambassador—

"A man of the clearest mind and a man of commanding ability—

"in a speech at the Washington day dinner of the English-speaking Union. He likened the American colonies with their new-found freedom immediately after the Revolution to the nations of the world today.

"Why attempt to obscure the plain and obvious meaning of the effort which is now being made?

"Mr. President, it will be a sad day for humanity when their affairs pass under the government of a world nation.

"I believe that it is possible for us to do everything that can be done to prevent war without transferring to a foreign power the Government of America. A day or two ago I read the following statement issued by a distinguished company of gentlemen headed by Mr. Taft as they toured the country:

"The war against military autocracy has been won because the great free nations acted together, and its results will be secured only if they continue to act together. The forces making for autocratic rule on the one hand and for violence of Bolshevism on the other are still at work. In 50 years the small State of Prussia so organized central Europe as to defy the world. In the present disorganized state of central and eastern Europe that can be done again on a still larger scale and menace all free institutions.

"This statement is conspicuously unfair and uncandid. It is not necessary to abolish national power; it is not necessary that the authority to govern all the people of the world shall be absorbed by one body of men in order to protect the nations which are springing from the ruins of Europe. All that we need to do is to disarm Germany and permit these nations to accomplish their own destinies and achieve the highest victories of civilization.

"Mr. President, this paper before us—the constitution of the league—presents a strange anomaly; it presents curious, interesting contradictions. It carefully provides a guaranty that would preserve the territorial integrity and political independence of nations as they now exist, and we must fight to do it, no matter when the invasion occurs or how righteous the cause of the invader may be. On the other hand, after we have received the guaranty that our territorial limits shall never be changed nor our independence overthrown, we turn over to an alien body the determination of the character of our citizenship. It would seem that the framers of this remarkable document considered it more important that our territory should remain intact than our right to say what men and women should live within our borders.

"In another aspect, however, the apparent inconsistency is reconciled when it is remembered that the character of our citizens, as compared with the citizens of the world, becomes an immaterial matter, inasmuch as the United States ceases to be

distinct, and that the executive council or the body of delegates has the same tender consideration for all parts of its world-wide domain.

"Mr. President, I do not ignore the deep anxiety which the President, as the spokesman for this instrument, feels for the laboring people of the world and his keen desire to see that full justice is done to the people—and I quote him—'who go to bed tired and wake up without the stimulation of lively hope.' They understand their wrongs, and they are moving to correct them; sometimes in the best way, sometimes in the worst way. They need no such league of nations to assert their rights. They have always been strong enough to do it here, and now they are powerful enough to do it everywhere. Just what will come from the turmoil through which the world is now passing God only knows, but we fervently hope that from the conflict justice to every human being will emerge; but a polyglot and incoherent power imposed upon this mass of conflicting and irreconcilable aspirations will do more to plunge all mankind into continual strife than any plan that can be conceived.

"The President repeats over and over again that we must accept our responsibility in world work, and I agree with him. I am no advocate of isolation. It seems plain to me, however, that the chief contribution to peace and good order which we can make at this time is to meet boldly and to solve wisely for ourselves the one mighty question which is tearing Europe asunder and which is advancing upon us with terrific force. If we can not show the world by our own example that the workingman can get more justice, more happiness, more comfort under a reconstructed system of individual industrial activity than he can secure through complete socialism, the world will try the experiment, and, from my standpoint, with the most disastrous results to civilization.

"We ought now to be bending all our energies upon the vital subject of reconstruction, and this should be our immediate contribution to the welfare of humanity.

"Mr. President, our history is full of the noblest inspiration. We entered a trackless continent. We have filled it with the homes of an hundred millions of people; the happiest homes in all the world. We have enriched it with the best farms, the most productive factories, the greatest system of transportation, and the mightiest commerce upon which the sun shines. Our progress has been the wonder and the envy of mankind. We have pursued the path of honor and justice, and it has led us to the highest distinction and the most enduring fame. We have so guarded and cherished the rights of man that our citizenship stands without peer throughout the earth. Our laws are humane, and protect the weak against the aggressions of the strong. With all its mistakes, the Government of the United States has done more for the welfare of its people and more for the enlightenment of the world than any other government ever established among men. We love peace and we will devote all our intelligence, all our efforts, to attain it; but, sir, we will not surrender our right to live under our own institutions, to control our own destiny, to insure the interests of our own citizens, to worship at the shrine of our own patriots to any alien body which the wit of man can conceive. If this be to accept the challenge recently announced, I accept it. I was born an American; I have lived an American; and, God permitting, I will die an American."

APPENDIX 2.

LEAGUE OBSTACLE EXAMPLE SEEN IN CRISIS OVER BANAT—FRANK SIMONDS, IN REVIEWING SITUATION, POINTS TO IT AS ANGLE SO LITTLE UNDERSTOOD IN AMERICA.

[By Frank H. Simonds.]

"The new crisis in the Near East, growing out of the dispute between the Roumanians and the Serbians over the Banat, supplies an admirable example of precisely the kind of obstacle to the league of nations which is so little understood in America and of such profound importance to Europe.

"Roughly speaking, the facts as to the Banat are as follows: This is an old Province of Hungary, lying between the Maros, Theiss, and Danube Rivers. It has an area of approximately 10,000 square miles—that is, about equal to the area of Massachusetts and Rhode Island combined—and a population of one and a half millions. In its population are Roumanians, Hungarians, Germans, and Serbians, to name only the four most considerable races. No single race has a majority, although the Roumanians outnumber any other single group.

"CLAIMS PRESENTED.

"This territory is claimed by Hungary on the basis of some thousand years of ownership, together with the presence of a considerable Hungarian minority. It is claimed entirely by the Roumanians, both because they constitute the largest single

ethnic group and because it was promised to them in that secret treaty made with Russia, France, Italy, and Great Britain, which brought Roumania into the war. The southwestern corner only is claimed by the Serbians on the unquestioned ground that in this area—the county of Torontal—the Serbs constitute a majority.

"At Paris the Hungarian claim was dismissed. To Roumania was assigned three-quarters of the territory, and to the Serbs the county of Torontal, lying in the angle between the Theiss and the Danube Rivers and facing the Serbian capital of Belgrade. Against this decision of Paris, both the Hungarians and the Roumanians protested. The Hungarian claim has obviously lapsed as a result of the collapse of Hungary and the occupation of Budapest by the Roumanians. By contrast, the Roumanian claim has been immensely strengthened by this same set of circumstances.

"ROUMANIA'S ARGUMENTS.

"Now, it is essential to understand the Roumanian claim, which has been represented in America as unreasonable and unfair. First of all, Roumania came into the war as a result of a specific promise made to her by Great Britain, France, Russia, and Italy, and this promise included the whole of the Banat. She was defeated, betrayed by Russia, and compelled to make a separate peace, but her Government maintains that this peace, accepted under duress and repudiated at the first opportunity, did not destroy the validity of the allied pledge.

"In the second place, Roumania points out with justice that economic and geographical reasons alike support her claim in the Banat. On the economic side, to take away the southwest fraction is to put in alien hands practically all the railroad and highway exits from the east and mountainous end of the Banat, which has been assigned to Roumania, and, in addition, to place in alien control both banks of the Theiss and the Danube, which are essential to Roumanian commerce.

"SEEN AS NATURAL DIVISIONS.

"On the geographical side, the Roumanians argue that the great rivers which bound the Banat, the Maros, the Theiss, and the Danube, supply natural frontiers, abolish possibilities of future quarrels and are designed by nature to separate nations.

"They point out that there has been assigned to Italy considerable areas of German-speaking people in the southern Tyrol, in order to give Italy her natural frontier of the Alps, and on the east a similar cession has been made involving several hundred thousand Slovenians, to provide Italy with a fencible frontier in that direction. They point out further that this has been done in accordance with the secret treaty which brought Italy into the war, and they protest that Roumania is entitled to the same treatment Italy has received.

"STAND BY BIG NATIONS.

"What is of at least equal importance is the fact that Italy openly and France tacitly support the Roumanian claims. The Italians are moved by the fact that they have a dispute with the southern Slavs over Fiume and the Dalmatian coast. Anything that strengthens the southern Slavs contributes new force to a future enemy which already disclosed its purpose to challenge Italians to get it, and of Trieste and those Slav hinterlands which the Italians have already received at Paris.

"The French, on their part, while championing the Yugoslav cause in the matter of Fiume, sympathize with Roumania not merely because the Roumanian Army has been reorganized by French officers, but also because Roumania has become a considerable factor in the balance of power of Europe, and the French are unwilling to risk driving Roumania into German hands merely to extend the application of the doctrine of self-determination to the Banat.

"SERBS ARE DETERMINED.

"The Serbs have occupied the Torontal district in accordance with the decision of Paris. They have announced their purpose to defend it, and they have rejected the Roumanian compromise proposal, which included an agreement on the part of Roumania to cede certain territory to the Bulgarians in the Dobruja and persuade the Bulgarians on their part to make compensating concessions to the Serbs about Widin.

"The result of the Serbian decision has been the revival of a Roumanian claim to certain Serbian districts south of the Danube about the Iron Gate, facing the old Roumanian territory, in which the population is overwhelmingly Roumanian. If the rule of self-determination is to be applied against the Roumanians in the Banat, Bucharest demands that it shall be applied equally rigidly to Roumanian benefit south of the Danube.

"ANTICIPATED ACTION.

"Before I left Paris I was told by my Roumanian friends that in due course of time Roumanian divisions would be sent to the Banat, and that under no circumstances would Roumania consent

to a division of this Province. Apparently this has now happened. By their occupation of Budapest the Roumanians have disposed of the Hungarian problem. Hungarian armies are demobilized.

"Moreover, on the Bessarabian frontier they have about reached a settlement with the Ukrainians. They can, therefore, send a number of well-equipped divisions into the Banat. Moreover, they can be sure that if the Serbs resist, Roumania will have the support of Italy, not impossibly accompanied by Italian military operations in Dalmatia and east of Trieste. She can also enlist Bulgarian assistance by a small concession in the Dobrudja and a promise to support Bulgarian claims in Macedonia.

"As far as the conference of Paris is concerned, the Roumanians know that they will be supported by the Italians; that the French will under no circumstances agree to supply troops to be used against them; and they are equally confident that neither the United States nor Great Britain is ready to send a hundred thousand troops to the Danube to fight to vindicate the decision of the conference of Paris as to the possession of the county of Torontal.

"SEEN AS 14 POINTS' PERIL.

"We have, then, at once a clear example of the ultimate peril involved in the rigid application of one of the 14 points. To have assigned the Torontal to Roumania might possibly have aroused temporary resentment on the part of the Serbs, but with the Italian quarrel on their hands it could not have led to conflict.

"Presenting the Serbs with something they can not defend, and thereby insuring the hostility of a State which will always be stronger, has proved a questionable piece of generosity. It may yet prove one of the most fatal gifts in history, since the Serb now finds himself involved in quarrels with all his neighbors, with the exception of the Greeks, all of whom could easily and conveniently make a common cause against him and could find in that common cause the opportunity for abolishing differences existing between one another. Thus, Hungary, Roumania, Italy, and Bulgaria might easily crush Serbia, partition the Jugo-Slav State among themselves, and repeat in a small way the Austro-Prussian-Russian policy as to Poland nearly a century and a half ago.

"Moreover, we see also the reappearance of a great power, namely, Italy, making use of a Balkan complication precisely as Russia and Austria used the Balkan States in all the years preceding the World War. The theory that Paris could solve questions like that of the Banat, the belief that the principles expressed in the 14 points and in the league of nations would govern, are disclosed to be fallacious, and there is every possibility that we may see actual military conflict once more breaking out in the Balkans in consequence of the decision of the Paris conference in the matter of the Banat."

Mr. OWEN. Mr. President, the frank statement of the Senator from Iowa of his opposition to article 10, based upon the conception that America ought not to be bound in the future to take the responsibility of cooperating to restrain an aggressive nation invading the territorial integrity of another or its existing political independence is a point of view which is easily understood, with the simple explanation the Senator has given that he does not want any nation to impose its will upon the United States and that he thinks aggressive wars of conquest may under some circumstances be commendable. But, Mr. President, I favor article 10 for the very reason that I think it is right now, that aggressive war is wrong, that it can be prevented by this covenant, and I do not recognize the obligations of article 10 as permitting any nation to impose its will on America. I wish America to express its own will now under article 10 and maintain it on the ground the principle of article 10 is fundamentally right; that the nations of the world should have their territorial integrity unimpaired; that they should have their political independence unimpaired; and because I believe that, and because I believe that when the United States and all the nations of the earth practically combine to make it effective that sound, honest principle will be permanent on earth; that the territorial integrity of no nation will ever be invaded with that agreement once entered into in this covenant, because I believe that the political independence of no nation will ever be disturbed under the conditions of this proposed covenant, I favor it, and I favor it now, and I am willing to say now that that ought to be the rule forever on earth. I am willing to vote for it, as a servant of the American people, knowing that I am serving them and representing the will of the overwhelming majority of the common people, who, after all, pay the costs of war in life and in property.

After all, under article 10 the council may only advise if there should be a war of invasion in spite of this overwhelming

power of mankind organized to prevent it, if by any remote possibility any nation in the future had the temerity, in the face of all mankind and in the face of the organized powers of the world, to invade unlawfully and wrongfully the territorial integrity of another nation or its political independence. If that should by any possibility happen, and the question arises as to what ought to be done about it, and if the complete commercial and financial boycott provided does not restrain such offender, and then further steps should be taken, advice would be given by the council.

The advice of the council must be unanimous to reach a decision. On the council the United States would be represented, and 9 other nations would be represented. If those 10 representatives, including the representative of the United States, unanimously agree upon the advice, I have faith enough in the intelligence of mankind, in the honesty and in the uprightness and the judgment of the 10 great representatives of the great nations who will be in that council to believe that their advice will be sound and worthy to be followed. In the event of the doubly impossible contingency that some nation defied the whole world, defied the world boycott, and force of arms were required, and, finally, the advice were wrong, coming from the council with the consent of our own representative, it would still be possible for the United States to say, if the facts truly justified it, "The advice is unsound, and we are not morally or legally obliged to do a thing which is unreasonable or foolish." Congress, in any event, would be obliged to take such action as it found right, but our duty is to safeguard the peace of the world by article 10. In my opinion it will suffice and make wars impossible and cost the world nothing. The Monroe doctrine deterred the European monarchies from invading the western democracies, and article 10 is a thousand times as powerful as a force deterring nations from aggressive war.

But, Mr. President, there is something far more than this. All the dreadful happenings of the future which the imagination may conjure up are themselves absolutely impossible to occur, because the whole world now is moving most rapidly toward government of the people, by the people, and for the people. The ideals of Europe are changed and changing daily for the better. The old autocracies are completely broken down, the Bourbons are long since gone, the Romanoffs are destroyed, the Hohenzollerns are eliminated, the Hapsburgs are utterly powerless, the old order passes away; and even the Vatican, which has in the past centuries favored autocracy, in a letter from the Pope himself, has declared in favor of democracy and the education of the people. If there is on earth a chamber where there is collected the wisdom of mankind with regard to the conditions of every nation of the earth, it is in the College of the Propaganda. There is assembled the most intimate knowledge of the conditions of every nation on earth, and when the Vatican declares for democracy the days of autocracy are gone. The threat of world dominancy by autocracy is dead and buried, never to be resurrected.

The monarchs of Bulgaria and Turkey are gone. The nominal titles that remain in Europe now of "king" are without power. They are merely the symbols of the past, retained out of the affection for the past. The titles of the King of Norway, of Sweden, of Denmark, of Queen of Holland, of King of Belgium, of King of England are merely forms. They are no longer of profound substance.

There is one Government in Europe based on democracy, surrounded by belligerent powers—Switzerland, one-third German speaking, one-third Italian speaking, and one-third French speaking, and yet having a stability in government that has remained unshaken decade after decade, when Europe was shaken with wars. The Balkan wars never touched Switzerland; the war of 1870-71 did not touch Switzerland; this war, with Switzerland surrounded on all sides by warring nations, did not invade the land of Switzerland; and with its boundaries fixed, with a government of a democracy, with all its laws submitted to the people in Switzerland by a referendum, so that no law should go into effect without the will of the people of Switzerland, have given it a stability that makes Switzerland a model to the world. No desire to increase their boundaries and no desire to infringe their boundary has appeared.

Mr. CUMMINS. Mr. President—

Mr. OWEN. I yield to the Senator.

Mr. CUMMINS. No man rejoices more on account of the millennium of democracy approaching than I do. It seems to me the Senator from Oklahoma, in view of the beautiful picture he has just painted, might trust these democracies not to declare unjust war. Why, then, should we enter into an agreement to protect the boundaries of all the nations of the world? Why not give to each of these democracies, springing from the people,

guided by the people, some opportunity to work out their own salvation?

Mr. OWEN. Mr. President, the Senator a few moments ago said he would choose his company. I am pointing out to him the very excellent company he will choose and the company which I do choose in supporting the covenant of the league.

I choose an alliance with them. I am glad to make it with them. I have confidence in them. I believe in them. I have the faith to believe. I believe in the judgment of mankind, in the common sense of mankind, and I want to say to the Senator that it makes but little difference where the line of a territory is drawn if that territory be governed by the will of the people who inherit it, and that is why I pointed out Switzerland, one-third French, one-third German, and one-third Italian, living happily together under popular government.

Mr. LENROOT. Mr. President—

Mr. OWEN. I yield to the Senator.

Mr. LENROOT. In order to get the Senator's view a little more explicitly with reference to the obligations of article 10, assume that China should in time find herself and assume a status as a military power, and that China should undertake, with her army and navy, to assist Korea to gain her independence, what does the Senator think the obligation of the United States would be under article 10 as it now stands?

Mr. OWEN. I will reply to the Senator very frankly and very freely. To start on, China is the greatest democracy in the world. China governs every village by the voice of the people of the village. China follows a rule laid down for village life and family life that is 2,000 years old. If there is a stable government on earth in a democratic sense, it is the Government of China. The idea of China invading the territory of Korea for the purpose of restoring Korea to independence is entirely unthinkable, because of China's own mental attitude, in the first place, and second, because under the covenant the restraints fixed would provide a forum for Korea's grievances and would prevent China's invasion.

Mr. LENROOT. Is it any more unthinkable than the United States assisting Cuba to gain her independence?

Mr. OWEN. It is.

Mr. LENROOT. Why?

Mr. OWEN. For the reason that now if this covenant goes into effect, assuring the territorial integrity of nations and the existing political independence of nations, and Korea having a grievance as far as Japan is concerned, Korea has the opinion of mankind to appeal to through this league, and China is restrained by article 10.

I remind the Senator that section 23, paragraph B, of the league, pledges every nation including Japan, including Great Britain, to deal justly with any native inhabitants under their control.

Mr. LENROOT. Following that a little further, does the Senator then think that the league would have a right to deal, we will say, with the negro question in the United States?

Mr. OWEN. I think the people of the United States will have the wisdom and the justice to deal kindly and fairly—

Mr. LENROOT. Oh, the Senator begs the question—

Mr. OWEN. With the negro question and make it entirely—

Mr. LENROOT. The Senator is too good a lawyer to attempt to beg the question in that way.

Mr. OWEN. The Senator would draw a parallel, I take it, between Korea and the negro question?

Mr. LENROOT. I am speaking now of the jurisdiction of the league of nations.

Mr. OWEN. The jurisdiction of the league of nations is confined to international affairs, and the league is not permitted to interfere in domestic questions.

Mr. LENROOT. But is not Korea a domestic affair of Japan?

Mr. OWEN. It is not, in my opinion.

Mr. McCORMICK. May I interrupt the Senator at that point to ask a question?

Mr. OWEN. I yield to the Senator from Illinois.

Mr. McCORMICK. The President the other day adverted to the powers of the league under article 11 to settle a domestic question, so called. If it were possible for the league to consider the status of the inhabitants of Ireland, would it not also be possible for the league to consider the status of some of the people of the United States—the negroes, for example?

Mr. OWEN. I think the entire world would agree that affairs affecting our citizens of African blood is so purely a domestic question that it would be impossible to raise it before the league, but if it were possible to raise it I think that the United States can be entirely relied on to so conduct its affairs that its conduct would meet with the cordial approval of the opinion of civilized mankind. The United States has always so managed its affairs,

and I think always will do so. I have no fear of the negro bugaboo whatever. It indicates great poverty of argument against the covenant.

Mr. WATSON. Mr. President—

Mr. OWEN. I yield to the Senator from Indiana.

Mr. WATSON. The Senator has repeated the argument which has been very often used, that when we once form the league of nations Japan can be forced to do right with reference to China and with reference to Shantung. As we all know, Japan had a secret treaty with England, with France, with Italy, and with Russia. England, France, and Italy will be three of the nations—

Mr. OWEN. I do not believe there was a treaty with Russia of the character referred to.

Mr. WATSON. Yes; there was a treaty with Russia; but that is not consequential so far as my inquiry is concerned. If those three nations are not now willing to do justice to China, why will they be more willing to do justice to China after they join the league than they are now? They will be members of the council. They now are unwilling to do justice to China. They now are unwilling to see that Shantung is given back to China, and they are standing for that grab, that steal, as I believe, of Shantung by Japan, and they are doing it by virtue of a secret treaty. They say so squarely, and the President of the United States has said that because of the secret treaty that Japan had with England and that Japan had with France he was unable to get either England or France to pay any attention to the Shantung proposition. He said that while he was talking with the Japanese representative on these questions, always the representatives of England and France were over in the other part of the room and declined to enter into the conversation. Furthermore, he has specifically said that he was practically forced into that proposition. If that be true, and if they had those secret treaties, why are they going to be willing to do justice to China with reference to Shantung after they come into the league when they are not willing to do it now?

Mr. OWEN. I will tell the Senator if he will permit me.

Mr. WATSON. I will.

Mr. OWEN. We use the word "they" somewhat loosely. We talk about Great Britain and France and Italy as if they were individuals severally standing upon the floor before us, to whom we could speak as we would to a man.

The power of Great Britain represents the various factors that take part in British life. It represents the old tory element, the old conservative element, the more liberal elements, the great body of the liberal elements of Great Britain, and, finally, those who are on the extreme left. The governing power in Great Britain, however, I believe, will be finally found to be the "public opinion" of the people of Great Britain under the mechanism of the government which they have, which will express itself in due season as the possibility arises.

Mr. WATSON rose.

Mr. OWEN. The Senator must allow me to answer, because I have just started to answer, and then I will answer any other question he wishes to ask.

Mr. WATSON. Certainly.

Mr. OWEN. Therefore, when we speak of these nations we must remember the terminology we use—that we are not speaking of an individual but we are speaking of a people whose voice will be heard when the occasion and the opportunity arise and the mechanism is afforded. The same thing is true of France; the same thing is true of Italy; the same thing is true in the United States, for that matter. When the covenant of the league is established, when the world meets around a council table where the whole world may hear the open discussion of the rights of the Chinese people in Shantung, and with regard to Shantung and with regard to Hongkong and Shanghai and Kweichow China, these things will be modified in time by the constantly improving intelligence and knowledge of mankind.

The world is fundamentally sound. There is such a thing as conscience in man, whether he be a Chinaman, a European, or an American, and that thing of conscience knows what is right and what is wrong and will judge the case aright when the facts are laid before the assembly, the place where the opinion of mankind may be given publicity.

I therefore take it that in due season, if you permit a forum to be established where the opinion of mankind may make itself felt, the Shantung incident will slowly adjust itself on the principles of justice and of righteousness. But if you refuse to permit a forum to be established, if you defeat this covenant, you have no remedy except force. Therefore, those who would deal justly with China will take the settlement which goes so far as to return all except the commercial con-

cessions and leave the commercial concessions to be adjusted before the public opinion of the world when the facts shall be presented in due time.

I yield for any other question the Senator may wish to ask.

Mr. WATSON. In other words, the Senator is waiting for that far-off millennium—

Mr. OWEN. I hope the Senator does not speak irreverently.

Mr. WATSON. No; but that far-off millennium when conscience is going to control the actions of all the men and all nations and the representatives of all nations.

Mr. OWEN. I do have faith in it. It is not far off. It is here now.

Mr. WATSON. Is China to wait for the restoration of Shantung until that beautiful millennium is ushered in?

Mr. OWEN. I think China will not have to wait. The Senator knows very well that Japan has entered into an engagement with the other nations of the world to return the sovereignty of Shantung and is only proposing to retain the commercial concessions, and it is the "commercial concessions" which I say can be adjusted in this forum after the other matter is disposed of.

Mr. WATSON. But the Senator does not believe—I call myself the Senator—that Japan intends to restore Shantung.

Mr. OWEN. I most undoubtedly do.

Mr. WATSON. Then that is a question that we will have to wait to determine. I do not believe that she does. I do not believe that she intends to restore Shantung unless compelled to do so by the aroused conscience and morality of the world.

Mr. OWEN. I do not believe it necessary to needlessly insult an ally who was willing to fight on the side of liberty in this war.

Mr. WATSON. How much did they fight?

Mr. OWEN. I would wait a few months, until Japan can act, before I insulted an ally that had been faithful—

Mr. WATSON. Before you insult an ally that has been faithful, and yet while the Chinamen were suffering and bleeding on the battle field that ally had a secret arrangement to rob and plunder China when the war was over. And yet the Senator talks about poor Japan!

Mr. OWEN. I have not said "poor Japan." I have great admiration for Japan, even if some of her statesmen may be of poor vision and may make some errors on the material side.

Mr. WATSON. I am talking about China. I do not know what the—

Mr. OWEN. I have greater admiration for China.

Mr. WATSON. It is a great thing to admire her and at the same time plunder her of one of her richest Provinces, and at the same time we stand sponsor for it.

Here is what I want to ask the Senator: Under the secret agreement between England and Japan, Japan was to have Shantung. The Senator understands that?

Mr. OWEN. I do not understand it.

Mr. WATSON. Under that same secret agreement, when the war was over and they were dividing the loot before the victory was won, England was to have all the German islands in the Pacific Ocean south of the Equator. When that day of enlightened conscience and glorified reason, of which the Senator speaks, is ushered in, will England give up those island possessions when Japan gives up Shantung, because England got those islands as a consideration for Japan getting Shantung? Is England going to surrender her possessions? Does the Senator believe England will surrender anything?

Mr. OWEN. As between England and Germany, I prefer that the islands of the sea were under the jurisdiction of the British Government.

Mr. WATSON. Precisely.

Mr. OWEN. Because I have great confidence in the ability of that Government to improve and develop the art of self-government.

Mr. WATSON. But the Senator must remember that as a part of this same agreement by which England got these islands Japan got Shantung.

Mr. OWEN. Oh, we may admit, as a mere matter of argument, that that agreement was highly improper.

Yet I will say to the Senator that when the English people were in this life-and-death struggle and it became of urgent importance that the troopships coming from New Zealand and Australia should not be waylaid by the German submarines and the German cruisers on the Pacific, certain English statesmen made such a bargain with Japan as they could; but I again remind the Senator that when you speak of "England" and "they," remember it is a very vague term, and that in the future the power in control of England will not be the conservatives or the Tories, but more and more the liberal elements, who have for a long time really dominated English policies, and will

in future assuredly do so. So even an agreement that was improper may confidently be expected to be corrected as far as justice may require.

Mr. HITCHCOCK. Mr. President, this is the day set for voting on the so-called Fall amendments, and I should like to inquire whether we can now proceed with the vote?

Mr. WATSON. My understanding is—and if I am wrong the Senator will correct me—that there was an agreement between the Senator from Massachusetts [Mr. LODGE] and the Senator from Nebraska [Mr. HITCHCOCK] that all of the treaty, including the Fall amendments, should be read before any voting should begin. Am I right?

Mr. HITCHCOCK. There was no agreement to that effect. The agreement I had with the Senator from Massachusetts was that we should proceed with the reading of the treaty to some extent so as to cover the Fall amendments before the address of the Senator from Iowa [Mr. CUMMINS], but that was modified afterwards. If we can now proceed without interruption with the reading of the treaty, I suppose that would be the proper thing to do; but I do not want to do away with the vote on the Fall amendments to-day.

Mr. McCUMBER. Mr. President, if the Senator will allow me, I think we ought to know now just exactly what the understanding was. There was first a motion made to postpone, as I remember, not a vote but to postpone consideration. Therefore, I do not understand that necessarily the matter of voting comes up to-day, but merely the consideration. Then, there was a unanimous request afterwards made as to the effect of which I am not entirely sure; and I wish that we could have the RECORD before us so as to know just exactly what was intended and what the status now is.

Mr. SMOOT. The unanimous-consent agreement was simply to reduce the period of postponement from a week to three days.

Mr. WATSON. Yes; but not for the vote, as I understand.

Mr. SMOOT. For the consideration of the Fall amendments.

Mr. WATSON. For the consideration of the Fall amendments. I do not understand that the Senator from New Mexico is to be compelled, if he does not so choose, to cease speaking to-day, for his speech will probably take some time. The Senator from Massachusetts [Mr. LODGE] is now present and can state the situation.

Mr. McCUMBER. I think if we have the RECORD, there can be no possible mistake. My understanding is the same as that of the Senator from Utah [Mr. SMOOT], that we were merely to postpone the consideration of the amendments.

Mr. WATSON. That is all.

Mr. LODGE. There was no agreement whatever about voting.

Mr. WATSON. I thought not.

Mr. McCUMBER. I think not.

Mr. LODGE. There was no suggestion of that kind.

Mr. SMOOT. I have the RECORD here.

Mr. LODGE. The RECORD will show that what I have stated is correct.

Mr. WILLIAMS. Mr. President, I see from this morning's paper that the Senator from California [Mr. JOHNSON] seems to have "had a call" to go back to the field, in order to convince the people of the United States that the resolution which he had offered as an amendment to the treaty is right. When I saw that statement, I was not very much astonished. I thought from the magnificent crowds and the tumultuous applause which had greeted the President of the United States when he was explaining to great popular audiences that amendment and various others whose intention was to emasculate, if not to destroy, the treaty that the Senator from California would find it perhaps advisable, if not necessary, to go back to California, if not for the purpose of continuing the attack upon the President of the United States, at least for the purpose of reducing and mending his fences.

Mr. President, I have received the letter which I hold in my hand, which I wish to read to the Senate. The letter is as follows:

LEAGUE TO ENFORCE PEACE,
New York, September 17, 1919.

DEAR SENATOR WILLIAMS: Attached is some material that would read well in the CONGRESSIONAL RECORD, especially the round robin from California with 12 of its signers on JOHNSON'S California presidential campaign committee. All of the 28 signers are "big folks" in California.

Faithfully, yours,

W. R. BOYD, JR.

Mr. Boyd is the national campaign manager of the League to Enforce Peace.

Accompanying the letter is a petition [exhibiting] on which are the original signatures copied on oil paper of these distinguished men in the State of California, 12 of whom were upon the campaign committee of the Senator from California. As

I say, I do not blame the Senator for wishing to delay matters in the Senate until he can get back to California and make his "title clear to mansions in the—political—sky." I ask unanimous consent that this memorial and the signatures thereto be published in the CONGRESSIONAL RECORD.

There being no objection, the memorial, together with the signatures, was ordered to be printed in the RECORD, as follows:

To the Committee on Foreign Relations of the United States Senate:

The executive committee of the California branch of the League to Enforce Peace believes it essential to secure a responsible expression of opinion relating to the league of nations.

This Nation, which has done so much to promote the principle of the peaceful settlement of international disputes, can not justly be placed in an attitude of hostility to the project adopted by the conference at Paris for the extension of that principle to all the associated nations for the purpose of averting all preventable wars.

The undersigned urge that the treaty containing the peace covenant be promptly ratified by the Senate without attempting to embarrass it by amendment, thus delaying the conclusion of peace and the establishment of a great agency for its future preservation.

Warren Olney, Jr., R. B. Hale, C. H. Bentley, Frederic Whitton, Chas. W. Fay, Fred S. Wilson, Charles C. Moore, W. C. Van Fleet, W. D'Eglibert, Curtis D. Whitour, Thomas S. Williams, F. M. Angellotti, E. W. Wilson, P. H. McCarthy, Jesse H. Steinhardt, M. C. Sloss, Milton H. Esberg, George E. Bates, Bessie Knite Taylor, Margaret Kittle Boyd, Raphael Weill, B. F. Schlesinger, Chas. Albert Adams, Rella V. Watt, Chester H. Rowell, Clara B. Burdette, Harris Weinstock, Mrs. Bert Schlesinger.

The following 12 signers of the foregoing round robin are members of the California presidential campaign committee for Senator HIRSH JOHNSON:

Warren Olney, Jr., C. H. Bentley, W. C. Van Fleet, Thos. S. Williams, F. M. Angellotti, P. H. McCarthy, Jesse H. Steinhardt, Milton H. Esberg, B. F. Schlesinger, Rella V. Watt, Mrs. M. C. Sloss, W. D'Eglibert.

Mr. LODGE. The motion which I made on September 23 was:

I move that this amendment be postponed until this day week.

That motion prevailed. I then said:

I have no desire to put it an unreasonable distance, and I ask unanimous consent to change the time from one week to three days hence, and let it apply to all these amendments.

That was agreed to. There was no agreement about a vote. It was simply an agreement to postpone the consideration of the amendments and take them up at a later time.

Mr. WATSON. Mr. President, will the Senator allow me?

Mr. LODGE. Certainly.

Mr. WATSON. The very question put by the Vice President was this:

The question is on the motion of the Senator from Massachusetts to postpone the consideration of this amendment for one week.

Mr. LODGE. I think there can be no question about it.

Mr. President, I suggested to the Senator from Nebraska this morning that it would save time if the Secretary would read the remainder of part 3, which will cover all the amendments known as the Fall amendments. If we do not do that, but proceed with the consideration immediately of the amendments which have been read, of course the remaining amendments will have to be read by whoever is discussing them, and there will be involved the necessity of reading them a second time. I think, therefore, time will be saved if the treaty is read up to part 4 and then the Senator from New Mexico or other Senators who desire to discuss the Fall amendments will have an opportunity to do so, if that is agreeable.

Mr. HITCHCOCK. Is it not the Senator's understanding that the discussion of these amendments will immediately follow the reading, and that the matter will remain before the Senate until voted upon?

Mr. LODGE. That is my understanding; that we shall consider, discuss, and dispose of these amendments.

Mr. BORAH. Mr. President, I do not understand that the discussion will be confined to these amendments.

Mr. LODGE. Of course not.

Mr. BORAH. It will be a discussion of the treaty, but not necessarily of these amendments.

Mr. LODGE. Oh, no.

Mr. BORAH. There is no agreement to that effect, and there will not be any made to that effect.

Mr. HITCHCOCK. Does the Senator from Idaho by that desire to prevent coming to a vote on the Fall amendments?

Mr. BORAH. Not necessarily, but I do not propose to confine my remarks to those particular amendments.

Mr. HITCHCOCK. I realize that there is no power to confine the remarks of Senators, but I had hoped that in good faith we could carry out within a reasonable time, as I am sure the Senator from Massachusetts desires to carry out, the settlement of these amendments when they are reached.

Mr. BORAH. I have no objection to that.

Mr. LODGE. That is my intention. I hope that they will be considered and discussed within a reasonable time; but, of course, the method which shall be employed by any Senator in discussing any question must be left to him. Yesterday when

the treaty was before the Senate some time was occupied in discussing Mr. Burleson's management of the Post Office Department. My only intention was to get the amendments before the Senate as soon as possible, Friday being the day set for their consideration.

Mr. HITCHCOCK. The reading of the portion of the treaty which the Senator has indicated, including all of the Fall amendments—

Mr. LODGE. That will include all of the Fall amendments.

Mr. HITCHCOCK. Will be concluded in a short time; and I am perfectly willing to proceed with the reading until the portion of the text embracing the Fall amendments has all been read.

Mr. LODGE. Very well.

Mr. McCUMBER. Does that mean that we go back to the Fall amendments when we are through with the reading?

Mr. LODGE. That is the desire—to have them all read before they are discussed.

Mr. McCUMBER. We will not go back to the first amendment, but to the Fall amendments.

Mr. LODGE. Certainly. As the Senator knows, the so-called Fall amendments are all practically one amendment.

Mr. McCUMBER. I understand.

The PRESIDING OFFICER. It is the understanding, then, that the reading shall be proceeded with.

Mr. LODGE. Mr. President, before any Senator takes the floor I offer two brief letters from a distinguished clergyman of Brooklyn, which I should like to have read.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested:

The Secretary read as follows:

UNITY CHURCH, THIRD UNITARIAN,
Brooklyn, N. Y., September 24, 1919.

Senator LODGE,
Senate Chamber, Washington, D. C.

MY DEAR SIR: I desire to commend you for your fight to add amendments and reservations to the league covenant and the peace treaty. Personally I know of very few people who do not stand with you in this.

Heretofore I have been an ardent champion of the league of nations and have spoken in its behalf. I still believe in the principle of a league, but not in this as it stands. I am convinced that as it now stands it will not prevent war but make war inevitable. To-day I am resigning from the Brooklyn League of Nations Committee of which I have been a member. I inclose a copy of my letter to this committee.

Rev. JOSEPH A. KYLE.

UNITY CHURCH, THIRD UNITARIAN,
Brooklyn, N. Y., 24 September, 1919.

BROOKLYN LEAGUE OF NATIONS COMMITTEE,
32 Court Street, Brooklyn.

DEAR SIR: I have received your communication asking me to write to Senator CALDER in regard to the amendments and reservations reported by the Foreign Relations Committee of the Senate. I am sorry that I can not do so, and feel that I ought to withdraw from the Brooklyn League of Nations Committee. Will you kindly strike my name from your list?

I can no longer with clear conscience support the league of nations covenant unless it can be radically amended and wholly severed from the peace treaty. I know of very few people who do not feel as I do about it. As the league covenant and the treaty now stand, they make war inevitable rather than impossible.

There is no doubt that some form of league is needed and will ultimately come. I still believe in the principle and will do what I can for it; but I am so disappointed by the glaring contrast between the beautiful words of President Wilson and what he has actually accomplished that I do not care to have any further connection with a committee that works in support of the present covenant.

Sincerely, yours,

Rev. JOSEPH A. KYLE.

THE STEEL WORKERS' STRIKE.

Mr. POMERENE. Mr. President, I desire to occupy a few minutes of the attention of the Senate on another subject. I have no desire to interfere with the progress of the peace treaty, but another matter has been called to my attention which I believe to be of the very highest importance at this particular time.

On Tuesday of this week Hon. JOHN G. COOPER, a Member of Congress from the Youngstown, Ohio, district, made a speech in the other House in which he called attention to one William Z. Foster, who is organizing the steel workers of the country. If Senators have not read the speech of Mr. COOPER, I hope they will do so. In my judgment, Mr. COOPER rendered a splendid service to the cause of law and order in making that speech at this opportune time.

I was told a few minutes ago that Mr. Gompers appeared before the committee of the Senate presided over by the distinguished junior Senator from Iowa [Mr. KENYON], which is now investigating the steel strike, and that in his testimony Mr. Gompers was asked about Mr. Foster. As I understand, Mr. Gompers admitted that Foster had been an I. W. W. and a syndicalist, but claimed that he had since reformed.

I have before me a copy of the Christian Science Monitor of Thursday, September 25 of this year. In a news article sent from Chicago this statement appears:

In a letter published in *Solidarity*, the official organ of the I. W. W., on November 4, 1911, William Z. Foster, secretary of the national committee for organizing iron and steel workers, urged the I. W. W. to work within the American Federation of Labor to make it a revolutionary organization. Mr. Foster at this time was a member of the I. W. W. and a candidate for editor of another I. W. W. publication, the *Industrial Worker*, at Seattle, Wash. His advocacy of "boring from within" the trade-union movement did not please the I. W. W. membership and caused his defeat.

I will not read the whole article; but the writer says:

This letter appears in the files of *Solidarity* at the office of the United States district attorney in Chicago. It reads, in part, as follows:

"I am satisfied from my observation that the only way for the I. W. W. to have the workers adopt and practice the principles of revolutionary unionism—which I take is its mission—is to give up the attempt to create a new labor movement, turn itself into a propaganda league, get into the organized labor movement, and by building up better fighting machines within the old unions than those possessed by our reactionary enemies, revolutionize these unions, even as our French syndicalist fellow workers have so successfully done with theirs."

This letter was signed "Yours, for revolution, William Z. Foster."

And now this man, with that record, which he himself wrote in 1911, is parading himself before the public as one of the friends of labor! God help labor when it gets into the clutches of men of that type!

I have before me a copy of the pamphlet which was issued by Earl C. Ford and William Z. Foster—this same William Z. Foster—and has printed upon the front page, "Published by William Z. Foster, 1000 South Paulina Street, Chicago." I am going to read a paragraph or two from it. He believed in direct action, he believed in sabotage, and he discusses approvingly sabotage. I am not going to read all he says on that subject, but I want to read a paragraph or two:

The most widely known form of sabotage is that known as "putting the machinery on strike." The syndicalist goes on strike to tie up industry. If his striking fails to do this, if strike breakers are secured to take his place, he accomplishes his purpose by "putting the machinery on strike" through temporarily disabling it. If he is a railroader he cuts wires, puts cement in switches, signals, etc., runs locomotives into turntable pits, and tries in every possible way to temporarily disorganize the delicately adjusted railroad system. If he is a machinist or factory worker, and hasn't ready access to the machinery, he will hire out as a scab and surreptitiously put emery dust in the bearings of the machinery or otherwise disable it. Oftentimes he takes time by the forelock, and when going on strike "puts the machinery on strike" with him by hiding, stealing, or destroying some small indispensable machine part which is difficult to replace. As is the case with all direct-action tactics, even conservative workers when on strike naturally practice this form of sabotage—though in a desultory and unorganized manner. This is seen in their common attacks on machines, such as street cars, automobiles, wagons, etc., manned by scabs.

Now, note their method of treating "scabs." I read from page 14 of this pamphlet:

The scab. A large portion of the syndicalists' success in their strikes is due to their energetic treatment of the strikebreaker. According to syndicalist ethics, a poverty-stricken workman, in his predicament, can do anything save scab. He may beg, borrow, steal, starve, or commit suicide, and still retain the friendship and esteem of his fellow workers; but let him take the place of a striker and he immediately outlaws himself. He becomes so much vermin, to be ruthlessly exterminated. The French syndicalists are especially merciless toward scabs. They are making strikebreaking such a dangerous profession that scabs are becoming pleasingly scarce and expensive. They literally hunt scabs as they would wild animals. This war on scabs is popularly known as "La chasse aux renards." (The fox chase.)

Senators will please note that William Z. Foster, in his position as an organizer of the steel men, seems to be following out the program so clearly set forth in his letter which I read a few moments ago. He is an I. W. W., as appears from the reading of his letter. He favored having the workers "adopt and practice the principles of labor unionism." He has gotten into "the organized labor movement." He is now where, to use his own words, he can "by building up better fighting machines within the old unions than those possessed by our reactionary enemies, revolutionize these unions, even as our French syndicalist fellow workers have so successfully done with theirs."

What a leader for law-abiding labor!

Senators, I do not think I am a pessimist. I am an optimist, but I am not underestimating the seriousness of present conditions.

Mr. THOMAS. Mr. President, I have just entered the Chamber. Let me ask the Senator what he was reading from.

Mr. POMERENE. I was reading from the pamphlet called "Syndicalism," by Earl C. Ford and William Z. Foster. But with this feeling of unrest prevailing as it is to-day, for men of the type of Foster—who has no respect either for the law of God or the law of man—to be placed at the head of a labor organization, or a movement in the interest of labor, shocks one's reason. All that men of that kind can do or will do is to ruin the cause of labor.

The vast majority of the laboring men, as the vast majority of all men and women, are law-abiding; but when they are controlled by leaders of this kind, what can you expect but the destruction of property? And when we arrive at a time when property is not safe, life itself is not safe.

Now, Senators, when I recall the fact that the entire resources of this country were mobilized so that a military autocrat should not control the destinies of the world, I am satisfied that that same people will see to it that an autocrat of the type of Foster shall not long control the actions of even a few laboring men. I hope that when Senators and the public generally are trying to determine what should be done in this great industrial crisis they shall bear in mind the character of man who is now one of their leaders.

TREATY OF PEACE WITH GERMANY.

Mr. WILLIAMS. Mr. President, I hold in my hand two interviews, one coming from Paderewski, the president of the new Polish Republic, in which he pleads for the league of peace to rescue Poland, declaring that it is essential to the maintenance of the independence of his people. The other is from Mr. Morgenthau, late our ambassador to Turkey, in which he states that he sees Germany strong for another war, preparing for it now; in which he says that she came through this war a perfect dynamo of strength, her human military strength as great as ever. He calls attention to the fact of the rapid demobilization of the forces of the entente, including our own and those of Great Britain, and to the danger of spending time in useless discussion while Germany is gathering together her forces, stiffening her sinews, and summoning up her courage for a new struggle.

I ask unanimous consent for the insertion in the Record of the two articles.

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

[From the New York Times, Sept. 19, 1919.]

PLEADS FOR LEAGUE TO RESCUE POLAND—PADEREWSKI DECLARES THAT IT IS ESSENTIAL TO THE INDEPENDENCE OF HIS PEOPLE—FIGHT INSPIRED BY AMERICA—PREMIER WANTS MORAL AND ECONOMIC SUPPORT, RATHER THAN MILITARY HELP.

"WARSAW, September 18.

"President Paderewski, of the council of ministers of Poland, declared to-day that the league of nations was essential to Polish independence. In a statement he said:

"From a Polish point of view our one hope of future security as a State lies in the league of nations. Upon it—and I fear upon it alone—depends the liberty of the Polish people and the successful development of democratic and liberal government in Poland. Standing, as we are, between Germany on one side and Russia on the other, we can not hope to maintain our integrity during these years, while we build up the strength of our people, unless we have the protection of the league.

"Poland at the present moment has 500,000 men under arms. Our people are short of food supplies, short of clothing, short of many of the necessities of life. We are compelled to make every sacrifice to sustain the army, and this with our population needing its resources for the upbuilding of the nation, in order that we may protect ourselves from encroachment.

"To-day we are defending 1,500 miles of front against Bolshevik forces, and, in so doing, we stand as the front line in Europe against Bolshevik invasion from the east.

"We are endeavoring to maintain this front line and at the same time to achieve an economic stability, to recuperate our people from the effects of repeated invasions of German and Russian armies. The task is a terrible one. The tax upon our strength will be too great unless we can have the assurance that there will be a body in the world to whom we can appeal for aid in the righting of our wrongs.

"Poland has set up a democracy under the inspiration of the American people. Had it not been for American intervention in Europe we might possibly have had some semblance of independent government under an autocratic overrule, but with American intervention and American help we have sought to establish not only the independence of the State but also the internal liberty of our people through the difficult road of democracy.

"The pressure is upon us on all sides through military action and through Bolshevik propaganda, and an intense propaganda from Germany. Unless we have a protective power in the world, under whose strength we can secure an opportunity for peaceful development and the solution of our internal problems, free from distracting and antagonistic influences, I fear for the safety of our democracy.

"The world has but little realization of the immensity of the problems with which we have had to cope. Large sections of Poland, which has been ravaged, are being brought back to fer-

tility; in addition, we have the replacement of populations, now congested in the cities, upon the agricultural lands of the State.

"We have been obliged to devote energy to supplying our railroads with rolling stock, of which they were denuded. Free access to the sea is as yet denied us, and our coal supply has been cut off, in spite of the immense majority of the Polish population in the Duchy of Teschen.

"Yet the Polish people are firm in their resolve to make any sacrifice for the firm establishment of their State. There is, however, a degree of sacrifice that no people can reach and still endure, even though the alternatives to which they turn may be even more disastrous. We can not be expected to build a great and stable State and to protect ourselves from Bolshevism on one side and German reaction on the other unless we can have the background of a great moral protecting power that will furnish us the opportunity of solving our difficulties.

"The great power and the support which it may furnish need not be military; its moral and economic force is all that we ask, and that power is the league of nations."

[From the New York Times, Sept. 20, 1919.]

MORGENTHAU SEES GERMANY STRONG FOR ANOTHER WAR—CENTRAL EUROPEAN STRIFE, HE WARNS, WILL ENCOURAGE NEW RESORT TO ARMS—MAY GOBBLE UP RUSSIA—AND SHE WOULD FIND WARRING SMALL NEW NATIONS AN EASY PREY—HIS SOLE HOPE IN LEAGUE—NEWLY CREATED POWERS MUST BE ASSURED OF JUSTICE WITHOUT ENGAGING IN WARS.

"PARIS, September 19.

"Germany came through this war a perfect dynamo of strength. Her human military power is practically as great as ever, and her 65,000,000 people have been schooled and hardened by trials. They have learned economy and self-denial.

"The nation has been compressed into a concentrated mass, which is surcharged with energy and moving with centripetal force, while Germany's neighbors are spreading themselves out thin and quarreling and moving with centrifugal force."

"Thus spoke Henry Morgenthau, who headed the United States commission of investigation which has been at work in Poland, in discussing to-day his observations in Central Europe.

"And what will be the result?" Mr. Morgenthau asked. Replying to his question, he continued:

"If disintegration keeps up among Germany's neighbors, there can be but one result. I doubt whether Germany fully appreciates her own strength. As she sits, calmly watching the dicker going on between the new States, which are losing sight of great principles and fighting over little strips of territory, she must take grim satisfaction in the battle her enemies are waging in her behalf. And a Germany encouraged by such discord among weak and struggling States undoubtedly will resort to arms within a few years and regain her lost territory.

"What will prevent the military clique from regaining control in Germany if Europe continues to offer such tempting prizes to various nationalities? Such a situation will not encourage Germany to regain her trade by peaceful means and to pay indemnities. It will not satisfy the militarists of Germany to return to the factories if their war-worn neighbors weaken themselves further and deliberately offer themselves as prey to the Prussian spirit.

"What is to encourage the democrats in Germany who are trying to get away from militarism? Europe is rapidly driving on toward a situation which eventually must result in a coalition between Russia and Germany and the absolute destruction of many of the newly created powers unless steps be taken to prevent it.

"Opinion is strong that the league of nations is the only means for preventing such a disaster. And it must come soon and have the loyal support of both great and small powers. Greece, Italy, Yugoslavia, Czechoslovakia, Poland, and other European countries which have been fought over and are in a sadly weakened condition need the support of some organization which will afford them the proper tribunal for their disputes and assist them in winning their publics away from the idea that war is the only means of getting justice.

"It is impossible to create barrier States against Bolshevism and militarism, and if these new States continue their quarrels and weaken themselves they can not resist any enemy, much less a great untouched power like Germany.

"Germany intelligently refused to fight to a finish with the United States. She withdrew in good order to a place of safety, where the war had not ruined her factories and where everything was ready for the resumption of peace industry.

"Germany has gone to work, but work is impossible in many of those districts where the Germans destroyed machinery and the people have not the raw materials with which to work. But these ruined countries must not make Germany's economic restoration easier by fighting among themselves and leaving Germany the world market without competition.

"The forces of peace must organize and consolidate; otherwise they are inviting an onslaught which German arms unquestionably will make within a few years unless Germany's enemies intrench themselves through constructive work and establish the nations which threaten to weaken themselves and their allies through greed and jealousy.

"Germany has gone over into Russia. Her people are organizing there, and they will marshal Russian resources and utilize them in combating the rest of the world, unless a strong Poland is created as a protection for Europe.

"With her great industrial resources and wonderful railway systems dominating Central Europe, Germany is in a very fortunate position. She is strong and virile, and capable of great commercial and military effort. Nations like Italy, Greece, Roumania, and Yugoslavia, which are extending their territory and spreading out in all directions, have not the industries to bring them that which makes Germany powerful. Furthermore, they are, in many cases, trying to swallow up peoples of different races and aspiration. They are trying to govern more than they can handle.

"Germany will leave France alone, perhaps, but she inevitably will try to gobble up Russia and many of the small countries of Central Europe.

"The task of the United States is clear. She must begin, through her allies, she must equip statesmen in the international school and create the first general staff that has ever existed, so as to have leaders who will realize what the world developments are.

"An America which is ready, mentally and physically, to stand behind the league of nations can hold the balance of power in the world. If the United States does not measure up to its responsibilities, Germany may win the next time and secure domination of the world."

Mr. JOHNSON of California. Mr. President, I understand that a few moments ago, when I was absent from the Chamber, the senior Senator from Mississippi [Mr. WILLIAMS] read into the Record, or presented for insertion in the Record, a petition or a letter or a memorial which had been addressed to me from various gentlemen in California. In the course of the presentation of this statement or memorial the Senator from Mississippi made the statement, as I am informed—not being present I relate it as the information conveyed to me—to the effect that the reason of the trip that I contemplate this afternoon is obvious; that it is to mend political fences of mine in the State of California, because certain gentlemen who signed this memorial or petition are gentlemen who have been connected with me politically in the past, are connected with me politically at present, and who will be, notwithstanding the memorial, connected with me, I trust, politically in the future.

Mr. WILLIAMS. Mr. President, of course the Senator is not trying to quote verbatim et literatim what I said.

Mr. JOHNSON of California. I am simply stating what I was told. I was not here.

Mr. WILLIAMS. I did not say that the Senator's reason for going was as stated, but I said that when I read that he was going I surmised that there was good occasion for him to go for that reason.

Mr. JOHNSON of California. A surmise, Mr. President, which I think is very natural in the Senator from Mississippi. I recognize that the Senator from Mississippi would be unable to comprehend adequately that I am going into the State of California, and I am going into every other State that I can reach in the United States, not to mend any political fences of mine, or any political fences at all, but I am going there because of an optimism which I think the Senator from Mississippi is utterly unable to comprehend, a faith in the common people of this land. I am certain, Mr. President, that when the common people of this land, just common folks, whom the Senator from Mississippi can not perhaps wholly understand, hear the story of the league of nations, understand what it portends, realize the meaning of the mystic utterances that have been made recently concerning it, these common folk of America will respond as Americans for America and in an American spirit. The purpose of the trip I intend to take is to preach, with the poor abilities that I have, and as best I am able, that doctrine of Americanism.

Mr. President, I might advert, did I desire to do so, to a petition received by me from the State of Mississippi some month or more ago, signed by various citizens of that State, against a league of nations, and mentioning the senior Senator from Mississippi. I refrain from putting that particular petition in the Record.

I might advert, as well, to the fact that recently there was a political contest in the State of Mississippi, and in that contest, as I am informed, one of the issues was whether or not the league of nations should be adopted by our country. I do

not know the facts; I have only been informed in that regard; that upon that issue the people of Mississippi announced their position without any doubt and in no uncertain tones. I may be in error in my information in that regard. I state it as hearsay, and hearsay alone.

But what the Senator from Mississippi does not comprehend, and can not comprehend, is that men may have a difference of opinion upon an academic or a governmental question and still may fight side by side politically in the present and politically in the future. In the State from which I come, Mr. President, it is not necessary for a man to be a servant to power or to crawl to one who holds a great position at present in order to be an American citizen or a member of a political party. In the State from which I come men differ on some political matters, on certain governmental questions, and yet fight together upon other governmental questions, and the politics of the matter enters not into the issue in any way, shape, or manner. There is no politics so far as this question is concerned, I trust, in the State of California, any more than I have been moved by any politics concerning the league of nations. There is only one motive which stirs me, and that is to do what I think I ought to do in a great crisis, in a great conjuncture of this country.

I am going to California, I am going to Colorado, I am going to Nevada, I am going to Oregon, I am going to Washington, I am going to Utah, if I have time to go to all those States, and I am going to talk as best I can. I want to say to the Senator from Mississippi that the people of those States want to hear the facts, and if Congress did what it ought to do in the present situation that confronts it it would for a brief period let every man get out of the atmosphere of Washington and go among the common people and try the issue among the people, who are entitled to know what is to be done with them and their children after them.

I am going to try to preach the amendment that I have presented, which is the amendment that will be last voted on, I understand. In this discussion and upon this particular argument I want to explain, if I am able to, that the United States of America, by the document that is presented here, is given a disproportionate representation, which challenges a man's self-respect who is an American and which affronts an American's patriotism.

I want to explain, if I am able to explain, to our people that an instrument is presented to us in this Chamber which gives to one great power in this world six votes in the assembly and to us but one vote in the assembly. When it is sought to explain that away by saying it is of little or no consequence, the inquiry at once arises in every American's mind if it is not of any consequence that Great Britain shall have six votes and that we shall have one, why in the name of common sense and Americanism did not the President of the United States come back here bringing America six votes and Great Britain one vote? If it is not of any importance, Mr. President, that Great Britain should be given six times the voting power the United States of America is given by this league, then why was it so necessary that the British Empire should insist upon those six votes?

A lachrymose appeal was made the other day by the President in regard to the sacrifices of Canada, Australia, and the like. He said that across the sea he could not tell the difference between Americans and Australians except by their hats, or words of that character. Of course, Canada and Australia sacrificed in this war. Of course, we recognize those sacrifices, and we yield to them the full meed of praise for patriotic duty well done.

But, Mr. President, the amendment which is presented here, which I had the honor to propose, recognizes Canada, Australia, New Zealand, South Africa, and even India. It gives them their votes within the league exactly as they are given under this particular league that is presented to us. It enables them to be members of the league, to vote within the assembly, and to do all that members of the league can do. The amendment only says, not that Canada shall be deprived of a vote, not that Australia shall be deprived of a vote, nor New Zealand, nor South Africa; it just says that America is big enough, powerful enough, and rich enough, America is good enough, to have just as many votes as the British Empire. That is the amendment; not that we deprive any other territory, any other entity, in this league of a vote at all. We merely equalize the voting power by giving the United States of America exactly the same number of votes that we give the Empire of Great Britain.

Mr. President, it starts with one vote for the British Empire, and then a vote for each fraction of the British Empire. There is no more reason for giving those votes to the fractions than there would be for giving a vote to the State of New York.

But that has been done, and written in the constitution of the league. So we would not deprive the British colonies of the power, the rights, and the privileges to membership accorded by the league. We simply, out of our regard for our own Nation, make our vote equal to theirs. And when the President asserts that it is a matter of little consequence and of no importance he is not frank with the people. Not alone is it of importance in one matter, but it is important in at least a dozen matters. Not alone does this voting power in the assembly touch the membership of the council, it touches every question concerning the peace of the world which may be dealt with either by the council or by the assembly. The assembly touches every important problem within the jurisdiction of the league of nations, and touching thus every important problem within the jurisdiction of the league of nations the voting power within the assembly becomes of transcendent importance. Under the voting power that is accorded the members of the league in the assembly—I repeat and repeat and repeat—Great Britain has six votes, and the United States has one vote.

I returned here from Minneapolis the other night, after a rather extended tour, in the endeavor to present what was in my mind upon this question. I came back here in the hope that I would be able to get a vote upon this particular amendment. I found on consultation, not alone with Senators on one side but Senators on the other, that it was impossible and that my amendment was relegated to the end of this entire debate. Being relegated to the end of the entire debate, I am resuming what I left off at Minneapolis the other night, the tour that was interrupted, and I am going forward with the idea of presenting as best I can that which is in my heart and in my mind.

Mr. President, this voting power in this instrument is the most important matter with which we have to deal. If you give a preponderance of voting power over ours to any nation, you place us in just that degree in the power of that particular nation and under that particular nation's sway.

The answer is made to me that other nations are not given six votes as well. That is true. France is not. Italy is not. Japan is not. But I am not concerned, Mr. President, with France, or with Italy, or with Japan, or with any other country. I am concerned not with Great Britain, with which some gentlemen are concerned alone; I am concerned with the United States of America, and I want the United States of America to have her equal voting power even with the British Empire.

Mr. WILLIAMS. Mr. President, it was quite characteristic of the Senator from California that he should immediately find some high place for which he was particularly fitted and which in his opinion I could not even approach. Of course, I do not place myself upon the platform upon which the Senator from California places himself. I admit a great many deficiencies of reasoning power and a great deal of inability to see clearly and completely a great many things. Yet, Mr. President, I shall be somewhat astonished to find anything in the world which the Senator from California, in his objective though not in his subjective form, could understand and which I could not.

Amongst other things that he thought he understood was the situation in the State of Mississippi, and he makes the assertion, "upon information," as he is kind enough to inform us, that the league of nations entered into the recent fight in Mississippi. In the first place, it was not a victory for either side, as the Senator seems to think. There are two factions in the Democratic Party down there. One faction elected the legislature and all the State officers except the governor and the lieutenant governor, and the faction to which he refers elected the governor and the lieutenant governor. In the second place, the league of nations did not enter, in the most remote manner, into the fight at all. It was a fight upon the State administration. In the third place, when the league of nations did enter into politics in the State of Mississippi, it was when my colleague was running against my former colleague, when it became a live issue, and my colleague defeated my former colleague principally upon that issue.

So much for the Senator's ignorance—I beg the Senator's pardon—the Senator's lack of accurate information concerning what has occurred in the State of Mississippi.

Mr. President, the Senator refers to the six votes which Great Britain has in the assembly and the one vote which we have. In the first place, Great Britain has not six votes in the assembly. Great Britain has one, Canada has one, Australia has one, New Zealand has one, South Africa has one, and India has one. These are all self-governing Commonwealths under the agencies of the civilization of the great Anglo-Saxon race, except—

Mr. BORAH. Mr. President—

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

Mr. WILLIAMS. Certainly.

Mr. BORAH. Is India a self-governing Commonwealth?

Mr. WILLIAMS. India is a self-governing Commonwealth in this sense [laughter in the galleries].

The VICE PRESIDENT. The Chair wants the doorkeepers to carry out the orders of the Chair.

Mr. WILLIAMS. I do not know whether the occupants of the galleries were applauding the Senator's inquiry or whether they were applauding my response. In either event—

The VICE PRESIDENT. They were disobeying the rules of the Senate. The rules are either going to be enforced or they are going to be repealed.

Mr. WILLIAMS. I am not talking about that, Mr. President.

The VICE PRESIDENT. That is what the Chair is talking about.

Mr. WILLIAMS. The Vice President, of course, is right in saying that the rules of the Senate ought either to be repealed or obeyed. Upon the day before yesterday, I believe, I am informed, though I was not present, a voice in the galleries, packed as the galleries have been for some time by the local union of "the Friends of Irish Freedom," called out, when a Senator of the United States was speaking from the floor, "Put him out." The rules of the Senate were not then obeyed, and the man who made that call ought to have been put out himself. If the occupants of the gallery failed to give the offender's name, the galleries ought to have been cleared. That was the time to assert the dignity of the Senate and of the Chair, and nothing was done.

Mr. President, I have no objection to applause in the galleries. As I said the other day, I think the Senate rule in that respect is foolish. The House has no such rule and gets along very well without it. However, even the House, with the greatest possible latitude in that regard, never allows hissing from the galleries and never allows people in the galleries to suggest that a Member be put out, in ignorance of the fact that a Member can not be put out except by a vote of expulsion, which requires a two-thirds vote. But if that sort of thing goes on, the hissing and cries of "Put him out," as in the case of the Senator from Arizona [Mr. ASHURST], it will not be long before a mob in the galleries will be putting motions, as they did in the French revolutionary convention, and participating in the action of this body, and will be forming, by their own election, a part of the body which the people have a right to elect and have elected.

But this has nothing to do with the argument. To come back to the argument: Great Britain has not six votes even in the assembly. She has one vote. Canada has one vote, Australia has one, New Zealand has one, South Africa has one, and India has one. All these are, as I was about to say when interrupted, self-governing Commonwealths except India, and India has a separate provincial government, although it is more closely allied to the British Empire's Government than are the governments of the other provinces. Not only is that true, but it has been recognized during the war that Canada and these other self-governing provinces had to declare war upon Germany before they were at war with Germany, and each one of them must make peace with Germany as parties to the general treaty before it will be at peace with Germany. Great Britain has long since recognized the independence, internationally speaking, of these self-governing Commonwealths. The Parliament of Great Britain has no right to declare a state of war into which she drags them *volens volens*. They have a right to sit in judgment and pass upon the question as to whether they shall go to war or not. Having that right, it is right that they should have a voice, although in no true sense a vote, in connection with the operations of the league of peace. I say a voice, because the general assembly of the league, in which they have representation, votes upon very few subjects at all, and even upon subjects where it does vote, the concurrence or agreement of the council is needed before it becomes binding, and the council votes by unanimous consent.

The President has answered fully every word that the Senator from California has said here to-day, and every word which he or anybody else has said on this subject at any other time. Great Britain's colonies, together with Great Britain, have in the assembly each a vote, but upon the council the Empire alone has a vote, and it is the council alone which controls the great and stupendous questions which will face the world as coming through the league of nations. The general assembly of the league can not decide anything except by unanimous vote—ours being one—except questions of procedure, adjournment, and so forth. Admission to representation on the council must be by unanimous vote—ours being one.

Mr. JOHNSON of California. Mr. President—

Mr. WILLIAMS. As has been well said, if there be six voices with only one vote, it is no stronger than one voice with one vote.

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from California?

Mr. WILLIAMS. I will in a moment.

Doubtless, had we requested to have delegates in the assembly representing the South and the Northeast and the Middle West and the Pacific States, I suppose they would have allowed us to have them; but nobody wanted it because, unlike the Empire of Great Britain, we do not allow the different parts of our imperial domain to sit in judgment upon questions of peace and war or upon questions of tariff, or upon any other national question.

Moreover, Mr. President, this provision adds five votes to the influence throughout the world of Anglo-Saxonism or Anglo-Celticism, as some people prefer to call it, and as I do myself—liberty-loving, liberty-conquering people, who have acquired liberty and transmitted it to the balance of the world; and the United States, so far from being weakened by giving a voice in the assembly to the great free States of South Africa, to the great progressive future Empire of Australia, to our good neighbor and friend who would agree with us oftener than with Great Britain, especially upon American questions, Canada, are strengthened by it.

I now yield to the Senator from California.

Mr. JOHNSON of California. Can Canada and Australia become members of the council?

Mr. WILLIAMS. Any Australian or any Canadian can become a member of the council, but Great Britain can have but one representative on the council, no matter from what part of the confederacy of self-governing British Commonwealths that representative may come. I have seen all that correspondence which the Senator has in mind, and that is all it means and all it is intended to mean. The Senator is referring to the Clemenceau-Lloyd George agreement.

Of course, Jan Smuts could have been the British representative upon the council, because South Africa could, as a part of the British confederacy, have a representative. A South African would be eligible for a place upon the council, a Canadian would be eligible, but the agreement in the treaty says, in so many words, that the so-called "Empire" of Great Britain shall have one representative on the council, and it says only one, and the naming of the whole includes its parts, and therefore the parts of Great Britain all taken together can have but one vote on the council; but that one may come from any part of the British Empire.

Mr. BORAH. Mr. President—

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

Mr. BORAH. Does the Senator contend that Great Britain or the British Empire could not have a vote upon the council and that also Canada at the same time could have a vote upon the council?

Mr. WILLIAMS. No; on the contrary, I say either can, and that both at the same time can not.

Mr. BORAH. Is that the contention of the Senator?

Mr. WILLIAMS. What you said or what I said?

Mr. BORAH. Does the Senator contend that Canada and the British Empire, or Great Britain, may not at the same time have members of the council?

Mr. WILLIAMS. Absolutely. I know exactly what the Senator from New Hampshire [Mr. MOSES] is showing the Senator from Idaho, and that is all the correspondence means, and that is what it said.

Mr. MOSES. Let it be read and let us see.

Mr. JOHNSON of California. Has the Senator from Mississippi any objection to having read the letter by Clemenceau, and Lloyd-George, and President Wilson?

Mr. WILLIAMS. No, indeed. How did the Senator get the idea that I had?

Mr. JOHNSON of California. Will the Senator from Idaho read the letter?

Mr. BORAH. Certainly.

The question having been raised as to the meaning of article 4 of the league of nations covenant, we have been requested by Sir Robert Borden to state whether we concur in his view that upon the true construction of the first and second paragraphs of that article representatives of the self-governing dominions of the British Empire may be selected or named as members of the council. We have no hesitation in expressing our entire concurrence in this view. If there were any doubt it would be entirely removed by the fact that the articles are not subject to a narrow or technical construction.

(Signed) G. CLEMENCEAU,
WOODROW WILSON,
D. LLOYD-GEORGE.

Mr. President, it will be recalled, if the Senator will pardon me a moment—

Mr. WILLIAMS. I yield to the Senator.

Mr. BORAH. I merely want to make one observation.

Mr. WILLIAMS. Very well.

Mr. BORAH. It will be recalled that ex-President Taft proposed an amendment to the effect that the self-governing dominions should never be permitted to have membership upon the council. Immediately that gave rise to debate in the Canadian Parliament, the premier of Canada insisting that Canada would have a right as a separate and distinct entity to have her own representative on the council; and he stated very explicitly that, if that was not to be true, Canada would not be very greatly interested in the league of nations.

Mr. WILLIAMS. Mr. President, had ex-President Taft's idea been adopted, if it had been provided that they should never have a representative upon the council, it would have been very unjust to Canada, Australia, South Africa, and New Zealand, because the time is not so very far in the future, as history runs, when Great Britain will be lesser Britain and greater Britain will be in Australia, Canada, South Africa, and New Zealand. As I stated a moment ago, it would not have been out of place at all if Jan Smuts or if the Premier of Canada had been the British representative upon this council; but the very league itself provides that "the following nations shall have one permanent place each"—nations, empires, monarchies, republics, whatever may be the form of the nation—and it names the United States as one, France as one, Italy as one, Japan as one, and the British Empire as one. So there is nothing in any argument that can be made for the contention that Great Britain and Canada and Australia could have three representatives, or that Great Britain and Canada might each have one representative upon the council, for the provision of the league itself is that the British Empire shall only have one vote upon the council.

Mr. PITTMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Nevada?

Mr. WILLIAMS. I yield.

Mr. PITTMAN. I simply desire at this point to interject and call the Senator's attention to the fact that neither Canada nor Australia nor any of the British colonies could ever have a member on the council without the agreement of the United States.

Mr. WILLIAMS. You are perfectly correct, and I am coming to that in a moment.

Mr. BORAH. Mr. President, I wish to interject that that is a mistake.

Mr. WILLIAMS. The mistake is the mistake of the Senator from Idaho. The vote of the assembly of the league to add a new member to the council is required to be unanimous, and in order to be unanimous the United States must vote affirmatively in favor of the appointment, or designation, whichever you may call it.

As suggested—and I was coming to that in a moment—in order to put anyone upon the council except those who are put there by the very language of the league itself—and those who are put there by that language as permanent members are one representative of the United States, one from Italy, one from France, one from Japan, and one from Great Britain—there must be a vote of the assembly and of the council, and the vote of both on this question must be unanimous. So if anybody attempted to put a Canadian in addition to a native of the British Isles upon the council, even if it were permissible under the league—and it is not—it would require the vote of the United States representative, the vote of the French representative, the vote of the Italian representative, and the vote of the Japanese representative on the council itself in order to permit the thing to be done. National jealousies can be trusted to defeat such a result.

Now, what is the use of talking as Senators have done, if six voices amounts to one vote and one voice amounts to one vote, what is the difference, except right of consultation and debate? It is like an old-fashioned Democratic convention in Mississippi, to which from one county 12 men might be sent, while from another county, perhaps, only 1 might be sent, but each county would have a certain vote, in accordance with the manner in which the convention was called, regardless of the number of delegates representing the county, though every individual might talk and consult and "reason together in brotherly love."

Mr. President, I was about to say here is Cuba, here is Guatemala, here is Honduras, I believe, and Peru, I believe, all represented in the assembly, but none of them upon the council. Here are Canada, Australia, and South Africa, which are represented upon the assembly but none of them upon the council, although

a citizen of either might be upon the council as the selected representative of the entire British confederacy. Cuba is, to a certain extent, under the protectorate of the United States; the Central American countries all are partially so, and they are subject to a large extent to our political influence, and to some extent to our control, much more so than free and self-governing Canada would be subject to the control of Great Britain upon any very great question affecting America.

Take, for example, the question which peculiarly concerns California, any question of Japanese immigration or of Hindu immigration. The Senator from California [Mr. JOHNSON] knows as well as I do that Canada would take the American view of that question; that Australia would take it; and that the white people in South Africa would take it. He knows that they have already taken strong positions against the orientalizing of their respective countries stronger even than we have taken.

We have taken a position emphatic, distinct, and strong.

California has taken it especially and more especially against Chinese immigration. Whence this new-born California Republican Chinese love and devotion?

Canada has gone, if anything, farther than we have, and Australia has gone farther than either in opposition to oriental immigration.

Why are you afraid of men who speak the same language, who have the same literature and the same law, who have inherited the same free institutions from the same source, who have achieved civilization according to the same ethical rules, who have the same concepts of municipal and of international law, who have the same love of peace and the same hatred of war, who have the same love of liberty and the same dread of autocracy and despotism? I do not regard Canadian representation in the assembly as any more an added force to Great Britain than I regard it as an added force to these United States; nor deep down in his heart does the Senator from Idaho or the Senator from California. They know as well as I do that these people have long since passed the stage of mere subject colonies. They are members of the great association of free self-governing Anglo-Saxon Commonwealths. I am no more afraid of the enmity or the treachery or the hatred of Canada than I am of the enmity or the hatred or the treachery of Minnesota or California; but, if I were, why should not these people be allowed a voice or, at any rate, be allowed an opportunity for mutual consultation in the league? While they can not belong to the council, except by Great Britain herself giving place to them or, rather, as the choice of all Great Britain, I do not doubt that the day will come at some time when some great Canadian will be a member of the council, freely selected by all parts of the great British confederacy of free-governing Commonwealths, for that is what it is to-day. The word "Empire" is a misnomer, so far as Canada, Australia, South Africa, and New Zealand are concerned. They make their own tariffs; they make their own immigration laws; they declare war when they go to war; and they make peace when peace comes. Great Britain does not even pretend to bind them in any of those respects.

But it seems to me that any American citizen, not only the "common people" to whom the Senator from California has so lovingly referred and concerning whom he rather throws out the intimation that I, perhaps, can not understand them—I do not know why; I am not peculiarly uncommon myself—but I do not understand not only why the common people can not read and understand the President's answer to all this slush, but why the very "commonest" man, even if upon the verge of idiocy, can not do so if he wants to, unless he is blinded by passion, unless back of him somewhere is some influence—hyphenated or otherwise—which biases his intellect. The President has made a great many perfectly clear statements upon his trip that will never be answered by the Senator from California, nor by any 10 men his equals in intellect, in perspicacity, or in reasoning power; but he has stated nothing more clearly than the statement which he made concerning this very question, and that statement, in my opinion, has not only been borne in upon the common people but has been borne in—however unwillingly—upon the uncommon lovers of the common people upon the floor of the Senate. I am of the private opinion that one reason why the Senator's amendment has gone to the fail of the docket is that, whether he recognizes it or not, somebody did recognize the fact that it is doomed to defeat in this body whenever it is voted upon.

Mr. BORAH. Mr. President—

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

Mr. WILLIAMS. Yes.

Mr. BORAH. If "somebody" thought that, they would have had it up here and had it voted on just as quickly as they could.

Mr. WILLIAMS. Unfortunately, we can not take things up.

Mr. BORAH. The greatest possible achievement that those who are opposed to it could possibly accomplish would be to bring it up quickly and defeat it.

Mr. WILLIAMS. It would be the greatest achievement for whom?

Mr. BORAH. For you and your colleagues.

Mr. WILLIAMS. Oh, Mr. President, the Senator must be talking to somebody not on the floor of this body; he must be talking to somebody above the floor. The Senator knows as well as I do that we are perfectly powerless to bring any question to a vote in this body so long as the dominant party does not want it brought to a vote.

Mr. BORAH. Are the Senator and the minority ready to vote solidly now to bring up this amendment?

Mr. WILLIAMS. I do not know whether the others are or not; I have not held any caucus on the subject. I am.

Mr. BORAH. I suggest that the Senator find out and let us know.

Mr. WILLIAMS. Suppose the Senator finds out whether or not his side is ready. This, however, is mere childish badinage and return of badinage. The Senator from Idaho knows as well as I do that we can not dictate what shall be done; his side dictates what question shall come up; in fact, the Senate is such an archaic body that even the majority can not dictate when there shall be an end to talk and a vote shall be taken.

Mr. BORAH. We have found that out within the last 24 hours.

Mr. WILLIAMS. How and when? We are ready to vote on the treaty itself. Yes; and we found it out when we were in the majority. Several times we found out that one man could stay away four or five months and come back and talk for four or five hours, if he wanted to, and that this body could do nothing. There exists not upon the face of the globe so august a body so augustly impotent as this.

A majority of nine-tenths can not do anything if the other one-tenth do not want to do it right there and then. A majority of ninety-five ninety-sixths can not do anything unless they physically tire the other one ninety-sixth to death. But the Senator, of course, knew that he was not speaking to the floor when he made that interruption. He was speaking to the conglomerate ignorance of the outside, which does not appreciate the augustness and the impotency of this body. [Laughter.] A conglomerate ignorance strongly backed by the hyphenates in the space above the floor.

Mr. President, I said just a moment ago that the President of the United States had explained this thing. A Senator rose here the other day and said that the President of the United States was guilty either of "misrepresentation" or of something else in his statement of the Shantung proposition, I believe it was.

Mr. President, it will be a long time before any Member of this body will find a majority or even a strong minority of the American people agreeing with him in any insinuation or intimation that the President of the United States is guilty of misrepresentation. He may not be infallible, and, of course, he knows he is not, and we know he is not; but he is about as nearly infallible as the average Senator. The people of the United States may not be willing to agree that he is always right, but they are very much more willing to agree that he is nearly always right than they are to agree that the average Senator is; and it grows out of two reasons: First, because they have confidence in his character and intellectual integrity; secondly, because they have confidence in the fact—and it is a fact—that he has had a better opportunity to acquire the necessary information than the average Senator here.

You can not break down Woodrow Wilson in that way. When you accuse him of lack of intellectual integrity, your accusation is self-accusing. It is a boomerang that goes out and comes back to yourself. Nobody believes it. Nobody will believe it. Whatever some of you, blinded by partisan zeal, or perhaps influenced by outside hyphenated so-called Americanism, may think, the President of the United States stands high in the estimation of the American people because of his honesty of soul and of intellect, because of his high idealism, because of his lofty thought, because of his capacity for clear expression, because of his patriotism, and above all because of his Americanism—not Pinafore Americanism, not comic-opera Americanism, everlastingly exploiting itself and calling attention to itself, but the genuine article that makes a man want to serve America.

By the way, Mr. President, I have hardly ever known a man who would get up and tell somebody here "I am an honest

man" that was above suspicion. When a man goes to prating too much about his Americanism, I always begin to look around to see why he wants to defend himself upon the score of possessing a quality that every good American citizen is supposed to possess. The only organized opposition to the league of nations and to the treaty is to be found upon this floor and in certain hyphenated societies in the United States of men who are considering more their love of the country in Europe whence they were derived than the interests and welfare of the world or of the United States, and some others who, worse still, are considering more their hatred of some country in Europe than they are entertaining love for this land, or love for the peace of the world. It is perfectly curious how often, when you trace it back, you will find the consanguinity or the affinity of hyphenation in it.

Mr. President, I pity the man who spends three or four months out in the country crusading against the cause of world peace, even if this instrument be not a perfect instrument to bring it around, and then comes back to this body and makes a speech of as many hours as he spent of weeks in the country—three or four hours—trying to get into the CONGRESSIONAL RECORD further emphasis of his opposition to what? To an attempt to bring about the peace of the world and to perpetuate it as fully as poor, fallible human nature, through any instrumentality whatsoever, can bring it about or perpetuate it.

Why, Senators have gone so far, some of them, as to say that this is a document to perpetuate war and to bring about war! Do you, or do any of you, believe anybody is sincere when he makes that statement, unless he is so prejudiced and biased for some reason or other that his intellect ceases to reason clearly? That it may not altogether do away with war and may not everlastingly perpetuate peace is not only very possible but very probable, because now and then human passion leaps all the barriers that human reason has erected to check it; but that its tendency is in that direction, that it will bring to bear toward that end the influence of the great self-governing countries of the world that have achieved liberty, that that is its purpose and intent, though it may more or less fail of accomplishing it, no man can sincerely deny; and that the President of the United States has spent intellect, and I started to say spirit; has expended industry and energy and patience with this view, almost single minded, no man can sincerely pretend to deny.

Oh, "a prophet is not without honor save in his own country." It has ever been the history of the world that in his own country he is apt to be somewhat without honor, sometimes overwhelmingly without it, sufficiently so to be crucified. But, at any rate, you can not tear down this man. He is too big a man, too great a man, he is too much of an idealist—just the very thing that you curse him for being; the best thing in the world that a man can be; a thing bringing him nearer the angels than any other human characteristic can bring him. Sordid politics can not hurt him; hyphenated Americanism can not hurt him; overhasty, undigested expressions even from good men, can not hurt him; and whether the league of nations is adopted this year or 4 years from now or 5 years or 10 years by these United States; whether this Government becomes a member of the league of nations this year or 5 years hence or 10 years hence—and time is of small import in comparison with the great question itself, although it is of immense import now for the present industrial and military peace of the world—whatever may be the lapse of time, the time will come when there will be a league of nations and when we will be members of it, substantially, if not identically, according to the very provisions of this treaty.

Three nations are enough to put it into operation. If you neglect the opportunity of being a charter member then your successors in the Senate will apply for membership later on. We may not get into it much earlier than Germany does if your schemes prevail, but we will get there sooner or later. You can not force the President of the United States to carry on negotiations for an emasculated and impotent instrument, which is about what you choose to make of this league of nations if you can have your way. There are shelves in the White House, and the American people still live, and your successors are not necessarily yourselves. If you want to beat this treaty and beat this league of nations, come out in the open, like men. Ah, you [to Mr. BORAH] have come out; the Senator from Washington [Mr. POINDEXTER] has come out; the Senator from Pennsylvania [Mr. KNOX] in his last utterance came out, although not in his first one. Do it like men, open and above board. Just say you will not have it, you do not believe in it. You think that the American people are able to carry their load in the world alone, isolated from the balance of the world; you want no help, and you ask none—

Mr. BORAH. Mr. President—

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

Mr. WILLIAMS. You say, in the words of the German junkers, and professors, and kaisers, that "the state is sufficient unto itself." Then you must build up a great big army and a great big navy, and have a peace of the world by conquest or domination, as you choose, which you may call the pax Americana. You have to have peace somehow, either by the friendly cooperation of the nations of the world, or by your own domination—you—

Mr. BORAH. Mr. President—

Mr. WILLIAMS. I wish Senators who want to interrupt me would wait until the end of a sentence. You have to have peace somehow in this world, Mr. President. Imperial Rome brought it to the world. Many sins went with her, but that was one virtue.

The Germans had the idea that they would bring about a pax Teutonica, and make it universal through the world, because they, as they asserted, were "the chosen people of God," possessed of the best culture of the world—"kultur," as they call it, which is not quite culture as we understand that term. Some Americans seem to have the idea that that is our mission. But I do not share that belief; but I have no hesitancy in the world in saying that unless you ratify this treaty and enter into this league, making up your mind to amend it after it is ratified, and not before, taking the very advice which George Washington gave regarding the Constitution of the United States, almost in the words I have just repeated—unless you are going to do that, then you must prepare to have the strongest Navy in the world, you must resort to universal military service and have the strongest Army, or at any rate stronger than any other two nations. Condemn your boys and your neighbors' boys to that fate if you will. I shall not voluntarily condemn mine.

Choose ye this day which pathway ye shall pursue. Shall it be one of brotherhood, of cooperation, of fraternal achievement, of peace? Or shall it be one of standing armed cap-a-pie in order to defend your peace against the world if necessary? This league is going to be formed, with you in it or with you out of it. If it is formed with you out of it, you may get into after all by asking to be allowed to get in. As for me, I think it better to go into now as a charter member.

When we accepted the Constitution of the United States, some of the greatest patriots in America—Samuel Adams, Patrick Henry, and George Mason, amongst others—said, "Here is this error, here is that one; here is this defect, here is that one; here is this omission, and there is that commission. We do not want it unless it is amended beforehand."

But Thomas Jefferson from Paris wrote, and George Washington here in America advised, and Alexander Hamilton here in America advised, and John Adams here in America advised, that we should take it first and amend it afterwards. We followed that advice. Had we not we and South America would have presented to-day the same picture to the world.

Now, I am going to say something that may cause some Senators, perhaps, to differ from me; that is that it will be easier to amend this league of nations after it shall have been adopted than it is to amend the Constitution of the United States. The advice of Jefferson, of Washington, of John Adams, and of Hamilton was taken, and within two years the first 10 amendments to the Constitution were adopted, which cured its glaring defects. Its most glaring defect was that while it took care of the States in the Federal Government, it did not take care of the rights of the individual citizen as against those of the Government. So the 10 amendments, the Bill of Rights, were put into it, which accomplished that great purpose, which was a purpose entertained in the very soul of Mr. Jefferson.

Why not pursue that policy with regard to this world constitution? Adopt it with its defects, since it is heading in the right direction, and then proceed to amend it. Do you imagine there is any reasonable amendment to the league of nations which the great American Republic could suggest that would not be accepted in Europe? Or do you belong to that class of people who seem to think that the whole world is in a conspiracy against America? The world has but one conspiracy on hand, so far as America is concerned, Mr. President, and that is a conspiracy to be in accord with her if possible. The nations of Europe are running over one another in emulation, each to prove itself her best friend. There is no conspiracy against America, because it is neither to the interest nor within the will of any people anywhere that there should be.

Mr. McCORMICK. Mr. President, I ask the Senator if he will develop his argument that the league will be more easily amended if we agree to accept the treaty now than if we insist on amendments in advance?

Mr. WILLIAMS. Mr. President, two countries have insisted on amendment in advance thus far. Both were advised they

could either come in or stay out. I do not know whether the great United States would be treated in that way or not. I rather imagine not. But that was the answer that China got, that was the answer that Roumania got, and that might be the answer that we would receive.

Furthermore, Mr. President, if you make any amendment to this treaty that will carry it back to the Paris conference you will summon up all the spirits from the Plutonian depths. The Polish question, the Czechoslovakian question, the Dalmatian coast question, including the mooted point of Fiume, the open wedge toward the Balkans for a seacoast port for Poland—every question will come up de novo. The Japanese will have something to say, the Italians will have a great deal to say. You would send it back there simply to be thrown into a caldron to boil, so that you could skim from the top, as best you could, the nonessential things that might arise. You have no right to suppose that you can just simply amend this to suit yourselves while the balance of the nations of the world would not offer amendments for themselves.

Moreover, you would have to carry it back to Germany in order to bind Germany. Ah, a great many of you think Germany is helpless. She is not. Three hundred thousand men to-day, under one pretense or another, as police or voluntary soldiers, are under arms in Germany, mobilized and ready for action. She can remobilize her whole army in 48 to 72 hours, if they are willing to come; and I have no reason to suppose that they are not if they see any hope of victory. Read what Mr. Morgenthau says about it in the article I had inserted in the Record this morning.

Now, Mr. President, so much for the difficulty of amending in advance. How shall you amend it if we ratify it first? Nine men around the board can do it. If the two great countries of Great Britain and the United States unite in pressing an amendment, unless it goes to the very vital interest or the essential integrity and liberty and life of some other country it will be accepted in the sense proposed by one or both of them.

Mr. McCORMICK. Will the Senator yield there?

Mr. WILLIAMS. Certainly.

Mr. McCORMICK. Is not that as true to-day as it would be after the ratification of the treaty?

Mr. WILLIAMS. It is not—emphatically not.

Mr. McCORMICK. Is it not true that after the ratification of the treaty we will be threatened with troubles from the Plutonian depths no less than we would be now?

Mr. WILLIAMS. No; because after the ratification of the treaty the council would consider amendments, and now all the representatives of all the civilized world that appear at the peace conference must be consulted, including Germany.

After ratification the provision for the amendment of the instrument, which it carries within its own lines, will come into operation, and there is no great difficulty about it, except the difficulty that many people imagine to lie in unanimous consent.

But there are these nine people around a table, all wise statesmen, who could agree around the council board at once that section so-and-so means this and section so-and-so means that, without throwing it all back to be reconsidered by everybody and reboiled in an international caldron. They will be superior men, accustomed to compromise in the interest of harmony.

France, I hope, will ratify the treaty in a few days. Three powers will soon be signatories to it. We have been the leaders in this great movement, and we are leading the world in idealism now, and I hope the time will never come, Mr. President, when we will not lead the world in idealism. What does that mean? It means that we are unselfishly looking toward an ideal. We have led the world thus far along that line. Practical politicians may cynically curse idealism. It has not thus far prevailed in Democratic or Republican conventions or primaries. That is about the extent of their vision. They may think, therefore, that it is worth nothing. But Napoleon Bonaparte was right when he said that imagination is the motive force of the world. Idealism, in the long run, wins, because behind it is "the divinity that shapes our ends, roughhew them as we may." In the long run God's purpose is accomplished, and that is always idealism; and the thing which prophets have foretold and which poets have sung and which Christ, the Prince of Peace, preached, will come some time or other, whether practical politicians in their miserable littleness and vanity cynically grin at it or not.

Mr. JOHNSON of California. Mr. President—

Mr. PITTMAN. Mr. President, I will yield to the Senator from California [Mr. JOHNSON] in just a moment. The Senator from Idaho [Mr. BORAH] upon the request of the Senator from California, has placed in the record a letter purporting to give the opinion of Clemenceau and Lloyd-George to the effect that Canada, Australia, South Africa, and New Zealand are eligible

under the covenant of the league of nations for membership upon the council. The letter was introduced for the purpose of supporting the argument of the Senator from California that Great Britain, by reason of its six votes in the assembly, would have a great advantage in electing members of the council and might succeed in electing to the council Canada or Australia, or even four of such self-governing colonies. I then interjected in the remarks of the Senator from Mississippi [Mr. WILLIAMS], who was then speaking, a statement that none of these self-governing colonies could be selected as members of the council without the consent of the United States. I was under the impression that I heard expressions of dissent to this proposition. It is for such reason that I desire to place into the RECORD at this time the exact articles of the covenant of the league of nations determinative of the question. Article 4 provides—

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

Mr. PITTMAN. I did not hear the Senator from Idaho.

Mr. BORAH. I want to submit an interrogatory to the Senator.

Mr. PITTMAN. Possibly the Senator had better wait until I read this, so as to have it before the Senate, and then I will be very pleased to listen to his interrogatory.

I am reading from article 4 of the covenant.

The council shall consist of representatives of the principal allied and associated powers, together with representatives of four other members of the league. These four members of the league shall be selected by the assembly from time to time in its discretion. Until the appointment of the representatives of the four members of the league first selected by the assembly, representatives of Belgium, Brazil, Spain, and Greece shall be members of the council.

That is the way the council is constituted. At the present time the membership of the council is complete. It consists of the United States, France, Great Britain, Italy, Japan, Belgium, Brazil, Spain, and Greece. It is within the power of the assembly to substitute other representatives for Brazil, Belgium, Spain, and Greece, but until so substituted by consent of all of the members of the assembly those countries remain as the four other countries having representation on the council. How may the change be made? As above quoted article 4 of the covenant provides that "these four members of the league shall be selected by the assembly from time to time in its discretion." They are to be selected by the assembly. Not by a majority of the assembly but by a unanimous decision of the assembly.

I read from article 5 of the covenant:

Except where otherwise expressly provided in this covenant or by the terms of the present treaty, decisions at any meeting of the assembly or of the council shall require the agreement of all of the members of the league represented at the meeting.

I call attention to the fact that no changes can be made in the council as now constituted, nor can any of the British colonies be placed thereon unless all of the members agree thereto. We will have a member of the assembly if we join the league; we will always have a member of the assembly, and while there may be a dispute as to whether Canada and Australia and the other self-governing British colonies are qualified under the covenant to become members of the council, there is no question at all that under the covenant they can never become members of the council without the unanimous consent of the assemblage, which must always include our representative. That is the situation.

Now I will answer the question of the Senator from Idaho.

Mr. BORAH. I will not interrupt the Senator now, as the Senator from California [Mr. JOHNSON] is anxious to get away to catch a train. I will submit some observations after he gets through.

Mr. PITTMAN. I will read one other article from the covenant to disclose the fact that there can be no change in the council, and that the assembly practically has no power, without the unanimous concurrence of the council. I read from the latter section of article 15, page 31:

In any case referred to the assembly, all the provisions of this article and of article 12 relating to the action and powers of the council shall apply to the action and powers of the assembly, provided that a report made by the assembly, if concurred in by the representatives of those members of the league represented on the council and of a majority of the other members of the league, exclusive in each case of the representatives of the parties to the dispute, shall have the same force as a report by the council concurred in by all the members thereof other than the representatives of one or more of the parties to the dispute.

In other words, under that article of the covenant the power of the assembly is nothing more than an obstructive power, because it can accomplish nothing without the unanimous concurrence of the council or the unanimous concurrence of those Governments represented on the council. In other words, you can refer a matter to the assembly if you want to, and a majority of the assembly may arrive at a decision, but that decision amounts to nothing until it is concurred in by all of the representatives on the council.

It is also true, under article 4, that the number of members of the council may be increased, but this increase can only be made upon a unanimous vote of the council and with the approval of a majority of the members of the assembly. I say with a unanimous vote of the council because, under article 5, which I have already quoted, all decisions of the council or the assembly must be unanimous unless in the covenant otherwise expressly provided. It is not expressly provided in this case, and therefore the membership of the council can not be increased without the agreement of all of the members of the council. We, if we join the league, are permanent members of the council and our consent would be necessary to increase the membership of the council. The language of article 4, dealing with the increase of the council, is as follows:

With the approval of the majority of the assembly the council may name additional members of the league whose representatives shall always be members of the council; the council with like approval may increase the number of members of the league to be selected by the assembly for representation on the council.

Mr. JOHNSON of California. Mr. President, I regret that time does not permit an extended answer to the remarks of the Senator from Mississippi [Mr. WILLIAMS], but there are one or two errors he has fallen into, and those errors I desire to correct.

Mr. THOMAS. May I interrupt the Senator by asking him a question?

Mr. JOHNSON of California. Certainly.

Mr. THOMAS. I want to ascertain whether I properly understood what the Senator said when he had the floor a few moments ago. I understood him to say that his amendment had by agreement been postponed for final consideration to the end of the consideration of the league. Did I understand him correctly?

Mr. JOHNSON of California. Probably the Senator did.

Mr. THOMAS. Is there an agreement to that effect?

Mr. JOHNSON of California. I do not know whether you would call it an agreement or not. I talked to the Senator from Virginia [Mr. SWANSON], representing the other side, respecting the matter, and I talked to certain Senators on this side of the Chamber who represent a view that is at variance with my own, and I learned from those with whom I talked that it would be an impossibility at the present time, or within the next 28 or 48 hours, to bring up that particular amendment.

Mr. THOMAS. I merely wanted to clarify the situation. It is the first intimation I have had of any agreement or understanding whatever.

Mr. JOHNSON of California. Perhaps I should not dignify it by the statement that it was an agreement. It was an inquiry on my part. The statement which I make I think was not questioned by any of those who were interested.

Mr. WILLIAMS. It is a fact, anyhow, I think.

Mr. JOHNSON of California. The Senator from Mississippi [Mr. WILLIAMS] says it is a fact that it could not be brought up.

Mr. THOMAS. It is undoubtedly true that it could not be brought up now; but I was curious to know who had made the agreement.

Mr. SWANSON. Mr. President, I was not in the Chamber, but some one has informed me that my name was mentioned as entering into an agreement. The Senator from California spoke to me, and I told him as far as I was personally concerned I would prefer that the amendment be voted on last.

Mr. JOHNSON of California. Yes.

Mr. SWANSON. But I had no authority to speak for the Democratic side, and I suggested that the Senator see the senior Senator from Nebraska [Mr. HITCHCOCK]. That is my recollection of the conversation. There was not any agreement, so far as I know, other than that he should see the senior Senator from Nebraska.

Mr. HITCHCOCK. I desire to say that the Senator from California [Mr. JOHNSON] did not see me on that subject.

Mr. JOHNSON of California. That is quite true. The Senator from California never stated that he saw the Senator from Nebraska upon that or any other subject that I am aware of.

Mr. HITCHCOCK. For information I should like to renew the inquiry of the Senator from Colorado. With whom was the agreement made?

Mr. JOHNSON of California. I have explained exactly what transpired. I am unable to furnish the Senator with any other facts.

Mr. President, permit me just a moment with respect to this matter. The Senator from Mississippi [Mr. WILLIAMS] is entirely in error when he says that Canada is not eligible upon the council of the league of nations, with Great Britain a member there as well. Under the statement that has been made by the President of the United States, the Premier of France,

and the Premier of Great Britain, Canada may become and is eligible to become a member of the council of the league of nations, and the British Empire, if Canada did become a member, would have two votes upon the council. I am speaking now of eligibility and not of what the Senator from Nevada [Mr. PITTMAN] referred to at all—the mode of selection. As to eligibility, all the self-governing colonies of Great Britain will be eligible to become members of the council.

In his statement of the facts the Senator from Mississippi, I think, erred. What seems to me to have been overlooked in discussing the votes of Great Britain is the fact that India is added, which is not a self-governing colony at all. India was added as a sixth vote only, but with none of the characteristics and with none of the qualities possessed by Canada, by South Africa, by New Zealand, or by Australia.

Mr. JONES of New Mexico. Mr. President, will the Senator yield?

Mr. JOHNSON of California. I will yield for a question. I am in a hurry to leave. If it is for an argument, no; if it is for a question, yes.

Mr. JONES of New Mexico. I want to ask the Senator this question: As I understand the Senator's amendment, it does not propose to take away from India or any of the colonies of the British Empire the right of a vote in the assembly.

Mr. JOHNSON of California. The Senator from New Mexico is correct in that.

Mr. JONES of New Mexico. If that is the purpose of the amendment, should we not confine our argument to the point which involves the right of the United States? While the Senator is here and there is a large number of Senators present, I really believe he would perform a great public service if the Senator would point out specifically where the United States would be benefited by having six or a dozen votes instead of the one vote which it has. Those of us who have given some consideration to this question contend that in only two cases would it make a particle of difference whether the United States had 1 vote or 50 votes, and that is in the admission of members to the league and mere matters of procedure before the assembly, the matters of procedure being questions of adjournment and things of that kind. Except those two things—

Mr. JOHNSON of California. Has not the Senator stated his position and is not that ample? May I not proceed, because I am somewhat in a hurry?

Mr. JONES of New Mexico. I ask the Senator very kindly, for the purpose of giving us information, because this is his amendment and he is expecting to leave the city and we will not have opportunity to interrogate him while he is gone—

Mr. JOHNSON of California. The Senator will have ample opportunity.

Mr. JONES of New Mexico. I ask him now to point out wherein the United States would be benefited by having more than one vote other than in those two particulars.

Mr. JOHNSON of California. The Senator has asked that question six times, and I think that is ample for the particular purpose of the query. The Senator from New Mexico will have opportunity to interrogate the Senator from California upon this amendment when ultimately it is voted upon, as well as upon the present occasion, because I expect to be here when the amendment ultimately comes up. Referring now to the particular matters to which the Senator from New Mexico adverted and to which the Senator from Mississippi [Mr. WILLIAMS] referred, it is not a question, as the Senator from Mississippi says, that these self-governing colonies should be allowed a voice in the league. He makes the same plea that the President made, that they are allied to us by racial characteristics, that they are allied to us by sacrifices in the war and the like. Admit it all; concede everything that may be said in praise of Canada, New Zealand, Australia, and the other colonies of Britain; but that is not the point. We do allow them a voice by permitting them to be members of the league exactly as originally was planned and exactly as stated in the covenant of the league of nations. What we propose to do is to give our country the same proportionate vote that is given to Great Britain and to her colonies by the league covenant.

The Senator from New Mexico [Mr. JONES] asks again and again why that should be done. It should be done because the one great powerful nation of the earth is our Nation; the one great predominating figure of the league of nations, if we enter it, will be the United States of America; the one great asset for peace that there is in all the world is our Republic; and because we are the dominating Nation of the world, because we are the richest and the most powerful, the least spent of all the nations of the earth, because we are the greatest asset for peace that there is in the world, our Nation should be allowed a proportionate vote, an equal vote, with any other nation on earth.

There was not any reason in the world advanced by the Senator from Mississippi [Mr. WILLIAMS] and none has been advanced by the President, for giving India a vote in the league. Absolutely there can be no justification upon the theory of a self-governing colony for saying that India shall have a sixth vote after Britain has been allowed five votes. You say to me that there is a veto power, as the President has repeated throughout the country, in the United States upon the council and sometimes in the assembly. Granted; but a veto power is not always potent by any means. When you set six men down upon one side and one man down upon the other side, the six, by the very disproportion of numbers, may prevail. Every man who has practiced law has had exactly that sort of experience; every man who has sat in any deliberative body of any sort knows that that is the fact. To give one nation six votes in the assembly and to give to another nation one vote, gives to the nation with the six votes a preponderating power which ought not to be tolerated by our Nation at least, for we are the preponderating Nation of the earth.

The Senator from Mississippi simply says, in reecho of the President's argument, that six equal one and one equals six. It is a metaphysical tragedy, a mathematical cataclysm on the part of the Senator from Mississippi.

Mr. WILLIAMS. I did not say that. I said the six voices counted as one vote.

Mr. JOHNSON of California. Well, six voices might equal one voice; I grant that may sometimes be true, even of the voice of the Senator from Mississippi or of mine in a particular instance.

Mr. WILLIAMS. I said the six voices equaled one vote.

Mr. JOHNSON of California. The six voices are equal to one vote; but the six voices do vote upon matters that are of grave consequence in this league. They not only vote on the selection of members of the council but they have jurisdiction of anything that affects the peace of the world. The covenant so states and the particular provisions in that regard have been presented to the Senate in the past. They will be read, I hope, by the Senator from Idaho [Mr. BORAH] as well in presenting this matter. Recently when the Senator from Missouri [Mr. REED] addressed the Senate he pointed, and pointed with accuracy, to the various provisions in the covenant showing that the assembly has not only the power that has been attributed to it by the Senator from Mississippi and by the Senator from New Mexico, but that it has a tremendous jurisdiction in dealing with almost every international matter that might be taken cognizance of by the council.

Mr. JONES of New Mexico. Mr. President—

Mr. JOHNSON of California. I yield for a question but not for an argument, however eloquent it may be.

Mr. JONES of New Mexico. I ask the Senator if in all of those matters to which he has just now referred the vote in the assembly must not be unanimous, and therefore have the affirmative vote of the United States?

Mr. JOHNSON of California. Not always, sir. I dislike, Mr. President, to indulge in details, but take an instance where the United States and the Empire of Japan may have a difference; assume that from the council into the assembly comes a dispute or controversy between Japan and the United States. When it is taken into the assembly thus each party to the controversy must stand aside, for neither of them can vote under the covenant of the league of nations.

Mr. JONES of New Mexico. Mr. President, just at that point I should like to ask the Senator in such a case would the United States have any vote even though it were granted a dozen votes in the assembly?

Mr. JOHNSON of California. That is not the point; and that shows the peculiar sort of mental strabismus that affects us today, in considering the question of 6 votes for Great Britain and 1 for the United States. Of course, we could not vote then; we would have to stand aside; but we are confronted with the fact that another nation sits there with an offensive and defensive alliance with Japan that casts 6 votes in that particular matter.

Mr. JONES of New Mexico. Mr. President—

Mr. JOHNSON of California. I refuse to yield at present. The Senator will have to pardon me, because I am very limited as to time.

Mr. JONES of New Mexico. I merely—

Mr. JOHNSON of California. I mean no discourtesy to the Senator.

Mr. JONES of New Mexico. I understand that, of course.

Mr. JOHNSON of California. But he will have to pardon me, for my time is very limited. I should be delighted to remain here and discuss this question. I am coming back to discuss it again, and I promise the Senator from New Mexico that I will then stand here for a day if he desires me to answer any questions he may ask in respect to the matter.

Mr. JONES of New Mexico. I merely wanted to ask the Senator—

Mr. KNOX. Mr. President, I rise to a point of order.

The VICE PRESIDENT. The Senator from Pennsylvania will state it.

Mr. KNOX. Is the Senator from California entitled to the floor when he declines to yield?

The VICE PRESIDENT. He certainly is; and he is not subject to be interrupted if he does not desire to yield.

Mr. JOHNSON of California. I repeat, so that there may be no misunderstanding concerning it, that when a controversy between the United States and another nation comes into the assembly both must stand aside, and then the United States is confronted with six votes being cast by Great Britain upon a matter, perhaps, of grave importance. If Senators will examine the labor provisions in the treaty, they will find a disproportion as well with respect to the representation in the labor council. Passing that, however, the fact is that six votes are given to the Empire of Great Britain. Why persist in saying that we are like unto them; that we ought to have an Anglo-Saxon alliance; that, after all, it is the English-speaking people who shall go forward in progress and shall go forward for peace, who shall make the world what it ought to be, who, indeed represent idealism and altruism, and who, after all, are the people who ultimately are going to rule the world? That is not the point at all. Even though in the future you expect the alliance suggested, even though in the days to come the Anglo-Saxon peoples may come together as never they have come before, upon what theory, nevertheless, will you to-day enter into a situation, put yourselves in a position where you will have one-sixth of the votes of any nation on the face of the earth? There is not any justification for it in logic; there can not be any in your love of country; there is not any justification for it in anything that has been said by the President or by the Senator from Mississippi.

The Senator from Mississippi to-day amplified the arguments of the President. The President has simply said it is a matter of little consequence and that the veto power exists. Therefore, he is philosophical about the particular proposition. I am not philosophical about it at all. I have that peculiar jealousy of our representation in the council and in the assembly that, had I all possible friendliness for another nation, I could not tolerate that our Nation should have one-sixth of the representation of any other nation on earth. If there were not a peculiar psychology which has come to us out of the war, a singular mental distortion that causes us not to look things accurately in the face, we would not for an instant to-day permit such a proposition to be suggested to us, much less would we be found in advocacy of it.

Look back three years when our intellects were normal; look forward three years when again we will be a normal people and when the psychology of war will have passed from us. Imagine three years ago any man coming to us and saying that this country should enter into a partnership with any nation on the face of the earth, according to the terms of which that nation should have 6 votes and we should have 1 vote; we would not have listened to it for a second. Three years hence, when we have recovered our equilibrium, when the war is no longer near to us and its anguish no longer touches us, we will resent any such proposition being put upon the American people just as hotly as we would have resented it three years ago.

The Senator from Mississippi, adverting to the opposition to the league of nations, says it is confined to blind partisanship and to hyphenated Americans. That is not so; it is not confined to blind partisanship or to hyphenated Americanism of any sort or of any character.

Mr. WILLIAMS. Nor did the Senator from Mississippi say that. I said that was the only organized opposition.

Mr. JOHNSON of California. I am glad that I did not understand the Senator correctly; but the statement has been made inferentially by the President of the United States himself—inferentially, I say—and the effort has been made to frighten the opposition to this un-American pact with this old bogey man with which so many people were frightened during the war, by calling men who oppose it pro-Germans and insinuating that they are something that they ought not to be, by endeavoring to have them cease opposition to that which conscientiously they oppose. Let me say to my friends here that the time has gone by when the American people can be frightened by epithets, denunciation, abuse, and by calling them pro-German or any other name that you may see fit to apply to them. That time passed with the war, thank God. I hope that it never again will come back in this Republic.

Men to-day have the right to express themselves upon this question and to argue it without having epithets of any sort applied to them. When any man says this side of the Chamber is actuated either by blind partisanship or by pro-Germanism he says that which he knows is utterly inaccurate and without foundation in fact. Partisanship! Where lies it? Partisanship is not here; partisanship is with those who would blindly take whatever is presented to them coming from a partisan administration. Partisanship lies not with the men who stand here asking that this country be given equal representation even with Great Britain.

What a terrible thing it is, my friends! You are pro-German if you stand upon the floor of the United States Senate and say your country and my country should have equal representation in this league with Great Britain! Whence came it to be a reproach to stand here for the Republic and for Americanism? When did it become a sin for a man to say that his country, as great and as powerful as the British Empire, was entitled to the same representation as the great British Empire? I will not subscribe to the sort of doctrine that has been scattered over the country lately; I will not subscribe to the idea that a man can not oppose this covenant without having applied to him epithets of every character by all kinds of people. The men who stand here to-day are fighting with a conscientious effort in behalf of what they think is right and in behalf of that which, in their opinion, will not imperil the future destiny of the Nation. They are indulging in no epithets; they are not questioning any man's motives. It is a mighty poor advocate who can only hurl against those who are in opposition to his cause epithets and impute to them all sorts of questionable motives.

Mr. President, in the brief period that is mine I can not do more than to say to you that this amendment provides not that there shall be taken from Canada, from South Africa, from Australia, from New Zealand, or even from India the votes they have in the league; it simply provides that wherever those votes appear, wherever they are cast, wherever they act, the United States of America shall have an equal voting strength and shall act with exactly the same power as that with which Great Britain and her colonies act. Upon what days have we fallen when Americans, Senators of the United States of America, shall question the idea that America shall have an equal voting power with any nation on the face of the earth!

Mr. WILLIAMS. Mr. President, before the Senator from California goes I want to say this:

He has instanced a case where the United States and Japan would have a dispute, and where both would stand aside, and then he says that the six votes of Great Britain, as he calls them inaccurately, although four of them are the votes of our blood kin—Canada, Australia, New Zealand, and South Africa—would be cast against the United States because of an offensive and defensive alliance with Japan.

In the first place, there is no such offensive and defensive alliance. There never has been; the alliance has been purely defensive and confined to the Orient. In the second place, I dare say that if Japan and the United States had a dispute, and both had to stand aside, Canada and Australia and New Zealand at any rate, and probably South Africa, would always vote with the United States against Japan; and I say that every man acquainted with public opinion in those self-governing Commonwealths as to Japan and the Orient knows that to be a fact. Their voices and votes would be a source of strength to us of the United States and not of weakness in the very case which he has instanced.

Mr. WALSH of Montana. Mr. President, the inquiry addressed to the Senator from Mississippi [Mr. WILLIAMS] by the Senator from Illinois [Mr. McCORMICK] precipitates a rather interesting question concerning some features of the covenant for the league of nations which to my mind have not been attended to very closely by some Senators.

The Senator from Illinois wanted to know from the Senator from Mississippi whether it would not be easier to amend the covenant before the treaty is ratified than after the treaty is ratified.

Mr. McCORMICK. Mr. President—

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

Mr. WALSH of Montana. I yield.

Mr. McCORMICK. I have not the transcript of my question before me; but I think, to be precise, that I asked the Senator to pursue his argument to prove that amendment would be easier after adoption than before.

Mr. WALSH of Montana. I propose to follow that inquiry.

Mr. President, before this treaty is ratified, any amendment of it whatever must have the approval of every signatory to the treaty. Germany is a signatory to the treaty. Any change whatever in it, whether in article 1, comprising the covenant of the league of nations, or any other provision which affects her interests, must have the approval of Germany. But however it be, every change must have the approval of every signatory to the treaty.

Mr. McCORMICK. Mr. President—

Mr. WALSH of Montana. One moment. After the treaty is ratified, article 1, the covenant for the league of nations, may be amended as follows:

Art. 26. Amendments to this covenant will take effect when ratified by the members of the league whose representatives compose the council and by a majority of the members of the league whose representatives compose the assembly.

In other words, before the treaty is ratified, any amendment must have the concurrence of every signatory to it.

Mr. McCORMICK. Mr. President—

Mr. WALSH of Montana. After the treaty is ratified, if it has the concurrence of those States who have representatives upon the council, and a majority of all the members of the assembly, it may be amended.

I yield now to the Senator from Illinois.

Mr. McCORMICK. The Senator from Montana does not mean to say that Germany's consent must be had to an amendment of the articles of the covenant?

Mr. WALSH of Montana. Germany's consent must be had to any amendment of the articles of the covenant.

Mr. McCORMICK. May I read to the Senator the colloquy between the Senator from New Mexico [Mr. FALL] and the President?

Mr. WALSH of Montana. It is a matter of no consequence to me what the Senator may read. I read from the covenant.

Mr. McCORMICK. The Senator from Montana means that he holds the judgment of the President of the United States upon this covenant to be of small account?

Mr. WALSH of Montana. No; I do not. I respect his judgment about it very much, but the covenant is perfectly plain with respect to the matter. The covenant provides that it may be amended by the concurrence of the council and a majority of the members of the assembly. Germany is not a member of the assembly at all.

Mr. McCORMICK. Nor of the league.

Mr. WALSH of Montana. Wait a minute—nor is she a member of the council, nor is she a member of the league; so that after the treaty is ratified an amendment of the covenant for the league of nations may be made without consulting or conferring with Germany at all. Now, wait. She is, however, one of the nations signatory to the treaty. The treaty can not be amended in any particular whatever before it goes into effect—at least in any particular in which her interests are involved—without her consent.

The Senator from New Mexico [Mr. FALL] some time ago advanced the idea that, whereas Germany is not a member of the league, any amendment may now be made in the covenant without the consent of Germany; but, Mr. President, that is not sound at all, and the least reflection, I believe, will convince any man of the error of that conclusion. Germany, although she is not a member of the league, is vitally interested in the constitution of the league. Numberless provisions of the treaty place in the league of nations powers of the most vital interest and concern to Germany. She is interested, for instance, in who shall be members of the league, and therefore in the provision by which members may be admitted to the league. She is vitally concerned in what nations shall be represented upon the council, and therefore she is vitally concerned in how the council is constituted.

Why, Mr. President, even though she is not a member of the league, she is subject to its provisions. Let me call your attention to article 17, as follows:

In the event of a dispute between a member of the league and a State which is not a member of the league, or between States not members of the league, the State or States not members of the league shall be invited to accept the obligations of membership in the league for the purposes of such dispute, upon such conditions as the council may deem just. If such invitation is accepted, the provisions of articles 12 to 16, inclusive, shall be applied with such modifications as may be deemed necessary by the council.

And then:

If a State so invited shall refuse to accept the obligations of membership in the league for the purposes of such dispute and shall resort to war against a member of the league, the provisions of article 16 shall be applicable as against the State taking such action.

Accordingly, Mr. President, Germany is vitally concerned in the constitution of this league, because she may at any time be invited to accept membership for the purpose of the determina-

tion of any dispute in which she may become involved with any other State, and if she goes to war in disregard of the provisions of the league covenant she becomes liable to all the pains and penalties prescribed by it as against a member who goes to war under those circumstances.

Accordingly, Mr. President, it can not be said that because Germany is not a member of the league she is not vitally interested and concerned in every feature of the covenant by which that league is to be operated and amended. She assumes large responsibilities because of the provisions in the covenant, and accordingly you can not possibly change that covenant after Germany signs this treaty and before it is ratified unless she acquiesces in it and accords her assent, at least, to the amendment proposed; but after the ratification of the treaty you can change the league at will without her concurrence.

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

Mr. WALSH of Montana. Yes.

Mr. LENROOT. I should like to ask the Senator this question: The treaty provides that it shall become effective, so far as Germany is concerned, upon being ratified by three of the principal powers. If the treaty is ratified by England, France, and Japan prior to ratification by the United States, has not Germany then consented to amendments of the covenant of the league of nations without her consent or without requiring their submission to her?

Mr. WALSH of Montana. Oh, Mr. President, that is so simple; that is so easy! As a matter of course, if Germany signs a treaty with Great Britain and France and Italy she is bound by it so far as they are concerned. If she does not sign the treaty which we offer to her, she has not signed any treaty with which we have anything to do. We have no part in it whatever; and, consequently, when we come into the league, we can not change this covenant without the assent of Germany. We can not limit our obligations with respect to this matter, even though Germany has signed the treaty. Why, as a matter of course, if all the other nations of the world sign it except us, it probably will go into operation and Germany will assume all of the obligations that there are in it; but that is entirely aside from the question as to what the situation will be if we amend it. In that event we will have no treaty whatever with Germany.

Mr. BORAH. Mr. President, I want to say just a word about the question that has been discussed by the Senator from Montana [Mr. WALSH], and only a word.

Assuming, for the purpose of my remarks, that the Senator from Montana is entirely correct with reference to the vote, which I at this time do not either debate or controvert, to my mind there is a much more important question than that lying behind this controversy, so far as amendments are concerned. It is not the question, Mr. President, of mere facility of securing an amendment; it is the question, if it is a vital amendment, of making sure that we secure it before we are bound by the league at all. After we have joined the league and after we have ratified the treaty we may or we may not get our amendment. There may be some one who would refuse to vote or consent to the change. Assuming that it is easier to do it after we get in, so far as mere votes are concerned, yet the Senator must concede that there is a possibility, and even a probability, that upon many questions there is the power there to prevent it. So we may say, Mr. President, that the question of amendment is not the matter of the mere facility of securing the amendment, but we should make absolutely certain that we get it before we enter into and become a part of the league.

There is only one way to make certain of that, and that is to present the amendment, and if it is not accepted then we are not members of the league; we are not bound by a league which we do not want to be bound by, and we are going in under a league only which is satisfactory to us and which we know will be satisfactory to us. If we ratify the treaty, we are bound and we may never get our amendment. We are in, and, however onerous, all must stay in unless all consent we may get out.

Let me take an illustration. The Senator from Montana is a lawyer of wide experience. Suppose some client of his should bring a contract to him, a contract which had been drawn by another party and to which another party had attached his signature, which contract was to be passed upon by the Senator as a lawyer; and suppose that in looking over the matter both the Senator and his client should come to the conclusion that there were clauses in that contract which were ambiguous and uncertain, and clauses in the contract which the client might deem dangerous or menacing to his welfare and his interests. Suppose he should say, "Senator WALSH, here are terms in this contract which, to my mind, are dangerous, and the contract involves not only my interest but the interest of my children and my children's children for all time to come. It is a matter of tremendous concern to me."

Would the Senator, as a lawyer, say "You put your signature to that contract and I will take it over to the other man and see if he will consent to what you think is vital to your interests"?

Mr. WALSH of Montana. Mr. President, the Senator, of course, is canvassing a question altogether separate and apart from that which I was discussing.

Mr. BORAH. Exactly; but I am simply presenting my side of the controversy.

Mr. WALSH of Montana. I am very glad to answer the Senator, of course. The only certain way to get an amendment in, if we want it, but taking the risk of total failure, is to offer it beforehand.

Mr. BORAH. Precisely.

Mr. WALSH of Montana. There is not any question in the world about that. Of course, in doing that we take the risk of wrecking the whole proposition.

Mr. BORAH. Mr. President—

Mr. WALSH of Montana. Let me finish the instance given by the Senator from Idaho. When the draft of the provision was offered to me as a lawyer, I would say: "Now, such an amendment ought to be made, in my judgment. I think perhaps you are running some risk in signing that contract without that amendment in it." But my client might say, "Well, now, I am afraid the other fellow will back out of it if I propose that to him." And then, of course, I would be obliged to say, "Well, of course, you will have to take that chance." Finally he concludes that, after all, perhaps he had better let it go and see if we could not fix it up with him after we get his signature.

Mr. BORAH. But you are taking a chance.

Mr. WALSH of Montana. Of course.

Mr. BORAH. That is the exact position in which those who are offering these amendments are placed; they regard the amendments as so vital and of such gravity that if they can not enter the league with the amendments for their protection they would rather remain out. So far as I am concerned, Mr. President, I am debating a matter with which I am very little concerned. I am not deeply moved by these amendments, so far as the final disposition of them is concerned. It is a step in the right direction, but only a step and, to my mind, a very short and halting step in the right direction. I sincerely hope that the statement which the President of the United States is purported to have made this morning, and the statement which the Senator from Mississippi [Mr. WILLIAMS] has intimated would be carried out, will be carried out. I sincerely hope that if these amendments are put on, the President will exert his influence to bring the question of a league or no league to a test. To my mind, that is the only real and genuine way to treat this question. I do not think that any amendments have been offered or will be offered that will protect America's interest and America's principles, and therefore I am debating a matter in which I am only very slightly concerned. I am concerned in defeating the whole proposition of a league. I shall state my reason when this preliminary skirmish about reservations is over. I hope then to see the real fight take on its just significance.

The VICE PRESIDENT. The so-called Fall amendments were agreed to be taken up to-day.

Mr. OWEN. Mr. President—

The VICE PRESIDENT. Does the Senator from Oklahoma desire to discuss the Fall amendments?

Mr. OWEN. If there is any action contemplated on the Fall amendments, Mr. President—

Mr. HITCHCOCK. If the Senator will permit me, the Fall amendments are undoubtedly before the Senate at this time under the arrangement entered into, are they not?

The VICE PRESIDENT. It was agreed that they should be brought before the Senate to-day; but I have uttered the first word on the subject, I think, that has been uttered to-day.

The Chair was about to make a statement of the Chair's opinion, so that if there is any appeal to be taken from it or any dispute about the idea of the Chair being correct, the appeal can be taken and settled on the day on which it was agreed to proceed with the consideration of the Fall amendments. The Chair thinks that those amendments are now before the Senate, and if undisposed of at the hour of adjournment this evening they will come up automatically from day to day until finally disposed of. If that coincides with the view of the Senate, and there is no appeal, it will be so understood, and we can proceed to discuss everything else besides the Fall amendments.

Mr. LODGE. I understand the Chair to say that under the vote taken by the Senate September 23 the Fall amendments will come up from day to day until disposed of.

The VICE PRESIDENT. They will remain before the Senate as the pending question until disposed of, so far as the treaty with Germany is concerned.

Mr. LODGE. There is no doubt of that.

Mr. OWEN. Mr. President, the only instance which the Senator from California [Mr. JOHNSON] gave of the importance of the so-called six votes of the British Empire was in cases dealing with a point or controversies supposed to take place between Japan and the United States. I have the highest admiration for the Senator from California and approve many of the things for which the Senator from California stands, and particularly his attitude toward machine rule and popular government. But in this particular instance I differ with him, and I want to point out that under article 15, if such a controversy should arise, the sum and substance of the action of the assembly would be to put the report that they might make upon the same basis precisely as the report of the council under article 12. The report of the council, under article 12, if it should be unanimous against the United States, would have no further effect than to restrain Japan, if the United States refused to carry out the decision, from making war on the United States for 90 days after the decision. Without the treaty, Japan could make war on us without notice. If we concurred in the decision, Japan could not make war on us at all except as an outlaw.

It is the expressed opinion of mankind, operating through the publicity of the assembly which is of importance, and when it comes to the question of these six votes it ought to be remembered that the opinion of mankind will be shown at the council table by those who are represented, and not by the number of votes. When the voice of the United States is heard in the assembly it will be a very different voice than that which would be heard coming from the smallest and weakest of all the Republics of the earth. The assembly will be, I take it, a round table, but, after all, there is some force in the old saying that "where MacGregor sits is the head of the table."

Mr. FALL. Mr. President, possibly I misunderstood the statement which the Senator made a moment ago as to the effect of the decision of the council under article 15. I understood him to say that the only effect of the unanimous decision of the council, so far as the United States is concerned, would be to defer the making of war. Was I correct in that understanding?

Mr. OWEN. I will read from article 15:

In any case referred to the assembly, all of the provisions of this article and of article 12 relating to the action and powers of the council shall apply to the action and powers of the assembly, provided that a report made by the assembly, if concurred in by the representatives of those members of the league represented on the council and of a majority of the other members of the league, exclusive in each case of the representatives of the parties to the dispute, shall have THE SAME FORCE as a report by the council concurred in by all the members thereof other than the representatives of one or more of the parties to the dispute.

Mr. FALL. Certainly, that is true.

Mr. OWEN. Under article 12, to which I am referring, members of the league—

Agree that if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or to inquiry by the council, and they agree in no case to resort to war until three months after the award by the arbitrators or the report by the council.

In any case under this article the award of the arbitrators shall be made within a reasonable time, and the report of the council shall be made within six months after the submission of the dispute.

So that a decision of the assembly, not by a majority only, but if it were unanimous, could only have the effect of a report in council, and the effect of a report in council would be to forbid the parties litigant from going to war for three months.

Mr. FALL. That is not the only effect of it. That is exactly the question I was asking, whether the Senator made that point or not.

Mr. OWEN. I will be pleased to have the Senator point out any error.

Mr. FALL. The consequences are so much more serious than those indicated by the Senator, that I simply asked if I correctly understood him in his statement of the consequences. I do not agree at all; but I do not care to interrupt the Senator.

Mr. OWEN. I should be pleased to have the Senator point out directly any error.

Mr. FALL. Mr. President, under article 15 the decision of the assembly, made in the words which the Senator has read, has the same effect, not as a majority decision of the council, but as a unanimous decision of the council. The Senator has said that the only effect of that is to prevent the United States from going to war for nine months.

Mr. OWEN. Three months, I said.

Mr. FALL. The article says that the council can take six months to decide a question, and that the nation interested will not go to war for three months after the decision. The Senator said nine months.

Mr. OWEN. I said three months after the decision.

Mr. FALL. The decision may be made the next day, so that you would be restrained from going to war for three months and one day.

But that is not the penalty, Mr. President. The penalty is that if you do not obey the decision of the assembly, arrived at as prescribed in article 15, you become an international outlaw, the whole world is against you, the whole world might bring economic and financial pressure against you, and pledge the armies of the world against you.

Mr. OWEN. Oh, no; not unless you go into an aggressive war. You have to go into Mexico first.

Mr. FALL. That is a question I do not care to go into with the Senator. I shall make the argument in my own time.

Mr. OWEN. Not unless you go into a war.

Mr. FALL. I would have to go into the question as to what was war and what was an act of war.

Mr. OWEN. There is another feature of this matter to which apparently no attention has been given.

While Canada has a vote, and Canada might be expected to vote the same way that India would, we know perfectly well that India would like to admit the Hindus to Canada and that Canada would not like to admit the Hindus to Canada. They differ about the question of immigration. Canada, Australia, and New Zealand are opposed to immigration of the Japanese, and so are we. They have that community of interest in that one great important question that we might see arising in the future.

But that is not all. As far as Canada voting perhaps with Great Britain on some question, we have 16 different western American Republics who would vote the same way we would on matters touching American interests. We have immediately adjacent to us Cuba, that is to—

Mr. NEW. Mr. President—

Mr. OWEN. I yield to the Senator from Indiana.

Mr. NEW. What possible guaranty is there that any one of the 16 may vote with us?

Mr. OWEN. Common interest.

Mr. NEW. No ties of any other character than mere common interest?

Mr. OWEN. Yes; common sense.

Mr. NEW. Perhaps in that case they would all vote with us.

Mr. OWEN. The Senator interrupted me; I was about to point out that there is Cuba at our door, whose representative would undoubtedly vote with the United States in any matter affecting the interest of the United States. There is Haiti, there is San Salvador, there is Honduras, there is Nicaragua, there is Panama, all of them very close immediate neighbors having such interest in the welfare of the United States that they would be just as certain to vote with the United States as the dominions of Great Britain might be fancied would vote with Great Britain on some particular matters. But I remind Senators that it is going far to say that Panama, with a hundred thousand people, should have a vote, and that India, with 300,000,000 people, should not have a vote. I think we are straining this proposal. India, South Africa, Australia, New Zealand, and Canada are great self-governing dominions. Australia is almost as big as the United States in size. I am not quite sure at the moment of the area, but it is a perfectly enormous country, whose future destinies will justify representation, undoubtedly. Canada is our close neighbor, with 3,000 miles of undefended frontier, and the idea of Canada voting against the interests of the United States is entirely unthinkable. But it is not a question of whether she does or does not. Here are all these small Republics right at our doors whose interests are indissolubly intertwined with our own, and who would undoubtedly offset any of these supposed adverse votes of the great self-governing countries who are admitted into this league as individual members.

Great Britain might object to all of these little nations voting, but does not for the reason that whether they vote or not is of no serious importance.

Mr. FALL. Will the Senator yield for a question?

Mr. OWEN. Certainly.

Mr. FALL. Is the Senator sure that Haiti would vote with us?

Mr. OWEN. I think so.

Mr. FALL. I would not indulge in the same assurance with reference to other nations which the Senator has mentioned, but in view of the fact that the marines of the United States are now governing Haiti, I rather imagine possibly they might vote with us.

Mr. OWEN. I thank the Senator for agreeing with me at least on that one proposition.

Mr. BRANDEGEE. Mr. President, the Senator from Montana [Mr. WALSH] in referring to article 26 made a statement which attracted my attention. I want to ask him if he will look at that article again and then answer the question which I wish to submit to him. The article reads as follows:

Amendments to this covenant will take effect when ratified by the members of the league whose representatives compose the council and by a majority of the members of the league whose representatives compose the assembly.

Something the Senator said, which I can not now quote accurately because I have not the reporter's notes before me, led me to think that he construed that as meaning that an amendment proposed must have the unanimous vote of the representatives of the league in the council and then a majority of the members of the league in the assembly. I wanted to make sure whether I understood him correctly or not.

Mr. WALSH of Montana. My understanding is that the members of the assembly from the nine States represented in the council sit in the council as well. They would be the same—

Mr. BRANDEGEE. No; that is not my understanding, if I may say to the Senator. My understanding is based simply upon the language of the covenant, of course, because it has never been interpreted in actual practice. My understanding is that each member of the league is to have one delegate in the council and not to exceed three representatives in the assembly, who will be different persons from the man who sits in the council; but, in any case, no matter whether they have three or one in the assembly, they only cast one vote. Does that differ from the Senator's idea?

Mr. WALSH of Montana. Will the Senator call my attention to the article to which he refers?

Mr. BRANDEGEE. I was referring to article 26, to which the Senator previously referred.

Mr. WALSH of Montana. It seems quite plain. It says "ratified by the members of the league whose representatives shall compose the council."

Mr. BRANDEGEE. Yes; "by the members of the league whose representatives shall compose the council," but the ratification is by the members of the league. Is it by the members of the league as represented in the assembly or in the council?

Mr. WALSH of Montana. I should think in the assembly.

Mr. BRANDEGEE. I got the other idea from the Senator. I simply wanted to know whether he and I agreed about that or not.

The Senator from New Mexico [Mr. JONES] asked the Senator from California [Mr. JOHNSON] if he could point out any case where the six votes of Great Britain, to put it in the short way—I mean the British Empire and the self-governing colonies—would operate to their advantage or against our advantage other than the one he indicated. I think this very article 26 furnishes such an instance. We must not only get a unanimous vote of all the members of the league who are represented in the council, but we must get a majority of all the other members in the assembly. Great Britain has six there, she and her colonies, and we have one. It is not a very large body. If there are 26 members of the league there will be 26 votes in the assembly. A majority would be 14, out of which Great Britain starts with nearly half, while we start with one.

Not only is the voting power of Great Britain six times our power, but the capacity to exercise influence upon the other members in the assembly is greater. Everybody knows that who has attended a caucus or convention. If you go alone to the caucus, you have nobody to make suggestions to you or to counsel with you. If you have six colleagues, you can send them all over the hall to carry suggestions and advice to the other delegates, and keep them advised of what you are going to do, and so forth. It goes without saying that a company of six anywhere is more potent than a company of one. In my opinion that is one of the most vital clauses of the covenant.

Mind you, it is the President's contention—it need not be asserted violently, either, because everybody admits it—that the council of this great world-governing power can do nothing except by unanimous consent. At times that is an element of great strength, when you do not want to do anything, because your single vote casts the whole world-governing power into impotency. At other times, when you do want to do something, that is a great disadvantage.

I have received some letters intimating—and it has been intimated upon the floor of the Senate—that, like every other document, the covenant itself has its imperfections and faults, but they are negligible as compared to the great benefits which will flow from it, and that at any rate no human document is ever

perfect to start with, and any faults may be corrected in the light of experience after we get in and the door is locked behind us. Let us see. The only case in which the United States will ever consent to an amendment of this covenant, if we go into this combination, will be to correct some violation, to restrain the other members from doing what they are doing in the way they are doing it. If it works all right, nobody will want to amend it. It is when the shoe commences to pinch upon us that we will offer an amendment. That very situation shows what we are up against. The amendment necessarily is to be a restriction upon the parties who are operating the league from doing what they are doing. When those powers are conducting an operation which we say is wrong, and we want the covenant amended to restrain them, our remedy is to appeal for a unanimous vote to the very foreign powers who are claiming to act rightly and who are acting in their own interests, whether they are right or not.

Mr. WALSH of Montana. Mr. President—

Mr. BRANDEGEE. Just a moment. We ask them unanimously to vote to put in this covenant a provision which will prevent them from doing what they say they have a right to do and ought to do. I yield now to the Senator from Montana.

Mr. WALSH of Montana. There is no doubt that amendments may often be suggested under the circumstances supposed by the Senator from Connecticut, but he is himself the author of a proposed amendment to the Constitution of the United States under the provisions of which a proposed amendment should not go into effect until ratified by the votes of the people. It has no present application at all. There is no pending amendment to which it can have any application. The Senator is simply looking to the future. He is simply providing against a contingency that he thinks may arise. What is the reason for doubting that in the same way the covenant for a league of nations may be amended by some one who foresees possible complications that may arise in the future by reason of the imperfections in it and that have no bearing whatever upon any present exigency or controversy?

Mr. BRANDEGEE. Does the Senator ask me what is the reason for fearing?

Mr. WALSH of Montana. What is the reason to doubt that some member of the council or assembly, actuated by the same motives which now prompt the Senator to propose an amendment to the Constitution of the United States, will be proposing amendments to take care of contingencies that he thinks may arise, but are not now imminent?

Mr. BRANDEGEE. I do not have any doubt whatever that there will be a lot of amendments proposed, but I do not see the bearing of the Senator's question. I agree with him. I think at the first meeting of the assembly there will be plenty of amendments offered, because at the time it was adopted, according to the testimony before the Committee on Foreign Relations, there were 20 men who protested, though the chairman of the body said it was unanimously carried.

Mr. WALSH of Montana. That is not at all unlikely. That is exactly the condition that confronted us at the time that the Constitution was adopted. Many people wanted amendments, and by practically unanimous consent of the entire country we adopted 10 amendments without delay.

Mr. BRANDEGEE. What bearing does that have on what I was saying? I want to meet the Senator's idea and view.

Mr. WALSH of Montana. I shall be glad to elucidate it. I understood the Senator to say that the hope which is entertained by some people that the covenant would be amended has no foundation. Of course, no amendment would be proposed until some controversy gave rise to a desire for the amendment, and thereupon unanimous consent could not be secured.

Mr. BRANDEGEE. I see what the Senator is driving at.

Mr. WALSH of Montana. That is the impression that the Senator's argument left upon my mind.

Mr. BRANDEGEE. I will proceed, if I may, to correct the impression. What I meant to say, if I did not say it, was that we would only want an amendment when we desired to improve some condition for ourselves or to restrain some of the other powers that were acting in a way that we did not like. As I have said, I do not doubt there will be plenty of amendments proposed, but they can only be secured in any instance by unanimous consent of every power that has a vote in the council and a majority of all the other powers; and God knows how many there will be by the time the league is in operation. I believe there are 26 now. But I started to call attention to the fact that in that very vital matter Great Britain will have six times the power that we will have.

When independent sovereignties are going to enter a league to promote peace and good feeling, to say that we must start it on the basis of a six-to-one advantage in favor of the nation that drew the covenant and that has filled every office which

has hitherto been established, from the general secretariat down to the private secretary, with an Englishman or a subject of Great Britain—to say that we enter this proposed league to promote peace on an equality with other sovereignties, when one of those sovereignties demands six times the voting power in the assembly that this nation of 110,000,000 people have, is preposterous.

Mr. WALSH of Montana. Mr. President—

Mr. BRANDEGEE. I yield to the Senator.

Mr. WALSH of Montana. May I interrupt the Senator for a moment?

Mr. BRANDEGEE. Certainly.

Mr. WALSH of Montana. My understanding about the matter is that Canada, Australia, New Zealand, and South Africa were represented in the peace council. Accordingly Great Britain had six times the voting power of the United States in the peace conference; but was the United States placed at any disadvantage? Was it possible to do anything, in view of the unanimity required, that did not meet the approval of the United States?

Mr. BRANDEGEE. Mr. President, my chief criticism of the whole covenant and the treaty is that the United States does not seem to get anything out of it at all except an obligation.

Mr. WALSH of Montana. Mr. President, I have heard that statement before, and now I am curious to learn from the Senator from Connecticut just exactly what he would desire to have had the United States get out of it.

Mr. BRANDEGEE. I will tell the Senator one thing I should like to have us get out of it. I should like to have us get out of Europe and have our Army taken out of Europe for the purpose of keeping out of the infinity of obligations and embroilments and entanglements that are now going on in Europe. Why, the map of Europe looks like a kaleidoscope to-day.

Mr. WALSH of Montana. Yes; but the Senator's answer is negative; that is, he would not have had the league of nations. But the question is, What would he have had?

Mr. BRANDEGEE. I would have had peace. We did not enter this war to form any league of nations. I am familiar with the President's addresses in which he appeals to the soldier boys who were conscripted into the Army and sent over there to thrash the Germans under the orders of their superiors; I am familiar with the interpretation which the President says he can read in the hearts of those soldiers, that they fought for the things in which he or Gen. Smuts believed and put in this covenant; but if you ask the soldiers whether they had any such idea when they were trying to thrash the Germans they will tell you that they never heard of such a thing. I believe that nine-tenths of them are opposed to this program to-day.

Mr. President, as I have said, the process of amendment of this document is vital, because by the exercise of the process of amendment an entirely new covenant can be made. We want vital changes in the covenant; we are proposing them now on the floor of the Senate. There are certain amendments and certain reservations pending here in which every American in his heart believes; but we are told that we must not vote for them, not because they are not right, not because they are not necessary for the preservation of the independence of this country, not because they are not necessary for our protection under our form of government and to prevent the invasion of our Constitution, but because the adoption of such amendments or reservations might require that the treaty be resubmitted to the other nations that have signed it. That, to my mind, is a perfectly pusillanimous excuse.

Mr. President, if the President's statement is true that the league can not go into effect without America; that we are to stabilize the world; that the heart of humanity will be broken if we do not enter the league; that he has a mission and a call to lead America into this league for the purpose of leading the whole world—if that is true, how long do you suppose the nations that signed this treaty would hesitate if we said to them, "We would like at least to have the voting power that you have agreed Great Britain shall have?" If the life of those nations is dependent upon us, are they afraid of us? Read any one of the President's speeches and you will find that he says it is necessary for us to enter the league and assume the leadership of the world, because we are the only nation that those powers trust. If that is so, will they not trust us at least as much as they have trusted Great Britain? And they have given Great Britain six votes and given us but one.

We do not distrust Canada nor New Zealand nor Australia nor South Africa nor Great Britain; we do not distrust them any more than a man would distrust the partner with whom he was expecting to go into partnership; but they sign a contract for their mutual protection just the same. The great

self-governing colonies of Great Britain are nations; yes, to be sure; but they all owe allegiance to the mother country, the British Empire. If people want to put up with this six-to-one preponderance of the British Empire on the theory that when the stress comes five-sixths of the British Empire is going to abandon the head of the Empire and vote with us, they are more trusting and confiding than I think it is patriotic to be.

Why should we not ask for this? In my opinion, if the Senate of the United States has the courage and patriotism to perform its manifest duty to-day, not to ask to take away from any one of the British colonies its vote on the ground that we distrust it, but to ask that we be put upon the same basis as the British Empire, and the President advises by cable, or even by wireless, Great Britain, Germany, France, Belgium, Italy, and Japan that we want six votes if Great Britain is going to have six, if they want us in the league they will agree to the request before you could count six. But my friends consider this document, which they say can be amended at any time, so sacrosanct and perfect they are not even willing to make the attempt to correct the manifest injustices, obliquities, and obscurities with which it abounds. It must no more be touched than the sacred ark of the covenant; not an "i" must be dotted nor a "t" crossed. Even to say that our Army shall not be sent abroad without the consent of Congress is to devitalize the whole league and cut its heart out, the President says.

Mr. President, I expect to vote for all the reservations and amendments the committee has reported, not because I am satisfied with the treaty or with the covenant of the league if the amendments and reservations are adopted, for I expect to vote against the whole treaty even if they are adopted, but I will vote for them on the theory that if we shall enter the league I want it to be as little dangerous as possible for this country.

Mr. WALSH of Montana. Mr. President, will the Senator pardon an interruption?

Mr. BRANDEGEE. Certainly.

Mr. WALSH of Montana. Does not the Senator also intend to vote for them because he recognizes that their adoption will really kill the treaty?

Mr. BRANDEGEE. No; I do not.

Mr. WALSH of Montana. I accept the Senator's statement.

Mr. BRANDEGEE. I will not say if the President is sincere, as I think he is, but if there is any logic to be attached to the President's stand, and if his interpretation of article 10 is correct, to wit, that American troops can not be sent abroad in any event without the consent of Congress, then why does he object to our saying so?

Mr. CUMMINS. Mr. President, I should like to ask the Senator from Connecticut a question.

Mr. BRANDEGEE. I yield.

Mr. CUMMINS. Who proposes amendments under article 26?

Mr. BRANDEGEE. The article does not state. The article provides that amendments shall take effect when ratified, and I assume that any member of the league may propose amendments.

Mr. CUMMINS. Not the council or the assembly, but any member of the league may propose amendments. What authority in the United States, for instance, will ratify proposed amendments?

Mr. BRANDEGEE. I do not think that the article states that any authority in the United States is to ratify the amendments.

Mr. CUMMINS. Can the President ratify them, or would it require an act of Congress to ratify them, or would it require an election to ratify them?

Mr. BRANDEGEE. In view of the language of the article itself, I should not think amendments would require the ratification of any of the bodies named by the Senator, because it says amendments shall take effect when ratified by the members of the league.

Mr. CUMMINS. But suppose we are a member of the league and an amendment is proposed—by whom nobody knows—when would it be said to be ratified by the United States? What action would be required by any public authority in the United States to ratify it?

Mr. BRANDEGEE. None whatever.

Mr. CUMMINS. Somebody representing the United States must ratify it or it could not take effect.

Mr. BRANDEGEE. I thought the Senator said "what authority in the United States."

Mr. CUMMINS. Yes.

Mr. BRANDEGEE. None here; but sitting over in Geneva there would be whoever the President had appointed his delegate in the council or his representative or representatives in the assembly. When they had participated in the action of those bodies and those bodies had conformed to the requirements of article 26, the amendment would become a part of the covenant.

Mr. CUMMINS. Does the Senator from Montana agree with the Senator from Connecticut? Could our representatives sitting in the assembly or our representative sitting in the council ratify an amendment on the part of the United States?

Mr. WALSH of Montana. The language of the article is:

Amendments to this covenant will take effect when ratified by the members of the league whose representatives compose the council and by a majority of the members of the league whose representatives compose the assembly.

Mr. CUMMINS. My question is, What action will be required on behalf of the United States to ratify an amendment which has been proposed?

Mr. WALSH of Montana. I understand that nations are the members of the league, and each nation would prescribe its own method of ratification.

Mr. CUMMINS. It is the United States that is a member of the league.

Mr. WALSH of Montana. Yes.

Mr. CUMMINS. It is not a representative sitting in the assembly or a representative sitting in the council; it is the United States.

Mr. WALSH of Montana. Quite right.

Mr. CUMMINS. Now, how would the United States act in order to ratify an amendment?

Mr. WALSH of Montana. It would act just as it acts in the case of any treaty; it would provide by an act of Congress how it should be ratified.

Mr. CUMMINS. How do we know at this time what action will be required in order to ratify?

Mr. WALSH of Montana. We do not know. The Congress of the United States would provide the method of ratification; that is to say, the Congress has authority to carry it out so far as any action by the United States is concerned.

Mr. CUMMINS. The Congress of the United States does not enter into the contract.

Mr. WALSH of Montana. Oh, no; but it represents the United States.

Mr. CUMMINS. The President and the Senate enter into the contract.

Mr. WALSH of Montana. It is a matter of no consequence. A treaty is carried out through an act of Congress wherever a government undertakes to do a thing or is required to do anything, as a matter of course. If, by any treaty, the Government of the United States is called upon to take any action—

Mr. CUMMINS. That has given me a good deal of concern, because my conclusion is that it practically nullifies the possibility of amendment; and that is not cured at all by the so-called Johnson amendment, because the Johnson amendment refers to equality of representation in the assembly, but there is no provision anywhere in the covenant that pretends to inform the world what action must be taken in order to ratify amendments.

Mr. BRANDEGEE. Mr. President, in my opinion, the Senator is entirely correct. It is one of the most important articles in the whole treaty. It is the article upon which the future of the treaty and all the duties of the league depend. As I say, the whole covenant can be made over again, and made into something entirely different from what it is now, by the exercise of the power of amendment under article 26.

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

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Connecticut yield to the Senator from Utah?

Mr. BRANDEGEE. Yes.

Mr. KING. As suggested by the Senator from Montana, this covenant, so far as this Government is concerned, becomes an accomplished fact if it is ratified by the Senate. It is a treaty, and will be ratified, possibly, by the Senate of the United States. Now, as the Senator from Montana states, you carry a treaty into effect by a legislative act subsequently or presently enacted; and it would seem to me very clear that any amendments to the treaty could only be effectuated by an act of Congress, because that would be in pursuance of the terms of a treaty, and it would be carrying into effect the terms that the treaty provided. It seems to me that there can not be any controversy as to the means by which this Government would signify its approval of an emendation of the covenant.

Mr. CUMMINS. Then by what authority would Great Britain signify it?

Mr. KING. Great Britain would signify its approval, I take it, by the same method that she signifies her approval now. She signifies her approval now by an act of Parliament.

Mr. CUMMINS. But she is not obliged to.

Mr. KING. There is some controversy as to that. There is one school of political thought in England that insists that this treaty could be carried into effect, so far as Great Britain is

concerned, only by an act of Parliament. Others insist that it can be carried into effect by the vote of the ministry; that is, by those representing Great Britain at the Paris conference. I do not pretend to say which school of political thought in England is correct.

Mr. CUMMINS. When we are entering into a world constitution, should there not be some more definite and understandable provisions with regard to the amendment of the constitution than are here provided?

Mr. WALSH of Montana. Mr. President—

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Montana?

Mr. BRANDEGEE. I do.

Mr. WALSH of Montana. Why should there be anything more? We enter into a contract, for instance, with France by which the Government of the United States agrees to pay France \$15,000,000. How shall it be paid? It shall be paid, as a matter of course, pursuant to our system of government. Suppose it to be otherwise. Suppose we enter into a contract with France by which France agrees to pay us \$15,000,000. It might be that at that time France was an absolute monarchy, and the king of France could just draw his check.

Mr. CUMMINS. I do not see any parallel between a treaty for the payment of money and the creation of a constitution for the government of the world.

Mr. WALSH of Montana. Article 26 provides for the ratification of amendments by the United States, by Great Britain, by France, by Italy. Why should we go into the details of the constitution of each one of these several countries and tell how that ratification is to be accomplished under its peculiar institutions? The thing just simply provides that it must be ratified by these members.

Mr. CUMMINS. We ought, then, at least to provide that it shall be ratified by the legislative governments of the various countries.

Mr. WALSH of Montana. Suppose that we then encounter a perfectly autocratic government?

Mr. CUMMINS. My own judgment is that such a government ought not to be admitted to the league at all.

Mr. WALSH of Montana. Exactly; but let us suppose, now, that we take the case of Italy, and we assume that the Italian constitution provides that no act shall be of any efficacy whatever except it is concurred in by the King and by the Parliament. Now, why should we undertake to interfere with the internal provisions of the Kingdom of Italy under which it expresses its governmental desire?

Mr. CUMMINS. I have no desire to interfere, and I think it would be very unwise to interfere with the internal affairs of these various countries. That is just why I am opposing certain parts of this treaty, because it is an interference with the internal affairs of these countries; but we can easily point out the general manner in which the treaty is to be ratified. I have heard it said that under article 26 the representatives of the United States, sitting in council or in assembly, could ratify, on behalf of the United States, an amendment to the league of nations.

Mr. WALSH of Montana. Does the Senator subscribe to that idea?

Mr. CUMMINS. I do not. I do not know who would be required to express the ratification. I do not know whether it would be the President and the Senate, or the President and Congress, or whether it would be the representative appointed by the President to represent him in these matters. I say that if we are going to depend at all upon the process of amendment, we ought to be reasonably well assured with respect to the authority in our country, at least, that would be looked to for the purpose of ratification.

Mr. WALSH of Montana. I undertake to say that if the Senator endeavored to incorporate in a provision of this character concerning amendments a general provision which should be applicable to all countries, he would find it exceedingly difficult to make one that would be applicable to the conditions of all of them.

Mr. CUMMINS. I understand that perfectly, and therefore I know that it was never intended that the treaty should be amended at all. It never will be amended in any matter that concerns the diverse interests of the various nations which enter into it.

Mr. WALSH of Montana. I will follow that by the inquiry whether it was not a wise thing to provide, as it is provided, that it must be ratified by so many members holding seats in the council, and so many members holding seats in the assembly, leaving it to each particular country itself to devise a method of ratification consistent with its own constitution?

Mr. CUMMINS. What is consistent with its own constitution?

Mr. WALSH of Montana. That, of course, is another question. My idea is that so far as our Constitution is concerned, it is just the same as any other provision of a treaty which must be carried out by legislative action.

Mr. CUMMINS. But the Constitution of the United States prescribes how amendments shall be proposed, and it prescribes how they shall be ratified.

Mr. WALSH of Montana. Oh, but, Mr. President, we are not amending the treaty. The treaty will be amended only in one way. The treaty itself provides how certain provisions thereof concerning the league of nations shall be changed, and we have agreed to that treaty. Now, we are not amending the treaty at all. We are simply carrying out the treaty; and the Congress of the United States carries out a treaty by appropriate legislation.

Mr. CUMMINS. That depends on whether it is a legislative act or an administrative act. Treaties are carried out by administrative acts as well as by legislative acts.

Mr. FALL. Mr. President—

The PRESIDING OFFICER. The Senator from Connecticut has the floor.

Mr. BRANDEGEE. I yield to the Senator from New Mexico.

Mr. FALL. If the Senator will allow me in his time, I simply wish to state that I have heard some of the most remarkable propositions advanced this afternoon, I think, that I have ever heard of in connection with treaties. I never knew before that in any way the Congress of the United States by legislative action could ratify a treaty. So far as concerns clarifying this matter and making it perfectly clear, it can be done by just five words, and yet the Senator from Montana seems to think that it could not be made to fit all countries. If it needs clarifying—in my judgment it does not—but if it needs clarifying, if after the word "ratified" you would simply write the words "as other treaties are ratified," it would then apply to every country, and every country would ratify it as it ratifies any other treaty. The ratification of a treaty is not a legislative act enforcing the treaty. The ratification of a treaty is not a legislative act at all and never was. It can not be.

Mr. CUMMINS. Mr. President, that is precisely why I wanted a little illumination upon this point.

Mr. FALL. The Senator is entirely correct; but in diplomacy, in law, in international law, in any book that I have ever heard of or read on the subject, the ratification of a treaty has a distinct meaning. Here it has a constitutional meaning as well as a legal meaning, and it is not an act of a legislative body, and never was. The carrying out of a treaty after it is ratified is a legislative act, possibly. If, as the Supreme Court has often declared, there is any condition subsequent to be performed, then the legislature performs that condition subsequent, and enacts legislation to carry it out. This is the ratification itself. The question which the Senator has raised, however, is a very serious one, as he has suggested, under our Constitution, because, as a matter of fact, the President of the United States ratifies a treaty under the Constitution of the United States. It never is a legislative act. The Senate of the United States by a two-thirds majority consents to the ratification of the treaty presented to it by the President, and the President exchanges the ratifications with the other nations. The President of the United States would ratify this treaty, undoubtedly.

Mr. BRANDEGEE. Mr. President, the further we proceed the more obscure some of the provisions of this article appear to become. The language of article 26 is that—

Amendments to this covenant will take effect when ratified by the members of the league—

And so forth.

Now, the members of the league are the countries that belong to the league. They are not the representatives in the assembly or in the council of the league. The members of the league are the countries that compose the league. This article says that amendments to this covenant shall take effect when ratified by the members; and the question is, How will the United States ratify an amendment to this covenant?

As the Senator from New Mexico says, the language of our Constitution does not use the word "ratify" at all with relation to our duty as to a treaty. The President exchanges the ratifications. The Senate advises and consents to the treaty. It may be that the word "ratify" has been loosely written in there. It may be that the sense of that word is what it would be if they had said, "These amendments shall take effect when approved by the members of the league."

Mr. JONES of New Mexico. Mr. President—

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from New Mexico?

Mr. BRANDEGEE. I yield.

Mr. JONES of New Mexico. I should like to ask the Senator from Connecticut if he draws any distinction between the point presented by the Senator from Montana [Mr. WALSH] and my colleague. If I understand it, my colleague took the position that an amendment to the covenant would be an amendment to the treaty, whereas the Senator from Montana took the position that an amendment to the covenant would only be an act in pursuance of the treaty and in accordance with the covenant, and would not constitute an amendment to the treaty at all. Therefore any suggestion as to how treaties are to be ratified would not apply to this provision, which is an act under and in pursuance of a treaty or covenant. I think the way the Senator from Montana and my colleague view the proposition is wholly different, and I should like to ask the Senator from Connecticut which view he takes with regard to it. Would such an act under this provision be an act in pursuance of the covenant and in pursuance of the treaty, or does he consider that it would be an amendment of the treaty?

Mr. BRANDEGEE. Mr. President, that is a pretty long question for me to carry in my mind, but I will endeavor to give my view on the general subject proposed, and the Senator can correct me on any particular point of it.

Of course, this covenant which we are discussing is part 1 of the treaty. It is a part of the treaty of peace with Germany, although, in my opinion, it is utterly unrelated to it and ought never to have been a part of it. Still, it is there, and it has been ratified by the other Governments. Being a part of the treaty, article 26 of the covenant provides for amendments to the covenant, "Amendments to this covenant will take effect." Of course, if you amend the covenant, which is a part of the treaty, you amend the treaty of which it is a part. That goes without saying.

The amendments will take effect when ratified by the members. Ratified how? The Senator from Montana, if I understand him, says ratified by a legislative act, an act of Congress, requiring the assent of both branches of Congress, because he says laws passed to carry out provisions of a treaty, of course, are passed by Congress.

But, Mr. President, viewing this matter quickly and off-hand, as it has arisen here unexpectedly, I should not consider that this was a law to carry out the provisions of the treaty at all. It purports to be an amendment to the treaty, and if it is an amendment to the treaty to be ratified or to be approved by the various members of the league I should think it would have to be approved by the same method in which the original treaty was approved, because it is a part of the treaty, and I should not think the House of Representatives would have anything to do with it, and I should not think it was the passage of a statute at all. I do not think you could ratify such an amendment by a joint resolution.

Mr. JONES of New Mexico. Then, Mr. President, if that be true, it would be ratified, would it not, in the same way that other amendments were ratified, by the President, by and with the advice and consent of the Senate?

Mr. BRANDEGEE. If it takes the course that the treaty takes, it would have to be signed by the President and transmitted to the Senate, I assume, and secure a two-thirds vote of the Senate for its ratification.

Mr. JONES of New Mexico. If that interpretation should prevail, would there be any embarrassment, so far as the United States is concerned? If the interpretation placed upon it by the Senator from Montana obtains, then it would be done in pursuance of an act of Congress. So it seems to me it is not a matter of any very great consequence. The United States would find some method of ratifying the amendment.

Mr. BRANDEGEE. Mr. President, of course, with all due respect to the House of Representatives, my understanding is that the House would have nothing whatever to do with an amendment to a treaty. That would fall under the treaty-making power provided in the Constitution, which consists of the President and the Senate. I may be wrong about that. That is as to the process of ratification, which is very important, of course. But that is not the point to which I arose. The covenant itself, to those who have read it carefully and studied it carefully, of whom there are not very many in this country, although many have expressed their views about the general policy of some sort of a league, all assuming that they all promote peace, because large numbers of them prefer to believe that they will—is exceedingly loosely drawn, and is full of ambiguities and obscurities, a few of which we are going to try to clear up, if we dare to exercise the constitutional powers which have been conferred upon us.

Mr. President. I do not want to move to adjourn if any Senator desires to speak.

Mr. HALE. Mr. President, I would like to make a short statement.

The PRESIDING OFFICER. Does the Senator from Connecticut yield the floor?

Mr. BRANDEGEE. I yield the floor.

Mr. HALE. Mr. President, I notice that several of the morning papers have included me in a group of Republican Senators known as mild reservationists. Just what is meant by the term "mild reservationist" I have yet to find out. If it is anything mild in regard to the protection of American rights, they can count me out. There are a few Senators, mostly on this side of the Chamber, high-minded, patriotic men, who are openly in favor of defeating the ratification of the peace treaty. Especially are they against having the United States become a member of the league of nations. From the time of the publication of the first draft of the league covenant they have been steadily proclaiming the iniquities of the covenant, and in my opinion their objections to it are in the main well founded.

In fact, Mr. President, there is not an objection raised by them that would not have been taken care of in the treaty had we had anyone at the peace conference to look after the interests of the American people.

These objections are centered principally upon the four following questions:

First, the right of the United States to withdraw from the league. Second, article 10. Third, the right of the United States to settle all domestic questions. Fourth, the Monroe doctrine.

On account of the provisions of the league covenant in regard to these four matters these few Senators have been and are against having the United States enter the league of nations. Others of us, recognizing these objections and their evident merit, have believed that the objections could be obviated and the rights of the United States protected without leaving the United States out of the league by the insertion of reservations applying to the United States in the ratifying clause of the treaty.

The difficulty has been in getting together the people who want reservations and in reconciling the various differing views of Senators. The reservations given out by the Committee on Foreign Relations are, I think, satisfactory to most of us reservationists, with the possible exception of a slight change as to article 10. I personally should have preferred to cut out article 10 entirely, but this may not be done by a reservation, and I shall therefore be satisfied with a reservation which takes away any obligation moral or otherwise on the part of the United States to make war to preserve the integrity of any member of the league.

I want no mild reservations but clear strong ones which can not fail to protect the United States. I have steadily refused to accept any reservations which did not in my opinion have this effect, and, as I have said on the floor of the Senate, I shall not vote for the treaty unless such reservations are adopted.

The few Senators opposed to ratification have introduced amendments in regard to other matters in the treaty, namely, the Johnson amendment in regard to the votes of self-governing dominions and colonies and parts of empire, the Shantung amendment, and the Fall amendments in regard to our holding places on the various commissions provided in the treaty.

I am entirely in sympathy with these amendments, but as in the case of the league of nations I believe we can take care of them by equally strong reservations instead of by amendments. We are trying to work out reservations amply covering these matters, and I believe shall succeed in doing so. I believe that the people of this country want to see the peace treaty ratified with the interests and participation on the part of the United States protected by strong reservations. I believe that they want to see it done as expeditiously as possible, and that they will neither tolerate any unreasonable delay on the part of the Senate in performing its duties in regard to the treaty, nor any refusal on the part of the President to perform his part of the contract when the Senate shall have so acted.

ADJOURNMENT.

Mr. BRANDEGEE. Mr. President, I move, as in legislative session, that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Saturday, September 27, 1919, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nomination confirmed by the Senate September 26, 1919.

COAST GUARD.

Senior Capt. William Edward Reynolds to be captain commandant of the Coast Guard.

HOUSE OF REPRESENTATIVES.

FRIDAY, September 26, 1919.

The House met at 12 o'clock noon.

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

By Thy grace, our Father in heaven, inspire us to consecrate ourselves anew to the work Thou hast given us to do, that with patience, perseverance, diligence and efficiency we may press forward toward the mark of the high calling of God, in Christ Jesus. Amen.

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

PENSIONS.

Mr. FULLER of Illinois. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FULLER of Illinois. Mr. Speaker, this is private pension day, but owing to the fact that there is no prospect of these pension bills passing the Senate until very late in the session, and in order not to interfere with other business, I think it best to state that all pension matters will go over for the present.

THREE HUNDRED AND THIRTY-SECOND INFANTRY.

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by publishing some correspondence with the Secretary of War and a report that I have received from him in regard to the Three hundred and thirty-second Infantry, a subject discussed on the floor several days ago.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. GARD. Reserving the right to object, upon what subject did the gentleman say?

Mr. McCULLOCH. It is correspondence with the Secretary of War in regard to the Three hundred and thirty-second Infantry. The Secretary of War thought the report should be in the RECORD. Not having included it in my remarks, I am asking unanimous consent that I may put it in the RECORD.

Mr. BLANTON. Reserving the right to object, may I ask whether the gentleman has submitted the matter to the gentleman from Massachusetts for his approval?

Mr. McCULLOCH. Of course I have not.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

JAMES A. DUFFY AND LOUISE HARRIS.

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

The Clerk read as follows:

REPORT TO ACCOMPANY HOUSE RESOLUTION 303.

The Committee on Accounts, to whom was referred House resolution 303 authorizing payment from the contingent fund to the clerks to the late JOSEPH B. THOMPSON, a Representative in Congress from the State of Oklahoma at the time of his death, having had the same under consideration, find that the resolution carries out the custom and practice of the House in such cases and recommends its adoption.

House resolution 303.

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to James A. Duffy and Louise Harris the sums of \$161.67 and \$145, respectively, the same being the amount received by them per month as clerks to the late JOSEPH B. THOMPSON, a Representative in Congress from the State of Oklahoma at the time of his death, September 18, 1919.

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

Mr. MAPES. Yes.

Mr. WALSH. I notice that the report says that the committee concludes that this carries out the practice and custom of the House. Does the gentleman contend that because the clerks and stenographers have been put on the rolls that they should now be treated as other House employees?

Mr. MAPES. Mr. Speaker, the House employees, to some extent at least, who have been on the rolls, have been paid compensation, or their relatives upon their death have been paid six months' compensation. Of course the new provision relative to the pay of the secretaries to Members has just gone into effect, but the committee thought that it would be fair to continue the practice of giving the secretaries to the Congressman the usual one month's pay after the death of the Congressman.

Mr. WALSH. And include them both.

Mr. MAPES. And include them both.

Mr. SPEAKER. The question is on the resolution.

The resolution was agreed to.

MESSENGER AND ASSISTANT PAIR CLERK.

Mr. MAPES. Mr. Speaker, I present another privileged resolution.

The Clerk read as follows:

REPORT TO ACCOMPANY HOUSE RESOLUTION 253.

The Committee on Accounts, to whom was referred House resolution 253 providing for the services of an additional messenger and assistant pair clerk, whose appointment and removal shall be subject to the Sergeant at Arms, have had the same under consideration. The committee finds that with the increased volume of work of the House that there is necessity for the appointment of the additional employees referred to in order to maintain the height of efficiency demanded. The committee therefore recommends the adoption of the resolution.

House resolution 253.

Resolved, That there shall be paid out of the contingent fund of the House, until otherwise provided by law, compensation at the rate of \$1,800 per annum for the services of an additional messenger and assistant pair clerk, whose appointment and removal shall be subject to the Sergeant at Arms.

Mr. WALSH. Will the gentleman yield?

Mr. MAPES. Yes.

Mr. WALSH. What great urgency has arisen to make another messenger and pair clerk necessary?

Mr. MAPES. The information before the committee was that this was necessary. The minority Members have a pair clerk and an assistant pair clerk, but for some years the majority has had only one pair clerk, and the committee thought that inasmuch as the majority Members had more work to do or at least had more Members than the minority, it should provide for this additional assistance for the majority.

Mr. WALSH. It is a fact that some six or eight years ago there were two for each side of the House.

Mr. MAPES. There are two for the minority now.

Mr. WALSH. This is to restore it and make both sides equal. Is the compensation the same as that paid to the minority employee?

Mr. MAPES. Yes.

Mr. PARRISH. Will the gentleman yield?

Mr. MAPES. Yes.

Mr. PARRISH. In further reply to the gentleman from Massachusetts the Sergeant at Arms shows that this man is absolutely needed to carry on the business and that the pair clerk is put to great hardship by reason of the fact that he has not an assistant.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

On motion of Mr. MAPES, a motion to reconsider the two votes by which the resolutions were agreed to was laid on the table.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent to proceed for three minutes.

The SPEAKER. The gentleman from Kansas asks unanimous consent to proceed for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CAMPBELL of Kansas. Mr. Speaker, I am sure the people of the country were astonished this morning on reading in their newspapers that we are at war with Italy. It was most startling to discover that American soldiers had won a victory over Italian troops. I have no knowledge that we have declared war upon Italy or upon any faction in Italy, and yet it is reported that our arms are engaged against the people of that country. I wish some one in executive authority would tell the country under what law or authority this action is being taken. It is time, I assert, that the people of the United States should have some knowledge of the authority upon which the Executive undertakes war activities against a Government with which this country is not at war. [Applause.]

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. SMITH of Michigan. Is not that the condition in Russia as well?

Mr. CAMPBELL of Kansas. That has been stated upon the floor a great many times, and a state of unauthorized war still exists in Russia. But this is a new action initiated evidently by the Executive against another country with which we are at peace and which until yesterday has been one of our allies.

Mr. KNUTSON. Will the gentleman yield?

Mr. CAMPBELL of Kansas. For a question.

Mr. KNUTSON. Under the covenant which it is proposed to enter into, of course, we will have to do these things right along.

Mr. CAMPBELL of Kansas. Yes; but that is aside from the question; I now rise to ask by what authority are we at war with Italy?

Mr. BLACK. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. BLACK. What authority does the gentleman have for stating that we are at war with Italy?

Mr. CAMPBELL of Kansas. It is announced in the press dispatches that our troops landed in Dalmatia and drove the Italians out.

Mr. BLACK. Has the gentleman the authority of the State Department for that statement, or has he merely read it in newspaper reports. Is it authoritative of his own knowledge?

Mr. CAMPBELL of Kansas. Does my friend from Texas deny that our troops landed in Dalmatia and drove the Italians out as stated on yesterday?

Mr. BLACK. I am making no assertion at all, but I am seeking to know by what authority the gentleman speaks when, as a Representative, he charges on the floor of the House that the United States is at war with Italy when he discloses by his answer to the interrogatory that he has no knowledge except a newspaper report.

The SPEAKER. The time of the gentleman has expired.

BRIDGE ACROSS TENNESSEE RIVER, NEAR CHATTANOOGA, TENN.

Mr. MOON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 2910 and pass it as it is reported.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to take from the Speaker's table—the Chair is informed that it is not on the Speaker's table.

Mr. MOON. The bill came over from the Senate with a Senate report, and the House Committee on Interstate and Foreign Commerce has reported to the House an identical bill.

Mr. WALSH. A bridge bill?

Mr. MOON. Yes. Does the gentleman from Massachusetts want an explanation of it? I will state to him that the road running from the city of Cincinnati, in the State of Ohio, to Chattanooga—

The SPEAKER. The Chair will suggest to the gentleman that the bill has been referred to the committee, so the gentleman's remedy would be to move to discharge the committee and consider the bill.

Mr. MOON. Mr. Speaker, if that is the status, I now make that motion.

Mr. MONDELL. Mr. Speaker, I understood the bill was still on the Speaker's table.

The SPEAKER. The Chair finds it is not on the Speaker's table, and that the committee has not yet reported.

Mr. MONDELL. Has the committee reported the House bill?

Mr. MOON. The committee has reported the House bill, which is identical. I have a copy here.

Mr. MONDELL. But have they reported it, so that it is on the calendar?

Mr. MOON. I understand it is on the calendar; yes.

Mr. MONDELL. Well, does the gentleman know?

Mr. MOON. Here is the bill reported and referred to the House Calendar and ordered to be printed.

Mr. MONDELL. Mr. Speaker, if the House bill is not on the House Calendar and the Senate bill has been referred to the committee, I think the gentleman from Tennessee ought to withhold his request for one day.

Mr. MOON. It is on the House Calendar. It is a House bill. Mr. Speaker, I move to discharge the committee from further consideration of the Senate bill, and that it be now considered.

The SPEAKER. The gentleman from Tennessee moves to discharge the committee from the further consideration of the Senate bill, a House bill of identically the same tenor having been reported favorably by the committee.

The motion was agreed to.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the act approved April 5, 1916, authorizing the Cincinnati, New Orleans & Texas Pacific Railway Co. to rebuild and reconstruct, maintain, and operate a bridge across the Tennessee River near the city of Chattanooga, Tenn., be, and the same is hereby, revived and reenacted: *Provided*, That this act shall be null and void unless the actual construction of the bridge be commenced within one year and completed within three years from the date hereof.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. MOON. Mr. Speaker, I do not know that I desire to say anything further and I move the previous question.

The previous question was ordered.

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

On motion by Mr. Moon, a House bill of similar tenor was ordered to lie on the table.

GEN. JOHN J. PERSHING AND ADMIRAL R. E. COONTZ.

Mr. CLARK of Missouri. Mr. Speaker, I ask leave to proceed for two minutes.

The SPEAKER. The gentleman from Missouri asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CLARK of Missouri. Mr. Speaker, the Members of the House will remember that a very short time ago we conferred the rank of permanent full general on Gen. John J. Pershing, the great Missourian. There was also a proposition that was never put to a vote to give him a sword.

I desire to make two announcements. The people of Missouri are going to raise a fund to present Gen. Pershing with the finest sword that can be made in Toledo or any other place on the face of the earth. [Applause.] The movement has been started by Mr. Frederick G. Bonfils, owner and editor of the Kansas City Post and the Denver Post, and who started it with a contribution of \$500 himself.

In the second place, I wish to announce that another great Missourian, Admiral R. E. Coontz, of Hannibal, Mo., appointed to the Annapolis Academy by the late Col. William Hatch, long a prominent Member of the House, has, in the last few days, been made the head and ranking officer of the American Navy. [Applause.]

COAL-TAR PRODUCTS.

Mr. CANNON. Mr. Speaker, I ask unanimous consent that when we reach section 503, that at any time to the end of the bill I may have 15 minutes, which I may or may not use.

The SPEAKER. The gentleman from Illinois asks unanimous consent that when section 503 of the dyestuff bill is reached, he may be allowed to proceed for 15 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FORDNEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8078.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill, with Mr. TOWNER in the chair.

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

The Clerk read as follows:

A bill (H. R. 8078) to regulate the importation of coal-tar products, to promote the establishment of the manufacture thereof in the United States, and, as incident thereto, to amend the act of September 8, 1916, entitled "An act to increase the revenue, and for other purposes."

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Moore of Pennsylvania: Page 6, line 14, after the word "pound," strike out the proviso down to and including the word "pound," in line 25, and on page 7, line 15, after the word "particular," strike out all of lines 15, 16, 17, 18, and 19.

Mr. MOORE of Pennsylvania. Mr. Chairman, if the committee will turn to page 6 they will observe the proviso beginning on line 14, an extremely technical provision, very difficult to understand, written not by the ordinary legislator, but written by some scientific expert interested in the business. You will observe that provision is made for the standardization of colors, compounds, dyestuffs, standardization as to strength, all of which is to be effectuated by the Secretary of the Treasury.

We have started, as Republicans at least, to dispense with the innumerable bureaus that were created by our friends on the other side and by us during the war. This bill proposes, and the whole crux of the bill is, the creation of a dye-licensing commission, a new institution to be operated at the expense of the Government. The main purpose of the bill is to create a commission at the expense of the taxpayers which will have the effect of reducing the revenue by preventing imports into this country.

But here in section 501, in this proviso, preparation is made for a new commission to be created by the Secretary of the Treasury, a commission on standardization. The Bureau of Standards is not to be called in. That is a fixed bureau of the Government. The Secretary of the Treasury is to have the power here to provide for the standardization of these dyes, and they are not to be admitted into the country except at the standards fixed by him.

I am told by those who know more about dyestuffs than I do that it is positively impossible to effectuate the standardization of dyes as proposed in this paragraph, because of their constantly changing nature, and that it would take years to get the machinery in order and to find the experts qualified to standardize

these particular dyes, running up into the thousands and tens of thousands.

Mr. LONGWORTH. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield.

Mr. LONGWORTH. I would like to know where the gentleman finds in this paragraph any provision to prohibit the importation of any dyes.

Mr. MOORE of Pennsylvania. I have already made the statement in other speeches that this bill is in effect a prohibition bill. The tariff rates in this bill are prohibitive in themselves. I am told by importers that they can not operate under this bill; that we will not get a cent of revenue out of imports under this bill, because the rate is fixed so high that it will be impossible to import dyes into the United States. There are four or five other ways now under control of the Government by which dyes can be kept out of the United States. I have charged that this dye-licensing commission is to be created for the purpose of preventing American manufacturers from obtaining dyes except upon their conditions, and those conditions, I have heretofore argued, are being made by the American manufacturers of dyes, who have consolidated themselves and who proposed to charge their own price and fix their own terms to the consumers.

Now, here is a paragraph which goes away beyond anything that anybody dreamed of when we attempted to deal with it legislatively—a provision that you can not get the dyes now unless they correspond to certain standards set up by the Secretary of the Treasury—an entirely new agency.

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

Mr. MOORE of Pennsylvania. I ask unanimous consent for three minutes more.

The CHAIRMAN. The gentleman from Pennsylvania desires to continue for three minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. If you want to give the ordinary purchaser of dyes, this man who stands for \$3,000,000,000 worth of business in the United States, involving all the textiles that you and your families use, the chance to go on with his business, take that paragraph out. Because if those in control of this commission, once appointed, insist on the enforcement of that proviso, the Secretary of the Treasury becomes the last court of appeal, and you get no dyes at all unless they conform to the standards set up by him. But he can not get the machinery to set up business; he can not get the machinery because of the constantly changing condition of the dyes, the grades, the colors, and the contents that are desired by manufacturers in order that they may make their business profitable.

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

Mr. MOORE of Pennsylvania. Yes.

Mr. BAER. Does not the Secretary of the Treasury use dyes? Is he not an expert on that in using dyes on money, on bills?

Mr. MOORE of Pennsylvania. It takes dyes to manufacture ink. I can appreciate the humor of the gentleman from North Dakota in asking that question in that way; but I insist that the Secretary of the Treasury is not an expert on dyes, although he may use some of them in the course of the conduct of his official business. But he should not be set up here, through a board organized for that purpose, in addition to the War Board and the allied council and the other organizations, to further complicate the situation that now confronts the American consumer of dyes.

I think, gentlemen, you can strike this paragraph out without any fear of doing any harm to any American interest. I think you can strike that out with the complete understanding with yourself that you are releasing business from an entangling alliance here that it ought not to be subjected to. You can strike that out with the idea that you are lessening the present autocratic Government control over the business of the people of the United States. That paragraph ought not to be in, and if it goes out, with the few lines on page 7 relating to its enforcement by the Secretary of the Treasury, and compelling the standards of strength which can only be enforced and agreed upon after years and years of consultation with experts and chemists, you will be doing a very good thing. It ought not to be in the bill, and I trust, gentlemen, that you will vote "aye" on this proposition to strike it out.

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

Mr. LONGWORTH. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. LONGWORTH. Mr. Chairman, this is the first time that I have been aware of the fact that the gentleman from Pennsylvania [Mr. MOORE] is opposed to the revenue features of this bill. I was aware that he was opposed to the features regarding license, but not to the revenue features.

The object of this paragraph is to prevent frauds on the revenue. It is for that purpose, and for that purpose only. The gentleman from Pennsylvania says that it was drafted by some scientific expert interested in the business. Upon what authority he makes that statement I have no conception. The provision was drafted by the Tariff Commission after two years' careful study of this entire proposition. It is one of the main features of this bill, so far as revenue producing is concerned, and if you strike it out you will lose thousands of dollars of revenue and confer benefit upon no human being except the German dye maker who seeks to defraud the revenue.

I want to read to you the reason given by the Tariff Commission as to the necessity of this provision, and I ask your attention to this:

A third possibility of evasion—

And the draft of this provision was for the purpose of preventing evasions of its provisions by importers, and particularly for the German trust—

A third possibility of evasion, or, if not evasion, of unexpected complication, arises from the circumstances that dyes as ordinarily dealt with in commerce are in most cases not dyes in a chemically pure form, but are weakened or reduced in strength by mixing with water, salts, or other diluent. Synthetic indigo, for instance, is ordinarily sold in the form of a paste, containing 20 per cent of pure indigo and 80 per cent of inert matter, chiefly water. In the case of other dyes also, including most of the important ones, there is a recognized standard commercial strength. Prices are habitually quoted on the basis of this usual strength. In the case of still other dyes, however, there is no recognized commercial strength. The duty of 5 cents per pound, imposed by the act of 1916, was presumably intended to apply to the dyes in their usual commercial strength, and not to the pure forms which ordinarily are unknown in commerce. The wording was, however, not so framed as to insure this. Under the present wording of the law the duty is levied, and apparently must be levied, on the weight of the dye as imported, regardless of its concentration or strength.

Note this:

This permits dyes to be imported in a pure state, or at least a highly concentrated state, and then to be reduced to the usual commercial strength after having passed through the customhouse. The effective duty is consequently much lower than was presumably intended.

This situation, however, can not be dealt with by any specific legislative prescription of the commercial or standard strength of the several dyes. In many cases no trustworthy basis now exists for a definite standardization of commercial strength. Under these circumstances, the commission believes it best that discretion be given to the administrative department and that the Secretary of the Treasury be authorized to determine from time to time what is the dutiable strength of the several dyes, with discretion to make changes in accord with gradually ascertained and tested commercial practice. Discretionary power of this sort will enable experts to recommend to the Secretary of the Treasury standards of strength conforming approximately to commercial usage, with the possibility of modifying them as experience might indicate.

This mode of dealing with the situation would be facilitated by requiring a statement on all imported packages of the exact constituents and strength of dyestuffs contained therein. Such a statement would make easier the accurate appraisal of imports of dyes for the ad valorem duty. Appraisal is exceptionally difficult owing to the difficulty of identification and variability in strength. The requirement would serve further as a guarantee to purchasers of the identity and strength of the dyestuffs which they were buying. The commission is satisfied that there has been much dishonesty in the dyestuffs trade and that something analogous to the provision of the pure-food laws in regard to misbranding would be of great advantage. It is accordingly recommended, both as an aid in administering the law and as a safeguard for purchasers, that every imported package shall contain a specific statement showing the constituents and strength of the contents.

As a matter of fact, gentlemen, most of the dyes that are being imported to-day, and which will continue to be imported for some time to come, until our industry gets fully on its feet, are what are generally known as the vat dyes, which are used commercially in a solution in which the color itself is only 12½ per cent. In other words, if the Germans desire to defraud the revenue, as they always do, they will import that dye in a 100 per cent solution and will avoid the payment of seven-eighths of the duty.

Is not that perfectly clear? When the *Deutschland*, the submarine, came over to this country, bringing German dyes, they were imported in a 100 per cent solution, thereby avoiding the duty to the extent of 90 per cent, practically. Those dyes, in order to be used commercially for dyeing cotton, had to be diluted until the actual strength of the color was only 12½ per cent. Dyes are imported in various degrees of dilution, and the same dye is often imported under different names.

That is another trick that the Germans have of defrauding the revenue. Take one instance of dyes of the same material exactly, so far as the color strength is concerned, coming in from Germany under three different names and produced in three different factories. In one case it is known as "Dialzo black, B. H.

N. extra"—whatever that means. In another factory it is called "Diannine blue, B. H." In another factory it is called "Solamine blue, B. H." These dyes are all exactly the same material, but of different degrees of concentration; but they do not pay the same duty. The one of the highest degree of concentration pays the least duty, naturally.

The object of this bill is to see to it and provide that those same substances pay the same duty, and that the Germans can not defraud the United States Treasury. That is all there is in this proposition, gentlemen. The Secretary of the Treasury, with the information he has to-day at hand, will be able to prescribe standards of strength for a large portion of the dyes that are being brought in, and in a very short time will be able to make the same regulations with regard to others.

The gentleman from Pennsylvania [Mr. Moore] says it will take five years to make these regulations. From his own argument, if it will take five years, it would not do any harm for five years. But the only harm it can do is harm to the German trust. Bear that in mind. Gentlemen, if you strike out this provision from this bill, the German dye trust will give three cheers, because it will enable them, under the law as it stands now, to defraud the United States Treasury out of millions of dollars a year, just as they have defrauded us from the beginning, when they had entire control of the American market.

It is as simple as A, B, C—the proposition that the same coloring material ought to pay the same rate of duty, no matter in what form it is brought in. If you strike this provision out of the bill, it will enable the German trust to defraud the United States Treasury out of seven-eighths of the duty to which it is entitled, simply because they will concentrate these vat dyes into 100 per cent solutions, when the commercial use of them is in a solution in which the actual coloring matter is only 12½ per cent. This proposition is to prevent fraud and fraud only, and you are not justified in striking it from the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. Moore].

The amendment was rejected.

The Clerk read as follows:

Sec. 502. That paragraphs 20, 21, 22, 23, 179, 394, 452, and 514; and the provision for salicylic acid in paragraph 1; and provisions for salol, phenolphthalein, acetanilid, acetphenetidin, antipyrine, acetyl-salicylic acid, and aspirin in paragraph 18; and the provision for benzoate of soda in paragraph 67; and the provisions for carbolic and phthalic acids in paragraph 387 of an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, are hereby repealed: *Provided*, That all articles which may come within the terms of paragraphs 1, 5, 37, 46, 63, 501, and 538 of said act of October 3, 1913, as well as within the terms of Group I, II, or III of section 500 of this act, shall be assessed for duty or exempted from duty, as the case may be, under this act.

Mr. LONGWORTH. I offer an amendment of a technical nature.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LONGWORTH: Page 8, line 8, after the figure "5," insert the figures "14" and "29."

Mr. FORDNEY. Mr. Chairman, I want to ask the gentleman from Ohio why he offers that amendment.

Mr. LONGWORTH. That is an amendment recommended by the Tariff Commission in order to make clear the paragraphs referred to, simply to supply two missing paragraphs which were omitted.

The amendment was agreed to.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. On yesterday I put in the RECORD a letter from the La France Manufacturing Co., using it merely for purposes of illustration to show that that company was unable to obtain the dyes with which to do business. Some days ago I referred this matter to the War Trade Board, and appealed to them to tell my constituents where to go to get raw materials with which to proceed. This morning I was in receipt of a letter from the War Trade Board which, I think, in view of the statement made a moment ago by the gentleman from Ohio [Mr. Longworth], should be read to the House. The gentleman from Ohio still insists that the licensing feature of this bill is necessary, notwithstanding that the bill carries the highest tariff rates ever placed in a dyestuff bill, to keep out German imports, disregarding the fact that imports come from all other countries that manufacture dyes, particularly Switzerland, France, and England.

Mr. LONGWORTH. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Ohio.

Mr. LONGWORTH. I understand the gentleman was a supporter of the Hill bill as originally drawn?

Mr. MOORE of Pennsylvania. I certainly was.

Mr. LONGWORTH. I should like to call the gentleman's attention to the fact that the duties provided in the original Hill bill as introduced were greater than those in this bill.

Mr. MOORE of Pennsylvania. Not as written into law.

Mr. LONGWORTH. As introduced by Mr. Hill; and the gentleman just stated that he was a supporter of the original Hill bill.

Mr. MOORE of Pennsylvania. I was a supporter of the original Hill bill; but I say, what the gentleman will not deny, that this bill carries higher rates than were ever enacted in this country.

Mr. LONGWORTH. I know; but the gentleman supported the Hill bill, and now he is complaining of the higher rates in this bill.

Mr. MOORE of Pennsylvania. I am not complaining of the higher rates; I am for them, but against the licensing feature.

Mr. LONGWORTH. Does the gentleman claim these rates are too high?

Mr. MOORE of Pennsylvania. The Hill bill was passed before we entered the war. The gentleman has been constantly "harping on my daughter," Germany, Germany, Germany! That appeals to Americans still. We licked Germany. That is over. This bill ought to be passed on its merits, not with regard to a war that is past. This bill ought to be passed with regard to American interests. That is what I am fighting for here, the right of American manufacturers to do business in this country. We are no longer afraid of Germany. We have settled that question, at least up to the point where the President might issue a proclamation of peace if he cared to do it.

But I was referring to this letter, which is a practical proposition relating to the desire of American manufacturers to get dyestuffs, which this bill proposes to prevent them from getting in certain instances. Here is what the War Trade Board, which I have criticized heretofore, say on this subject:

WAR TRADE BOARD,
Washington, September 25, 1919.

Hon. J. HAMPTON MOORE,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: Your letter of September 20, with the inclosure from the La France Manufacturing Co. regarding the importation of certain dyes from Germany, has been received.

Here is the very administration that wants to pass this bill, and wants prohibition here, and the gentleman from Ohio [Mr. LONGWORTH] seems to want prohibition.

The War Trade Board section of the Department of State is making arrangements for a sufficient amount of vat dyes to supply the country's needs, and we have every reason to suppose that this supply will soon become available to our manufacturers.

Now, why are they making this arrangement? They are going to get vat dyes. The gentleman from Ohio [Mr. LONGWORTH] fears Germany. Are these vat dyes that the administration is now seeking coming from Germany? They must be, if the gentleman from Ohio [Mr. LONGWORTH] is right. Either they must be coming from Germany or coming from another country which stands between us and Germany. The gentleman from Ohio has heard me comment time and again upon the fact that the supreme allied council, which has headquarters in London and Paris, is controlling this situation. From whom is this administration, under this War Trade Board, getting these vat dyes? Is it going under cover to Germany, the country which the gentleman from Ohio [Mr. LONGWORTH] fears so much, or is it going to Great Britain, and letting Great Britain do this business for us? Is it a subterfuge? What if Great Britain is to pass these dyes over to us after this supreme allied council, either in London or Paris, gets the dyes from Germany? What are we going to pay here in excess of what their manufacturers pay there? Are they to have the first chance at this industry?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Are they to have a chance over there to get control of this key raw material? If so, then they will go on and manufacture, while we wait over here until this board, which is endeavoring to force certain dyes upon us, gets ready to give the American manufacturer his dyes. What are Republicans in this House thinking about, those who have stood for protection to American industries, when they want to leave it to this supreme council, with which the War Trade Board of the United States is now negotiating, to let every foreign competitor of ours have dyes to go on with the manufacturing of fab-

rics that are sent into the United States, while our mills are waiting here for the raw materials?

I am not making the fight here to take care exclusively of the Du Pont or the National Chemical Co., or a few other companies tied up with them in this matter. I am fighting for the American manufacturers who want a square deal in competition with the English manufacturers, the French manufacturers, and the German manufacturers. Can the Republicans get this under their skulls? [Laughter and applause.]

Mr. KITCHIN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes; I am talking as much for the information of the gentleman from North Carolina, who has recently come in for tariff bills, as I am for gentlemen on this side. [Laughter.]

Mr. KITCHIN. I am mighty glad to see the gentleman from Pennsylvania opposing tariff bills now.

Mr. MOORE of Pennsylvania. I notice that a bill has been introduced to put a tariff duty on graphite which is produced in Alabama and that section of the country. Of course, before the war they all wanted free trade down there, but when the war came on and they began to make money they said bar the foreigner, put a duty on the commodities; we want protection in North Carolina and Alabama as you do in Pennsylvania.

Mr. KITCHIN. The gentleman does not mean to convey the idea that the Democrats on the Ways and Means Committee support that bill?

Mr. MOORE of Pennsylvania. The bill was introduced by the gentleman from Alabama [Mr. HEFLIN], spokesman for the White House, and as much of a Democrat as any man on that side.

Mr. KITCHIN. I did not get up to get the gentleman off his subject. I am asking for information. The gentleman was reading a letter from the War Trade Board.

Mr. MOORE of Pennsylvania. I have not finished it yet.

Mr. KITCHIN. I want to ask the gentleman for information—

Mr. MOORE of Pennsylvania. The gentleman from North Carolina is one of the most pleasing characters in this House, and when the gentleman is on the floor he is invincible and unanswerable, because he does not permit a break in his speech.

Mr. KITCHIN. Seriously, I understood that the War Trade Board is bringing in these vat dyes.

Mr. MOORE of Pennsylvania. German dyes, and I think they are bringing them in through the administration of the supreme allied council over yonder which is dominated from Paris and London.

Mr. KITCHIN. The gentleman approves of the action of the War Trade Board in permitting vat dyes to come into this country?

Mr. MOORE of Pennsylvania. If it will prevent the shutting down of the American mills, yes. I want them put in a position to compete with those fellows on the other side. I want the mills growing up in the gentleman's State of North Carolina, employing thousands of people, to be able to compete with the mills abroad. If we permit the dyes to be used by our competitors in England, France, and Germany before we get them, the mills in North Carolina and Pennsylvania will not be able to compete with those in foreign countries.

Mr. KITCHIN. The gentleman from Pennsylvania and myself agree as to the action of the War Trade Board.

Mr. MOORE of Pennsylvania. They have been compelled to do it to save the industries in the United States.

Now, I will continue with the reading of the letter. It is just as important to the State of North Carolina that has the cotton mills; it is just as important to the manufacturers of hosiery in Mississippi. They are getting wise to the situation. They can not always export cotton and depend on foreign money to keep things going down there. They are becoming industrial, they are building mills, they have the same interest that you have in North Carolina and that I have in Connecticut, Rhode Island, New Jersey, and Pennsylvania. These men are thinking on that question. If dyestuffs is the key to the textile trade involving \$3,000,000,000—

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

Mr. MOORE of Pennsylvania. I ask for three minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MOORE of Pennsylvania. These men on the other side who are our competitors have been a little wiser in diplomacy all through the war; they have not missed a trick in holding trade all through the war while we have been fighting for them. How, then, are you going to keep the mills going in North Carolina and Georgia; how are we going to keep them

going in New England, if they get the raw materials ahead of us? It is as vital to you as it is to us. The War Trade Board has autocratic power in this matter. In this instance it has the common sense and good business sense to permit dyes to come in, so that our wheels of industry can turn.

I continue the reading of this letter:

The War Trade Board section of the Department of State is making arrangements for a sufficient amount of vat dyes to supply the country's needs, and we have every reason to suppose that this supply will soon become available to our manufacturers.

This is the only class of dyes which are not made in this country in sufficient amounts to supply the domestic needs. There are, however, certain other colors belonging to the many other classes of dyes which are not made in this country at all or which are not produced as yet in sufficient quantity.

Do you get that, my friends? Here is the War Trade Board admitting every contention I have made on this floor.

We are making up a list of these with the expectation of arranging for the importation of these as soon as the more pressing need for the vat dyes have been arranged for.

Mr. FORDNEY. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will.

Mr. FORDNEY. Does not that letter refer to the dyestuffs requested of this commission in April last?

Mr. MOORE of Pennsylvania. Yes.

Mr. FORDNEY. And they have not got them yet?

Mr. MOORE of Pennsylvania. I continue reading:

We note with particular interest what your correspondent, the La France Manufacturing Co., has to say about patent acid blue. Only one manufacturer has been reported to us as making this color at this time, and, although he is increasing his output, there possibly is a shortage which would be relieved by importation. It might be of interest to your correspondent to know that this one manufacturer is the Chemical Co. of America (Inc.), 28 Platt Street, New York City.

We shall make a particular note of this dye, and, if possible, permit its importation as soon as the arrangements have been made in Europe.

Very truly, yours,

BUREAU OF IMPORTS,
W. B. D. PENNIMAN, Trade Advisor.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. In the time remaining to me I want to make a statement somewhat startling in its nature. I have information on my desk this morning that the Alien Property Custodian, though the war is over and we are all waiting for the proclamation of peace, on yesterday gave notice to an American citizen born in this country, formerly a Member of this House, that his property, two large factories that had served this country throughout the war, that had furnished it with the material that it could not get elsewhere for the medical treatment of our men, must turn those two businesses over to the Alien Property Custodian, whose relations with this trust and this Chemical Foundation (Inc.) have been referred to several times on this floor. This official may have his reasons, but it seems fair to ask when this system of espionage, this system of domination by the Alien Property Custodian over business, in this country is to cease. [Applause.]

Mr. GREEN of Iowa. Mr. Chairman, I entirely agree with the gentleman from Pennsylvania who has just spoken in his criticism upon the War Trade Board, that the control of the War Trade Board over importations of dyes ought to be abolished, and we propose to abolish it by this bill. That in itself, I think, ought to be a sufficient answer. Now, what has the War Trade Board been doing? It has been applied to by the dye consumers of this country to import dyes. The board admitted and conceded that those dyes ought to be imported, that the textile business could not be carried on unless those importations were made; but instead of granting permits to make these importations, as has been stated in the newspapers, what they were doing was to send Dr. Herly over to Europe to see about having importations made there in such quantities as he saw fit and under such circumstances as he might deem proper. I also agree with the gentleman in what he says with reference to this conference which is being held abroad and which is apportioning, as I understand, a certain amount of dyes to England, a certain amount to France, and possibly a certain amount to this country. I have no sympathy whatever for that proceeding, but all this has no application to the board which is proposed to be created by this bill or any board that is likely to be provided for when the bill is finished. The War Trade Board is governed by no rules. It is controlled by no regulations; it is under no law except the law which created it and the direction of the President. As the gentleman from Pennsylvania correctly stated, it is an autocrat unto itself. It determines whatever it may see fit and may proceed entirely according to the whim or impulse of any of its members; but that

will not be the case with any board created in this bill. It will proceed under definite rules and under established law and under regulations that must control its actions. Its members will be subject to impeachment and removal if they do not act in that manner.

Now, I want to say just a word further with reference to another party that he mentions, a former Member of this House, whom he said was being oppressed by the Alien Property Custodian. Well, I think all the members of the Ways and Means Committee know very well who that gentleman was and who he is. They also know what he has done with reference to taking German property. This same man was found by the courts to have in his possession German property, claiming all the time that he had bought and purchased and paid for it, whereas as a matter of fact he had never paid one cent for it, and the whole proceeding was merely a camouflage to cover up this German ownership. He finally surrendered that particular property and paid, as I recollect, some \$40,000 in penalties for his having received it. Now, as I understand, the Alien Property Custodian claims he has got some more German property. Whether that is correct or not, I do not know, but I should think very likely from the past record of the gentleman—in any event, I have little sympathy for him in the predicament in which he now finds himself. He is open to very strong suspicions. So that all of these matters, it seems to me, have no bearing upon the question which is now before the committee, or the board which is to be created by it, except to show that these criticisms are in the main fanciful and the result of imagination rather than real objections to the enactment of the bill.

Mr. JUUL. Will the gentleman yield to a question?

Mr. GREEN of Iowa. Yes.

Mr. JUUL. I would like to know if there is any objection to informing the Members of this House a little more completely than has been done by the gentleman from Pennsylvania [Mr. MOORE] and the gentleman from Iowa? Is there any objection to giving us more complete information? We are getting it in little bits. It has been hinted that somebody did something, and everybody seems to be furnishing information like a rat running around a bit of cheese in a trap. Can we not get the information which you gentlemen possess instead of having it hinted at?

Mr. GREEN of Iowa. To what does the gentleman refer?

Mr. JUUL. The gentleman from Pennsylvania [Mr. MOORE] mentions—

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. The gentleman from Iowa [Mr. GREEN] asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. Mr. Chairman, what is the subject of conversation between my colleague and the gentleman from Iowa?

Mr. JUUL. I will say that the gentlemen have in their speeches been hinting about gentlemen who have violated the law, former Members of this House. We are on the border of finding out something, but they keep hinting without telling us anything definite.

Mr. GREEN of Iowa. On what subject?

Mr. JUUL. On the subject of a former Member who has done something that he ought not to do. What is it about?

Mr. GREEN of Iowa. I do not think it has anything to do with the bill whatever.

Mr. JUUL. Then how does it come into the debate?

Mr. GREEN of Iowa. The gentleman from Pennsylvania will answer that. He brought it up.

Mr. JUUL. The gentleman from Iowa [Mr. GREEN] followed it up by telling further about it.

Mr. GREEN of Iowa. Yes; I did, in explaining the situation.

Mr. MOORE of Pennsylvania. I will tell the gentleman. Mr. Herman A. Metz, former comptroller of the State of New York and a former Member of Congress on the Democratic side in this House, has been a dyestuff importer for years. During the war he had two factories that he operated himself with his own capital. He furnished the Army with salvarsan, a vital drug, necessary for the preservation of the health of our soldiers. He is a member of the American Dyes Institute, which has been referred to here, and which has three members on this board. He is opposed by the Alien Property Custodian, who has pursued him and claimed that he had German interests. Mr. Garvan admitted on the stand that Mr. Herman A. Metz, whom he had been pursuing, was one of the members of the Chemical Foundation (Inc.), and also a member of the American Dyes Institute, which had been formed largely by Mr. Poucher, of the Du Pont Co., who had formerly been the general man-

ager of Kuttroff, Pickhardt & Co., a large German concern in the United States. Property of Herman A. Metz was seized by the Alien Property Custodian, and he, being a native American, has brought suit to recover.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask that the time of the gentleman from Iowa be extended five minutes. [Laughter.]

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

Mr. MOORE of Pennsylvania. If the gentleman will permit, I will say further that they were so anxious to have Herman A. Metz with them in this combination to get control of the industries, along with the others that were consolidating, that they put him down for \$100,000 to put the Chemical Foundation (Inc.) through, and he put up \$30,000 or \$50,000, I do not know which, and then they drew upon him for the balance. But they have taken his property just the same. He being an American citizen and American born, they could not send him to Oglethorpe. He is still here, and he is fighting his case in the courts of New York. One of the attorneys who is taking his property to-day is one of the numerous attorneys who were employed by the Alien Property Custodian, our former colleague, the chairman of the Committee on Appropriations, Mr. John J. Fitzgerald. If the gentleman wants a further explanation, since it is a matter of litigation and since libel suits are pending against the Alien Property Custodian and the Attorney General for acts against some American citizens owning property in the United States, it may be well for the House to understand the intricacies which surround the entire situation.

Mr. GREEN of Iowa. I think I have no love for the Chemical Foundation, as members of the Ways and Means Committee know; but what they have done and what Mr. Herman A. Metz may or may not have done has nothing to do with this bill. I say that much for the information of the gentleman from Illinois [Mr. JUUL].

Now, what the gentleman from Pennsylvania [Mr. MOORE] said is correct in the main. What I said was also correct—that this same ex-Congressman had been found guilty of hiding and concealing German property; that he had been compelled to turn it over; and he paid, as I recollect, some \$40,000 penalty.

Mr. MOORE of Pennsylvania. I think the gentleman is in error as to that.

Mr. GREEN of Iowa. Oh, no.

Mr. MOORE of Pennsylvania. This suit was over an alleged misrepresentation.

Mr. GREEN of Iowa. The gentleman is talking about another and different case.

But we are getting on outside matters simply, which confuses the situation instead of getting at the facts that cover the bill.

Mr. JUUL. Mr. Chairman, I wish to strike out a sufficient number of words for me to make a statement and to say that it is pleasing to the membership of this body when we can get the gentleman from Iowa [Mr. GREEN] and the gentleman from Pennsylvania [Mr. MOORE] to disagree long enough for us to find out a few things. I hope they will disagree often in a friendly way.

The CHAIRMAN. The Clerk will read.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BACHARACH having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 641) to amend section 10 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CUMMINS, Mr. LA FOLLETTE, and Mr. SMITH of South Carolina as the conferees on the part of the Senate.

COAL-TAR PRODUCTS.

The committee resumed its session.

The Clerk read as follows:

"SEC. 503 (a). During the period of two years after the date of the approval of this act it shall be unlawful for any person or persons or corporation to import or bring into the United States, or any of its possessions, except under license previously obtained from the dye-licensing commission hereinafter created, any of the products enumerated in section 500 of this act, or any product derived directly or indirectly from coal tar, including crude products and intermediate products, as well as dyestuffs, medicinal, and other finished products, and including mixtures and compounds of such products and other products.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the section.

Mr. LONGWORTH. Mr. Chairman, I desire to make a preferential motion.

The CHAIRMAN (Mr. REAVIS). The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LONGWORTH: Page 9, line 7, after the word "obtained," insert "as hereinafter provided"; in the same line, after the word "the," strike out the words "dye licensing commission" and insert "United States Tariff Commission"; and in line 8 strike out the words "hereinafter created."

Mr. FORDNEY. Mr. Chairman, do the gentlemen want to agree upon time on that?

Mr. MOORE of Pennsylvania. I reserve my motion to strike out. I presume this preferential motion will be acted upon first.

Mr. FORDNEY. Does the gentleman from Pennsylvania want some time on this amendment?

Mr. MOORE of Pennsylvania. Yes. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. I propose to move to strike out, and reserve all rights in that regard. The gentleman from Ohio [Mr. LONGWORTH] makes the preferential motion by way of amendment. Does the debate come on his motion or mine?

The CHAIRMAN. The gentleman from Pennsylvania, having been recognized, is entitled to the floor, but the vote comes first on the preferential motion. The gentleman from Pennsylvania can not be taken from the floor by the offering of a preferential motion after he has once been recognized.

Mr. FORDNEY. Let us see if we can agree upon time for debate on this amendment. How much time does the gentleman from Ohio want?

Mr. LONGWORTH. I think 10 minutes will enable me to explain the purpose of the amendment.

Mr. FORDNEY. And the gentleman from Pennsylvania?

Mr. MOORE of Pennsylvania. Ten minutes.

Mr. FORDNEY. Well, we will let it run for the time being.

Mr. MOORE of Pennsylvania. May I proceed, Mr. Chairman, for 5 minutes and then reserve the balance of my time? As I understand, 10 minutes has been assigned to me.

Mr. LONGWORTH. No. There is no agreement. I will put it this way: Does the gentleman from Pennsylvania want to speak five minutes and then speak again?

Mr. MOORE of Pennsylvania. Yes.

Mr. LONGWORTH. Then I will ask unanimous consent that the gentleman from Pennsylvania may now occupy five minutes and not lose the right to occupy further time.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the gentleman from Pennsylvania may now occupy five minutes without losing the right to occupy further time on his amendment. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, the real fight on this bill is presented by this motion—the motion to strike out. If it prevails with section 503 (a), I shall make a similar motion with respect to all the other sections relating to the license features of the bill.

I call to the attention of my colleagues the fact that this is a very high protective tariff bill. So far as I know, except that the duties are exceptionally high in the preceding paragraphs, there is no objection to these tariff features. No Republican has offered any objection, and I am not entirely sure but that most of the Democrats are prepared to vote for these duties as set forth in the bill.

The discussion is over the addition to the protective tariff bill of what is brand new in all protective tariff legislation—a licensing commission, or a new organization which shall have power over and above that of the Treasury Department, through its customhouse officials, to check imports. It goes away beyond what most of us as Republicans ever believed to be the protective tariff doctrine. It gives a strangle hold to those in control of the commission which shall be appointed now, under an administration that is favorable to commissions, to compel those who will do business under this particular law to submit their business arrangements to this autocratic board. It goes beyond anything that any Republican platform ever expected in the way of legislation at the hands of Congress.

I call attention to the fact that everything in the nature of dyestuffs, crudes, or intermediates, or solutions, are protected in this bill in the paragraphs that we have thus far read.

If you will look at page 4, which groups a number of commodities known as dyestuffs, salts, acids, and so forth, you will find that it embraces all, whether crude, or manufactured from, or products derived from; anything obtained, derived, or produced from; everything not herein enumerated, all distillates of coal tar after a number have been specified, all mixtures, in-

cluding solutions after all known commodities have been specified; all the foregoing, not colors, dyes, or stains. There is not anything that can escape the customhouse. Everything is included in this bill at the rate of 40 per cent ad valorem and above.

In Group III you find the same language with regard to intermediates; all, including all mixtures and solutions, and everything produced from them; nothing can escape the customhouse. Then, why a dye-licensing commission after all these safeguards have been set up? Why, after the war is over and the President's war powers continuing, have a Federal dye-licensing commission?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. The gentleman from Ohio [Mr. LONGWORTH] is recognized for five minutes.

Mr. LONGWORTH. Mr. Chairman, the effect of the amendment which I have offered will be to turn over the licensing provided for in this bill to the United States Tariff Commission. That amendment, if it shall prevail, will involve several other amendments that I will offer as the sections are reached.

If gentlemen will take their bills and follow I will explain just what it will involve. Section 503 (b) will go out altogether, down to and including line 4 on page 11. Then an amendment will be offered there which will provide for the expenses of the Tariff Commission for taking over this function which it does not now possess.

A very important amendment will be offered to section 503 (c), so that when amended it will read as follows:

The said United States Tariff Commission shall issue licenses to import for domestic consumption such products covered by section 503 (a) of this act as may be unobtainable from domestic sources; also such products only as may be obtainable from domestic sources which shall be unobtainable by reason of price, quality, or conditions of delivery.

At the end of the section the following amendment will be offered:

The commission, in passing upon applications for such licenses, may regulate its own practice and procedure, but it shall so regulate the same as to prevent unavoidable delay.

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

Mr. LONGWORTH. Yes.

Mr. JUUL. If a disagreement arises as to price between the Tariff Commission and the man who seeks to import, who is to determine what is a reasonable price?

Mr. LONGWORTH. I will answer the gentleman. It is probable that no disagreement ever would arise. I will answer the question specifically, however, in the course of a general explanation.

Gentlemen, the adoption of these amendments will obviate all legitimate criticism of this licensing system as proposed in this bill. In the first place there is unquestionably some doubt as to the constitutional power of Congress to provide a board to be selected by certain industries interested in the general subject. There is no possible question as to the constitutionality of giving these functions to the Tariff Commission.

Secondly, there has been some question in the minds of gentlemen as to whether the provisions in the present bill would make it mandatory on the licensing commission to issue a license in every case where the dye was not obtainable in this country.

Thirdly, it obviates any question of the commission or any of its members having any financial interest in the administration of the law.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONGWORTH. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. LONGWORTH. The amendment which I shall offer absolutely compels the Tariff Commission to issue a license automatically and at once in the case of every dye sought to be imported, where that dye is not made in this country. It is a question of fact, and the Tariff Commission are probably better able to point to the fact than any other commission, because they have in their possession a census of the dye manufacturers of this country, which they have submitted to Congress in a recent report. They know every dye maker; they know every dye he makes. They have in their office all the information, so that at once, beyond any question, a license will issue to any man who desires for use in his factory a dye which is not made in this country. The only discretion left in the commission with regard to issuing licenses is where the dye is made in this country, but the applicant for the license submits that he can not procure it within a reasonable time and for a reasonable price. There the Tariff Commission will use its discretion in the matter,

and it seems to me that probably it would be the rarest circumstance where any disagreement could arise.

The plain, practical fact of this whole matter is that the purpose of this provision is to prevent the importation of dyes which are made in this country. As a matter of fact, to-day, gentlemen, our manufacturers are supplying at least four-fifths of the American market. There is no question about the importation of those dyes. They are made here, and they are just as good as any dyes made anywhere else. The only question as to importation arises from the fact that there are certain dyes of a highly specialized nature, evolved during the 40 years in which Germany has controlled the world market in this business, that our chemists have not yet learned how to make. They are mostly these vat dyes. A number of them were covered by the patents which were bought by the Chemical Foundation, and that is the only way in which the Chemical Foundation can possibly appear in connection with this matter. They have licensed the use of some of these German patents to American manufacturers, and they are now experimenting along those lines. The danger would be that if we did not have this license system, dyes similar to those which are being made in this country would be dumped in here regardless of the cost; because, as I have pointed out repeatedly during the course of this debate, the Germans to-day are not concerned as to the price they get for the disposition of this enormous accumulation of dyes they have now, not only in Germany but in Switzerland and Sweden and Norway and other countries, which are available almost at once for importation. They do not care anything about the price they get for them, but what they want to do is to cut down and overthrow the American chemical industry, which will be their only serious competitor in this country, in the American market. Once having destroyed our whole industry, then they can bring in their dyes and sell them for any profit they please, because there will be no competition against them. No tariff rate, no matter how high, will prevent that, gentlemen. This is the only way to prevent the destruction of our infant chemical industry.

The proposition involves only two years. It practically involves only a year and a half, because the importation of the necessary foreign dyes for the next six months is already provided for. It is a purely temporary expedient, to prevent the dumping of this vast accumulated surplus.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. LONGWORTH. I will ask for myself the same privilege that I asked for the gentleman from Pennsylvania [Mr. MOORE], that I may, if I desire, proceed again on this amendment, that by yielding the floor I may not be precluded from speaking on it later.

The CHAIRMAN. The gentleman asks unanimous consent that he may be allowed to speak a second time on this amendment. Is there objection?

There was no objection.

Mr. BURROUGHS. Mr. Chairman, as this is a very important matter so far as the interests of my district are concerned, I ask unanimous consent that I may proceed for 20 minutes.

Mr. GREEN of Iowa. Mr. Chairman, reserving the right to object, does not the gentleman really think that if he wanted 20 minutes on this bill he ought to have asked for it in the general debate?

Mr. BURROUGHS. I certainly did, and was promised it.

Mr. GREEN of Iowa. How did it happen that the gentleman did not get his time?

Mr. BURROUGHS. The time was used up before I was reached.

Mr. GREEN of Iowa. When did the gentleman put in his request?

Mr. BURROUGHS. Before the debate was begun.

Mr. GREEN of Iowa. This is pretty late.

Mr. BURROUGHS. The chairman of the Committee on Ways and Means will substantiate what I say, that I did actually make a request a day or two before the debate began.

Mr. GREEN of Iowa. I did not understand it, and I will not object, because I did not understand the situation.

Mr. BURROUGHS. Mr. Chairman, if one may judge from the course which the debate has taken so far, there are some gentlemen in the House who believe in the Republican policy of a protective tariff to protect our industries against foreign competition, but they believe in it with important qualifications. They give it credit—that is, some credit. They have faith in it, but not full faith in it. They believe in it sometimes, but not now. For instance, these gentlemen, if I can believe what they say, if I understand their proposition, believe in this Republican doctrine of a protective tariff as applied to Great Britain and France and Spain and Japan, but when it comes to applying it to Germany, oh, no; they draw the line there.

They believe in this doctrine of protective tariff as applied to coal, steel, iron, and textiles, and a thousand other things; but when it comes to dyestuffs they throw up their hands. They believe, at least they say they believe, in this doctrine of a protective tariff in two years from now; but for the space of two years they say—to use a homely expression—it is not worth a "tinker's dam."

Now, Mr. Chairman, I am one of those who believe and really believe in the Republican protective tariff policy [applause] as sufficient, and amply sufficient, together with its antidumping provisions, to protect and safeguard all American industries at all times and against all the world. [Applause.]

Mr. STRONG of Kansas. Mr. Chairman, this is a very important speech, and I think there should be a quorum present.

Mr. KITCHIN. I suggest that the gentleman from Kansas ought not to filibuster in that way. [Laughter.]

Mr. STRONG of Kansas. It is no filibuster.

Mr. KITCHIN. It is very important that the House should pass this bill this afternoon, and I hope the gentleman will not filibuster.

Mr. STRONG of Kansas. I have said this is a very important bill, and it is very important that Members should be here and hear this speech.

Mr. KITCHIN. It is important, and it may be, as the gentleman from Pennsylvania said this morning, that it is necessary to get this under the skulls of the Republicans. [Laughter.]

Mr. STRONG of Kansas. We are trying to convert the Democrats, and there is still some hope for them.

The CHAIRMAN. The gentleman from Kansas makes the point of order that no quorum is present. The Chair will count. [After counting.] One hundred and one Members present, a quorum.

Mr. BURROUGHS. Mr. Chairman, in common with all members of the committee, I listened with much interest to the very able speech of the gentleman from Ohio [Mr. LONGWORTH], who opened the debate a day or two ago in support of this bill. Not since I came into this House has it been my pleasure to hear a more comprehensive or enlightening statement. With much that he said I am in complete accord. With all that he said with reference to the great and even vital importance of the dye industry, both from an industrial and a national standpoint, I wholly agree. I have no quarrel either with him or any other advocate of this bill in what they have said concerning the necessity of early action by Congress to safeguard this industry against any unfair competition that may reasonably be apprehended on the part of Germany or any other nation.

But, Mr. Chairman, I am wholly unable to follow the logic of the distinguished gentleman from Ohio and others in the particular method by which they propose in this bill to accomplish this end. We all wish to protect and safeguard the dye industry against ruinous competition when the protection which has been afforded by the war is removed. I for one, however, decline to do this at the expense and to the great injury of other American industries at least equally as important as the dye industry. I say I decline to do this. I do decline and refuse to do it unless I can be shown that this is the only means of maintaining an industry that is absolutely essential to the national defense. I am frank to say that up to date, although I have read the hearings before the committee with much care and listened attentively to the debate, I have not been convinced that the licensing feature contained in the present bill is either desirable or necessary.

Mr. Chairman, the district that I have the honor to represent in this House is one of the large industrial districts in this country. Some of the largest and most important textile manufacturing corporations in the United States are located there. These people are all vitally interested in this proposed legislation, and they are all, as I am advised, opposed to the licensing provisions contained in this bill. They are not opposed in any sense to the dyestuffs industry. On the contrary, they want to see it suitably protected at least until such time as it shall have reached a complete development in this country. They want to see all reasonable encouragement and protection given to it so that it may furnish dyes in quality, quantity, and variety equal to those produced anywhere in the world.

But the people that I represent have had quite enough experience with war boards and commissions. They wish to get rid of them so far as possible at the earliest practicable moment. While the war was going on, in common with all good citizens, they acceded to all the red tape and all the dictatorial and arbitrary action that had been inseparably connected with these boards and commissions. But now when the war is over they feel that all such means and agencies of governmental interference with individual action in business affairs is unwise and unnecessary. Instead of creating more of them we ought to put

an end to most of those that now exist and get back to normal ways of doing things as soon as we can.

The position of the textile manufacturers of my district is well expressed in the following quoted telegram which I have just received from the agent of the Amoskeag Manufacturing Co., Hon. H. F. Straw, of Manchester, N. H., one of the best known and best informed manufacturers of cotton and worsted fabrics in the United States:

We understand a system or bill for the licensing of dyestuffs to be imported from abroad is to be considered by the House of Representatives to-morrow morning. The textile people are in no way opposed to giving all due protection and encouragement to our dyestuff interests, but we do object strongly to a system which puts the interests of this great industry at the arbitrary discretion of any board or any commissioner. It would be impossible to conduct our business intelligently when we were at any time liable to have our plans upset at any moment, and must ask the permission of any man or men before we could buy materials absolutely necessary to the successful conduct of our business. Such restriction might possibly be justified by war-time necessity, but seems absolutely unjustifiable in a time of peace. The actual situation in the dyestuff industry seems to us to be about as follows: There are many colors to-day sorely needed for the successful dyeing of our goods, both cotton and worsted, which are produced and can be bought abroad, and which our makers perhaps can not, but certainly do not, produce now. These colors we believe we should be allowed to buy at our own discretion, as we think we are better judges of our own needs than any Government board can possibly be. We are perfectly willing that any tariff, reasonable and necessary for the protection of American makers, should be imposed on these imported dyes; beyond this we believe we should be allowed to exercise our own judgment as to the amounts needed in our own business. We believe the American makers may eventually produce these dyes, but it would certainly seem they have little or no inducement to work in this direction as long as their importation is arbitrarily restricted by license or embargo. We are speaking in the interests of both producers and users of colored textiles, as it is impossible to-day to make as satisfactory and durable colors of many kinds with American dyes as with foreign.

Mr. LONGWORTH. Will the gentleman yield?

Mr. BURROUGHS. Yes.

Mr. LONGWORTH. Does not the gentleman realize that as to every one of the dyes mentioned in that letter, under the amendment that I said I would offer, the license will automatically issue without any discretion on the part of the commission?

Mr. BURROUGHS. I do not understand it in that way, but the gentleman's amendment has not yet been adopted.

Mr. LONGWORTH. Would the gentleman be satisfied if it were adopted?

Mr. BURROUGHS. It is true that the dyestuffs industry practically started in this country because of the opportunity afforded by the war. Up to that time it was practically a one-nation industry. Germany was producing up to 1914 three-quarters of all the dyes consumed by the whole world. It is true, also, that under the stimulus and the protection afforded by the war this industry has now got a substantial start in this country. Something like \$400,000,000 are now said to be invested in the dyestuffs industry in 16 States of the country, and in 1918, in addition to supplying the major part of our domestic needs, dyes and dyestuffs to the value of nearly \$17,000,000 were exported to the United Kingdom, Canada, France, Italy, Japan, Spain, and many South American countries.

And yet many dyes that are now vitally necessary in the manufacture of high-grade textiles, as, for instance, the cotton and worsted fabrics made by the Amoskeag Manufacturing Co., in my district, are not now obtainable in this country. Their manufacture depends upon technical chemical processes, with which, as yet, our dye makers and chemists do not seem to be familiar. They have to be imported, and this condition will doubtless continue for some considerable length of time.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. BURROUGHS. Yes; for a question.

Mr. MOORE of Pennsylvania. The gentleman has stated that there are \$400,000,000 invested here in the dyestuff industry. Those figures have been disputed and held to be too high, but I would like to say to the gentleman—because I think it is important—that while it is claimed that the dyestuff manufacturers represent \$400,000,000, the users of dyestuffs, by the same authority that gave the \$400,000,000, represent \$3,000,000,000 of business.

Mr. BURROUGHS. The gentleman is quite correct. I understand the testimony in the hearings showed that not only was there business to the extent of \$3,000,000,000 directly interested as users of these dyes, but a further investment of \$3,000,000,000 was indirectly interested.

Mr. MOORE of Pennsylvania. The industries dependent upon the dyestuffs mount up to \$3,000,000,000, while the actual dyestuff investment is \$400,000,000.

Mr. EMERSON. Will the gentleman yield?

Mr. BURROUGHS. For a question.

Mr. EMERSON. I want to call attention that if the \$3,000,000,000 industry had not been protected years ago they would not be here to-day.

Mr. BURROUGHS. Nobody is advocating anything except a suitable protective tariff to protect this industry. We all want to protect the industry, and we all realize that it is a vital industry, and we all want to protect it.

Mr. MOORE of Pennsylvania. If the gentleman will permit me, I would like to say that the bill provides the highest possible protection to dyestuff manufacturers, and the only thing we object to is that it shall not create a monopoly through this dye-licensing commission. Gentlemen who want to vote for a monopoly will vote for the dye-licensing commission.

Mr. BURROUGHS. Why, of course, as the gentleman states, the tariff rates provided in this bill are highly protective, considerably higher than were ever before provided by any tariff bill ever passed by the American Congress. I do not object to that, but I think that is going far enough.

This is said to be an "infant industry," and that is probably true. That is to say, it has not yet reached complete development, and its continuance in this country, now that the protection afforded by the war is about to be removed, will be seriously endangered unless encouragement and adequate protection in some other form is extended to it.

The tariff rates proposed by the bill would seem to afford ample and adequate protection to this industry. These rates, both ad valorem and specific, are considerably higher than those afforded by existing law, which, at the time it was passed in 1916, was understood to afford adequate protection to this industry. It is probably true that in addition to these tariff rates we ought to have a more stringent antidumping law in order to prevent Germany or any other nation from flooding our market with these dyes at a price very much lower than they are sold at home. The gentleman from Michigan [Mr. FORDNEY], the distinguished chairman of the Ways and Means Committee, said in his speech on this bill on Tuesday that he was now preparing such an antidumping bill, and that he expected it would be ready for consideration by the committee in the near future.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURROUGHS. Mr. Chairman, I have not heretofore taken up much of the time of the House—

Mr. CANNON. Mr. Chairman, I hope the gentleman's time will be extended.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

Mr. BURROUGHS. I think I can finish in 10 minutes.

Mr. CANNON. I hope it will be granted, because I am a seeker after knowledge touching this legislation.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none.

Mr. BURROUGHS. There are still other means by which this dye industry may be protected. One of them is the power in the hands of the Federal Trade Commission to prevent unfair competition. These German dyes, if they come here, will not, except in rare instances, be imported direct by the manufacturer. They will be imported in the first instance by dealers in this country, who will sell the dyes to the manufacturers as they are needed. Competition between such dealers and the American manufacturers of dyes will be, under existing law, entirely under the jurisdiction of the Federal Trade Commission to prevent unfair practices.

Then, too, as we all know, there are important provisions in the peace treaty between this country and Germany—which I sincerely hope may soon be ratified—that ought to afford strong protection against any possible menace from unfair German competition. I refer to those provisions in the treaty giving to the reparation commission large powers of control over trade between Germany and the allied nations.

Then there are 4,500 German patents held by the Chemical Foundation (Inc.), and covering, it is said, substantially every kind of dye known to the trade. It is confidently believed that licenses issued by the Chemical Foundation to manufacture dyes under these patents will also afford substantial protection against German competition.

Mr. LONGWORTH. Will the gentleman yield at that point? I do not want the gentleman to have any misinformation—

Mr. BURROUGHS. I know what the gentleman has stated. And I will say that whether these patents cover all of the dyes known to the trade or not it is a fact that they do cover every dye that Germany thought it was worth while to take out a patent on in the United States.

Mr. LONGWORTH. To prevent our manufacturers making them.

Mr. BURROUGHS. It is a significant fact that in all the tariff hearings—mark this—for 40 years the representatives of the dye industry in this country have never asked for anything in the way of protection other than that afforded by the tariff. They have always said that if they could have the rates which they suggested this would be sufficient. If the tariff was deemed sufficient to protect this industry before the war, what has happened in the meantime to make it less effective? Certainly, as I have already shown, the dye industry in this country, although it may not be said to be yet firmly established here, is in a much stronger position than it was before the war. Can it be said that Germany, beaten and prostrated as she is, with a depreciated currency, a great labor unrest throughout the country, and with a reparation commission practically controlling her trade with the world until she shall have paid her war debts, is in a stronger position to compete now than she was before the war? I think not. If adequate protective tariff rates were deemed sufficient, as in fact they were always deemed sufficient, before the war, I must be shown why they are not sufficient to afford all necessary protection to this dye industry at the present time.

Mr. Chairman, I have complete faith in tariff as a means to protect and to upbuild infant industries like this. It has been found sufficient heretofore. Those who did not believe in a protective tariff said that we could not build up in this country a steel industry, and yet we all know that America now leads the world in the production of steel. More recently the opponents of protection argued against it in connection with tin plate. They told us that there was something in the atmosphere in Wales that made this industry natural to that country, and that no protective tariff could build it up here, and yet the fact is, Mr. Chairman, as we all know, that to-day America makes three-quarters of all the tin plate in the world. [Applause.] I see no reason in the world why an adequate tariff such as is provided in this bill, together with an antidumping law, such as the chairman of the Ways and Means Committee is about to introduce, taken in connection with the other safeguards to which I have alluded, will not afford to this industry everything in the way of protection that is desirable or necessary in order that it shall reach a complete development in this country.

Now, what is going to be the effect if this licensing system is established? It is going to make every manufacturer or user of dyes come to Washington and appear before this board and prove to the satisfaction of the board either (1) that such dyes as he desires are not obtainable in this country or (2) that such dyes are not obtainable in this country on reasonable terms as to price, quality, and delivery. To be sure, the bill provides that the commission "shall issue licenses to import for use in domestic manufacture," and so forth, from which it is argued that it is substantially mandatory upon the board to issue a license upon application. I do not so understand it. This language of the bill, to my mind, clearly grants to the commission full discretion either to issue or to withhold the license. I mean by that that the commission is the sole and final judge as to whether a certain dye is obtainable in this country. It is also the final judge as to whether, if obtainable at all, it may be obtained on "reasonable terms as to price, quality, and delivery." What are "reasonable terms"? No standard appears to be fixed by the bill. All is left to the commission. It is for them to say what is reasonable and what is not reasonable. For example, is the holder of one of these 4,500 German patents to which I have referred going to be allowed to charge the royalty that he will have to pay to the Chemical Foundation on this patent in fixing a price on the dye he makes and offers for sale? Is that going to be a part of the "reasonable terms"?

The point I wish to make is that arbitrary power is thus placed in the hands of this licensing board—power to grant or to withhold a license upon findings of fact to be made by the board, from which there is no appeal. Such power may have been necessary in time of war. It is confidently believed that it is not at all necessary and it is certainly not desirable when we are trying to get back to normal peace conditions. The great objection to the licensing system is the inevitable delay and consequent damage that will be caused to the American dye-consuming interests in getting the things they want when they need them. The user of the dye is not ordinarily the licensee. The quantity which he requires of particular dyes and his knowledge of his needs are not such as to enable him to import them long enough in advance, and the user in the ordinary case, with the exception of a few large corporations, must rely upon some dealer who will import the dyes and carry them in stock ready for use as he needs them. It is entirely impossible for the dealer to know what the calls are going to be upon him for any considerable period in advance, because he can not ascertain from his cus-

tomers. They will not know themselves. These questions are determined by fashion. As bearing out this contention, I take leave to quote from the testimony at the hearings given by Mr. John P. Wood, president of the Pequena Mills, Philadelphia, Pa., and for many years president of the National Woolen Association. Mr. Wood was one of the important witnesses before the committee. He said:

I begin to offer a line of goods to my customers for the next spring at this time in the year (July), and certain styles are brown and certain are blue and certain are gray. My customers can not tell until they begin to get results from their sales which colors are going to predominate. In some years they will be what are known as brown seasons, when brown will predominate; and another time it may be blue, and, exceptionally, it may be an unusual color, like a green-tone. I must wait until that need is developed before I can order the dyestuffs which I require. Then, when the need is developed, I must have the dyestuffs at once. I can not wait until they are imported. If I go then to the dealer and he says this particular color which you have asked for I can not supply because I was unable to get a license, and I have impressed him with my need, and that there is nothing else that I can get in this country, and he says come before the license board with me and tell your case. So we come down here and meet the licensing board—I presume it will not be in constant session; these gentlemen, all but one of them, are serving without pay; they have busy interests of their own; they live in different parts of the country, and there must be times for them to get together and consider these questions. So, probably an appointment is made for me a week or two weeks or three weeks hence to present my case. * * * We will suppose the board is in session constantly. Most of us know from experience in Washington during the last two years how very difficult it is to get a question upon which a decision is needed passed upon by any of these various boards. They are busy, with a great deal of business coming before them, and they can not take up every man's application as soon as it becomes urgent to him. However that may be, it will be necessary for me to come down here and prove my case, and I will have to show that I have tried to get American colors for this particular necessity, and have been unable to do so, and they ask me what the requirements are, and I tell them of all the different things that occur to me, fastness to light, fastness to scouring, fastness to fulling, and so forth, and then they tell me there has lately been brought out a new American color, which they think will answer these needs, and they show me various samples. My only answer is that I have not had that submitted to me yet, but I am perfectly willing to try it; and I go home and send for a product sample and begin to experiment, but these experiments necessarily involve time. I can not tell whether a blue for a blue serge suit is fast to the sun until it is exposed to the sun; I have to expose it for days to determine that, so with the various other characteristics. I finally discover that in some one of these particulars it fails. It may bleed on white; it has not the same color under artificial light, or for some reason or other it does not meet my case. I have got to come before the licensing board again and show my difficulty. Perhaps then they may give me a license. Meanwhile on the contracts which I had made I am in default; machinery that I have and my employees are probably waiting for work. After I have finally obtained the license, which had not been given to the dealer previously, he has then to get the product from where it originates. Even though he cables for it, it is a matter of three or four weeks before it can be brought here.

Under such conditions, I believe it is not unfair or unreasonable to conclude that the inevitable effect of such a system would be to hamper and hamstring and, in many instances, actually prevent the manufacture of certain grades of textiles in this country. Such fabrics would be imported, to the great injury and loss of the American textile industry. It has taken years of persistent effort and painstaking skill to develop the domestic manufacture of textiles so that the better qualities would be accepted by the public as in all respects equal to the best of similar imported fabrics. For some years preceding the war this position had been attained by the products of many American mills. But if manufacturers here are going to be unable to procure the necessary dyes of the same excellence as those available to their foreign competitors, the public will soon begin to realize through personal experience an inferiority in the color of domestic goods, and there will inevitably be revived the old prejudice in favor of imported goods, and that prejudice will persist for years after the cause for complaint has been eliminated.

Mr. Chairman, I am in favor—I believe we are all on this side of the House at least in favor—of affording adequate protection to this vitally important dye industry. I am wholly opposed to the method suggested for affording that protection through a licensing system, because of the delays, inconveniences, and loss that it will necessarily entail to other equally important American industries, and for the further reason that it is wholly unnecessary. I oppose it because of its arbitrary powers. It would not and could not be uniform in its application. It would inevitably favor some to the injury of others. The tariff, on the other hand, is absolutely uniform. It applies to all alike. It plays no favorites. It is the method heretofore employed and which in all similar circumstances has been found effective. No good reason is perceived why we should now engraft upon it this new and dangerous undemocratic, un-republican, and un-American licensing policy. [Applause.]

Mr. DALLINGER. Mr. Chairman—

The CHAIRMAN. The gentleman from Massachusetts. [Applause.]

Mr. DALLINGER. Mr. Chairman, I am only going to take up the time of the committee for just a moment. I have always been a believer in the American policy of protection,

because I have believed in building up American industries. The free-trade theory, if we had had it in practice as part of our policy throughout our history, would have resulted in this country being an agricultural country pure and simple. It is because of the policy of protection that we have to-day a vast and varied manufacturing industry, built up by the wise and beneficent policy of encouraging home industry by tariff legislation. Now, Mr. Chairman, as has been said by the preceding speaker, the true policy of protection is uniform and impartial. It protects all American capital and all American labor—the small producer as well as the large manufacturer. It has been the policy of the Nation and not of individuals, and I have always resented the charge, so frequently brought against the American protective policy, that it was a policy of special privileges.

I have been surprised that any committee of this House would bring in a bill with a clause in it such as this licensing clause. No protectionist heretofore, however extreme, has ever gone to the length of saying to the American people that, in addition to a protective tariff for the purpose of raising revenue and at the same time giving incidental protection, "you must buy the American product, even if it is inferior in quality, although you may be willing to pay two or three times as much for a foreign product of superior quality." That is precisely what this licensing clause does. It puts in the hands of a licensing commission here in Washington the right to say to the American consumer of dyes, "You can not buy the foreign product, even if you are willing to pay a very large duty, unless we give you a license, and we are going to compel you to purchase the domestic article that in our opinion is 'just as good' in quality," although the American consumer of experience knows that it is not of as good a quality.

One of the members of the Committee on Ways and Means told me since this bill has been under discussion that his wife bought some American goods to make a dress for his little girl and that the domestic dye, which had not yet been perfected in this country, had run and the dress was spoiled after the first wearing. I submit, Mr. Chairman, the American people will not stand for any such legislation. They will not stand to be told they have got to buy the domestic article regardless of its quality.

The object of a high duty is to encourage the production of American goods of as good quality as the foreign article. If you have such a license provision as this there is no incentive to the American producer to improve the process, because he knows that a license will be refused for the importation of the foreign article. With the protective tariff, Mr. Chairman, I believe in the spur of foreign competition. I believe in a tariff that protects American labor and capital, but I believe that there should be a possibility of importing the foreign article that may be superior in quality. If an American citizen desires to pay the increased price for the foreign article which he believes superior in quality and necessary for his business, he should be allowed to buy it if he is willing to pay the duty which this Congress puts on the article. [Applause.]

With this license clause you are practically doing away with the benefits of protection. You are putting a Chinese wall up, and you are saying to the American producer, "You need not care about the quality of your goods, because the American people are bound to buy them regardless of their cost."

Mr. Chairman, I am in favor of a duty high enough to protect American labor and capital, and I believe that with the spur of foreign competition our industries will eventually be able to produce goods of as good quality as any in the world, but I am opposed to the licensing feature of this bill, and I trust that the amendment offered by the gentleman from Pennsylvania [Mr. Moore] will be adopted. [Applause.]

Mr. GREEN of Iowa. Mr. Chairman, I have always been a firm supporter of the protective doctrine, but I can support this bill without abating one jot or tittle of my protective principles. The gentleman who spoke a moment ago, Mr. BURGESS, who made a very able speech in opposition to the bill, said that those who favored the license plan contained in this bill considered the protection principle as sufficient as against England and against France and as against any other country except Germany. Right the gentleman was. It is sufficient against any country that will conduct its business on honest and honorable standards. It is not sufficient as against a country that continually employs the machinations that Germany has used to destroy the business of this country.

If anyone wants to understand what Germany has been doing let him read the report of the Alien Property Custodian. Let him understand that arrangements have been made, with the approval of the German Government, that German goods should

be sold here at any price that would drive out the American manufacturer, no matter what it was, and the Government would make up the difference. In the same manner as during the war Germany filled our land with spies with design to destroy our factories by means of dynamite or fire, it has also filled our land at all times with its agents seeking to destroy our business, our manufactories, by means of secret and devious methods. As I stated yesterday in discussing this bill, while this war was going on Mr. Hugo Sweltzer, an agent of the German Government, in examining into this matter with reference to dyes, wrote to Count von Bernstorff that it would be merely "child's play"—I use the exact words he used in his letter—that it would be merely "child's play" to drive out the American manufacturer under the protective system that was established by the Hill bill, which carried nearly as high rates as this bill.

Now, gentlemen have said that an antidumping provision would be sufficient to keep the German manufacturers from overwhelming our business in this country. Ordinarily that would be true, but in the case of dyes manufactured by a secret process who can tell what is the cost? What method is there of applying the antidumping provision, which is based upon the cost of the article which is imported? The only method by which we can be sure to control the situation is by some sort of a license system such as this bill provides.

Now, the gentleman from Ohio [Mr. LONGWORTH] has offered, instead of the license commission which is provided for in this bill, another provision, making the Tariff Board the license commission. I am quite in accord with his amendment, because I have preferred the Tariff Board all the time. The provision which is carried in the bill was put there because so many gentlemen objected that the consumers of the dyes would not have sufficient to say about the matter if any governmental board was in control. So in order to protect them we framed a provision in which the consumers of dyes, the manufacturers of cloth, should be in the majority. As it seems now, it was still not satisfactory to many of them. I therefore favor the amendment offered by the gentleman from Ohio, putting the Tariff Commission in their place.

Mr. FESS. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. FESS. I have had in my own mind three very specific objections to the licensing provision in the bill, and one was the constitutionality of the item as written. The Tariff Board would remove that objection.

Mr. GREEN of Iowa. There would be no question about it.

Mr. FESS. The other was that there might be an advantage taken that would prove a selfish advantage to those who were issuing the license. That would be removed by the Tariff Board.

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

Mr. GREEN of Iowa. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman from Iowa [Mr. GREEN] asks unanimous consent to proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. FESS. If the gentleman will permit, the third objection that I have had is fundamental; that is, that the license system is a wrong method of legislation, and the Tariff Board amendment has not removed that objection from my mind yet. Does not the gentleman think that in the promise that we have made that we will take the shackles off of business, it is a bad step to add more to it when the war is over? That is what troubles me more than anything else.

Mr. GREEN of Iowa. I will take up, briefly, the matters which the gentleman has mentioned. He first spoke of the constitutionality of the provision in the bill with reference to the appointment of the commission. I wish only to say a word or two with reference to that, because it is likely to go out in any event. I want to say that the gentleman from North Carolina [Mr. KIRCHIN] was entirely incorrect in imagining that the members of the committee had given no thought to the constitutionality of this provision. There has been a great diversity of opinion as to what constitutes an officer of the United States. For example, the Members of the House who sit here may think they are officers under the Constitution of the United States, but they are not, and the Supreme Court has so decided. Not all—and I might say only a small portion—who act for the United States in various capacities are officers of the United States. In the case of the United States against Germaine, reported in the Ninety-ninth United States Reports, which I have before me but from which I shall not take the time to read, the Supreme Court laid down several particulars which were necessary to constitute an officer of the United States. One

was that he should receive a salary from the United States; another, that he should take an oath of office; another, that his duties should be continuous and not intermittent.

Gentlemen will observe that none of those matters apply to the commission which is created under this bill. Instead of being officers, the members of this commission would be merely agents of the Treasury Department. For that reason the Ways and Means Committee considered this constitutional objection was not valid. Some of us admitted there might be some doubt of it, and for that reason, as the gentleman from Ohio says, I prefer the substitution of the Tariff Board.

Now, coming to the last and more fundamental objection that the gentleman from Ohio mentioned, which I regard myself as serious and important, and upon which I realize very fully there are two sides to the question, and that it admits of argument and discussion, the question is whether this board will so interfere with the business of the textile manufacturers that on the whole it might be regarded as a hindrance rather than a help to industry in the United States. I do not think it will, and I will give my reasons.

The gentleman has had some experience, and all the Members of the House have, with the various boards that have been created in war time. The arbitrary methods of these boards have caused a very strong prejudice against any matter being submitted to a board or commission, and with very good reason, because these boards have been autocrats to themselves, governed by no rule, controlled by no law, except the law which created them, and by the President, who was above them. Consequently their acts were at times arbitrary in the extreme. But this commission will not be such. It is controlled by law, and I undertook, in connection with the other members of the committee, to so hedge about their authority, to so define it and particularize it, that there could be no danger of their acting arbitrarily. And the gentleman from Massachusetts said a short time ago that under this bill a man might be obliged to buy American dyes even though they were inferior goods. Not at all. The case is just the contrary. The provisions of the bill before we get through with it, if they are not already, will be explicit in that respect. Moreover, this bill only lasts for two years. It is simply to get the dyestuff industry fairly on its feet under competition with Germany, and we hope to be able to do that in two years.

Mr. BUTLER. May I ask the gentleman a question? Will it be possible to amend this bill so as to place in the hands of the user the authority to be the judge of the quality that he must have and not submit that question to some tribunal to determine for him? Have I made it plain? It is to give to the user of the dyestuff the authority to judge of the quality and whether or not the dyestuff made here is of sufficient quality to suit him.

Mr. GREEN of Iowa. No; I do not think an amendment of that kind could be added. I do not think that could be done if the license system is preserved.

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

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent to proceed for one minute more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. GREEN of Iowa. This license system, if it should be adopted at all, as evidenced from the situation which we have before us, will be placed in the hands of the Tariff Commission. So far, through all our experience with the Tariff Commission, we have never had any trouble with the decisions of that commission on questions of fact, whether the members of the commission were appointed by a Republican President or by a Democratic President. So far as their decisions upon questions of fact are concerned, they have always been accepted. All that they have to do under this bill will be to pass upon the facts of the case, and then the facts having been determined, it follows as a matter of course that the license will either be granted or not granted. Under those circumstances I feel that I should support the provisions of the bill.

Mr. ANDERSON. Mr. Chairman, I appreciate the fact that the principal issue between gentlemen of the House is represented by the motion of the gentleman from Pennsylvania [Mr. MOORE] to strike out the section. I do not, however, intend to discuss that particular feature of the bill—that is, the license feature. Before we reach the motion of the gentleman from Pennsylvania the vote will come on the motion of the gentleman from Ohio [Mr. LONGWORTH] to substitute the Tariff Commission for the commission provided by this bill, and it is to that motion that I wish to address myself.

I stated yesterday in a request to extend my remarks for the purpose of printing some amendments that I was confident

that the method of designating the commission provided in the bill was without constitutional warrant, and the amendments which I proposed were intended, without in any way affecting the general policy of the bill, to provide for a constitutional method of designating the commission and exercising the functions imposed upon it. The amendment offered by the gentleman from Ohio disposes of the constitutional objections which I had in mind; but I wish to advert to them very briefly, because whatever may be done with this section finally, it is clear that the amendment of the gentleman from Ohio ought to be adopted.

The pending bill provides for a dye licensing commission, composed of 11 members, 10 of whom are selected by 10 different commercial organizations, none of which has any official status whatever. The Constitution of the United States provides that—

The President shall nominate, and by and with the advice and consent of the Senate shall appoint, ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for and which shall be established by law. But the Congress may by law vest the appointment of such inferior officers as they may think proper in the President alone, in the courts of law, or in the heads of departments.

That provision clearly contemplates that persons exercising official functions under the Constitution or the laws of the United States shall be appointed by the President, either alone or by and with the advice and consent of the Senate, or by the judiciary, or by the head of a department created by Congress. I want to read in connection with what I am saying an opinion in the case of United States against Germaine, in Ninety-ninth United States Reports, beginning on page 509. In this case the question of who is an officer of the United States is raised, and in discussing that question the court said—

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

Mr. ANDERSON. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to proceed for three minutes. Is there objection? There was no objection.

Mr. ANDERSON. In that case the court said:

The argument is that provision is here made for the appointment of all officers of the United States, and that defendant, not being appointed in either of the modes here mentioned, is not an officer, though he may be an agent or employee working for the Government and paid by it, as nine-tenths of the persons rendering service to the Government undoubtedly are, without thereby becoming its officers.

The Constitution, for purposes of appointment, very clearly divides all its officers into two classes. The primary class requires a nomination by the President and confirmation by the Senate. But foreseeing that when officers became numerous and sudden removals necessary, this mode might be inconvenient, it was provided that, in regard to officers inferior to those specially mentioned, Congress might by law vest their appointment in the President alone, in the courts of law, or in the heads of departments. That all persons who can be said to hold an office under the Government about to be established under the Constitution were intended to be included within one or the other of these modes of appointment there can be but little doubt.

Mr. Chairman, it seems to me that that statement, while it does not have the effect of deciding the question—because the question raised here was not specifically raised in this case—clearly indicates the construction to be placed upon the provision of the Constitution which I have just read, and that is that all officers—and officers are those exercising official functions under the Government—must be appointed in one or the other of the methods provided by the Constitution.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield for a question?

Mr. ANDERSON. Yes; I yield.

Mr. GREEN of Iowa. The gentleman, of course, is aware that the particular party acting for the Government in that case was held not to be an officer?

Mr. ANDERSON. That is true. He was not held to be an officer, but he was held to be an agent or employee of the Government. The statement which the gentleman makes has nothing to do with the effect of this decision, however, because the court clearly says that those who exercise official functions—and certainly the exclusion of articles of import from the United States is an official function—must be appointed in one or the other of the methods stated in the Constitution.

Now, the amendment of the gentleman from Ohio obviates the question of the constitutionality of the method proposed by substituting the Tariff Commission for the commission now proposed in the bill. That commission is appointed by the President. Entirely aside from the constitutional question involved, the Tariff Commission is clearly the body which ought to exercise the functions prescribed in this bill, if anybody is to exercise them. It has already accumulated the material necessary to determine the main questions that will arise in the execution of the licensing provisions of the act.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. GARLAND. Mr. Chairman, I am for a protective tariff, first, last, and all the time. I do not believe, from experience with the license system, that it is in line with a protective tariff. I remember that only just about a year ago the Secretary of the Interior invited the chrome users of this country to his office. He also invited the members of the Mines and Mining Committee. I was present. Before that time a law had been passed providing that the President could license the importation of chrome and certain other minerals. The President put it into the hands of the Secretary of the Interior to enforce, and after a long trial he called this meeting to see where we were at on chrome. That was the way he put it. The Secretary made a speech to those present. He talked for about an hour. He said plainly that he belonged to a political party that did not believe in protection; that they had come to the point where the conditions in this country required brotherhood-of-man operations; that one strong operator must not take advantage of a weaker operator, and along that line. Then he said, "Now, how have we been operating under this license system? What has been the result?" He began asking the different users. One said, "We went into the business of trying to produce chrome out in California. We found it increased the price a great deal, and then found it was not satisfactory; we abandoned that. Then we went up into Canada and bought mines there. We produced it there and brought it down here to our works. But we found that when we got it down here chrome was being sold, all that the users wanted, at a price just half of what we could produce it for. We spent \$125,000 trying to do that. We are out that much."

Another said, "We get all the chrome we want. We get it from the same parties from whom we got it before the war." "How do you get it?" "Well, we simply get it." Then the Secretary said to a large number of employees and the heads of the Shipping Board and the War Material Board who were present, "How is this? Did not the license plan operate? Did it not function?" They said, "Yes; but ore is being brought in." He asked how it was being brought in. Well, it was brought out and stated there that the ships coming from New Zealand and Australia, where chrome ore could be had, were loaded with sheepskins and wool, light loads, and they needed some kind of ballast. They said if they put sand in it cost \$4 a ton to shovel it into the vessel and take it out again. It brought the Government nothing. The Government paid the \$4; but if they brought the chrome ore over the Government got \$35 a ton from it. Therefore they thought they would let them bring it in, and they did that, and absolutely did not comply with the licensing feature at all, and the net result was more imports of chrome ore than ever before.

The Tariff Commission, into whose hands it is proposed to put this, is a Democratic commission. Its members do not believe in a protective tariff. They can do the same thing.

This licensing system grew up in wartime. The license system was brought in by Democrats who did not believe in a protective-tariff measure. It was brought up for the purpose of developing resources that were needed during the war that had not been developed before. They put in this licensing system as a plan to go by during the war. Now, we are putting it into a bill here that is going to defeat the very purposes of a protective tariff. I am opposed to it, because of the actual experience I have had in seeing it try to operate under this administration. [Applause.]

Mr. FORDNEY. Mr. Chairman, I had intended to ask to limit debate on these two amendments, but I have so many requests for time that I will let it run on.

Mr. MONDELL. Mr. Chairman, I am sure every Member on the Republican side will support the tariff provisions of this bill, and I very much hope that there are a considerable number of gentlemen on the other side who will do the same. I think that whatever our views may be with regard to the protective tariff system, as a whole, the American people are pretty generally in agreement on the proposition that so far as it is practical to do so we should be industrially independent in America. We should, at least, be independent of the balance of the world with regard to industries and industrial products that are vital to the life and welfare of the Nation. I think during the course of these years of World War we have all of us realized the importance of placing the Nation in a position which will render it independent of the outside world for its vital needs and necessities in time of war. I think that no development of the war has burned itself into the consciences and souls of the American people more than that of the absolute necessity of being armed with those essential products that the Nation must have for its protection.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I yield to the gentleman.

Mr. MOORE of Pennsylvania. Would the gentleman apply that same doctrine to imports of wool?

Mr. MONDELL. Most assuredly.

Mr. MOORE of Pennsylvania. I happen to have here a statement from the New York Sun of this morning that Australian wool is coming into Boston, and that many thousand bales are displayed in the auction market there. That wool is coming from Australia under British auspices. It is raw material imported into the United States which we need here for the purpose of manufacturing garments, to make clothing for our people. The gentleman is in favor of a tariff on wool, is he not?

Mr. MONDELL. Most certainly; a reasonable tariff.

Mr. MOORE of Pennsylvania. Would the gentleman be in favor of a commission appointed by the present administration to say what wool should come into the United States and what wool our manufacturers of wool should receive in this country?

Mr. MONDELL. Most certainly, if there was a condition warranting it, as there is in the case before us.

Mr. MOORE of Pennsylvania. The gentleman, then, is in favor of a commission to be appointed by President Wilson or by this administration, in addition to the protection he puts on wool by legislation?

Mr. MONDELL. I have not said anything of the kind. I do not think anything of the kind necessary.

Mr. MOORE of Pennsylvania. I understood the gentleman to say that he was in favor of a commission of that kind.

Mr. MONDELL. I have not said anything of the kind, and it is not a question whether President Wilson or somebody else appoints. It is a question of the necessity and the need of the hour.

Mr. MOORE of Pennsylvania. The need of the hour is that American manufacturers get the materials they need in their business.

Mr. MONDELL. As an American I would meet the need of the hour, not from the viewpoint of any particular class of individuals, however worthy they may be, but from the viewpoint of the best interests of all the American people. Their best interests, in my opinion, will be best served by building up American industries. [Applause.] That is my viewpoint.

Mr. MOORE of Pennsylvania. Will the gentleman yield further?

Mr. MONDELL. Possibly the gentleman from Pennsylvania will concur with me when I have developed what I have to say.

Mr. MOORE of Pennsylvania. I would like to follow my leader, and will wait to see if he and I agree. [Laughter.]

Mr. MONDELL. One of the most wonderful things in the world of science is the wide use of coal-tar products. America, the greatest coal-producing country in the world, producing more coal than all the balance of the world—

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

Mr. MONDELL. Mr. Chairman, I ask for five minutes more. The CHAIRMAN. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. MONDELL. At the outbreak of the war we were absolutely dependent on foreign nations for a multitude of the products of coal tar, essential and necessary products. I think America has determined that that situation shall not again confront us, that we shall be relieved from that condition of affairs or the danger or the fear of it.

We have unlimited quantities of the material from which coal-tar products are made. We have unlimited opportunities for the development of science and industry for the production of the numberless products of coal tar. The American people are determined that we shall develop this industry, and we are proposing to lay the base and foundation for it in this bill by a protective tariff. Whether the rates are high enough or not, I do not know; I am following the committee in that regard. But it is the opinion of the majority of the committee that a very peculiar and unusual situation confronts us with regard to these industries. I am quite sure that there is no one on the Republican side, and I think very few on the Democratic side, who would be willing to admit that we propose or desire to adopt, or that it would be wise to adopt, as a part of our permanent national system a system of the licensing of imports. It has been necessary to do that to a certain extent during the war. It has been a necessary evil, increasing the handicaps that have surrounded industries under war conditions. We desire to be free from such handicaps as far as it is possible to be, and ordinarily we may be entirely free from them in a time of peace.

But gentlemen who are well informed, gentlemen who have carefully studied the situation, are of opinion that, with regard to the dye industry, when trade shall be reestablished with certain foreign countries a reasonable tariff rate will not protect the industries that have been built up in our country during the war, and to meet that situation they have proposed a temporary license system.

I am of the opinion that these gentlemen are sound in their conclusions, they have given the matter very careful thought and attention. I have not been happy at any time with the commission that was proposed in this bill, and I am very greatly pleased that the gentleman from Ohio has finally concluded to offer the amendment that he has. I think it is logical and reasonable that whatever licensing there is to be should be by the Tariff Board. I am convinced that it is essential that for a brief period, possibly as long as two years, the commission should be empowered to handle the situation through a licensing system.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MONDELL. I ask unanimous consent for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MONDELL. No one is proposing this as a permanent American policy. It is proposed and suggested because it is necessary to meet the situation. What benefit will it be to have tariff rates as high as those carried in this bill, or higher after the industries that are just getting under way have been put out of business by the dumping of vast quantities of foreign goods upon this market. There is a situation which must be met in the immediate future. We must guard the gates until these industries just starting can get on their feet and in position to sustain themselves.

Now, there are certain folks connected with protected industries who have been beneficiaries of the protective system, who do not agree to this temporary provision because, forsooth, they say it will temporarily annoy some of their industries. It may make it a little more difficult for some of these industries to temporarily profit by the dumping of vast quantities of cheap foreign goods on this market. I have little patience with that sort of attitude. Of course, it costs somebody a little something to establish great industries. It temporarily cost the people of our country something to establish the great tin-plate industry, but it helped all in the long run.

But eventually we were all the beneficiaries and we are now simply asking that the industries that have been established during the war, that in the course of time will be able to supply our market, and eventually reduce the cost of those products, shall be protected and for a time assisted under a license system until they can get on their feet and under way. [Applause.]

Mr. REED of West Virginia and Mr. MOORE of Pennsylvania rose.

The CHAIRMAN. Does the gentleman from Pennsylvania desire recognition?

Mr. MOORE of Pennsylvania. I desired to ask the gentleman from Wyoming a question, but I find he has no time.

Mr. FORDNEY. Mr. Chairman, again I am going to make a request for a limitation of debate on this amendment. How much time does the gentleman from Ohio wish?

Mr. EMERSON. I would like to have two minutes.

Mr. KITCHIN. I would like about seven minutes.

Mr. FORDNEY. Mr. Chairman, it seems everybody wants time on this amendment. The gentleman from Illinois [Mr. CANNON] has been trying to get in all day, and I would not under any circumstances try to limit him or anybody else, but we are spending a whole lot of time on this particular amendment, whether or not we substitute the Tariff Board for the commission provided for in this bill. Now, we are discussing everything on earth under this amendment. I want to get along and get this bill out of the way, and we ought to confine further debate to the particular item or subject in the paragraph of the bill.

Mr. KITCHIN. I might suggest that when the gentleman from Michigan makes his 10-minute talk the gentleman from Illinois will be sufficiently enlightened so that he will not want any time.

Mr. CANNON. I want to hear the gentleman from North Carolina.

Mr. KITCHIN. I think I can enlighten the gentleman if he will come over to my desk and I can talk to him about two minutes, and it will not only save my own time but the gentleman's also.

Mr. FORDNEY. I shall withdraw the request for the present. Mr. REED of West Virginia. Mr. Chairman, I ask unanimous consent that the telegram I send to the Clerk's desk be read.

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

The Clerk read as follows:

CLEVELAND, OHIO, September 24, 1919.

Hon. STUART F. REED, Washington, D. C.:

As one of your constituents, located at Clarksburg, we earnestly urge passage Longworth bill to preserve dye industry of United States, to prevent this industry again reverting to Germany. Adequate protection and license system as provided by Longworth bill we consider absolutely essential.

GRASSELLI CHEMICAL CO.

Mr. MOORE of Pennsylvania. Mr. Chairman, may I ask the name of the company which sent that telegram?

Mr. REED of West Virginia. The Grasselli Chemical Co.

Mr. MOORE of Pennsylvania. Where is it located?

Mr. REED of West Virginia. At Clarksburg, W. Va.

Mr. MOORE of Pennsylvania. With headquarters in Cincinnati?

Mr. REED of West Virginia. I understand it has branches in other parts of the United States.

Mr. MOORE of Pennsylvania. Is it an independent company, may I ask the gentleman?

Mr. REED of West Virginia. My information is that its chemical activities are largely to take care of its by-products.

Mr. MOORE of Pennsylvania. Does the gentleman know whether they own any of the German patents?

Mr. REED of West Virginia. I do not.

Mr. MOORE of Pennsylvania. I do not want to embarrass the gentleman, but I think I can say to him that it is the owner of some of the German patents.

Mr. REED of West Virginia. Well, I want to say that it established in Clarksburg, W. Va., one of the splendid industries of America which has for several years been giving employment to hundreds of laborers at good wages. It has been a great benefit to the city and community. And should it be true that it has acquired German patents, it is to be commended for taking away from Germany both the patents and the industries and transferring them to America, where they will benefit American labor and pay taxes to support American institutions. And that very thing has happened.

Mr. MOORE of Pennsylvania. I have no doubt of it.

Mr. REED of West Virginia. Mr. Chairman, I am in favor of this bill, because I believe in the policy of protection to American industries. Knowing the history of my country and knowing what that policy has done for its progress and development, I am willing to accept the "licensing section," which is designed to still further strengthen its protective features. We have been told during the progress of this debate that the regulation of imports of chemicals and dyestuffs by a commission is un-Republican doctrine; that in connection with the so-called Chemical Foundation corporation such a commission can be used to hamper and even destroy other industries.

I am willing to accept the statement of my distinguished colleague, the gentleman from North Carolina [Mr. KITCHIN], who assures us that the Chemical Foundation will be administered, not for profit, by men who, under the provisions of the charter, are to receive no salary and will not get a penny out of any lease of the patents taken from Germany.

We are further assured that all manufacturers in our country who desire to avail themselves of the German patents, can get them on very reasonable terms.

My colleague from North Carolina [Mr. KITCHIN] has given his solemn word to this House that the Chemical Foundation will not become a profiteering or selfish agency in administering this important trust.

Argument has been adduced with much emphasis to-day to establish the fact that this bill will create an American monopoly of the dye industry. It is conceded that Germany has had such a monopoly for a long time and, while I do not admit that this bill tends toward such a result, if it did, I would prefer an American monopoly, financed by American capital, functioning by the employment of American labor, and paying taxes to support American institutions, than to have our people and our textile industries at the mercy of a German monopoly across the seas.

If we get these industries here in our own country, Mr. Chairman, it is a pleasing thought to me that when our people buy \$10,000,000 worth of dyestuffs, we still have the dye products and the money here at home and the greater part of the \$10,000,000 in the pockets of American laborers. [Applause.]

Fears have been expressed that a dye monopoly in America would interfere with or perhaps destroy the textile industries. Now, that is not a terrible presumption. I take it if the dye

industries are to prosper in this country they must have the looms thundering and the spindles whirling because there is their market. The American people, in their homes do not use any great amount of chemicals or dyes. Who believes that the American dye manufacturers will conspire to destroy their own market, the American market, the best market to which they have access in all the world? It would be business suicide for them to put the American weavers and spinners out of business or create a condition that would bring foreign goods or textiles to our shores. Very good reasoning has been put forward to show that the licensing system seems to be necessary at this time in addition to a high protective tariff because we are dealing with Germany.

In America and in most of the civilized countries with which we have dealings the Government goes no further than to create by law favorable conditions for business men and manufacturers, and after that both men and industries must work out their own salvation. If they lose money, the Government takes no account of them; if they make money, well and good. But let us not forget that Germany has had a monopoly of this business and will fight to the last to retain it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. REED of West Virginia. Mr. Chairman, I ask unanimous consent to continue for five minutes.

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

Mr. REED of West Virginia. If it were needed in order to destroy an American dye industry, the German business man would have back of him the potency and power of the German Government and likewise the German treasury. We have never gone that far in peace times in this country. The American business man, as I have stated, has always had to work out his own salvation, and he deserves every legitimate protection his country can give him.

A short time ago a returned soldier came to my office. He wore his uniform and was a splendid type of young manhood. He walked in and said, "I presume you do not remember me, but I heard you speak at the graduating exercises of the Glenville State Normal School in your district when I was a member of the graduating class, three years ago." Grasping his hand, I said, "My boy, where have you been? Have you been at the battle front?" "Yes," he said. And then he told me of his experiences, of shell shock in one battle, of a hole torn in his side in another battle, of his suffering for hours before he was found and sent to the hospital for treatment. Each time he recovered and returned to the front, and in one of the last engagements a German shell tore away a large portion of the fleshy part of his leg. He finally was brought home and to the Walter Reed Hospital, and came from there to my office. I asked him how he was feeling now. He said, "Pretty good. I have some scars, but I have a pretty good leg left." I said, "Young man, the Government owes you a debt of gratitude. What can I do for you? There are several positions vacant around Washington here, and I will try to get you a position in some of the Government departments, and shall be very glad to look after your compensation. You ought to have a liberal pension." The young man shook his head and said, "No swivel-chair job for me. I am not caring anything about compensation or pension, Mr. REED. I am glad that I helped to carry the old flag to victory and that I am back in my own country in pretty good health after all the experiences I had at the front. I am proud that I defended my country against a foreign foe, but I do not want the Government to do anything for me." Turning again to me, he said further, "Mr. REED, I would be glad to have you recommend me to some of the great industrial concerns of my country, where I can enter and grow up in the business and make a living for my wife and child; that is all I want."

What a grand American spirit that was! [Applause.] Mr. Chairman, if that spirit actuates three-fourths of our returned American soldiers to-day, the institutions of our country are safe. It is for our American institutions that I plead to-day. Let us amply protect the industries wherein our brave soldier boys may find employment and opportunity to develop that wonderful initiative that makes the American artisan the most heroic figure in the industrial world.

Now, my friends, I am glad of another thing. We are all trying to figure out what this World War has brought to civilization and mankind. We hear it said that out of the strife and suffering will come a new-born world. We pray that such may be the outcome. Our good President is sweeping across the continent telling what beneficent things may be evolved from the World War. But, as I was saying, I am truly glad of one thing, while I regret that it took a crisis of civilization to make it possible. My Democratic friends on the other

side of the aisle have at last been brought to see the wisdom of the Republican policy of protection. Several of the leaders on that side have recently advocated the tariff rates of the Payne-Aldrich Act, which was once so odious to them. Yes, indeed, it is refreshing to be able to look up from the pitiful wreckage that litters a war-wasted world and see the new light shining upon the free-trade paths which they have so long followed. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FORDNEY. Mr. Chairman, I am going to ask unanimous consent, and if I do not get consent, I am going to move that all debate on these amendments close in 45 minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that all debate on the pending amendments close in 45 minutes. Is there objection? [After a pause.] The Chair hears none. The Chair will recognize the gentleman from Indiana [Mr. FAIRFIELD].

Mr. FAIRFIELD. Mr. Chairman, many of the Members of this House have listened very patiently for two days to a multitude of words upon this subject, yet but two or three very clear statements have been made. I think everyone is convinced that there is need of protection for the dye industry. There is a difference of opinion as to how that can be secured. Most of us on the Republican side have believed that the protective principle is effective if it is made high enough. [Applause on the Republican side.] The other side of this contention demands a license system on the ground that, no matter how high the protective tariff is that might be placed on it, Germany would dump large and already-manufactured amounts of dyestuffs upon the American market. If I were convinced that that were true, I would have no hesitancy in supporting the licensing feature. But the licensing feature is vicious in principle. No man has undertaken to defend it as a principle here in any of this discussion, and every man has been saying that it is a temporary makeshift. I am afraid that gentlemen are taking counsel of their apprehension rather than of their knowledge. Not one word, except opinion; no statistics; no facts; nothing upon which a man can base a conclusion resulting from a basic fundamental argument has been put forward in the two days of debate.

If there was a first, a second, a third, and a conclusion, so that men could say, "I am basing my action upon knowledge," I think there would be no difficulty at all in composing this subject immediately and directly. I confess, gentlemen, that I have listened very patiently to the discussion here. When I asked for time in the beginning I was assured that the discussion would be ended the first day, and I was exhorted not to consume any time. And yet it has gone on and on and on, and how many men in the House to-day know definitely anything about the threatened inundation from the Germans by virtue of vast stores that are already prepared? I am not willing to admit, gentlemen, that there could be no tariff high enough adequately to protect any industry in this country. [Applause.] Until I am convinced of that, until men can show on the floor, beyond merely expressing an opinion, some basic fact that underlies the contention, I shall have to vote against the licensing feature. I think there are many men upon the floor that have earnestly and honestly desired to know what the real situation is. It may be that men will say to us, "We have looked into it; we are convinced that this threatened inundation will be sure to follow." But, gentlemen, is it not about time to come before Congress and present an argument that will appeal from all the facts put forth, so that men will not have to act simply upon your judgment and opinion in the matter? [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired. The Chair will recognize the gentleman from Ohio [Mr. EMERSON].

Mr. EMERSON. Mr. Chairman and gentlemen of the committee, I want to say to my good friend from Indiana [Mr. FAIRFIELD] that when we Republicans write a protective tariff on tungsten we consult the producers of tungsten, and when we write a bill on wool we consult the producers of wool. If I understand it aright, I am consulting those in the dye industry and this is what one of them says; and what he says places this whole proposition in a few very nifty words:

CLEVELAND, OHIO, September 25, 1919.

HON. HENRY I. EMERSON,

House of Representatives, Washington, D. C.:

We urge your active support of House bill 8078, relating to protection or dyestuff industry, and in particular to the feature providing for licensing of imports. The establishing and perfecting of manufacturing processes for the more difficult colors the manufacture of which has just started here requires such a length of time, and necessarily therefore such high initial costs that no tariff alone will furnish such protection as to guarantee a complete dyestuff industry in this country. The control of importations by license is therefore of paramount importance. We are producing at our Cleveland works coal-tar products which will be vitally affected by this bill.

THE BARRETT CO.

Now, gentlemen, I am willing, if we want to establish in this country the dye industry, to consult the people who have got to do the manufacturing and producing in this industry. Generally I am opposed to such commissions as that, but in this instance I am in favor of the proposition.

The CHAIRMAN. The time of the gentleman from Ohio has expired. The Chair will recognize the gentleman from Pennsylvania [Mr. HULINGS].

Mr. HULINGS. Mr. Chairman, for two days I have listened attentively to this discussion. When it began I was very strongly opposed to the idea of a licensing commission composed as it was set out in the bill. It seemed to me that the licensing commission might give licenses to whom it liked, to import German dyes and foreign dyes. That objection has been in part removed by the substitution of the Federal Tariff Commission—to issue license without discrimination to all applicants. I was further opposed to it for the reason that the dye business in this country now, according to my notion, is absolutely controlled by the men who own the German patents. It stands to reason that the Germans, in filing their patents over here, would file those patents which science in their laboratories has invented which are most modern and most up to date and the most valuable patents. These patents have gone into the hands of the Chemical Foundation, and the gentleman from North Carolina [Mr. KITCHIN] says the trustees who handle these patents have no pecuniary interest in the patents; that they are merely trustees. But there was not one word that he uttered that would give anyone any reason to believe that anyone might go to the Chemical Foundation and get the use of these foreign patents. They made no declaration of trust that they hold these patents for the indiscriminate use of American citizens.

Now, then, if the men who own these patents shall control the dye business in this country, as undoubtedly they will, any person outside of that favored circle is prevented from getting foreign dyes or going to any other market than the market of the American monopoly. It seems to me that a high tariff would stop all this. I know after the war of 1812, when the textile interests of this country, through the embargo, had got a little start, that Lord Brougham, in the British Parliament, said:

It would be well worth our while to send \$150,000,000 of textile stuffs over to the American market and destroy their infant industries over there.

But a protective tariff supplanted the embargo of war and our industries were saved. Why can we not do the same thing in stopping the Germans unloading upon this market? [Applause.] Not, indeed, by estimating your ad valorem duties upon what they say the goods are worth in Europe, but by valuing the imported goods at what they are worth in the market here, and then soak them with your high tariff.

It seems to me, Mr. Chairman and gentlemen of the committee, that would be a remedy. It would prevent this unloading of German goods on this market, and it would be uniform throughout all the country, and it would do away with the necessity of having any more of these Government commissions. The country is tired of them. The possession of the German patents give the owners a rock-ribbed monopoly, unless all manufacturers are free to use them on equal terms—and when I ask if they are free on equal terms the gentleman from North Carolina can only tell us that the trustees are fine gentlemen who have no pecuniary interest in the patents. That is no answer at all. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. If there is no further debate the Chair will—

Mr. MOORE of Pennsylvania rose.

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. MOORE of Pennsylvania. Mr. Chairman, I do not want to criticize the leader of the Republican side for raising the question of sectionalism in regard to tariff matters, but I think it is fair in passing to say that I have not heard anyone discuss this problem as a regional or sectional matter. The whole question is whether we are going to pass a protective tariff bill without a monopolistic feature added to it.

The gentleman from Wyoming unquestionably will vote to protect wool in his section of the country, and I have always voted to protect his raw material and give him the highest possible duty. I have not understood as a Republican that we have had any differences upon that question, but that we have rather endeavored to teach the doctrine of protection in this House from one end of the country to the other, and if possible to have our Democratic friends thoroughly understand that situation.

I find in the New York Sun an editorial saying that vast quantities of wool are coming in from Australia. Does the gentle-

man from Wyoming desire to protect American wool and encourage the growth and development of it here? I am anxious to stand with the gentleman on that. I have always stood with him on that. But when I read in the same paper in an editorial about what our competitors on the other side are doing I question whether we ought not to be able to obtain raw materials here with which to enter into the trade of the world.

In this editorial the New York Sun this morning says:

WIDE-AWAKE BRITAIN ALREADY CAMPED IN GERMANY.

Great Britain, the paramount world trader before the war, was back on the job before the ink on the treaty of peace was dry. By all signs she is rearranging her commercial compacts, even with Germany, before the other Allies have ratified the treaty or have finished debating it. In the last several peace months she has increased her exports some three-quarters of a billion of dollars. Wise old England! Able manager and trained negotiator, she was planning it all out while the battles waged. She was ready for it when the firing ceased.

Great Britain is taking in many cargoes from Germany. She is delivering many cargoes into Germany. The cables tell us that she already has proceeded so far with this readjustment and resumption of former trade relations that the Germans have authorized in Berlin a British board of control to regulate the German goods that shall be permitted to go into the markets of the United Kingdom and the British goods that are to have smooth sailing into the markets of the German States.

This seems to be one good answer to those who think that Germany is more or less permanently restrained from stepping back into international trade because of her inability to get raw material. On the face of it she is getting enough raw material for an exchange of trade with the stupendous British market. On the face of it, too, British capital, British credit, and British sources of supply will abundantly provide for German industries all the raw materials they may require to revive and maintain the old flow of traffic between the two mortal enemies of yesterday.

Another good answer is in the cables which are so busy in these days with reports of German financial, industrial, and commercial conditions. They advise us of arrangements now negotiating in Argentina for a German credit there of \$100,000,000—Argentina, relatively a speck on the vast international trade field! From Argentina Germany can get on that credit not merely such supplies as grain and meats; she can get such raw materials as flax and wool for cloth and clothing, hides for shoes and harness, and other leather articles.

Still another answer seems to be in those cables which are also telling of the revival of industry in the Essen district. In Germany, in all Europe, mention of the Essen district conveys to the minds of men what in this country is conveyed to American minds by the term Pittsburgh district. The Essen district is not yet what it was. It will not be for many a day. Nevertheless trustworthy reports are that it is not destitute of iron and steel; it is not destitute of coal. There is enough of these materials to yield a high production once the readjustment and reorganization are completed. As a matter of fact, in some of the industries there are mills and factories now working with two eight-hour shifts, and even three eight-hour shifts, a day.

With the German people willing to work, ready to work, determined to work, German industry can get raw materials the world over on the straight, simple business proposition of bank discounts. German industry can take the hides of Argentina, manufacture them, export them, sell them, take up with the proceeds in a few months the notes on which the raw material was bought, with a handsome profit on the transaction left in German pockets.

German industry can do the same thing with American copper. German industry can do the same thing with American cotton. German industry can do the same thing with other American raw material. But it is Great Britain, shrewd, vigilant, painstaking, which is on the job of resuming business with German industry. It is Great Britain which now has the edge in Germany on American producers. It is Great Britain which is writing double mortgages on German trade, outward bound and inward bound.

Meanwhile, Mr. Wilson's sole ambition, and the chief labor of the United States Government, is his league of nations. To everything else we are asleep, while wideawake Britain, wideawake Holland, wideawake Argentina, wideawake everybody else gets the business with wideawake Germany.

This editorial indicates that we must have protective tariff measures in this country, and that we must have the facilities for manufacturing and developing here, or our allies, who have control of the trade routes of the world to-day, will be on the job long ahead of us.

Now, the gentleman from Pennsylvania [Gen. HULINGS] has made what I regard as one of the crux speeches in this whole debate. He has referred to the German patents seized by this combination in the Alien Property Custodian's office and turned to their own use, this combination which leases out these patents upon royalties and derives an income therefrom. I think the gentleman from New Hampshire [Mr. BURROUGHS] in his speech said that these patents, about 4,500 in number—I have seen the list of them and it makes a good-sized printed book—cover all the dyestuffs that the ingenuity of German scientists could devise.

Now, when they had influence in the United States they protected themselves by taking out patents upon these devices under our patent laws. These gentlemen down in the Alien Property Custodian's office, whether rightfully or wrongfully, whether they have covered themselves against damage suits by securing a provision in the treaty of peace, seized those patents and applied them to themselves. Now, may I ask my friends on this side and my friends on the other side this: Given rates which make a prohibitive tariff against German dyes, do not the dye makers have in the possession of those German patents in the United States a weapon that makes them almost invincible? They not only want a high protective tariff, for which

I stand, but they want a licensing commission to dominate the business and hold up the prices, and they want also to exercise the right to use every German patent in the United States, patents which they seized and sold to themselves. They are not actually suing those who use these dye materials, or attempt to make them in the United States, for infringements of the patents which they took from the Germans. And yet gentlemen will insist on this floor that we are in danger of a foreign invasion of these dyestuffs. I wish you would call your own witness, Dr. Taussig, the head of the Tariff Board, and ask him, in view of his recent visit to Europe, whether or not there is any danger of a foreign invasion of dyestuffs. He is not attached to any of these consolidations or any of these concerns that are grabbing a monopoly here.

Mr. KITCHIN. Mr. Chairman, I wish there was some remedy that could be applied that would cure this Chemical Foundation rables which afflicts the gentleman from Pennsylvania [Mr. MOORE]. It makes no difference what you believe about the Chemical Foundation. It has not one single thing in the world to do with the motion before the House. The motion before the House is to strike out the words "dye licensing commission" and substitute "United States Tariff Commission." What on the face of the earth has any fact connected with the Chemical Foundation got to do with the merits of that amendment, or how does it throw any light upon it? The bill says one kind of board shall constitute the dye licensing commission. This amendment substitutes for that the United States Tariff Commission as the dye licensing commission. Yet the distinguished gentleman from Pennsylvania [Mr. MOORE] can not get the Chemical Foundation out of his mind. If I had been nominated for as big a thing as the mayor of as big a city as Philadelphia I would not show that I was so blessed scared and frightened of the Chemical Foundation. [Laughter.] Why, the gentleman ought to have more manhood, more courage, more bravery than to be frightened out of his boots and go into fits every time anybody mentions the Chemical Foundation. [Laughter.] If Gen. HULINGS had not mentioned the Chemical Foundation the gentleman from Pennsylvania [Mr. MOORE] would have kept his head cool and would have discussed the real proposition before the House upon its merits; but just as soon as the gentleman from Pennsylvania [Mr. HULINGS] mentioned the Chemical Foundation or its officers I looked over there and the gentleman from Pennsylvania [Mr. MOORE] was trembling in his shoes. [Laughter.] Why, you never saw a man so frightened at anything. The little child in the nursery is not half as afraid of the goblins and ghosts as this gentleman is of the Chemical Foundation. [Laughter.]

Gentlemen, the only question in this motion is whether the members of the license commission shall be composed of these different representatives of private interests and shall be appointed by private corporations and not be amenable or responsible to the Government or subject to Government control, but responsible to those corporations only, or whether the officers who administer this license provision shall be Government officers, governmental agencies responsible to the Government. The only thing in the proposition before the House is whether the United States Tariff Commission shall be the license commission or whether the commission appointed by the National Association of Cotton Manufacturers, the National Association of Woolen Manufacturers, the National Association of Leather Manufacturers, and the National Association of Druggists, as the bill now provides, shall constitute that board.

The gentleman from Pennsylvania [Mr. HULINGS] says that the gentleman from North Carolina failed to answer his question yesterday.

Mr. HULINGS. No, I did not say that. I said that the gentleman from North Carolina, after stating that these trustees had entire control and had no interest in the business, failed to say that any person, any American manufacturer could go there and get the use of these dyes.

Mr. KITCHIN. The gentleman must have been talking to somebody and did not hear what I said. The gentleman asked a question, and here is my answer on page 5928:

This license or permit to use these patents must be granted, by the terms of the charter and articles of agreement, by these trustees to every manufacturer of dyes in the United States, big or little.

That answers the question. Every one.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. HULINGS. I ask unanimous consent to speak for one minute.

The CHAIRMAN. The time has been fixed by the committee.

Mr. HULINGS. I have been waiting for a couple of days, and everybody has barked, and the gentleman from North Carolina [Mr. KITCHIN] has bullyragged me.

Mr. LONGWORTH. Mr. Chairman, a final word on the subject to see if I can correct a misapprehension which seems to exist. The gentleman from Indiana said that no evidence had been presented here as to the necessity of a provision against the German dumping. Of course, we can not now state the actual figures of what Germany has on hand. We have had no access to her factories during the war, but this we do know, that Germany had on hand at the beginning of the war enough dyes to supply not only the American market but the markets of the world. And we know further that every one of her factories which was devoted in part to turning out poisonous gases and chemicals at the same time turned out dyes. So it is necessarily true that to-day in Germany there is a tremendous supply of dyes and coal-tar chemicals. In one factory alone they turn out 11,000 different colors.

What is the situation of Germany to-day? She has this enormous stock of dyes and chemicals piled up. Where is she going to get rid of them? Almost the day that the war was over England, France, and Japan adopted the system proposed in this bill that shut out all these dyes. So the only market that remains to Germany to-day is the American market. Is it conceivable that Germany will not use every effort to get a foothold in this market, regardless of the cost, to make it possible in years to come for her to sell in this market again, without any competition, at whatever price she pleases?

Is there a gentleman on the floor of this House that believes it is good policy—and I leave Germany out of the question—that it is good policy for this Nation to open its markets wide to nations, who close their markets absolutely against us? Is there a man here who will say that it is good policy to say to Great Britain, who prohibits the importation of dyes into its markets, that "we will open our markets to their importations," and also say so to France and Japan? There is not a man on either side of the House who would advocate that as a governmental policy, and yet if you do not pass this licensing system that is exactly what you are doing.

The gentleman from Pennsylvania [Mr. HULINGS] is under a serious misapprehension, which I have tried a number of times to relieve, that this so-called Chemical Foundation controls all of these patents. It does not, because they are licensed to countless manufacturers. But if it did it would only relate to the control of one-sixth of the dyes produced to-day in this country, or produced in Germany for that matter. Talk about a monopoly, at most if this Chemical Foundation were all the pack of grafters that it is seemed to be insinuated they are, the worst they could do would be to affect or control one-sixth of the total American markets. It is too absurd to talk about. [Applause.]

The CHAIRMAN. The gentleman from Illinois [Mr. CANNON] is recognized for 15 minutes.

Mr. CANNON. Mr. Chairman, frankly I am somewhat embarrassed in using this time. I am not on this committee; I never was on the Ways and Means Committee. I have had a hard time when you come to the details of schedule to make up my own mind how I shall vote. But there is one general principle that is in my mind, notwithstanding I am not competent to make schedules, and that is that the Republican policy of protection is a policy that I stand for and always have stood for. [Applause.]

Let me state right now that if we are to have a licensing system, if you have got to take your hat in your hand from the Pacific to the Atlantic and come down to Washington and present your case, rather than have the license system reported in this bill, I should be inclined to vote for the amendment. If we have got to have it, I want it as harmless as possible. So much for that.

I have listened to both sides of the House in which you say that in this bill the protection from the protective standpoint is high enough. I think nobody disputes it, and yet it is stated that the value of the German mark is 24 or 25 cents in Germany, but outside of Germany, when it comes to the United States, the value of that mark is 5 cents minus. Somebody says 3, but whichever it is it makes no difference for the purpose I am using it. If they have all the dyestuffs and chemicals that the gentleman from Ohio says ready to dump on our market, they dump them at 24 cents, the value of the German mark in Germany, on the American market, while it is only worth 3 or 5 cents in value in the United States.

Well, if that is so, then God knows we need more protection than the present law gives, because it could be dumped upon this country. If the apprehension of the gentleman from Ohio and other gentlemen who agree with him is correct, I wish there was a bill pending reported from the Committee on Ways and Means, and I would be glad to vote for it, to say that the goods and dyes imported from anywhere are to be gauged by the American dollar when the duties are levied. I do not know

whether that would be germane or not to this bill. If it is, I hope somebody will offer the amendment, and I think that would dispose of the fear of unloading unnumbered shiploads of German dyes before we can get to work and make the fast-colored dyes. It seems to be a question of fast-colored dyes, and that is all I want to say about that. Gentlemen, the United States is the greatest producer of manufactured and agricultural products, thank God, of any nation on earth. I think I am correct in that. I am told, it has been stated and not denied, that the value of the products of the various people who are making something that uses dyes is three billions of dollars annually. Am I correct? If I am not, I stand to be corrected. Now, then, they say that they can not get fast colors. They talk about these patents, 4,500 of them, that have been taken over. I do not know hardly whether I would know a patent if I met it in the center of the aisle here, as far as that is concerned, but I know it is something that protects the patentee, and I know that whoever owns those patents, 4,500, practically run and glorify taking that knowledge. Have we capital enough in this country to develop this industry? They speak about the necessity for munitions and the necessity for dyestuffs—they seem to be twins—but during this great war, when we were thrown back upon our own efficiency, we made pretty good munitions, and we have made fairly good progress with dyestuffs. We have got the capital.

Now, I have no brief in defending or attacking this company that has been incorporated to take over these patents, not at all. I have no brief for or against the capitalists who have made munitions, the Du Ponts and others. God knows how many hundred people there are manufacturing dyestuffs in the United States. I can not tell, but I gather, which I think has not been denied, that the corporation which owns these 4,500 patents can run and glorify and charge royalties, not at a uniform price, or possibly even at a uniform price, but that they can discriminate if they so desire and establish a great monopoly. I am for the Republican policy of protection. What for? First, to control our own markets, everything that we can produce in the United States. Second, to have a surplus that we can compete in the markets of the world wherever it is practicable. That is the Republican protective policy. I rarely disagree with the majority leader, the gentleman from Wyoming [Mr. MONDELL]. I have a very high respect for him. He is one Representative from Wyoming, and two Senators—I forget how many from my State, I think 27 or 28. It does not make any difference whether there is one or twenty. The majority leader is very competent, but you know, New York first, Chicago second, the first and second manufacturing cities of this country; Philadelphia is third. Why, great heavens, dyestuffs are used galore from at least the Atlantic Ocean north and south to the mountains, and, thank God, at last, at last, that splendid South, you know, has got onto the necessity of diversifying its activities, and it will grow and grow. [Applause.] Now, I do not want a monopoly created in the United States with great capital, with power to fix the royalties in a corporation that my friend from Pennsylvania thinks is not a desirable one. I do not know whether it is or not, but if you could head it by Moses and throw in Aaron, if you could resurrect him, and take the greatest half dozen or dozen people who ever did live and who live now and give them these 4,500 patents, why, you know civilization rests upon the selfishness of the unit, and I am just apprehensive that maybe they may abuse it if they had it. If they do, we will have to legislate against them and prosecute them in the courts and probably would have a much better case in that than all this propaganda and hurrah against the packers.

The packers abound in my State—in Missouri—you know, in Minnesota, and various other places. They say they make 2 per cent profit on their total business. I do not know whether they make more or less. I know the meat supply and the food supply that comes handled by them beats all to pieces the system before the days of the railroads, when in the little township in which I lived as a boy once every two weeks we killed a beef, which was generally lean, and it was distributed from a dry goods box, and when I went down on one occasion to get my share, when somebody else had killed the beef, they gave me the neck [laughter] and mother said that she would not send me again. [Laughter and applause.] Oh, gentlemen, I do not know whether the packers are oppressing this country. I hold no brief to defend them, but it is no use talking, they beat my ancient recollection before they came to, because they utilize all the by-products. Now, as I say, I hold no brief for them, and I can say that, in my judgment, it would have been far better if the United States had taken over the 4,500 German patents, at \$250,000 for these 4,500 patents, and made a royalty that any American citizen, any producer, whether in Pennsylvania, or Illinois, or Kentucky, or anywhere

else, could go and have a fixed law and regulation as to royalty and as to the price [applause] if they should get it from Uncle Sam.

I have been trying—and I speak in the most perfect good faith—to find out whether I would vote for this bill or not. I will tell you what I will vote for. If the Ways and Means Committee, either by amendment to this bill or by a separate bill, will report it to the House, I will vote for an antidumping clause anywhere in our markets. It is pretty difficult to compete with Canada, to compete with Great Britain, and to compete with other countries, where in 24 hours, if they discover dumping, they can, through a council representing the Government, raise or lower the duties on imports as against the United States or anywhere else in the world. The Republicans would have to have an election, if not two elections, in which to talk about free trade and protection, and then the protection bill would have to go to the Senate, and the Senate would have to mull over it, and in the fullness of time it would go down to the President, maybe for a veto or maybe for approval, and it takes sometimes 24 months, and sometimes three or four or five or six years before we can change our laws for protection or free trade. Therefore we are at a disadvantage.

I want to see before this session of Congress adjourns, because I believe it is important, that we have an antidumping bill to vote for. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

The gentleman from Michigan [Mr. FORDNEY] is recognized.

Mr. FORDNEY. Mr. Chairman and gentlemen, it has been my desire, if we are to have a licensing commission, that that commission shall be just as far removed from political influence as possible. I think that is a matter of very great importance. For that reason I suggested when we were having hearings that if we were to have a commission I wanted it appointed from men on the outside and not appointed by the administration.

Only a few minutes ago I had a talk in my office with a gentleman who is a member of the Tariff Board. The gentlemen who make up the Tariff Board to-day are very high-class men, and I have the highest regard for them. Their work is research work. They have no administrative power. They would not have the power to administer this law if you should substitute the Tariff Board for the commission provided for in this bill. Of course, the administrative power might be given them, but they have no power to-day to perform other than research work, not even the power to recommend to Congress, let alone administering our tariff laws. And that is what this is—a tariff law. As I was saying, a gentleman, a member of that Tariff Board, told me only a few minutes ago that if we wanted to destroy the Tariff Board we should substitute the Tariff Board for this commission. As I have said, that was his individual opinion, expressed to me in my room only a few minutes ago. I told him what the amendment of the gentleman from Ohio was—

Mr. FESS. Will the gentleman yield?

Mr. FORDNEY. I yield.

Mr. FESS. That is a striking answer, and it is disturbing to me, for I had expected to vote for this amendment. I do not want to openly vote for an amendment that would destroy the function of the Tariff Board.

Mr. FORDNEY. He said to me, "Do not use my name unless you think it necessary; but if you do use it, say that I speak as an individual and not for the board." He said, "If you wish to destroy the Tariff Commission, pass that amendment, and we are gone." That is the language which he used.

Mr. KITCHIN. Did he give the gentleman a reason why it would destroy the commission by putting another duty on it?

Mr. FORDNEY. Yes. He said, "It places upon our board an entirely different work from that for which it was created, and we are wholly unfit to administer that law, because we have had no experience. Our work is research work—to furnish information to the administration and to Congress." And that is correct. They are doing an extraordinary work, gentlemen. They are among the best men that could be selected.

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

Mr. FORDNEY. Yes.

Mr. JUUL. Did the gentleman mention to the gentleman a way out of this, or suggest another method by which we could dispose of it?

Mr. FORDNEY. He only said, "For heaven's sake, do not substitute the Tariff Board for the commission." That is all.

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

Mr. FORDNEY. I hope the amendment of the gentleman from Ohio will fail, because I am much more in favor of the commission as it is written in the bill.

Mr. KITCHIN. Mr. Chairman, I ask unanimous consent that the gentleman have one minute more.

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

Mr. KITCHIN. I would like to ask the gentleman: Did Mr. Page, the acting chairman of the United States Tariff Commission, tell him whether or not, in his opinion, we ought to have a licensing system at all? Did he not tell you that?

Mr. FORDNEY. He did not, sir.

Mr. KITCHIN. Did you ask him his opinion about that?

Mr. FORDNEY. No; I did not want to embarrass the gentleman.

Mr. KITCHIN. I was somewhat curious.

Mr. FORDNEY. I did not ask him that. I have an opinion of my own, and I do not want advice on this subject. I have sense enough to know it is un-American and un-Republican. [Applause.]

The CHAIRMAN. All time has expired. The question before the committee is the amendment offered by the gentleman from Ohio [Mr. LONGWORTH], which the Clerk, without objection, will again report.

The Clerk read as follows:

Amendment offered by Mr. LONGWORTH: Page 9, line 7, insert, after the word "obtained," the words "as hereinafter provided"; in the same line, after the word "the," strike out the words "dye licensing commission" and insert "United States Tariff Commission"; and in line 8 strike out the words "hereinafter created."

The CHAIRMAN. The question is on the amendment of the gentleman from Ohio.

The question was taken.

The CHAIRMAN. In the judgment of the Chair, the ayes have it.

Mr. MOORE of Pennsylvania. Division, Mr. Chairman.

The committee divided; and there were—ayes 83, noes 42.

So the amendment was agreed to.

The CHAIRMAN. The question recurs on the motion of the gentleman from Pennsylvania [Mr. MOORE] to strike out the section as amended, section 503 (a).

Mr. FESS. Mr. Chairman, the debate has not been exhausted on that, has it?

The CHAIRMAN. The Chair understands the debate is exhausted on both motions.

Mr. FORDNEY. It is exhausted on both.

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Pennsylvania, to strike out the section as amended.

The question was taken, and the Chairman announced that the "noes" appeared to have it.

Mr. MOORE of Pennsylvania. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 53, noes 86.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask for tellers on that vote.

The CHAIRMAN. Gentlemen who desire to support the demand for tellers will rise and stand until they are counted. [After counting.] A sufficient number have risen. The gentleman from Pennsylvania [Mr. MOORE] and the gentleman from Ohio [Mr. LONGWORTH] will take their places as tellers.

The committee again divided; and the tellers reported—ayes 54, noes 90.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 503 (b). A commission is hereby created to be known as the dye licensing commission, which shall be composed of 11 commissioners. The said commissioners shall be designated as follows:

One by the National Association of Wool Manufacturers.

One by the American Association of Wool and Worsted Manufacturers.

One by the National Council of American Cotton Manufacturers.

One by the National Association of Finishers of Cotton Fabrics.

One by the Silk Association of America.

One by the American Paper and Pulp Association.

Three by the American Dyes Institute.

One by the American Drug Manufacturers' Association.

The 10 commissioners thus designated shall elect the remaining commissioner, who shall be a person not actively connected with any industry which manufactures or consumes products covered by the act and shall be the chairman of the commission.

The first commissioners, other than the chairman, shall be designated as above provided as soon as possible after the taking effect of this act and shall serve during the life of the commission. Vacancies shall be promptly filled for the unexpired term by a new designation by the association represented by the commissioner whose position has become vacant.

Each of the said associations shall file with the Secretary of the Treasury, immediately upon the designation by it of a commissioner or commissioners under this act, a copy certified by its secretary of the resolution of the association effecting such designation.

The chairman elected by the first commissioners shall serve permanently during the whole of said period unless and until removed by a majority vote of the commission. The chairman shall be the medium of all communications to and from the commission. The commissioners

shall serve without salary, except the chairman, who shall receive a salary of \$5,000 per annum.

To meet the reasonable expenses of the commission, including the salary of the chairman, the cost of maintenance of a suitable office at a place to be designated by the commission, and the necessary traveling expenses of the commissioners in attending meetings of the commission, the commission may charge a reasonable fee for the issue of each license. Should the moneys received from such fees in any year be less than the said expenses the deficiency, not exceeding \$50,000, shall be paid out of the appropriation for "expenses of collecting the revenue from customs."

Mr. LONGWORTH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LONGWORTH: Strike out all of section 503 (b) down to and including the word "annum" on page 11, line 4.

Mr. WALSH. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The Clerk will finish the reading of the motion for amendment.

The Clerk read as follows:

In line 5, after the word "the," where it occurs the second time, insert the words "United States Tariff"; in line 6, strike out the words "including the salary of the chairman" and insert in lieu thereof the following: "in executing the duties imposed upon it by this act."

In lines 8 and 9, strike out the words "and the necessary traveling expenses of the commissioners in attending meetings of the commission."

In line 13, strike out the words "not exceeding \$50,000."

Mr. LONGWORTH. Mr. Chairman, this is simply an amendment to strike out the provisions that were in the original bill and which have no application to the paragraph now.

The CHAIRMAN. Does the gentleman from Massachusetts wish to be heard on his point of order against the amendment?

Mr. WALSH. In view of the fact that the amendment has been read and the committee by its action has made some changes in the provisions of the bill, I will withdraw my point.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the section as amended.

The CHAIRMAN. The gentleman from Pennsylvania desires to strike out the remainder of the section?

Mr. MOORE of Pennsylvania. Yes. I understand the section has been read in full. I desire to move to strike out the section as amended.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the section as amended. Does he desire recognition?

Mr. MOORE of Pennsylvania. No.

The CHAIRMAN. The question is on agreeing to the motion.

The question was taken, and the motion was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 503 (c). The said dye licensing commission shall issue licenses to import for use in domestic manufacture such of the products covered by section 503 (a) of this act, and such products only, as may be unobtainable from domestic sources on reasonable terms as to price, quality, and delivery. The commission shall limit the issue of licenses to import any product as nearly as may be to the quantities required by the actual current needs of the consuming industries in the United States, having regard to the necessities of such industries as are unable to determine beforehand their requirements. Nothing herein contained shall authorize the commission to refuse a license to a manufacturer, person, or agent to import for actual use by the manufacturer a foreign dye when such domestic dye of equal quality is not immediately available for his use.

Mr. LONGWORTH. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LONGWORTH: Page 11, line 15, after the word "said," strike out the words "Dye Licensing" and insert the words "United States Tariff."

Mr. LONGWORTH. Mr. Chairman, that is simply to comply with the amendment heretofore adopted.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

The CHAIRMAN. The gentleman from Ohio offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LONGWORTH: Page 11, line 16, after the word "for," strike out the words "use in"; in lines 16 and 17, strike out the word "manufacture" and insert "consumption"; in line 18, strike out the words "and such products only"; in line 19, after the word "sources," insert the following: "and also such and such only of the said products as may, though obtainable from domestic sources, be unobtainable."

Mr. LONGWORTH. Mr. Chairman, I did not catch the Clerk's reading of the words "use in."

The Clerk read as follows:

In line 16 strike out the words "use in."

Mr. LONGWORTH. Mr. Chairman, I ask that the Clerk read the paragraph as it will read when amended.

The Clerk read as follows:

Sec. 503 (c). The said United States Tariff Commission shall issue licenses to import for domestic consumption such of the products covered by section 503 (a) of this act as may be unobtainable from domestic sources, and also such, and such only, of the said products as may, though obtainable from domestic sources, be unobtainable on reasonable terms as to price, quality, and delivery.

Mr. LONGWORTH. Mr. Chairman, this provision as amended will read:

Sec. 503 (c). The United States Tariff Commission shall issue licenses to import for domestic consumption such of the products covered by section 503 (a) of this act as may be unobtainable from domestic sources and also such, and only such, of the said products as may, though obtainable from domestic sources, be unobtainable on reasonable terms as to price, quality, and delivery.

The object is to make it mandatory on the commission to license wherever the dye is not manufactured or obtainable in this country and then in addition, in all cases where the dye, though obtainable, is not obtainable on reasonable terms as to price, quality, and delivery.

Mr. FORDNEY. Will the gentleman yield?

Mr. LONGWORTH. I yield to the gentleman from Michigan.

Mr. FORDNEY. Does the gentleman want to make the provision mandatory on the Tariff Board to issue licenses?

Mr. LONGWORTH. Where the dye is not obtainable in this country.

Mr. FORDNEY. Who is to determine whether it is obtainable, the commission or the man making the application?

Mr. LONGWORTH. The commission, of course. The commission has a complete census of the dye manufacturers of this country, a list of all the factories, and of all the dyes made there.

Mr. FORDNEY. Then the power vested in the Tariff Board will be absolutely discretionary?

Mr. LONGWORTH. It will not be discretionary at all.

Mr. FORDNEY. Absolutely; according to the language of your amendment it leaves it within their discretion to say whether or not these dyes are obtainable on reasonable terms as to price, quality, and delivery.

Mr. LONGWORTH. It makes it mandatory on them to act on certain facts, and it is a fact whether the dyes are made in this country or not. There is absolutely no discretion about that.

Mr. FORDNEY. It is within the discretion of the board to say whether they are right or whether the man making the application for the license is right, and from their decision there is no appeal.

Mr. LONGWORTH. They find the facts.

Mr. FORDNEY. Suppose they find there are dyes obtainable when there are no dyes obtainable?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. LONGWORTH].

The amendment was agreed to.

Mr. LONGWORTH. Mr. Chairman, I have another amendment.

The CHAIRMAN. The gentleman from Ohio offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LONGWORTH: Page 12, line 4, after the word "use," insert "The commission in passing upon applications for such licenses may regulate its own practice and procedure, but shall so regulate the same as to prevent all avoidable delay."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. LONGWORTH].

The amendment was agreed to.

The CHAIRMAN. Has the gentleman from Ohio any further amendments?

Mr. LONGWORTH. No further amendments.

Mr. MOORE of Pennsylvania. I move to strike out the section as amended.

Mr. SAUNDERS of Virginia. Mr. Chairman, I want to suggest to the gentleman from Ohio, who has made various verbal changes in this section, that in line 3, on page 12, it occurs to me that the word "such" is not appropriate—

When such domestic dye of equal quality is not immediately available for his use.

There is nothing that makes the word "such" appropriate there, and it ought to be stricken out.

Mr. LONGWORTH. That amendment was suggested by the gentleman from Massachusetts [Mr. TREADWAY], and we had

some debate about it in the committee. He insisted that the word "such" ought to go in there. I am not entirely sure that it ought to be there.

Mr. SAUNDERS of Virginia. I do not think it is necessary.

Mr. LONGWORTH. The gentleman from Massachusetts [Mr. TREADWAY] was very insistent upon it, and in his absence I do not think we ought to strike it out.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the section as amended.

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. MOORE of Pennsylvania. I call for a vote.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Pennsylvania: Strike out all of section 503 (c), as amended.

The question being taken, the amendment was rejected.

The Clerk read as follows:

Sec. 503 (d). In passing upon applications for licenses, each commissioner, including the chairman, shall cast one vote. Licenses shall be issued only upon a majority vote of the commission present, except that the commission by regulation may provide for the issuance of licenses by the chairman alone, in accordance with general regulations adopted and issued by the commission. The decision of the chairman upon application for such licenses shall be subject to appeal to the commission in such manner as the commission may by general regulation provide. In other respects the commission may regulate its own practice and procedure.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the section.

Mr. BUTLER. That ought to go out.

The CHAIRMAN. The gentleman from Ohio moves to strike out the paragraph. Does the gentleman desire to be heard on his motion?

Mr. LONGWORTH. No. The section is unnecessary, in view of the amendments already adopted.

Mr. MOORE of Pennsylvania. Mr. Chairman, throughout this discussion some gentlemen have declared that they were entirely satisfied with the tariff provisions of this bill, but that they could not support the licensing feature of it. I want to say, not only as a Member of the House but as a member of the Committee on Ways and Means, that I shall feel it my duty to vote against this bill, since it has been decided to carry this un-American, un-Republican, and uneconomic licensing system in it. [Applause.] I believe the bill to have been born under auspices that were not favorable to the welfare of the manufacturers and the industrialists of the country. I believe it was framed under auspices wholly in the interest of a class of men who control large industries and large amounts of capital, and that it is in effect intended to create a monopoly in the disposal of dyestuffs in the United States. I believe this bill would not have been brought out of the Ways and Means Committee if it had been known to certain members of the committee, who are not present to-day, that the system of licensing which they were finally induced to favor would be transferred from those engaged in the business to a governmental commission, which in this instance happens to be the Tariff Commission. I think I can say, with respect to at least three members of the Ways and Means Committee, that they insisted before this bill was voted out of the committee that the representatives of the consumers of dyestuffs should be members of the commission if a commission was formed.

Mr. YOUNG of North Dakota. Five.

Mr. MOORE of Pennsylvania. Mr. Chairman, my colleague from North Dakota [Mr. Young] suggests that there were five members of the committee who stood against the proposition of permitting a commission to be created unless it was created of men amply interested and informed upon the subject of dyestuffs; that is to say, the users of the dyestuffs. They voted to bring this bill out only with the understanding that these large interests that had to buy dyestuffs from the manufacturers would be represented. Men engaged in the manufacture of wool, those engaged in the manufacture of woollens and worsteds, those engaged in the manufacture of cotton, those engaged in the finishing of cotton, those engaged in the manufacture of silk, those engaged in the manufacture of paper and pulp, and those engaged in the manufacture of drugs. Those were the men upon whom a majority of Republicans in the committee placed their reliance, because they knew, or felt at least, that if these men were represented on this commission there might be an opportunity to get a square deal with the manufacturers of dyes.

I am speaking for some gentlemen who are not present, and I am making the assertion that the committee has deliberately

introduced a new proposition here, has installed the Tariff Commission, which was never designed for any such purpose, and has blotted out any representation that the dye users had on the commission.

I feel that Republicans will be justified in defending the protective tariff and voting this bill down. It should be a protective tariff bill without the licensing system. I do not believe it can become law with the licensing feature attached.

Mr. FORDNEY. Mr. Chairman and gentlemen of the House, anticipating a motion to recommit with instructions to strike out the rates of duty provided in this bill and substitute lower rates, which would not be debatable, I want to make a few remarks.

The purpose of the provisions of this bill is to encourage home production and the employment of American capital and labor by providing the necessary protection to the manufacturers of the United States that they may pay the American laborers the American scale of wages, the best-paid labor in the world.

The American manufacturer pays local, city, county, State, and national taxes to sustain local and national governments.

Under free trade, or rates of duty below a point of protection, the foreigner is enabled to capture our markets and embarrass or destroy our industrial institutions, and the foreigner pays no taxes to our governments. The foreigner employs no American labor; he consumes no American raw material. In other words, from the manufacture of foreign goods our people derive no benefits whatsoever.

About three-fourths of all our imports at the present time—which now come in in greater quantities than ever before—are admitted free, and the ad valorem rates of duty on the other imports are below any ad valorem rates provided for in any former tariff law written upon our statute books, even from the organization of the States into a Republic. In fact, the present tariff law has thrown down the bars and invited the goods of all foreign countries to come in and enjoy our markets, to the detriment of our own industries.

Therefore the Republican Party presents this measure to the Congress of the United States, and, if it passes both Houses, will ask the President to approve and sign the same. [Applause.]

Therefore, gentlemen, I appeal to you when the time comes to vote for the final passage of this bill to sustain the rates provided for in this bill and vote down any motion to reduce them to a lower standard, because the rates that are written here are not more than sufficient to adequately protect American capital and the American scale of wages in this country over and above the wage scale paid to any people on the face of the earth. [Applause.]

Mr. LAYTON. Mr. Chairman, I move to strike out the last word. I recognize that the House is very impatient as we are approaching the close of this strife over the bill, but there is one aspect of this question that has been passed over in a very cursory manner, and as the representative of a profession which has only three members in this House—two others besides myself—I thought it was a proper proceeding for me to enlarge upon one feature of this tariff bill which concerns that profession and which profession concerns the health and sanitation of 110,000,000 people.

It is not my purpose to discuss this measure as it relates to industrialism, the national necessity for munitions for war, nor its relation to the arts and sciences. All of these subjects have been fully and elaborately covered. What I desire to do is to call the attention of the House to a phase of the subject which has received but scant mention and practically no consideration. Before, however, I take up this particular phase of the subject, I desire to say that there never has been, in my judgment, a proposition before this House for the encouragement and the development of a national enterprise greater than this relating to the dye industry. In my judgment the protective tariff which built up the great iron and steel industry, until we became the greatest steel-producing country in the world, was no more important, as far as our civilization is concerned. The wonder is not that we are taking up this matter now, but that proper laws were not enacted to develop this great enterprise years ago.

Leaving out of consideration the national necessity for dyes and chemicals for offensive and defensive purposes in war, there is a supreme necessity from the standpoint of the health of our 110,000,000 people for the passage of this act.

Within less than 40 years, beginning in 1881, synthetical chemistry of the coal-tar products began. The first substances evolved were known as kairine and following soon after other antipyretic derivatives of quinoline. From that hour a wonderfully increasing and constantly augmenting number of me-

dicinal agents have been evolved. Owing to these synthetical processes in the laboratory in exploration of this crude and unsightly substance, the pharmacopœas of 40 years ago have been largely displaced by products possessing the highest remedial potency, not only upon the functional but the organic diseases of the human body. They comprehend a wide range of uses. From this same coal tar we have drugs that lessen or increase the flow of blood in the brain; those that depress or stimulate the heart action; those that cause quick diaphoresis and diuresis and catharsis from phenolphthelin. We have also the germicidal agents like salol, and eutrophen for intestinal uses in typhoid and other conditions. We have that group of splendid remedies known as the salicylates so beneficent in the treatment of the various rheumatic conditions. In addition to these we have numbers of other remedies of almost incomparable worth in the treatment of influenzas, catarrhal conditions, epidemics of grip, together with the various forms of neuralgia, and, last, that wonderful substance, salvarsan, which promises to be a cure for a plague which threatens the vitality and even the preservation of the race. When we reflect that all this change in medicine has been evolved in less than 40 years, and that the analytical and synthetical chemist stands only on the confines of this dark but illimitable domain of discovery, and that its future will be, beyond peradventure, more extensively beneficent than it has been in the past, there is every reason why the Congress should encourage and foster and safeguard and develop this natural power for the protection of the people, even if there existed no imperative necessity for this purpose for the development of our industrial establishments or for our national defense.

But I desire to say at this point that there are, I fear, many who are too optimistic as to American accomplishment in the two years mentioned in this act. Within that time, I have no doubt, that great accomplishments will be made in dyestuffs and explosives and even in pharmaceutical remedies, but it should be recalled that this is a vast and practically unexplored field of research, and while the fortunate possession of the German patents with their dye formulas taken over by the Government will materially aid our chemists, yet in the future we will have to compete with the most patient and devoted scientist the world has ever known—the German chemist, who will not be content with what he has achieved, but will go on to higher and higher developments in this mysterious domain of coal-tar products that will make the accomplishments of the present seem crude and obsolete. In this crude substance called coal tar we really have the concrete life of those ages of the world before man came to inhabit it. It represents the stored up potentiality of the vegetable world before human life had an existence. We have only begun to extract some of its wonderful forces that have an infinite variety in usefulness from the materials for increasing charm and beauty to the destruction of life and the curing thereof.

What the policy of the Congress should be is to protect, guard, encourage, and thereby help to develop this illimitable potentiality, no matter whether it be for two years or forever, seeing what a vast and inexhaustible field of usefulness and of necessity is found therein, especially in remedial medicine and sanitation. [Applause.]

By unanimous consent, Mr. BROWNING, Mr. REED of West Virginia, Mr. FAIRFIELD, and Mr. KELLER had leave to extend their remarks in the RECORD on this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio to strike out the section.

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

The Clerk read as follows:

Sec. 503 (c). Any product described in section 503 (a) of this act which shall be imported into the United States or any of its possessions without license, as provided in said section 503 (a), shall be forfeited and shall be destroyed whenever and wherever found.

Mr. FESS. Mr. Chairman and gentlemen of the committee, I have listened to all the discussion upon this bill, both in general debate and under the five-minute rule. It is needless for me to say that I favor that portion of the bill which looks to the protection of the industry. I regret more than I can say the step we have taken to abandon the protective view by the insertion of the license feature, a feature that was backed, as could clearly be understood, by those who were opposed to protection and carried on the floor of the House by others who were with them. I voted for the feature substituting the Tariff Commission with some hesitation. I think it extremely unwise to give even the licensing power to a commission that might show in its decision sectional or partisan decision under stress.

Any man on the floor of the House can see what a pressure might be brought upon this commission, a governmental commission, to make decisions for purposes that are ulterior, and

the House would naturally hesitate to put the commission under such a situation and the danger that might come from that pressure. I think there is no doubt but what putting this commission in the bill is constitutional, while I fear that the original commission could not have stood under the Constitution. I think, members of the committee, we have given our pledge to the country that we will not further shackle the business and the enterprise of America. [Applause.] We promised that those shackles placed under the stress of war—that we could not avoid because of the necessity of the war—would be removed with the close of the war, and here is the first opportunity that we have had in this particular line of legislation, and, instead of our removing the shackles, we have taken steps to add to the shackling of business. [Applause.] We have made it inconvenient, made it possible for discrimination; we have introduced un-American lines of legislation as war measures, and we are too careless about respecting our promises to the country, and I hope there will be a motion to recommit with instructions to the committee to strike out this licensing feature and give us a chance for a record vote upon that. [Applause.] I would not vote for a motion to recommit to reduce the protective rates. I am in favor of the rates, but I am not in favor of giving further opportunity to any sort of associations or licenses further to disturb the business of this country, and I want an opportunity to vote on a record vote against that proposition. [Applause.]

Mr. MONDELL. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, the Republican Party stands for the protective-tariff system. Why? For the purpose of establishing industries, give employment, and make America independent and self-sufficient in an industrial way. The Republican Party will always adhere to that policy and is carrying it out in this bill, but in connection with the industries proposed to be protected the committee found a condition requiring temporarily the use of a policy of licenses in order to accomplish the very thing that a protective tariff was established to do.

Mr. FESS. Will my friend yield?

Mr. MONDELL. Yes.

Mr. FESS. In two years from now, when this ceases to be operative, we will be asked to reproduce it.

Mr. MONDELL. We need not, and I trust we will be wise enough not to unless at that time it seems necessary.

Mr. FESS. Why not be wise enough now?

Mr. MONDELL. Because there is a condition demanding, in the opinion at least of a majority of the Republican members of this committee, that for the present a system of licenses be provided—

Mr. FESS. But what assurances have we that it will not be demanded two years from now?

Mr. MONDELL (continuing). And they have brought this provision before the House. The facts will develop whether or no it is necessary to continue licenses. I do not believe it will. I would be willing to limit the license system to one year now. Gentlemen have said it would be possible to make the tariff rate high enough to obviate the necessity of a licensing system even for a day. That is true; but no man in this House would be justified in voting for a tariff rate high enough unquestionably to protect these industries in the immediate future. It is true that the rates could be made high enough to make dyestuffs practically prohibitive in America, but no one wants to vote for such a rate, and the Republican Party can not afford to go on record as in favor of such a rate. The committee has fixed a rate which it believes will protect the industries in the long run and in the immediate future except as to certain classes of dyes and dyestuffs, and in order to protect them it would be necessary to make the rate so high as to be burdensome to the enterprises using dyes. That we do not want to do. We do not want to burden those who must use dyestuffs, but we do want to build up the dyestuff industry, and therefore the temporary expedient of adding to our tariff this provision for licensing. It is not adopted as a permanent system, and personally I should regret if it should ever become a permanent part of our policy. I studied the question very carefully as presented to the committee before I came to the conclusion that the majority of the committee was sound in their belief that in addition to such a tariff rate as we are justified in voting for it was necessary for a brief period, in order to establish these industries, to provide the licensing system carried in the bill. In my opinion it is just as important a part of the work of establishing these industries as the tariff provisions carried in the bill. If I had not become convinced of that after careful study and consideration, I should not be in favor of it; but I am convinced that the judgment of the committee is sound. We avoid a prohibitive tariff rate, which none of us want to vote for, and, having fixed a reason-

able rate, we supplement that by a temporary provision for licensing. [Applause.]

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the section.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. MOORE of Pennsylvania: Page 12, line 16, strike out all of section 503 (c).

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 503 (f). Any person subject to the jurisdiction of the United States who shall, either as principal or as accessory, import or attempt to import or aid in importing any product described in section 503 (a) of this act without license as therein provided shall be fined not exceeding \$5,000 or the value of such product at the time of importation, whichever shall be greater, or shall be imprisoned for not more than one year, or both.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the section.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. MOORE of Pennsylvania: Page 12, line 21, strike out all of section 503 (f).

Mr. MOORE of Pennsylvania. Mr. Chairman, I regret the gentleman from Wyoming [Mr. MONDELL], who has great influence in this House, can not see this matter as the minority of the majority members of the Committee on Ways and Means have seen it. I rather suspect if a vote were taken now in the Committee on Ways and Means on the Republican side that a majority of that majority would declare against this bill as it has been amended.

I question whether the deep study the gentleman from Wyoming [Mr. MONDELL] has given to this bill has penetrated the minds of the members of the committee or that their thoughts have penetrated his mind, since they would not have reported this bill under any circumstances if it had not been understood to the majority of the majority members that there would be representation on this board of the consumers of dyestuffs in the United States. Now, the gentleman from Wyoming comes back to the Republican policy of protection to American industries. He stands for it now as an afterthought, following the rather dubious speech he made on the floor a little while ago about regionalism or sectionalism in protective-tariff matters.

Mr. MONDELL. The gentleman knows perfectly well that at no time, here or elsewhere, have I stood for anything except a Republican tariff policy.

Mr. MOORE of Pennsylvania. But I did hear the gentleman from Wyoming, in the first speech he made on this bill to-day, from the floor yonder, say that there were those coming from certain sections of the country who were unduly influenced perhaps by the interests round about them, and that they did not express in their protective talk the same care of those in other sections of the country as they did of their own.

Mr. MONDELL. Will the gentleman allow me to correct his recollection?

Mr. MOORE of Pennsylvania. If he will correct it; yes.

Mr. MONDELL. What I said was that I had little patience with those engaging in industries dependent upon the protective system who were not willing to undergo the slight trouble, if trouble it might be, of a license system, when that system was essential to the very system upon which their industries depend.

Mr. MOORE of Pennsylvania. That is substantially what the gentleman said. I took it to mean that the gentleman was reflecting upon those who looked after the interests of their particular constituents in this House.

Mr. MONDELL. There was nothing in what I said that could bear such construction. I think a manufacturer who depends for his business on the protective system should be willing to go to a little trouble to comply with the provisions of a licensing system temporarily if that licensing system is essential to the development of the protective policy.

Mr. MOORE of Pennsylvania. Then why should the gentleman, having this small opinion of those whose constituents have these special interests, stand here in the interest of a licensing system contrary to all Republican doctrine, which licensing system is emphatically in favor of a particularly few men who have gathered unto themselves the dye manufacturing industry of the United States? Those interested in dye manufacture have invested less than \$400,000,000, while the consumers of the dyestuffs buy and sell to the extent of \$3,000,000,000. Why

does the gentleman want to differentiate in this instance in favor of the dye manufacturers, who have a monopoly of the business?

The CHAIRMAN. The time of the gentleman has expired.
Mr. MONDELL. Mr. Chairman, I ask that the gentleman may have a minute more in order that I may ask him a question.

The CHAIRMAN. Is there objection?

Mr. BLANTON. Mr. Chairman, I ask that the time be extended two minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the time of the gentleman may be extended two minutes. Is there objection?

Mr. ANDERSON. I object.

Mr. MOORE of Pennsylvania. I object myself. Question on the motion, Mr. Chairman.

The CHAIRMAN. Does the gentleman object to the first request made?

Mr. MOORE of Pennsylvania. Yes; I think we thoroughly understand the situation.

Mr. BLANTON. Mr. Chairman, I ask recognition to oppose the motion of the gentleman from Pennsylvania [Mr. Moore].

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. BLANTON. I do it, Mr. Chairman, merely for the purpose of asking the gentleman from Pennsylvania [Mr. Moore] a question and yielding to him such time as he wants to answer same. The gentleman seems to be concerned very much about the interest of the ultimate consumer with regard to this bill, stating that the consumers of dyestuffs should have representation on the board. I would like to ask the gentleman if he is willing for the ultimate consumer to have representation on the board with regard to all the other items covered by the tariff, and I yield to him now to answer the question.

Mr. MOORE of Pennsylvania. Does the gentleman really want me to answer that?

Mr. BLANTON. Yes. For very suddenly the gentleman, for the first time in the history of this Congress, has evidenced a great concern in behalf of the ultimate consumer, whose interests we Democrats know have suffered with respect to every one of the various tariff measures passed by this Congress.

Mr. MOORE of Pennsylvania. The gentleman has rediscovered an old charge; that is all. I have spoken consistently here for the ultimate consumer. I have spoken for the farmer, whom the gentleman represents. I have spoken for the farmer who uses the calico and buys the hosiery, and who pays 35 cents now for what he paid 25 cents for before the war.

Mr. LONGWORTH. How much?

Mr. MOORE of Pennsylvania. The farmer—

Mr. LONGWORTH. About one-tenth of 1 per cent more.

Mr. MOORE of Pennsylvania. It depends on the kind of hosiery the gentleman wears. [Laughter.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

Mr. LONGWORTH. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Pennsylvania, simply to say—

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONGWORTH. I move to strike out the last two words.

The CHAIRMAN. The gentleman is recognized.

Mr. LONGWORTH. I rise simply to say that the gentleman seeks to strike out from this bill the penalty which is provided for the violation of a United States statute. It should remain in the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. Moore] to strike out the section.

The question was taken, and the amendment was rejected.

The Clerk concluded the reading of the bill.

Mr. FORDNEY. Mr. Chairman, I move that the committee rise now and report the bill as amended to the House, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. Townner, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 8078, had directed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. FORDNEY. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The SPEAKER. The gentleman from Michigan moves the previous question on the bill and all amendments to final passage. Is a separate vote demanded on any amendment?

Mr. MOORE of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE of Pennsylvania. I desire to move to recommit. I am on the majority of the committee, but I am opposed to the bill. Would I be recognized for that purpose in due course?

The SPEAKER. The Chair thinks it fair to state that the gentleman from North Carolina [Mr. KIRCHIN], the leader of the minority on the committee, desires to offer a motion to recommit, and the Chair thinks he should recognize the gentleman from North Carolina.

Mr. MOORE of Pennsylvania. Then, Mr. Speaker, I demand a separate vote on the amendment pertaining to the licensing feature of the bill.

The SPEAKER. The gentleman from Pennsylvania demands a separate vote on the amendments which he will please designate.

Mr. MOORE of Pennsylvania. On the amendments to section 503 (a), (b), and (c); all amendments included in section 503.

The SPEAKER. The gentleman from Pennsylvania demands a separate vote, as the Chair understands, on all amendments in section 503.

Mr. MOORE of Pennsylvania. All amendments included in section 503. They are included in paragraphs designated as (a), (b), and (c).

Mr. ANDERSON. Mr. Speaker, does the gentleman want a vote on all the amendments together?

Mr. MOORE of Pennsylvania. My purpose is to get a record vote on the motion to strike out all these amendments.

Mr. LONGWORTH. I make the point of order, Mr. Speaker, that that motion was defeated in the committee and can not now be made in the House.

The SPEAKER. The Chair does not understand the gentleman from Pennsylvania.

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

Mr. MOORE of Pennsylvania. Yes.

Mr. LONGWORTH. I understood the gentleman to ask for a separate vote on his motion to strike out. I made the point of order that that would not be in order.

Mr. MOORE of Pennsylvania. I will have to amend that motion. The Chair has stated that he would give recognition for making a motion to recommit by the gentleman from North Carolina. I am inclined to think I would be entitled to recognition, but, of course, I bow to the statement of the Chair. I want, however, to get a square vote on the question of striking out these licensing provisions.

The SPEAKER. The gentleman can have a square vote on any amendment that was adopted by the committee. The Chair is not familiar with the exact status of the amendments.

Mr. LONGWORTH. I will state for the benefit of the Chair that the gentleman made a motion to strike out in committee, which was voted down.

The SPEAKER. If it was an amendment that was not adopted in the committee, it could not be voted on now.

Mr. MOORE of Pennsylvania. I want to get a yea-and-nay vote, if possible, on the amendments offered by the gentleman from Ohio [Mr. LONGWORTH].

The SPEAKER. The gentleman has that right.

Mr. MOORE of Pennsylvania. I would be obliged if the Chair would so state the question, so that the Members may understand that they are voting for or against the amendments offered by the gentleman from Ohio.

The SPEAKER. Does the gentleman desire it to be done on one vote?

Mr. MOORE of Pennsylvania. That would be sufficient.

The SPEAKER. The gentleman from Pennsylvania asks a separate vote on the amendments to section 503. Is a separate vote demanded on any other amendment?

Mr. LONGWORTH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LONGWORTH. Is debate permitted?

The SPEAKER. It is not. Is a separate vote demanded on any other amendment? If not, the vote will be taken first on the other amendments.

Mr. CANNON. Mr. Speaker, if one amendment to section 503 was all of the amendments I should vote for it—namely, the amendment to substitute the Tariff Commission—but there are several other amendments.

Mr. LONGWORTH. They are all the same amendment; they are all in that direction.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. MOORE of Pennsylvania. If the gentleman is in favor of the Tariff Commission, to which I am opposed, he would vote

"aye" on my demand for a separate vote. I would vote "no," with a view to destroying the amendments offered by the gentleman from Ohio.

Mr. LONGWORTH. The effect of carrying the amendment of the gentleman from Pennsylvania would be to restore the original bill.

Mr. CANNON. I want, if I can, to have a vote on the amendment substituting the Tariff Commission. I want to get that by itself, because while I am not in favor of a licensing system, I would prefer that it should be administered by the Tariff Commission rather than the dye commission, as provided in the bill.

The SPEAKER. The gentleman has the right to demand a separate vote on that amendment if it is an amendment by itself.

Mr. LONGWORTH. It is a separate amendment.

The SPEAKER. The gentleman will have a right to ask for a separate vote on that amendment.

Mr. CLARK of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Missouri. How many amendments are there to this section?

Mr. LONGWORTH. Seven or eight.

Mr. CLARK of Missouri. I do not care anything about this squabble over there, but it is not fair to vote on half a dozen amendments in a bunch if there is a dispute about them.

Mr. GARNER. Only on the first amendment of section 503.

Mr. CLARK of Missouri. The motion of the gentleman from Pennsylvania is to have one vote on all the amendments in a certain section. A man might be in favor of one or two of these amendments and bitterly opposed to the others.

Mr. GARNER. You could not get that under the rules anyway.

Mr. SAUNDERS of Virginia. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SAUNDERS of Virginia. The vote is now to be taken upon the motion of the gentleman from Ohio [Mr. LONGWORTH] to strike out certain language in the bill and insert certain other language?

The SPEAKER. Yes.

Mr. SAUNDERS of Virginia. And that vote will be taken first. I was going to suggest that we can not well vote on the other amendments in block, because they are consequential amendments, and should follow the vote now demanded by the gentleman from Pennsylvania [Mr. MOORE].

Mr. PELL. May we have the Clerk report the amendment again?

The SPEAKER. Let us settle this question first. Is a separate vote demanded on any other amendment? If, not the Chair will put the other amendments in gross.

Mr. SAUNDERS of Virginia. Just a moment. That is what I was saying ought not to be done now, because the other amendments are largely consequential amendments, that follow the amendment of the gentleman from Ohio [Mr. LONGWORTH].

The SPEAKER. The Chair thinks the gentleman does not understand the Chair. The Chair means all the other amendments outside of the amendments to section 503.

Mr. SAUNDERS of Virginia. Outside of the consequential amendments?

The SPEAKER. Outside of the amendments to that section.

Mr. LONGWORTH. There were a number of amendments offered to previous sections of the bill.

Mr. FESS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FESS. The intention here is to get a vote on the license feature. The gentleman from North Carolina is in favor of this bill, as I understand it?

The SPEAKER. Is the gentleman from North Carolina in favor of the bill?

Mr. KITCHIN. I want to be perfectly frank with the gentleman from Ohio [Mr. FESS]. I do not know of anything I have ever uttered on the floor or off the floor, in the debate on this bill or any other bill, which would lead any gentleman to believe that I was in favor of this bill. I am opposed to this bill.

Mr. FESS. Then I withdraw my suggestion. I understood the gentleman was in favor of it.

Mr. KITCHIN. No.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman from North Carolina yield for a question?

Mr. KITCHIN. I have not the floor, but I will yield to the gentleman.

Mr. MOORE of Pennsylvania. Apparently the gentleman from North Carolina intends to make a motion to recommit.

Mr. KITCHIN. I do.

Mr. MOORE of Pennsylvania. On a question of rates?

Mr. KITCHIN. Yes.

Mr. MOORE of Pennsylvania. I intended to offer a motion to recommit, to raise the question on the licensing feature. The Chair has recognized the gentleman from North Carolina [Mr. KITCHIN] preferably to the gentleman from Pennsylvania. Does the gentleman still desire to offer his motion to recommit?

Mr. KITCHIN. I would like to offer my motion.

Mr. MOORE of Pennsylvania. I do not want to have the agreement between the gentleman from North Carolina and the Speaker violated.

Mr. KITCHIN. I would suggest to the gentleman that he can get a record vote on his proposition by having a separate vote on the amendment.

Mr. MOORE of Pennsylvania. It prevents a square vote on the question of the licensing commission.

The SPEAKER. The Chair wishes to state that there is no agreement between the gentleman from North Carolina [Mr. KITCHIN] and the Chair. The Chair was informed by the gentleman from North Carolina that he desired to offer a motion to recommit, and the Chair considers that under the circumstances he ought to give the gentleman from North Carolina priority of recognition, but the gentleman from North Carolina himself did not know who the Chair would recognize until it was just announced by the Chair.

Mr. MOORE of Pennsylvania. Then, if the Chair will permit me, I will withdraw my suggestion that there was any agreement between the gentleman from North Carolina and the Chair.

The SPEAKER. The question is on agreeing to all the amendments except those affecting section 503.

The question being taken, the amendments were agreed to.

The SPEAKER. The first vote is on the amendment of the gentleman from Illinois [Mr. CANNON], on which a separate vote is demanded. Without objection, the Clerk will report the amendment.

The Clerk read as follows:

Page 9, line 7, after the word "obtained," insert the words "as hereinafter provided"; and in the same line, after the word "the," strike out "dye-licensing commission" and insert in lieu thereof "United States Tariff Commission"; and in line 8 strike out the words "hereinafter created."

The SPEAKER. The question is on the amendment.

Mr. MOORE of Pennsylvania. Mr. Speaker, I demand a division.

The affirmative vote was taken, and the Speaker announced, ayes 125.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum present. The House has already divided.

The SPEAKER. The House has not completed the division. Only one side has voted.

Mr. BLANTON. I withdraw the point of order.

The SPEAKER. Those opposed to the amendment will rise.

The negative vote was taken, and the Speaker announced, noes 34.

Mr. BLANTON. I make the point of no quorum present, Mr. Speaker.

The SPEAKER. The gentleman from Texas makes the point of no quorum. The Chair thinks no quorum is present; the Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

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

The question was taken; and on a division (demanded by Mr. LONGWORTH) there were 66 ayes and 101 noes.

So the House refused to adjourn.

The SPEAKER. The Clerk will call the roll.

The question was taken; and there were—yeas 207, nays 62, answered "present" 2, not voting 158, as follows:

YEAS—207.

Ackerman	Blanton	Chidbloom	Drane
Alexander	Box	Clark, Mo.	Dupré
Almon	Brand	Cleary	Edmonds
Anderson	Briggs	Coady	Emerson
Andrews, Nebr.	Browne	Cole	Evans, Nebr.
Ashbrook	Browning	Collier	Fess
Aswell	Buchanan	Connally	Fitzgerald
Ayres	Butler	Cooper	Foster
Babka	Byrnes, S. C.	Cramton	Freeman
Bacharach	Byrnes, Tenn.	Crisp	French
Bankhead	Campbell, Kans.	Cullen	Gallagher
Barbour	Campbell, Pa.	Currie, Mich.	Gallivan
Bee	Candler	Davey	Gandy
Benson	Cannon	Davis, Tenn.	Ganly
Black	Cantrill	Dickinson, Mo.	Gard
Blackmon	Carrs	Dickinson, Iowa	Garner
Bland, Mo.	Carter	Doughton	Garrett
Bland, Va.	Casey	Dowell	Glynn

Good
Gould
Green, Iowa
Greene, Mass.
Griest
Hadley
Hardy, Colo.
Hardy, Tex.
Hastings
Hawley
Hayden
Hershey
Hersman
Hicks
Houghton
Huddleston
Hullings
Humphreys
Hutchinson
Igoe
James
Jefferis
Johnson, Miss.
Jones, Tex.
Juul
Kearns
Kelly, Pa.
Kinkaid
Kitchin
Klecza
Lanham
Lankford
Larsen
Layton

Lazaro
Lee, Ga.
Leshner
Little
Loneragan
Longworth
McAndrews
McCulloch
McDuffie
McGlennan
McKiniry
McLane
McLaughlin, Nebr.
MacCrate
Mansfield
Mapes
Martin
Mays
Michener
Minahan, N. J.
Monahan, Wis.
Mondell
Moon
Mooney
Moore, Ohio
Moore, Va.
Morgan
Mudd
Neely
Nelson, Mo.
Nelson, Wis.
Newton, Minn.
Nichols, Mich.
O'Connell

O'Connor
Oldfield
Osborne
Overstreet
Padgett
Park
Parrish
Pell
Phelan
Pou
Purnell
Quin
Radcliffe
Raker
Rayburn
Reavis
Reed, N. Y.
Reed, W. Va.
Riordan
Robinson, N. C.
Rogers
Romjue
Rose
Saunders, Va.
Schall
Scott
Sims
Sinnott
Smith, Idaho
Smith, Mich.
Smithwick
Stengall
Stedman
Steenerson

Stephens, Ohio
Summers, Wash.
Sweet
Taylor, Colo.
Temple
Thomas
Tillman
Timberlake
Tinker
Towner
Upshaw
Venable
Vestal
Vinson
Voigt
Volstead
Walsh
Watkins
Watson, Va.
Weaver
Webb
Webster
Welling
Welty
Whaley
White, Me.
Williams
Wilson, La.
Wilson, Pa.
Woods, Va.
Wright
Young, Tex.

Mr. MANN with Mr. HAMILL.
Mr. BURKE with Mr. STEPHENS of Mississippi.
Mr. VAILE with Mr. CAREW.
Mr. ANTHONY with Mr. WISE.
Mr. KIESS with Mr. KETTNER.
Mr. KAHN with Mr. LEA of California.
Mr. PLATT with Mr. EVANS of Montana.
Mr. PETERS with Mr. EVANS of Nevada.
Mr. PARKER with Mr. FERRIS.
Mr. PAIGE with Mr. FIELDS.
Mr. McLAUGHLIN of Michigan with Mr. HARRISON.
Mr. WILSON of Illinois with Mr. BRINSON.
Mr. NOLAN with Mr. FISHER.
Mr. BRITTON with Mr. STEVENSON.
Mr. BLAND of Indiana with Mr. SUMNERS of Texas.
Mr. VARE with Mr. TAYLOR of Arkansas.
Mr. HUSTED with Mr. OLIVER.
Mr. HULL of Iowa with Mr. OLNEY.
Mr. HAMILTON with Mr. HENRY T. RAINEY.
Mr. GREENE of Vermont with Mr. JOHN W. RAINEY.
Mr. GOODALL with Mr. RANDALL of California.
Mr. TILSON with Mr. CLARK of Florida.
Mr. ESCH with Mr. DENT.
Mr. TAYLOR of Tennessee with Mr. DEWALT.
Mr. SNELL with Mr. DOMINICK.
Mr. SLEMP with Mr. DONOVAN.
Mr. SELLS with Mr. DOOLING.
Mr. SANFORD with Mr. DOREMUS.
Mr. COSTELLO with Mr. SISSON.
Mr. COPLEY with Mr. SMALL.
Mr. FREAR with Mr. ROWAN.
Mr. FOCHT with Mr. RUBEY.
Mr. ELSTON with Mr. RUCKER.
Mr. ELLSWORTH with Mr. SABATH.
Mr. DYER with Mr. SANDERS of Louisiana.
Mr. DENISON with Mr. SCULLY.
Mr. DEMPSEY with Mr. SEARS.
Mr. MURPHY with Mr. FLOOD.
Mr. CRAIG with Mr. SHERWOOD.
Mr. McKINLEY with Mr. HEFLIN.
Mr. McKENZIE with Mr. HOLLAND.
Mr. McFADDEN with Mr. HOWARD.
Mr. KENDALL with Mr. McCLINTIC.
Mr. KELLEY of Michigan with Mr. McKEOWN.
Mr. MORIN with Mr. GODWIN of North Carolina.
Mr. MOORES of Indiana with Mr. GOLDFOGLE.
Mr. MILLER with Mr. GOODWIN of Arkansas.
Mr. MASON with Mr. GRIFFIN.
Mr. CALDWELL with Mr. ZIHLMAN.
Mr. LUFKIN with Mr. JACOWAY.
Mr. LEHLBACK with Mr. JOHNSON of Kentucky.
Mr. CLASSON with Mr. SMITH of New York.
Mr. ROBINSON of North Carolina with Mr. EAGAN.
Mr. RAMSEY with Mr. EAGLE.
Mr. WARD with Mr. BRUMBAUGH.
Mr. JONES of Pennsylvania with Mr. MEAD.
Mr. LANGLEY with Mr. MONTAGUE.
Mr. IRELAND with Mr. NICHOLLS of South Carolina.
Mr. TREADWAY (for) with Mr. BOOHER (against).
Mr. BOWERS with Mr. WINGO, ending September 29.
Mr. GRAHAM of Pennsylvania (for) with Mr. MOTT (against).
Mr. FULLER of Massachusetts (for) with Mr. STEELE (against).
The result was announced as above recorded.

A quorum being present, the doors were opened.
The SPEAKER. The gentleman from Pennsylvania [Mr. Moore] demands a separate vote, as the Chair understands, on all the other amendments?

Mr. MOORE of Pennsylvania. No, Mr. Speaker; I withdraw the request, if it was made.

The SPEAKER. Then the gentleman does not desire any other separate vote?

Mr. MOORE of Pennsylvania. No.

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

The question was taken, and the amendments were agreed to.
The SPEAKER. The question is on the engrossment and third reading of the bill.

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

Mr. KITCHIN. Mr. Speaker, I move to recommit the bill with the following instructions.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. KITCHIN. I am; yes, sir. [Laughter.]

The SPEAKER. The Clerk will report the motion to recommit.

NAYS—62.

Baer
Benham
Boies
Burdick
Burroughs
Christopherson
Crowther
Curry, Calif.
Dale
Dallinger
Darrow
Dunbar
Dunn
Echols
Elliott
Fairfield

Fordney
Fuller, Ill.
Garland
Graham, Ill.
Haskell
Hays
Hernandez
Hickey
Hill
Hoch
Johnson, Wash.
Keller
Kling
Kraus
Kreider
Lampert

Luce
Lubring
MacGregor
Madden
Moore, Pa.
Newton, Mo.
Ogden
Porter
Ramseyer
Randall, Wis.
Rhodes
Ricketts
Rodenberg
Rowe
Sanders, N. Y.
Shreve

Smith, Ill.
Snyder
Stiness
Strong, Kans.
Strong, Pa.
Swope
Walters
Wason
Watson, Pa.
Wheeler
White, Kans.
Woodyard
Yates
Young, N. Dak.

ANSWERED "PRESENT"—2.

Booher

Knutson

NOT VOTING—158.

Andrews, Md.
Anthony
Barkley
Begg
Bell
Bland, Ind.
Bowers
Brinson
Britten
Brooks, Ill.
Brooks, Pa.
Brumbaugh
Burke
Caldwell
Caraway
Carew
Clark, Fla.
Classon
Copley
Costello
Crago
Davis, Minn.
Dempsey
Denison
Dent
Dewalt
Dominick
Donovan
Dooling
Doremus
Dyer
Eagan
Eagle
Ellsworth
Elston
Esch
Evans, Mont.
Evans, Nev.
Ferris
Fields

Fisher
Flood
Focht
Frear
Fuller, Mass.
Godwin, N. C.
Goldfogle
Goodall
Goodwin, Ark.
Goodykoontz
Graham, Pa.
Greene, Vt.
Griffin
Hamill
Hamilton
Harrison
Haugen
Hefflin
Holland
Howard
Hudspeth
Hull, Iowa
Hull, Tenn.
Husted
Ireland
Jacoway
Johnson, Ky.
Johnson, S. Dak.
Johnston, N. Y.
Jones, Pa.
Kahn
Kelley, Mich.
Kendall
Kennedy, Iowa
Kennedy, R. I.
Kettner
Kiess
Kincheloe
LaGuardia
Langley

Lea, Calif.
Lehlbach
Linthicum
Lufkin
McArthur
McClintic
McFadden
McKenzie
McKeown
McKinley
McLaughlin, Mich.
McPherson
Magee
Maber
Major
Mann
Mason
Mead
Merritt
Miller
Montague
Moore, Ind.
Morin
Mott
Murphy
Nicholls, S. C.
Nolan
Oliver
Olney
Paige
Parker
Peters
Platt
Rainey, H. T.
Rainey, J. W.
Ramsey
Randall, Calif.
Reber
Riddick
Robison, Ky.

Rouse
Rowan
Rubey
Rucker
Sabath
Sanders, Ind.
Sanders, La.
Sanford
Scully
Sears
Sells
Sherwood
Siegel
Sinclair
Sisson
Slemp
Small
Smith, N. Y.
Snell
Steele
Stephens, Miss.
Stevenson
Sullivan
Sumners, Tex.
Taylor, Ark.
Taylor, Tenn.
Thompson
Tilson
Treadway
Valle
Vare
Ward
Wilson, Ill.
Wingo
Winslow
Wise
Wood, Ind.
Zihlman

So the amendment was agreed to.

The following pairs were announced:

Until further notice:

Mr. KNUTSON with Mr. BELL.

Mr. JOHNSON of South Dakota with Mr. FLOOD.

Mr. McPHERSON with Mr. MAJOR.

Mr. McARTHUR with Mr. SISSON.

Mr. MAGEE with Mr. LINTHICUM.

Mr. DAVIS of Minnesota with Mr. JOHNSTON of New York.

Mr. BROOKS of Illinois with Mr. SULLIVAN.

Mr. BROOKS of Pennsylvania with Mr. MAHER.

Mr. WOOD of Indiana with Mr. BARKLEY.

The Clerk read as follows:

Mr. KITCHIN moves to recommit the bill with instructions to report the same forthwith with the following amendment: Strike out all after the enacting clause and in lieu thereof insert the following:

"That Title V of an act entitled 'An act to increase the revenue, and for other purposes,' approved September 8, 1916, be, and hereby is, amended to read as follows:

"TITLE V.—Dyestuffs.

"SEC. 500. That on and after the day following the passage of this act, except as otherwise specially provided for in this title, there shall be levied, collected, and paid upon the articles named in this section when imported from any foreign country into the United States or any of its possessions, except the Philippine Islands and the islands of Guam and Tutuila, the rates of duties which are prescribed in this title, namely:

"FREE LIST.

"Group I. Acenaphthene, anthracene having a purity of less than 30 per cent, benzol, carbazol having a purity of less than 65 per cent, cumol, cymene, fluorene, methylanthracene, methylanthracene, naphthalene having a solidifying point less than 79° centigrade, pyridin, quinolin, toluol, xylol, dead or cresote oil, anthracene oil, pitch of coal tar, pitch of blast-furnace tar, pitch of oil-gas tar, pitch of water-gas tar, crude coal tar, crude blast-furnace tar, crude oil-gas tar, crude water-gas tar, all other distillates of any of these tars which on being subjected to distillation yield in the portion distilling below 190° centigrade a quantity of tar acids less than 5 per centum of the original distillate, all mixtures of any of these distillates and any of the foregoing pitches, and all other products that are found naturally in coal tar, whether produced or obtained from coal tar or other source, and not otherwise specially provided for in this title, shall be exempt from duty.

"DUTIABLE LIST.

"Group II. Acetanilid not suitable for medicinal use, alphanaphthol, amidobenzoic acid, amidonaphthol, amidophenetol, amidophenol, amidosalicylic acid, aminoanthraquinone, anilin oil, anilin salt, anthraquinone, arsanilic acid, benzaldehyde not suitable for medicinal use, benzalchloride, benzanthrone, benzidin, benzidin sulphate, benzoic acid not suitable for medicinal use, benzozquinone, benzoylchloride, benzylchloride, betanaphthol not suitable for medicinal use, brombenzol, chlorbenzol, chlorophthalic acid, cinnamic acid, cumidin, dehydrothioto-luidin, diaminoethylbenzene, dianisidin, dichlorophthalic acid, dimethylamin, dimethylamidophenol, dimethylphenylenediamin, dinitrobenzol, dinitrochlorbenzol, dinitronaphthalene, dinitrophenol, dinitrotoluol, diethylnaphthalene, diphenylamin, ethylbenzyl anilin, hydroxyphenylarsinic acid, metanilic acid, methylanthraquinone, naphthylamin, naphthylene-diamin, nitranilin, nitroanthraquinone, nitrobenzaldehyde, nitrobenzol, nitronaphthalene, nitrophenol, nitrophenylenediamin, nitrosodimethyl-anilin, nitrotoluol, nitrotoluylenediamin, phenol, phenylenediamin, phenylhydrazine, phenylnaphthylamin, phenylglyccoll, phenylglyccoll-orthocarboxylic acid, phthalic acid, phthalic anhydride, phthalimid, resorcin not suitable for medicinal use, salicylic acid and its salts not suitable for medicinal use, sulphanilic acid, thiocarbamilid, thiosalicylic acid, tetrachlorophthalic acid, tetramethyldiaminobenzophenone, tetramethyldiaminodiphenylmethane, toluol sulphochloride, toluol sulphamid, tribromphenol, toluidin, toluidin, toluylenediamin, xylidin, or any sulpho-acid or sulphoacid salt of any of the foregoing, or of any of the products provided for in Group I; all other products by whatever name known which are employed in the manufacture of any of the products provided for in Group II or III and which are obtained, derived, or manufactured in whole or in part from any of the foregoing or from any of the products provided for in Group I; anthracene having a purity of 30 per cent or more, carbazol having a purity of 65 per cent or more, metacresol having a purity of 90 per cent or more, naphthalene having a solidifying point of 79 degrees centigrade or above, orthocresol having a purity of 90 per cent or more, paracresol having a purity of 90 per cent or more; all distillates of coal tar, blast-furnace tar, oil-gas tar, and water-gas tar which on being subjected to distillation yield in the portion distilling below 190° centigrade a quantity of tar acids equal to or more than 5 per cent of the original distillate; all mixtures, including solutions, consisting in whole or in part of any of the foregoing except sheep dip and medicinal soaps, not otherwise specially provided for in this act; all the foregoing not colors, dyes, or stains, color acids, color bases, color lakes, leuco-acids, leuco-bases, indoxyl, indoxyl compounds, ink powders, photographic chemicals, medicinals, flavors, synthetic resinlike products, synthetic tanning materials, or explosives, and not otherwise specially provided for in this title, 25 per cent ad valorem.

"Group III. All colors, dyes, or stains, whether soluble or not in water, color acids, color bases, color lakes, leuco-acids and leuco-bases whether colorless or not, indoxyl, and indoxyl compounds; ink powders; photographic chemicals; acetanilid suitable for medicinal use, acetphenetidin, acetylsalicylic acid, antipyrine, benzaldehyde suitable for medicinal use, benzoic acid suitable for medicinal use, betanaphthol suitable for medicinal use, phenolphthalein, resorcin suitable for medicinal use, salicylic acid and its salts suitable for medicinal use, salol, and other medicinals; sodium benzoate; saccharin, methyl salicylate, coumarin, and other flavors; synthetic phenolic resin and all resinlike products prepared from phenol, cresol, phthalic anhydride, coumaron, indene, or from any other article or material provided for in Group I or II, all of these products whether in a solid, semisolid, or liquid condition; synthetic tanning materials; picric acid, trinitrotoluol, and other explosives except smokeless powders; all of the foregoing when obtained, derived, or manufactured in whole or in part from any of the products provided for in Group I or II; natural alizarin and natural indigo, and colors, dyes, stains, color acids, color bases, color lakes, leuco-acids, leuco-bases, indoxyl, and indoxyl compounds obtained, derived, or manufactured in whole or in part from natural alizarin or natural indigo; natural methyl salicylate or oil of wintergreen or oil of sweet birch; natural coumarin; and all mixtures, including solutions, consisting in whole or in part of any of the articles or materials provided for in this group, 30 per cent ad valorem.

"SEC. 501. That on and after the day following the passage of this act, in addition to the duties provided in section 500, there shall be levied, collected, and paid upon all articles contained in Group II a special duty of 25 cents per pound, and upon all articles contained in Group III a special duty of 5 cents per pound: *Provided*, That the special duties herein provided for on colors, dyes, or stains, whether soluble or not in water, color acids, color bases, color lakes, leuco-acids, leuco-bases, indoxyl, and indoxyl compounds shall be based on standards of strength which shall be established by the Secretary of the Treasury, and that upon all importations of such articles which exceed such

standards of strength the special duty of 5 cents per pound shall be computed on the weight which the article would have if it were diluted to the standard strength, but in no case shall any such articles of whatever strength pay a special duty of less than 5 cents per pound: *Provided further*, That beginning six months after the date of passage of this act no package containing any such color, dye, stain, color acid, color base, color lake, leuco-acid, leuco-base, indoxyl or indoxyl compound shall be admitted to entry into the United States unless such package and the invoice shall bear a plain, conspicuous, and truly descriptive statement of the identity and percentage, exclusive of diluents, of such color, dye, stain, color acid, color base, color lake, leuco-acid, leuco-base, indoxyl, or indoxyl compound contained therein; *And provided further*, That beginning six months after the date of passage of this act no package containing any such article shall be admitted to entry into the United States if it or the invoice bears any statement, design, or device regarding such article or the ingredients or substances contained therein which is false, fraudulent, or misleading in any particular. In the enforcement of this section the Secretary of the Treasury shall adopt standards of strength which shall conform as nearly as practicable to the commercial strengths in use in the United States.

"SEC. 502. That paragraphs 20, 21, 22, 23, 179, 394, 452, and 514; and the provision for salicylic acid in paragraph 1; and provisions for salol, phenolphthalein, acetanilid, acetphenetidin, antipyrine, acetylsalicylic acid, and aspirin in paragraph 18; and the provision for benzoate of soda in paragraph 67; and the provisions for carbolic and phthalic acids in paragraph 387 of an act entitled 'An act to reduce tariff duties and to provide revenue for the Government, and for other purposes,' approved October 3, 1913, are hereby repealed: *Provided*, That all articles which may come within the terms of paragraphs 1, 5, 37, 46, 63, 501, and 538 of said act of October 3, 1913, as well as within the terms of Group I, II, or III of section 500 of this act, shall be assessed for duty or exempted from duty, as the case may be, under this act.

"SEC. 503. That on and after the day when this act shall go into effect all of the foregoing goods, wares, and merchandise previously imported, for which no entry has been made, and all of the foregoing goods, wares, and merchandise previously entered without payment of duty and under bond for warehousing, transportation, or any other purpose, for which no permit of delivery to the importer or his agent has been issued, shall be subject to the duties imposed by this act, and to no other duty, upon the entry or the withdrawal thereof: *Provided*, That when duties are based upon the weight of merchandise deposited in any public or private bonded warehouse said duties shall be levied and collected upon the weight of such merchandise at the time of its entry.

"SEC. 504. That during the period of two years after the passage of this act it shall be unlawful for any person, firm, partnership, corporation, association, or company to import or bring into the United States or any of its possessions, except under license previously obtained from the United States Tariff Commission, as hereinafter provided, any of the articles enumerated in Groups II and III of section 500 of this act, or any product derived directly or indirectly from coal tar, including dyestuffs, medicinal, and other finished products and mixtures and compounds of such products and such products compounded with other products.

"Nothing herein contained shall be construed to require a license to import any of the articles enumerated in Group I of such section.

"SEC. 505. That the United States Tariff Commission shall issue license to import for domestic use such of the articles covered by section 504 of this act, and such articles only, as may be unobtainable from domestic sources on reasonable terms as to price, quality, and delivery. The commission shall limit the issue of license to import any such articles as nearly as may be to the quantities actually required by the current needs of the applicant, having regard to the necessities of such applicant as is unable to determine beforehand his or its requirements. Nothing herein contained shall authorize the commission to refuse a license to an applicant or his or its agent to import for actual use any such articles when such domestic articles of equal quality are not immediately available for his or its use at a reasonable price.

"To meet the reasonable expenses of the commission incurred in the performance of the duties imposed upon it by this act it may charge a reasonable fee for the issue of each license. Should the moneys received in such fees in any year be less than such expenses, the deficiency, not exceeding \$25,000, shall be paid out of the appropriation for expenses of collecting the revenue from customs.

"The commission is authorized to make rules and regulations with respect to the issue of licenses provided for in this act.

"SEC. 506. That any article described in section 504 of this act which shall be imported into the United States or any of its possessions without license, as herein provided, shall be forfeited to the United States and destroyed.

"SEC. 507. That any person subject to the jurisdiction of the United States who shall, either as principal or as accessory, import or attempt to import or aid in importing any article described in section 504 of this act without license as herein provided shall be fined not exceeding \$5,000 or the value of such article at the time of importation, if the same shall be greater than \$5,000, or shall be imprisoned for not more than one year, or both.

"SEC. 508. That the Secretary of the Treasury is hereby authorized to make regulations for the enforcement of the provisions of this title, except as to the issue of license herein provided for.

"SEC. 509. That sections 504, 505, 506, and 507 of this act shall not apply to articles in actual transit from a foreign country at the time of its passage.

"SEC. 510. That except as otherwise herein specially provided, this act shall take effect on the day following its passage."

Mr. FORDNEY. I move the previous question on the motion to recommit.

The SPEAKER. The gentleman from Michigan moves the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the motion to recommit.

The question was taken, and the Chair announced the yeas seem to have it.

Mr. KITCHIN. Yeas and nays, Mr. Speaker.

The SPEAKER. The gentleman from North Carolina demands the yeas and nays. A sufficient number have arisen, and the yeas and nays are ordered.

The question was taken; and there were—yeas 115, nays 150, answered "present" 1, not voting 154, as follows:

YEAS—115.

Alexander	Crisp	Lazaro	Riordan
Almon	Cullen	Lee, Ga.	Robinson, N. C.
Ashbrook	Davey	Leshner	Romjue
Aswell	Davis, Tenn.	Loneragan	Saunders, Va.
Ayres	Dickinson, Mo.	McAndrews	Sims
Babka	Doughton	McGlennan	Small
Bankhead	Drane	McKiniry	Smithwick
Bee	Dupré	McLane	Stegall
Benson	Fitzgerald	Mansfield	Stedman
Blackmon	Gallagher	Mays	Stephens, Miss.
Bland, Mo.	Gallivan	Minahan, N. J.	Taylor, Colo.
Bland, Va.	Gandy	Moon	Thomas
Blanton	Ganly	Mooney	Tillman
Box	Gard	Moore, Va.	Upshaw
Brand	Garner	Neely	Venable
Briggs	Garrett	Nelson, Mo.	Vinson
Buchanan	Hardy, Tex.	O'Connell	Watkins
Byrnes, S. C.	Hastings	O'Connor	Watson, Va.
Byrns, Tenn.	Hayden	Oldfield	Weaver
Candler	Huddleston	Overstreet	Webb
Cantrill	Humphreys	Padgett	Welling
Carss	Igoe	Park	Welty
Carter	Johnson, Miss.	Parrish	Whaley
Casey	Jones, Tex.	Pell	Wilson, La.
Clark, Mo.	Keller	Phelan	Wilson, Pa.
Clary	Kitchin	Pou	Woods, Va.
Coady	Lanham	Quin	Wright
Collier	Lankford	Raker	Young, Tex.
Connally	Larsen	Rayburn	

NAYS—150.

Ackerman	Fordney	Little	Scott
Anderson	Foster	Longworth	Shreve
Andrews, Nebr.	Freeman	Luce	Sinnott
Bacharach	French	Luhling	Smith, Idaho
Baer	Fuller, Ill.	McCulloch	Smith, Ill.
Barbour	Garland	McLaughlin, Nebr.	Smith, Mich.
Benham	Glynn	MacCrate	Snyder
Boies	Good	MacGregor	Steacerson
Browne	Gould	Madden	Stephens, Ohio
Browning	Graham, Ill.	Mapes	Stiness
Burdick	Green, Iowa	Michener	Strong, Kans.
Burroughs	Greene, Mass.	Monahan, Wis.	Strong, Pa.
Butler	Griest	Mondell	Summers, Wash.
Campbell, Kans.	Hadley	Moore, Ohio	Sweet
Campbell, Pa.	Hardy, Colo.	Moore, Pa.	Swope
Cannon	Haskell	Morgan	Taylor, Tenn.
Chindblom	Hawley	Mudd	Temple
Christopherson	Hays	Nelson, Wis.	Thompson
Cole	Hernandez	Newton, Minn.	Timberlake
Cooper	Hersey	Newton, Mo.	Tincher
Cramton	Hickey	Nichols, Mich.	Tinkham
Crowther	Hicks	Ogden	Towner
Currie, Mich.	Hill	Osborne	Vestal
Curry, Calif.	Hoch	Porter	Voigt
Dale	Houghton	Purnell	Volstead
Dallinger	Hulings	Radcliffe	Walsh
Darrow	Hutchinson	Ramseyer	Walters
Denison	James	Randall, Wis.	Wason
Dickinson, Iowa	Jeffers	Reavis	Watson, Pa.
Dowell	Johnson, Wash.	Reed, N. Y.	Webster
Dunbar	Juul	Reed, W. Va.	Wheeler
Dunn	Kearns	Rhodes	White, Kans.
Edmonds	Kelly, Pa.	Ricketts	White, Me.
Elliott	King	Rodenberg	Williams
Elston	Kinkaid	Rogers	Winslow
Emerson	Kloczka	Rose	Woodyard
Esch	Kraus	Rowe	Young, N. Dak.
Evans, Nebr.	Lampert	Sanders, Ind.	
Fairfield	Langley	Sanders, N. Y.	
Fess	Layton	Schall	

ANSWERED "PRESENT"—1.

Knutson

NOT VOTING—154.

Andrews, Md.	Eagle	Jacoway	Mead
Anthony	Echols	Johnson, Ky.	Merritt
Barkley	Ellsworth	Johnson, S. Dak.	Miller
Begg	Evans, Mont.	Johnston, N. Y.	Montague
Bell	Evans, Nev.	Jones, Pa.	Moore, Ind.
Black	Ferris	Kahn	Mott
Bland, Ind.	Fields	Kelley, Mich.	Murphy
Booher	Fisher	Kendall	Nicholls, S. C.
Bowers	Flood	Kennedy, Iowa	Nolan
Brinson	Focht	Kennedy, R. I.	Oliver
Britten	Frear	Kiess	Olney
Brooks, Ill.	Fuller, Mass.	Kincheloe	Paige
Brooks, Pa.	Godwin, N. C.	Kreider	Parker
Brumbaugh	Godfogle	LaGuardia	Peters
Burke	Goodall	Lea, Calif.	Platt
Caldwell	Goodykoontz	Lehlbach	Rainey, H. T.
Caraway	Graham, Pa.	Linthicum	Rainey, J. W.
Carew	Greene, Vt.	Lufkin	Ramsey
Clark, Fla.	Griffin	McArthur	Randall, Calif.
Classon	Hamilton	McClintic	Reber
Copley	Harrison	McDuffie	Riddick
Costello	Hanger	McFadden	Robison, Ky.
Crago	Howard	McKenzie	Rouse
Davis, Minn.	Hudspeth	McKeown	Rowan
Dempsey	Hull, Iowa	McKinley	Rubey
Dent	Hull, Tenn.	McLaughlin, Mich.	Rucker
Dewalt	Husted	McPherson	Sabath
Dominick	Ireland	Magee	Sanders, La.
Donovan		Maher	Sanford
Doolling		Major	Scully
Doremus		Mann	Sears
Dyer		Mason	Sells
Eagan			

Sherwood	Snell	Tilson	Wingo
Siegel	Steele	Treadway	Wise
Sinclair	Stevenson	Vaile	Wood, Ind.
Sisson	Sullivan	Vare	Zibelman
Slomp	Summers, Tex.	Ward	
Smith, N. Y.	Taylor, Ark.	Wilson, Ill.	

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

Mr. MERRITT with Mr. DENT.

Mr. KREIDER with Mr. McDUFFIE.

Mr. KENNEDY of Rhode Island with Mr. HULL of Tennessee.

Mr. HAUGEN with Mr. HERSMAN.

Mr. ECHOLS with Mr. BLACK.

Mr. KNUTSON. Mr. Speaker, I find I am paired with the gentleman from Georgia, Mr. BELL, and I desire to withdraw my vote of "nay" and answer "present."

The result of the vote was announced as above recorded.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. The gentleman from Michigan asks unanimous consent to address the House for two minutes. Is there objection?

Mr. KITCHIN. I object to that, Mr. Speaker.

The SPEAKER. The gentleman from North Carolina objects. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. KITCHIN. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 156, nays 119, answered "present" 3, not voting 151, as follows:

YEAS—156.

Ackerman	Foster	Little	Rogers
Anderson	Freeman	Loneragan	Rose
Andrews, Nebr.	French	Longworth	Rowe
Bacharach	Fuller, Ill.	Luce	Sanders, Ind.
Barbour	Garland	Luhling	Schall
Benham	Glynn	McCulloch	Scott
Boies	Good	McLaughlin, Mich.	Shreve
Browne	Gould	McLaughlin, Nebr.	Sinnott
Browning	Graham, Ill.	MacCrate	Smith, Idaho
Burdick	Green, Iowa	MacGregor	Smith, Ill.
Burroughs	Greene, Mass.	Madden	Smith, Mich.
Butler	Griest	Mapes	Snyder
Campbell, Kans.	Hadley	Martin	Steacerson
Campbell, Pa.	Hardy, Colo.	Michener	Stephens, Ohio
Cannon	Haskell	Minahan, N. J.	Stiness
Chindblom	Haugen	Monahan, Wis.	Strong, Pa.
Christopherson	Hawley	Mondell	Summers, Wash.
Cole	Hays	Moore, Ohio	Sweet
Cooper	Hernandez	Morgan	Swope
Cramton	Hersey	Mudd	Taylor, Tenn.
Crowther	Hicks	Nelson, Wis.	Temple
Currie, Mich.	Hill	Newton, Minn.	Thompson
Curry, Calif.	Hoch	Nichols, Mich.	Timberlake
Dale	Houghton	O'Connor	Tincher
Dallinger	Hulings	Ogden	Tinkham
Darrow	Hutchinson	Osborne	Towner
Denison	James	Phelan	Vestal
Dickinson, Iowa	Jeffers	Porter	Voigt
Dowell	Johnson, Wash.	Purnell	Volstead
Dunbar	Juul	Radcliffe	Walsh
Dunn	Kearns	Raker	Walters
Edmonds	Kelly, Pa.	Ramseyer	Webster
Elston	King	Randall, Wis.	Wheeler
Emerson	Kinkaid	Reavis	White, Kans.
Esch	Kloczka	Reed, N. Y.	White, Me.
Evans, Nebr.	Lampert	Reed, W. Va.	Williams
Fess	Langley	Rhodes	Wilson, Pa.
Fordney	Layton	Ricketts	Winslow
	Lazaro	Rodenberg	Woodyard

NAYS—119.

Alexander	Crisp	Kraus	Romjue
Almon	Cullen	Lanham	Rubey
Ashbrook	Davey	Lankford	Sanders, N. Y.
Aswell	Davis, Tenn.	Larsen	Saunders, Va.
Ayres	Dickinson, Mo.	Lee, Ga.	Small
Babka	Doughton	Leshner	Smithwick
Baer	Drane	McAndrews	Stegall
Bankhead	Dunn	McGlennan	Stedman
Bee	Elliott	McKiniry	Stephens, Miss.
Benson	Fairfield	McLane	Taylor, Colo.
Black	Fitzgerald	Mansfield	Thomas
Blackmon	Gallagher	Mays	Tillman
Bland, Mo.	Gallivan	Moon	Upshaw
Bland, Va.	Gandy	Mooney	Venable
Blanton	Ganly	Moore, Pa.	Vinson
Box	Gard	Moore, Va.	Watkins
Brand	Garner	Neely	Watson, Pa.
Briggs	Garrett	Nelson, Mo.	Watson, Va.
Buchanan	Hardy, Tex.	O'Connell	Weaver
Byrnes, S. C.	Hastings	Oldfield	Webb
Byrns, Tenn.	Hayden	Hickey	Welling
Candler	Huddleston	Padgett	Welty
Carss	Humphreys	Park	Whaley
Carter	Igoe	Johnson, Miss.	Wilson, La.
Casey	Jones, Tex.	Pell	Woods, Va.
Clark, Mo.	Keller	Pou	Wright
Clary	Kincheloe	Quin	Yates
Coady	Robinson, N. C.	Rayburn	Young, N. Dak.
Collier		Riordan	Young, Tex.
Connally			Kitchin

ANSWERED "PRESENT"—3.			
Knutson	Newton, Mo.	Strong, Kans.	Wason
NOT VOTING—151.			
Andrews, Md.	Fields	Kreider	Randall, Calif.
Anthony	Fisher	LaGuardia	Reber
Barkley	Flood	Lea, Calif.	Riddick
Begg	Focht	Leibach	Robison, Ky.
Bell	Frear	Linthicum	Rouse
Bland, Ind.	Fuller, Mass.	Lufkin	Rowan
Booher	Godwin, N. C.	McArthur	Rucker
Bowers	Goldfogle	McClintic	Sabath
Brinson	Goodall	McDuffie	Sanders, La.
Britten	Goodykoontz	McFadden	Sanford
Brooks, Ill.	Graham, Pa.	McKenzie	Scully
Brooks, Pa.	Greene, Vt.	McKeown	Sears
Brumbaugh	Griffin	McKinley	Sells
Burke	Hamill	McPherson	Sherwood
Caldwell	Hamilton	Magee	Siegel
Cantrill	Harrison	Maher	Sims
Caraway	Heflin	Major	Sinclair
Carew	Hersman	Mann	Sisson
Clark, Fla.	Holland	Mason	Slemp
Classon	Howard	Mead	Smith, N. Y.
Copley	Hudspeth	Merritt	Snell
Costello	Hull, Iowa	Miller	Steele
Crago	Hull, Tenn.	Montague	Stevenson
Davis, Minn.	Husted	Moore, Ind.	Sullivan
Dempsey	Ireland	Morin	Summers, Tex.
Dent	Jacoway	Mott	Taylor, Ark.
Dewalt	Johnson, Ky.	Murphy	Tilson
Dominick	Johnson, S. Dak.	Nicholls, S. C.	Treadway
Donovan	Johnston, N. Y.	Noian	Vaile
Dooning	Jones, Pa.	Oliver	Vare
Doremus	Kahn	Olney	Ward
Dyer	Kelley, Mich.	Palge	Wilson, Ill.
Eagan	Kendall	Parker	Wingo
Eagle	Kennedy, Iowa	Peters	Wise
Ellsworth	Kennedy, R. I.	Platt	Wood, Ind.
Evans, Mont.	Kettner	Rainey, H. T.	Zihlman
Evans, Nev.	Klless	Rainey, J. W.	
Ferris		Ramsey	

So the bill was passed.

The Clerk announced the following additional pairs:

Until further notice:

Mr. ANDREWS of Maryland with Mr. CANTRILL.

Mr. STRONG of Kansas with Mr. SIMS.

Mr. KNUTSON. Mr. Speaker, I am paired with the gentleman from Georgia, Mr. BELL, and I desire to withdraw my vote of "yea" and answer "present."

The result of the vote was announced as above recorded.

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that the Clerk may reletter the sections, in view of the fact that one of them was stricken out.

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

On motion of Mr. FORDNEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

Mr. VAILE, by unanimous consent, was granted leave of absence for 10 days, on account of illness in his family.

EXTENSION OF REMARKS.

Mr. KNUTSON. Mr. Speaker, I rise to request unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD.

Mr. WALSH. Mr. Speaker, reserving the right to object, of what does the extension consist?

Mr. KNUTSON. Of a magazine article.

Mr. WALSH. The same article which the gentleman requested to have printed the other day?

Mr. KNUTSON. Yes, sir.

Mr. WALSH. I object.

ORDER OF BUSINESS FOR TO-MORROW.

Mr. MONDELL. Mr. Speaker, at the request of several Members of the House, I wish to announce that the House will take up to-morrow morning the cold-storage bill.

ENROLLED BILL SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 9091. An act granting the consent of the Congress to the county of Hennepin, in the State of Minnesota, to construct, maintain, and operate a bridge across the Minnesota River.

ADJOURNMENT.

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

The motion was agreed to; accordingly (at 6 o'clock and 35 minutes p. m.) the House adjourned until to-morrow, Saturday, September 27, 1919, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FOCHT, from the Committee on War Claims, to which was referred the joint resolution (H. J. Res. 215) authorizing the legal heirs of certain officers of the United States Coast Guard who lost their lives when the Coast Guard cutter *Tampa* was destroyed in Bristol Channel, September 26, 1918, to receive pay and allowances that would have accrued to said officers, reported the same without amendment, accompanied by a report (No. 340), which said joint resolution and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (S. 2440) for the relief of the estate of John M. Lea, deceased; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (S. 358) carrying into effect the findings of the Court of Claims in the matter of the claim of T. L. Love, surviving partner of Robert Love & Son; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 9262) granting an increase of pension to George S. Hawkins; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8919) granting an increase of pension to Lewis E. Letner; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8811) granting an increase of pension to Jacob Amberg; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

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

By Mr. SIMS: A bill (H. R. 9538) to amend the act to regulate commerce, approved February 4, 1887, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. SINNOTT: A bill (H. R. 9539) for the consolidation of forest lands within the national forests; to the Committee on the Public Lands.

By Mr. STEENERSON: A bill (H. R. 9540) designating the American mountain laurel the national flower of the United States; to the Committee on the Library.

By Mr. GOULD: Resolution (H. Res. 312) calling upon the President for information relative to the internationalization of the war debt; to the Committee on Ways and Means.

By Mr. HUTCHINSON: Resolution (H. Res. 313) providing for the immediate consideration of H. R. 9521; to the Committee on Rules.

By Mr. GOULD: Joint resolution (H. J. Res. 216) to prohibit any member of the Metropolitan police force of the District of Columbia from joining or affiliating with any outside labor organization; to the Committee on the District of Columbia.

By Mr. GREENE of Massachusetts: Joint resolution (H. J. Res. 217) to direct the Secretary of the Navy to remove the restrictions on the use and operation of amateur radio stations throughout the United States; to the Committee on the Merchant Marine and Fisheries.

Also, joint resolution (H. J. Res. 218) to direct the Secretary of the Navy to open certain naval radio stations for the use of the general public; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. BLAND of Indiana: A bill (H. R. 9541) granting an increase of pension to Louis D. Argo; to the Committee on Pensions.

Also, a bill (H. R. 9542) granting a pension to Oscar G. Smith; to the Committee on Pensions.

By Mr. BENHAM: A bill (H. R. 9543) to correct the military record of Myron H. McMullen; to the Committee on Military Affairs.

By Mr. BROWNING: A bill (H. R. 9544) granting an increase of pension to Emma R. Foster; to the Committee on Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 9545) granting a pension to Oliver M. McRoberts; to the Committee on Invalid Pensions.

By Mr. CASEY: A bill (H. R. 9546) for the relief of John Bray; to the Committee on Military Affairs.

By Mr. DAVIS of Tennessee: A bill (H. R. 9547) granting a pension to Teddy Sexton; to the Committee on Pensions.

By Mr. FOCHT: A bill (H. R. 9548) granting a pension to Jimema Trueax; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9549) granting a pension to Sarah M. Doan; to the Committee on Invalid Pensions.

By Mr. GOODALL: A bill (H. R. 9550) for the relief of the legal representatives of Messrs. Lyman Randall, J. E. Sarrazin, and James Williams; to the Committee on War Claims.

By Mr. GOODYKOONTZ: A bill (H. R. 9551) granting an increase of pension to John Mills; to the Committee on Invalid Pensions.

By Mr. GOULD: A bill (H. R. 9552) granting an increase of pension to Ludlow B. Ward; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 9553) granting an increase of pension to William Dotson; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 9554) granting an increase of pension to Colbert Ratliff; to the Committee on Invalid Pensions.

By Mr. McANDREWS: A bill (H. R. 9555) for the relief of Mary Altieri; to the Committee on Claims.

By Mr. McFADDEN: A bill (H. R. 9556) granting an increase of pension to Mary A. Ochs; to the Committee on Invalid Pensions.

By Mr. MASON: A bill (H. R. 9557) granting a pension to William C. Donlevy; to the Committee on Pensions.

By Mr. MONAHAN of Wisconsin: A bill (H. R. 9558) granting an increase of pension to John Rowe; to the Committee on Invalid Pensions.

By Mr. NEWTON of Missouri: A bill (H. R. 9559) to extend the benefits of the employers' liability act of September 7, 1916, to Arthur E. Rump; to the Committee on the Judiciary.

By Mr. SMITH of Idaho: A bill (H. R. 9560) for the relief of George W. Lyle; to the Committee on Claims.

Also, a bill (H. R. 9561) for the relief of Herman Schultz; to the Committee on Claims.

By Mr. TAYLOR of Tennessee: A bill (H. R. 9562) granting an increase of pension to Lafayette Hackney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9563) granting a pension to George W. Irwin; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 9564) granting a pension to Americus Watt; to the Committee on Pensions.

By Mr. WELTY: A bill (H. R. 9565) granting a pension to Emily Frances Dexter; to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

By the SPEAKER (by request): Petition of Rev. Michael Kuziw, of Northampton, Pa., asking the United States to recognize complete independence of the Ukrainian Republic; to the Committee on Foreign Affairs.

Also (by request), petition of Paul M. Borowski and others, praying for law and order, so that the proper person or persons responsible for the deaths and injuries of these Polish people be brought to justice and properly punished if they are in fault; to the Committee on the Judiciary.

By Mr. BURKE: Petition of the Neversink Dyeing Co., of Reading, Pa., urging the passage of the Longworth bill; to the Committee on Interstate and Foreign Commerce.

By Mr. CAREW: Petition of the officers of the Fifteenth Infantry Regiment, New York Guard, favoring legislation proposed or favored by the National Guard Association; to the Committee on Military Affairs.

By Mr. EDMONDS: Papers to accompany Senate bills Nos. 358, 767, and 2440; to the Committee on War Claims.

By Mr. ESCH: Petition of Mississippi Valley Association, by Walter Parker, favoring development of water power; to the Committee on Water Power.

By Mr. FULLER of Illinois: Petition of various Grand Army posts, associations of veterans of the Civil War, and citizens, favoring increase of Civil War pensions, as provided in House bill 9369; to the Committee on Invalid Pensions.

Also, petition of Amalgamated Federation of Railway Mail Clerks for increase of pay; to the Committee on the Post Office and Post Roads.

Also, petition of Epiphany Evangelical Church of Chicago, Ill., favoring House bill 7915, amending the revenue act; to the Committee on Ways and Means.

Also, petition of American Gear Manufacturers' Association, of Philadelphia, Pa., opposing Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. GOODYKOONTZ: Papers to accompany House bill 9551, granting an increase of pension to John Mills; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: Petition of sundry citizens of Baltimore, Md., favoring a war bonus of \$360 for ex-service men; to the Committee on Military Affairs.

Also, petition of William Numsen & Sons (Inc.), of Baltimore, Md., protesting against the passage of the Kenyon bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of National Association of Marble Dealers, protesting against the passage of the Plumb plan; to the Committee on Interstate and Foreign Commerce.

Also, petition of C. A. Gambrill Manufacturing Co. of Baltimore, Md., favoring the passage of House bill 7482; to the Committee on Coinage, Weights, and Measures.

By Mr. McGLENNON: Petition of Knights of Pythias of New York City, asking Congress to use every endeavor to throttle and stamp out Bolshevism and kindred organizations and anarchy; to the Committee on Military Affairs.

Also, petition of National Aniline & Chemical Co., favoring the protesting against the ratification of the proposed league of nations; to the Committee on Foreign Affairs.

By Mr. O'CONNELL: Petition of Charles S. Smith and others, bishops of the African Methodist Episcopal Church, praying for Congress to make diligent inquiry as to the underlying cause of the race riots at Washington, D. C., Chicago, Ill., and Knoxville, Tenn., with the view of formulating such suggestions for adoption by the people as, in its judgment, may prove a safeguard against similar outbreaks in the future and also lead to the establishment of a more friendly relationship between the races; to the Committee on the Judiciary.

Also, petition of Nation Aniline & Chemical Co., favoring the passage of the Longworth bill; to the Committee on Ways and Means.

Also, petition of John Campbell & Co., of New York, favoring the passage of the Longworth bill; to the Committee on Ways and Means.

Also, petition of Abraham & Straus, of New York City, protesting against the passage of Senate bill 2904 and House bill 8315; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Petition of Fairbanks, Morse Co.; West Coast Packing Co.; Citizens National Bank; and National Creamery and Produce Co., all of Los Angeles, Calif., protesting against the bill introduced by Representative SNEAZER, which provides for the placing of the cost price on all merchandise offered for sale; to the Committee on Interstate and Foreign Commerce.

Also, letter from the Air Reduction Sales Co., San Francisco, Calif., indorsing House bill 5011 and 5012, which provides for the improvement of the Patent Office; to the Committee on Patents.

Also, letter from the Messe-Gottfried Co., of San Francisco, Calif., requesting favorable action affecting the Patent Office; to the Committee on Patents.

Also, letter from the Service League for the Handicapped, Chicago, Ill., requesting that the Kenyon-Fess bill be re-referred to the committee for full hearings; to the Committee on Education.

By Mr. YATES: Petition of the Valley Camp Coal Co., Cleveland, Ohio, urging most careful consideration before passage of the Kenyon bill, Senate bill 2202; to the Committee on Interstate and Foreign Commerce.

Also, petition of Richard John Ahrens, Chicago, Ill., urging passage of Gronna-Baer bill; to the Committee on Military Affairs.

Also, petition of Frank A. Johnson, Danville, Ill., protesting against Jones bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of A. C. Helbaker, Springfield, Ill., protesting against the Siegel bill (H. R. 8315); to the Committee on Interstate and Foreign Commerce.

Also, petition of Marden, Orth & Hastings Corporation, New York, N. Y., urging the passage of the Longworth bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of John R. Adams & Co., Chicago, Ill., protesting against storage law as proposed by Subcommittee on Agriculture as being harmful to best interest of dried-fruit industry; to the Committee on Agriculture.

Also, petition of J. P. McCauley, Chicago, Ill., urging the passage of the bill advocating six months' pay for discharged soldiers, sailors, and marines; to the Committee on Military Affairs.

Also, petition of W. E. Emery, Danville, Ill., urging that the high cost of living is due to curtailment of production and this curtailment can be cured if workers continue at work, inasmuch as they are the source of production, and accordingly a national campaign of education should be inaugurated; to the Committee on Education.

SENATE.

SATURDAY, September 27, 1919.

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

Almighty God, we desire to begin this new day by coming into right relations with Thyself, by knowing as far as it is possible for us to know the will of God, by seeking from Thee that grace which will enable us to desire above all things to do Thy will. Help us to-day to keep close to Thee. May Thy spirit brood over us, guiding us to follow the commandments of God and to do the things that are pleasing in Thy sight. Forgive us our sins and fit us for the tasks that have come to us in Thy providence. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

ESTIMATES OF APPROPRIATIONS (S. DOC. NO. 112).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Commissioners of the District of Columbia, submitting supplemental estimates of appropriations in the sum of \$165,000 required by the District of Columbia for the fiscal year 1920, etc., which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 2910) to revive and reenact the act entitled "An act to authorize the Cincinnati, New Orleans & Texas Pacific Railway Co. to rebuild and reconstruct, maintain, and operate a bridge across the Tennessee River near Chattanooga, in Hamilton County, in the State of Tennessee," approved April 5, 1916.

The message also announced that the House insists upon its amendments to the bill (S. 641) to amend section 10 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, disagreed to by the Senate; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. Esch, Mr. Hamilton, and Mr. Sims managers at the conference on the part of the House.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 9091) granting the consent of the Congress to the county of Hennepin, in the State of Minnesota, to construct, maintain, and operate a bridge across the Minnesota River; and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. CURTIS presented a memorial of sundry citizens of Kingman, Kans., remonstrating against the ratification of the proposed league of nations treaty, which was ordered to lie on the table.

He also presented a petition of Local Council No. 42, United Commercial Travelers of America, of Topeka, Kans., praying for the construction of a national highway system, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Almo Lodge No. 740, Brotherhood of Railroad Clerks, of Parsons, Kans., praying for the adoption of the so-called "Plumb plan" for the operation and control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the Franklin County Retail Merchants' Association of Kansas, remonstrating against the enactment of legislation requiring the obtaining of license by all persons transacting business, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of Chanute, Kans., praying for an increase in the salaries of postal employees, which were referred to the Committee on Post Offices and Post Roads.

Mr. LODGE. I present a brief resolution passed by Washington Camp No. 13, Patriotic Order Sons of America, of Soddy,

Tenn., which I ask to have printed in the RECORD, without reading.

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

WASHINGTON CAMP NO. 13,
PATRIOTIC ORDER SONS OF AMERICA,
Soddy, Tenn., September 23, 1919.

HON. HENRY C. LODGE,
United States Senate, Washington, D. C.:

Be it resolved by the members of Washington Camp No. 13, Patriotic Order Sons of America, Soddy, Tenn., at a regular meeting assembled, That we, the Sons of America, children of her soil, reared beneath the shadow of her flag, loving her as none others can know, having an interest in her future welfare, and to safeguard our free institutions, condemn and are opposed to the league of nations, as written, and we highly approve the stand you have taken in its opposition, believing you to be a true American and opposed to foreign entanglements and foreign influence in the affairs of our Government. We assure you as Sons of America, irrespective of party, our undivided support and influence to the end that we may enjoy the freedom from foreign entanglements and foreign powers; be it further

Resolved, That we ask you statesmen in the Senate of the United States assembled at this critical moment to save our country from the iron chains of slavery and the wiles of foreign influences. We pray that God may shield you from wrong, guide you in your duty, and prepare you for the end, and that your record in this matter will be your proudest monument. Save us; oh, save us! This is the sentiment of our entire membership. Let's all be Americans now.

Respectfully,

ED. CLEMENTS,
President.

Attest:

S. W. JENKINS,
Recording Secretary.

Mr. LODGE. I also present certain resolutions passed by the National Dames of the Civil War, an organization with headquarters at Greenfield, Mass. I ask that the resolution may be printed in the RECORD without reading. I may say that the signers are all Americans.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

"We, the National Dames of the Civil War, as an organization, headquarters at Greenfield, Mass., send you, Senator LODGE, our protest in regard to any connection of our country with the so-called league of nations. Our country, the land our noble forefathers fought for, through all those years of suffering, finally, July 4, 1776, declared it free and independent. That was the birth of a new nation; our America; and our fathers dedicated it to 'liberty and humanity.' It has often been called the Liberty Hall of the World—our America, now the land of the highest civilization, given over to despotic powers. Our glorious Star-Spangled Banner, which represents all the principles, all the virtues, all the grand and loved things our fathers fought for, exchanged for what? Our rightful inheritance, and we have taken our oath that we, to the best of our ability, will protect, preserve, and defend 'our inheritance.' Are we not now as capable managers of that inheritance as in the past? We are strongly opposed to any connection with other nations. As a free and independent Nation our development has been the wonder of the world; if we remain free and independent our growth will continue. We are for America first, America last, America always and forever, and our Star-Spangled Banner and no other; no, never.

"Names of officers of the National Dames of the Civil War: Mary L. Kimball, commander; Mattie J. Ballou, assistant commander; Harriet Bridges Clary, senior vice commander; ———, second senior vice commander; Elizabeth H. Gillette, junior vice commander; J. L. Hubbard, second junior vice commander; Louise J. Munson, adjutant; Lucy A. Herrick, quartermaster; Nettie Potter, officer of the day; Isabel C. Moore, chaplain.

"Color guards: First, ———; second, Miry Oliver; third, Mrs. Delia C. Crandell; fourth, Mrs. Anna A. Robinson; fifth, Mrs. Sarah O. Sexton; sixth, Laura Hoyet; seventh, Anna Williams; eighth, Fannie Lyons; sentinel, Fannie A. Coates.

"Read, enthusiastically approved, and accepted September 19, 1919, at last encampment.

"Yours, respectfully,

"MRS. HARRIET BRIDGES CLARY,
"North New Salem, by way of Orange, Mass., R. F. D."