By Mr. JOHNSON of Kentucky: A bill (H. R. 10356) granting a pension to Joseph P. Flanders; to the Committee on Pensions.

By Mr. KEARNS: A bill (H. R. 10357) granting an increase of pension to James A. Benjamin; to the Committee on Invalid Pensions.

By Mr. KETTNER: A bill (H. R. 10358) for the relief of John R. Monteith; to the Committee on Claims.

By Mr. LEE of Georgia: A bill (H. R. 10359) for the relief of Seth J. Harris, Jimmie Lou Martin, Mary Holloman, and William Henry Coleman; to the Committee on Claims.

By Mr. REED of West Virginia: A bill (H. R. 10360) granting an increase of pension to Isaac F. Lanham; to the Committee on Pensions.

By Mr. TREADWAY: A bill (H. R. 10361) granting a pension to John Beehane; to the Committee on Pensions.

By Mr. WHITE of Maine: A bill (H. R. 10362) granting an increase of pension to David F. Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10363) for the reinstatement of Woodbury F. Pride in the United States Army; to the Committee on Military Affairs.

By Mr. WINSLOW: A bill (H. R. 10364) granting a pension to Annie G. Hall; to the Committee on 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 Freight Handlers of Arkansas, opposing laws discriminating against the colored race; to the Committee on the Judiciary.

Also (by request), petition of Akron Jewish organizations, urging United States to use its power to protect the people of Ukraine; to the Committee on Foreign Affairs.

By Mr. DARROW: Petition of Philadelphia Board of Trade in opposition to Senate bill 1469, for the creation of a Federal home loan board; to the Committee on Banking and Currency.

By Mr. ESCH: Petition of Western Wisconsin Teachers' Association, supporting the league of nations and peace treaty; to the Committee on Foreign Affairs.

Also, petition of Ninetieth Division Association for reasonable universal military training; to the Committee on Military Affairs.

By Mr. HILL: Petition of Bainbridge Branch, Dairymen's League, at Bainbridge, N. J., favoring the passage of the so-called "Capper-Hersman bill" to legalize collective bargaining by farmers' organizations; to the Committee on the Judiciary.

By Mr. LONERGAN: Petition of Friends of Irish Freedom of Hartford, Conn., for self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. RAKER: Petition of California State Federation of Labor, protesting against Cummins bill and urging its defeat; to the Committee on Interstate and Foreign Commerce.

Also, petition of California State Federation of Labor, urging that independence be given to the Philippines as soon as they are able to govern themselves; to the Committee on Foreign Affairs.

Also, petition of California State Federation of Labor, urging adequate compensation for postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of California State Federation of Labor, indorsing the Sterling-Lehlbach retirement bill; to the Committee on Reform in the Civil Service.

Also, petition of California State Federation of Labor, protesting against the award of large contracts by the Navy Department to the Columbia Steel Co. and urging that they be given to the Mare Island Navy Yard; to the Committee on Naval Affairs.

Also, petition of California State Federation of Labor, protesting against aggression by this country against Mexico; to the Committee on Foreign Affairs.

Also, petition of Gantner & Mattern Co., Marvin-Williams Co., Keyston Bros., and Eloesser-Heynemann Co., all of San Francisco, Calif., opposing House bill 8315; to the Committee on Interstate and Foreign Commerce.

Also, petition of California State Federation of Labor, favoring increased pay for enlisted men of the Navy; to the Committee on Naval Affairs.

Also, petition of National Initiative and Referendum League of New York City, supporting Senate joint resolution 22 and House joint resolution 60 and forwarding article from New York Post entitled "Justice for Coxey"; to the Committee on the Judiciary.

Also, petition of California Civic League, favoring granting military rank to Army Nurse Corps; to the Committee on Military Affairs.

Also, petition of Law and Order Union of New York, protesting against unlimited income tax; to the Committee on Ways and Means.

Also, petition of general organization committee of railroad employees, supporting Plumb plan of railroad control and opposing Cummins bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Pneumatic Scale Corporation (Ltd.), of Norfolk Downs, Mass., urging consideration of their metal container; to the Committee on Patents.

Also, petition of Ninetieth Division Association, favoring universal military training; to the Committee on Military Affairs.

Also, petition of California State Federation of Labor, opposing Senate bill 2788 and the Gulick plan of immigration; to the Committee on Immigration and Naturalization.

Also, petition of California State Federation of Labor; California Parlor, No. 161, Native Daughters of the Golden West, of Amador City; Naomi Parlor, No. 36, Native Daughters of the Golden West, of Downieville; Columbia Parlor, No. 256, Native Sons of the Golden West, of Columbia, all in the State of California, opposing oriental immigration to this country; to the Committee on Immigration and Naturalization.

By Mr. Rowan: Resolutions of the Ninetieth Division Association of Dallas, Tex., in favor of a reasonable amount of universal miltary training, not exceeding one year, and an adequate Regular Army as a nucleus for the proper training of its citizens for military training; to the Committee on Military Affairs.

Also, petition of Dr. Emil G. Beck, of Chicago, Ill., with suggestions for the advocates and adversaries to the league of nations; to the Committee on the Judiciary.

SENATE.

TUESDAY, *November 4, 1919.*

(Legislative day of Monday, November 3, 1919.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Henderson	McKellar	Simmons
Ball	Hitchcock	McLean	Smith, Ariz.
Brandegee	Johnson, Calif.	McNary	Smith, Ga.
Capper	Johnson, S. Dak.	Moses	Smoot
Colt	Jones, N. Mex.	Nelson	Spencer
Culberson	Jones, Wash.	New	Sterling
Cummins	Kellogg	Newberry	Sutherland
Curtis	Kendrick	Nugent	Thomas
Dial	Kenyon	Overman	Townsend
Dillingham	Keyes	Owen	Trammell
Elkins	King	Page	Underwood
Gay	Kirby	Phipps	Walsh, Mont.
Gerry	Knox	Pittman	Watson
Gore	La Follette	Poindexter	Williams
Gronna	Lenroot	Ransdell	Wolcott
Hale	Lodge	Sheppard	
Harding	McCormick	Sherman	
Harrison	McCumber	Shields	

Mr. UNDERWOOD. My colleague, the senior Senator from Alabama [Mr. BANKHEAD], is detained from the Senate by illness.

Mr. GERRY. The Senator from Virginia [Mr. SWANSON], the Senator from Maryland [Mr. SMITH], the senior Senator from Kentucky [Mr. BECKHAM], the Senator from Ohio [Mr. POMERENE], and the junior Senator from Kentucky [Mr. STANLEY] are detained on public business.

The Senator from Missouri [Mr. REED] and the Senator from Georgia [Mr. HARRIS] are detained from the Senate by illness. The Senator from South Carolina [Mr. SMITH] is absent on account of illness in his family, and the junior Senator from Massachusetts [Mr. WALSH] is in Massachusetts to vote at the State elections.

The Senator from Oregon [Mr. CHAMBERLAIN], the Senator from Florida [Mr. FLETCHER], the Senator from California [Mr. PHELAN], and the Senator from Arkansas [Mr. ROBINSON] are detained on official business.

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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

STRIKE OF COAL MINERS.

Mr. THOMAS. Mr. President, I ask unanimous consent to have inserted in the RECORD a series of resolutions adopted by Boulder Post, No. 10, of the American Legion of Colorado, and as they are very short and very timely I ask that they may be read by the Secretary.

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

The Secretary read as follows:

Resolutions adopted by Boulder Post, No. 10, American Legion, October 30, 1919.

"Whereas the leaders of the bituminous coal miners' union of the United States have announced their intention to declare a nation-wide strike in the coal fields; and

"Whereas the President of the United States, the Attorney General, and the governor of Colorado have all declared such action to be a menace to the welfare of the Nation, and have issued appeals to the miners to continue in their employment and to protect the country in this crisis; and

"Whereas if the leaders of the union persist in their determination to force this strike despite the appeal of the President, the governor of this State, and the overwhelming sentiment of the public, they will be guilty of an act in open defiance of governmental authority, public opinion, and the Nation's welfare: Now, therefore, be it

"*Resolved*, That Boulder Post, No. 10, American Legion, condemns this threatened closing of all mines as a menace to the interests of the Nation, and pledges itself to aid the National, State, and county authorities by any means in its power in the maintenance of law and order and the upholding of governmental authority; be it further

"*Resolved*, That a copy of this resolution be furnished the press, the President of the United States, our Senators and Congressmen, the governor of Colorado, the board of county commissioners, and the sheriff of Boulder County.

"FRANK A. KEMP, Jr.,
"*Post Commander.*
"E. H. MCBRIDE,
"*Post Adjutant.*"

PETITIONS AND MEMORIALS.

Mr. HARRISON. I submit a resolution adopted by the State convention of the Mississippi Branch of the American Legion at Jackson, Miss., and I ask that it may be read.

There being no objection, the resolution was read as follows:

VICKSBURG, MISS., *October 22, 1919.*

Senator PAT HARRISON,
United States Senate, Washington, D. C.:

The State convention of the Mississippi Branch of the American Legion at Jackson, Miss., yesterday adopted the following resolution:

"*Be it resolved by the Mississippi State Convention of the American Legion*, That this body recommends that the peace treaty be adopted without reservation, and that copies of this resolution be sent by wire to President Wilson, Senators WILLIAMS, HARRISON, JOHNSON, and LODGE."

ALEXANDER FITZHUGH,
State Chairman.

Mr. McCORMICK. Is the chairman a Republican?

Mr. SMITH of Arizona. I ask unanimous consent to have printed in the RECORD a protest from Local Union No. 75A, of Clarkdale, Ariz., against the deportation of certain Hindus.

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

[International Association of Bridge, Structural, and Ornamental Iron Workers. Address of writer: Verde, Ariz.]

LOCAL UNION NO. 75A,
Clarkdale, Ariz., October 23, 1919.

Senator MARK SMITH,
Washington, D. C.:

Whereas the United States of America, since it gained its independence from Great Britain in 1776, has extended the principle of political asylum to political refugees from other countries who have fled from the wrath of tyrannical governments; and

Whereas the efforts of certain Hindus to gain freedom for their native land have resulted in a number of these people being compelled to serve prison sentences in this country; and

Whereas some of these men, now held for and threatened with deportation, which will mean death or imprisonment for life, for no other reason than that Britain's economic exploitation and political domination over India may continue to go unchallenged: Be it

Resolved, That we, Local 75A, Bridge, Structural, and Ornamental Iron Workers, of Clarkdale, Ariz., emphatically protest against the flagrant violation of the spirit of democracy involved in this denial of the right of asylum; against the carrying out of the deportation of Hindus, and in conformity with the principles of self-determination of peoples we demand that the persecution of these Hindus cease; and be it further

Resolved, That our secretary be asked to send copies of this resolution to President Woodrow Wilson; Secretary of Labor William B. Wilson; to Mr. Abercrombie, Department of Immigration at Washington; to Congressmen and Senators from this State; to the daily press; and to the Friends of Freedom for India, 7 East Fifteenth Street, New York City.

CHRIS. J. CARLSEN, *President.*
JAMES OHD, *Secretary.*

Mr. JONES of Washington. I have resolutions adopted by the State convention of the American Legion of the State of Washington with reference to several very important questions. The resolutions purport to represent the sentiment of this large organization in the State, and I think they ought to be printed in the RECORD. I ask unanimous consent that the resolutions may be referred to the appropriate committees and printed in the RECORD.

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

To the Committee on Immigration:

Be it resolved by the American Legion of the State of Washington, in convention assembled, That we are in favor of legislation continuing in force and operation the present restrictions on immigration as provided in the bill introduced in the House of Representatives of the United States by Representative JOHNSON, of Washington, and now pending therein, or by some other measure involving the same principles; and

Be it further resolved, That we are in favor of the adoption of a law by the Congress of the United States of America which will provide in substance, as follows:

1. That an immigrant to the United States must apply for his passport to the American Consul.

2. That upon arriving in the United States such immigrant shall register at the United States immigration office, and must reregister with such office, or some branch thereof, at least once a year until such time as he shall be admitted to full and complete citizenship according to law.

3. That in the event any immigrant does not comply with the laws of the United States of America, and become a full and complete citizen of this country within a specified number of years, to be provided by law, or in the event any immigrant is unable for any reason to become a citizen of the United States within such period so to be provided, then in either such event, such immigrant or alien who is within the United States at the time such law shall take effect shall be deported to the country from whence he came as an undesirable.

Be it further resolved, That the delegates from the State to the national convention of the American Legion at Minneapolis be instructed to work for the adoption of a resolution similar to this by such national convention.

Be it further resolved, That a copy of this resolution be forwarded to members of the Washington delegation in the United States Congress.

To the Committee on Military Affairs:

Whereas it is contemplated by the Congress of the United States to authorize the establishing of additional national cemeteries of various localities; and

Whereas in the opinion of this convention the military reservation at American Lake, Wash., is an ideal and admirable site for such a cemetery and very fitting on account of the large number of soldiers who received their training there: Therefore be it

Resolved by the American Legion of the State of Washington, in convention assembled, That we urge upon the Washington delegation in Congress to take all steps within their power to secure the location of a national cemetery on the military reservation at American Lake, Wash.

To the Committee on Finance:

Whereas it has been the policy of the United States Government to pay war-risk insurance policies to beneficiaries in 240 equal payments, the maximum payment on any policy being $57.50 monthly; and

Whereas there is now no form of policy provided to which war-risk insurance can be converted by which the beneficiary can be paid in any manner other than 240 equal monthly payments upon the death of the insured: Therefore be it

Resolved by the American Legion of the State of Washington, in convention assembled at Seattle, October 9, 1919, That it be the recorded decision of this legion that adequate provision be made by the United States Congress whereby the insured will be allowed the option of providing in his policy of war-risk insurance the method of payment of the policy to the beneficiary upon the insured's death; and be it further

Resolved, That copies of these resolutions be prepared and forwarded at once to all members of the United States Congress from the State of Washington.

To the Committee on Public Lands:

Whereas numerous bills, each offering some measure of assistance to the soldiers, sailors, and marines veterans of the late war, are now pending in the Congress of the United States; and

Whereas the people of the United States demand the enactment of a law providing substantial recognition of the patriotic service of those who at their country's call put aside all private interests and went forth to wrest our liberties from the grasp of the tyrant foe; and

Whereas the American home is the bulwark of our liberties, and the proposed legislation herein referred to will greatly strengthen the Nation by making possible the addition of perhaps 2,000,000 new home owners; and

Whereas the Morgan bill provides for the organization of a corporation, underwritten by the United States Government, authorized to sell bonds and loan the proceeds to veterans of this war for the purchase of homes, either urban or rural; and

Whereas this bill, among other things, provides for a loan on long time, a maximum of 60 years, with a low rate of interest, not to exceed 3½ per cent, and in an amount not to exceed $4,000,000 for the purchase of a home, either urban or rural, these loans to be available to every honorably discharged soldier, sailor, or marine, without security other than that of the property as purchased, the additional security required by good business practice being supplied by the creating of a guaranty fund: Therefore be it

Resolved by the American Legion of the State of Washington, in convention assembled—

First. That we indorse and recommend for passage House bill 5545, introduced in the House of Representatives of the United States on June 11, 1919, by the Hon. DICK T. MORGAN, of Oklahoma, and that we do hereby respectfully request our Senators and Representatives in Congress to support this measure.

Second. That a copy of this resolution be embodied in the minutes of the proceedings of this convention, and that a copy hereof be forwarded

to each of the United States Senators and Representatives of the State of Washington, and to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and to the special committee to which proposed legislation in the interests of the veterans of this war has been referred.

Third. That the delegates from this State to the national convention of the American Legion to be held in the city of Minneapolis, Minn., in November, 1919, be instructed to do all in their power to secure the adoption of a similar resolution by said national convention.

To the Committee on Education and Labor:

1. That the vocational rehabilitation act should be liberalized and extended by the repeal of section 13 of said act to include, as eligible for full-time training with full subsistence payments as well as tuition, books, and supplies, all disabled veterans of the World War, regardless of the degree of their disability or without any attempt whatever on the part of any Government agency to define whether or not any man with any particular disability has a so-called "vocational handicap."

2. That in order that the district offices of the Federal Board for Vocational Education, division of rehabilitation, may have adequate facilities and proper arrangements for making prompt payments to the men in training under said board, each district should be granted full power and authority to disburse Government moneys to the disabled veterans in training under the said board, in the amounts and at such time as they may be legally entitled to payments, thus obviating grievous and vexatious delays occasioned by the issuance and transmission of checks from the central office in Washington.

3. That the Federal board be empowered by law to make payments upon whatever scale may be deemed reasonable and proper by Congress to discharged veterans of the World War, while their cases are pending with the board and preceding their actual entry into training.

4. That arrangements be immediately undertaken, and as soon as possible perfected, in districts where hospital facilities are now inadequate for proper and adequate hospitalization of all cases requiring hospital care, but with particular concern for cases suffering from mental disabilities.

5. That the Federal board be empowered by law with full authority to extend to all disabled veterans under their care whatever medical and dental care may be deemed by the medical officers of the board to be in need of while in training under the authority of said board.

6. That the United States Railroad Administration be empowered by law, if the railroads are retained by the United States Government, and if not then the individual owners of the railroads be required by law to sell transportation to any man who establishes his identity as being in training under the Federal Board for Vocational Education, at a rate not exceeding 1 cent per mile for any travel authorized by the Federal Board for Vocational Education.

7. That payments to men in training be increased as follows:

For single men without dependents	$100
For single men with dependents	125

(With allotments for each dependent according to the scale provided by the war-risk insurance act.)

Special attention of the Members of Congress is directed to the provision last above mentioned, after having been given careful consideration by the Veterans' Vocational Club in view of the ever-increasing high cost of living.

To the Committee on Immigration:

Whereas during the late war we have seen many examples of peoples who have obtained citizenship and enjoyed the privileges and prosperity of our country for many years, so conduct themselves that they prove themselves unworthy of citizenship; and

Whereas we, in convention assembled, do recognize the fact that the time has come when the people of this country who have come here from foreign shores must be taught that American citizenship is a thing of inestimable value and not a mere nonentity: Therefore be it

Resolved, That we do recommend to Congress that any person convicted of an offense, the gist of which is one against the ideals and institutions of our country, shall have his citizenship canceled, and that proceedings shall be brought against those who have so conducted themselves as to show any reason of the antagonism against the institutions of our country and denunciation of its principles, and that they, too, shall have their citizenship canceled and shall be deported to the country from whence they came as undesirables.

Mr. BALL. I present resolutions adopted at a special meeting of the Young Men's Republican Club, of Wilmington, Del., held on October 24, 1919, which I ask to have printed in the RECORD.

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

Whereas statements have appeared in the public press intended to convey the impression that the Members of Congress who are opposing the ratification of the proposed compact for a league of nations are not acting in accordance with the desires of a majority of their constituents; and

Whereas a special meeting of the Young Men's Republican Club, of Wilmington, Del., has been held this 24th day of October, 1919, for the purpose of discussing the position of the above-mentioned Congressmen, and more particularly Hon. L. HEISLER BALL, United States Senator from the State of Delaware; and

Whereas, after a full and free discussion, with an opportunity given to everyone who desired to express an opinion, it is the unanimous sense of this meeting that the proposed compact for a league of nations ought not to be ratified without certain reservations and amendments for the following reasons:

First. It would involve the United States in entangling foreign alliances, contrary to the traditional policy upon which our advancement as a Nation has been largely based, with no justification for such a departure from a tried and proved policy except the false premise that changes in conditions afford a sufficient ground for the abandonment of fundamental principles which never change.

Second. It opens wide the door for intolerable and improper interference for foreign powers with the business and industrial affairs of the United States, and with our tariff and immigration laws and with our policy known as the "Monroe doctrine."

Third. This compact, in its present form, is the product of secret diplomacy, handed to the American people as though it were of divine origin which must be accepted exactly as it is, and must not be touched in any way by our duly elected Senators, constitutionally empowered and directed to do so.

Fourth. However lofty its idealism may be, the proposed compact contains specific provisions antagonistic to its general purpose, and would almost inevitably tend to drag the United States into war and bloodshed. It is assumed that our delegate to the league would vote in accordance with the desires of a majority of our people, but his doing so is not safeguarded in any way.

Fifth. The methods by which the administration is attempting to force this document upon Congress are unfair and violently partisan. The sentimental whining, that if this covenant be amended in the least it will break the heart of the world is abominable claptrap. The argument that we are at war with Germany until the ratification of this covenant is misleading, for this covenant has no connection with a treaty of peace, and for all practical purposes the war between the United States and Germany is now ended. The President has failed to negotiate a treaty of peace, which he had full authority to do, and has wasted valuable time and energy and a great deal of money in a vain attempt to commit the United States as a contracting party to this covenant for a league of nations, which he has not, and never did have, the right to do, even under his extraordinary war powers.

Sixth. Under it we surrender our sovereignty. We allow foreign nations to dictate when we shall declare war or when we shall make peace. Under it we will form a partnership with a host of unscrupulous nations. Under it we will send our boys to police the people of Europe and Asia, murderous by nature, debasers of women, fanatics by religion, and infamous in the scale of civilization: Now, therefore, be it

Resolved, That it is the unanimous sense of this meeting that the course pursued by the Members of Congress who have supported Senator LODGE in his gallant fight for proper reservations or amendments is to the best interests of all the people of the United States and is in line with their patriotic duty; and be it further

Resolved, That the attitude of Hon. L. HEISLER BALL, United States Senator from Delaware, and CALEB R. LAYTON, Representative in Congress, upon this vital question, has been and is 100 per cent American, and that Senator BALL is entitled to the enthusiastic support and the heartiest commendation of all his constituents for his courageous and statesmanlike stand.

H. H. BILLANY, *President*.
THOMAS E. PEENEY, *Secretary*.

Mr. JOHNSON of South Dakota. I present resolutions adopted by the Lead City Commercial Club, of Lead, S. Dak., condemning the strike of the bituminous coal miners. I ask that the resolutions be printed in the RECORD and referred to the Committee on Education and Labor.

There being no objection, the resolutions were referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

Whereas certain elements of organized labor engaged in the coal-mining industry have made certain demands for shorter hours and greatly increased pay, and seek to enforce such demands by a nation-wide strike, the effect of which will be to paralyze all business, means of transportation, and bring untold suffering and misery upon the people of the Nation, and particularly upon the poorer classes; and

Whereas the union workmen who threaten to bring this disaster upon the Nation represent only a small part of the laboring classes of the Nation and a mere fraction of the entire population of the country; and

Whereas the granting of these unjust demands will result in increasing the cost of living to the rest of the public, and placing upon them unjust and greatly increased burdens: Therefore be it

Resolved, That the Lead City Commercial Club, of the city of Lead, S. Dak., expresses the overwhelming sentiment of this community in now condemning as unjust and criminal the threatened strike in the coal-mining industry of the Nation, called for November 1, and we denounce the socialistic leaders who are responsible for the calling of this strike; and be it further

Resolved, That we unqualifiedly indorse the attitude of President Wilson in denouncing the aforesaid demands as unlawful and unjust, and we urge our Senators and Representatives in Washington to use all available means and adopt such measures as may be necessary, however drastic, to protect the American people from this threatened outrage.

Mr. LODGE presented a memorial of Mount Higgin Court, No. 629, Catholic Order of Foresters, of Anaconda, Mont., and a telegram in the nature of a memorial from the Speakers' Bureau of the Woman's Republican Club of New York City, N. Y., remonstrating against the ratification of the proposed league of nations treaty unless certain reservations are adopted, which were ordered to lie on the table.

Mr. CAPPER presented a memorial of Midland Grange, No. 1681, Patrons of Husbandry, of Burrton, Kans., remonstrating against universal military training, which was referred to the Committee on Military Affairs.

SUGAR SHORTAGE.

Mr. RANSDELL. I submit the views of the minority of the Committee on Agriculture and Forestry upon the bill (S. 3284) to provide for the national welfare by continuing the United States Sugar Equalization Board until December 31, 1920, and for other purposes, which was reported yesterday from that committee by the Senator from Oregon [Mr. MCNARY].

The VICE PRESIDENT. The report (No. 286, pt. 2) will be received and printed.

CAPITAL PUNISHMENT IN THE DISTRICT OF COLUMBIA.

Mr. DIAL, from the Committee on the District of Columbia, to which was referred the bill (S. 2756) to prescribe the method of capital punishment in the District of Columbia, reported it without amendment and submitted a report (No. 287) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

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

By Mr. JONES of Washington:

A bill (S. 3369) to construct a public building for a post office at the city of Port Angeles, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Georgia:

A bill (S. 3370) fixing the salary of the district attorney for the northern district of Georgia; to the Committee on the Judiciary.

By Mr. KIRBY (by request):

A bill (S. 3371) authorizing Gordon N. Peay, jr., his heirs and assigns, to construct, maintain, and operate a toll bridge and approaches thereto across the White River; to the Committee on Commerce.

By Mr. HENDERSON:

A bill (S. 3372) authorizing the Secretary of the Interior to issue a patent to Jennie Dunphy Meyer for certain lands in the State of Nevada; to the Committee on Public Lands.

By Mr. WALSH of Montana:

A bill (S. 3373) granting a pension to James Martin (with accompanying papers); to the Committee on Pensions.

By Mr. KENYON:

A joint resolution (S. J. Res. 123) providing for a special commission to deal with the present strike in the bituminous and lignite coal mines of the United States; to the Committee on Education and Labor.

RAVAGES OF EUROPEAN CORN BORER.

Mr. WATSON. I ask unanimous consent to have printed in the RECORD the report of Indiana representatives who have investigated the ravages of the European corn borer and made a report. I think it will be of interest, and I ask unanimous consent to have it printed in the RECORD.

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

"PURDUE UNIVERSITY
"AGRICULTURAL EXPERIMENT STATION,
"*Lafayette, Ind., October 24, 1919.*

"Senator JAMES E. WATSON,
"*United States Senate, Washington, D. C.*

"DEAR SIR: Some two weeks ago I visited the areas in Massachusetts and New York State which are infested with the European corn borer. This is a European pest imported into this country within recent years. Its work has caused considerable alarm in some quarters, especially in view of the possibility of the spread of the corn borer into the great corn-growing sections of the Middle West. It was with the view to getting first-hand information which could be used in formulating a policy for Indiana on the best procedure to prevent the corn borer from coming into this State that the investigation in question is being made. Inasmuch as large appropriations have been asked in Congress for the corn-borer fight it occurred to me that you might be interested in the attached memorandum which gives my own impressions of the situation.

Very truly, yours,

C. G. WOODBURY, *Director.*

"OCTOBER, 1919.

"EUROPEAN CORN-BORER INVESTIGATIONS—MASSACHUSETTS AND NEW YORK.

"The fact that the European corn borer had been introduced into the United States has been generally known for a year or more. The severity of its attacks in eastern Massachusetts and New York State were strongly emphasized, however, in the press reports, resolutions, etc., following the conference held the last of August in Albany and Boston by the National Association of Commissioners of Agriculture.

"On September 16 the director of the experiment station wrote the director of the conservation commission, calling attention to newspaper reports of extensive corn-borer damage and to the report of the conference above referred to, and suggested that the station and the conservation commission cooperate in determining what policy might be best for Indiana to pursue under the circumstances. A conference between Mr. Brown, president of the Indiana Farmers' Association, and the director of the conservation commission and the director of the experiment station, followed this suggestion. Its was agreed that an investigation ought to be made in the field and a first-hand knowledge gained of the exact situation in the Eastern States, the measures in operation to combat the ravages of the corn borer, the judgment of those in charge of the situation in the East as to possibilities of control or extermination, the probable or possible effectiveness of quarantine measures, etc. It was felt that a representative of the Federation of Farmers' Associations should also make the trip in order to supplement the judgment of the representatives of the experiment station and the conservation commission.

"The director of the station had been in correspondence with the Federal Horticultural Board in the meantime, and a meeting had been arranged between the Indiana representatives and the Federal Horticultural Board to be held in Boston, Friday, October 3.

"Personnel: The members of the Indiana party were as follows: Frank N. Wallace, entomologist, representing the Conservation Commission; L. M. Vogler, representing the Federation of Farmers' Associations; W. H. Larrimer, Federal entomologist stationed at La Fayette; C. G. Woodbury, director, representing the agricultural experiment station.

"At Boston we were joined by Dr. C. L. Marlatt, chairman of the Federal Horticultural Board, Washington, D. C.; Dr. Karl F. Kellerman, Associate Chief Bureau of Plant Industry, Washington, D. C., member of the Federal Horticultural Board; and George B. Sudworth, member of the Federal Horticultural Board. Dr. E. P. Felt, State entomologist of New York State, also joined the party at Boston. The local inspection was under the guidance of Mr. L. H. Worthley, in charge of the corn-borer control work in Massachusetts, and Mr. D. J. Caffrey, entomologist in charge of the Arlington corn-borer laboratory.

"In New York State the Indiana representatives and members of the Federal Horticultural Board were accompanied in the field by Dr. Felt, by Mr. Atwood, in charge of nursery inspection, under whose direction some corn-borer work in New York State has been done, and by Mr. Van Buren, who has had charge of field work in connection with corn-borer clean-up work undertaken by New York State.

"Itinerary: As stated above, the party was organized in Boston on Friday morning, October 30. Transportation was provided through the courtesy of Mr. Worthley's office, and the party spent most of the day in an automobile trip through as much of the infested territory north and west of Boston as could be covered.

"The members of the Federal Horticultural Board and the Indiana representatives left Boston Friday night and arrived at Albany Saturday morning. At Albany a conference was held with Mr. C. S. Wilson, New York State commissioner of agriculture, and the balance of the day was spent in a field trip inspecting as many of the infested fields as could be visited in the area about Schenectady. The party separated at Albany Saturday night.

"Conditions in Massachusetts: In Massachusetts the corn borer has two broods during the season and in a part of the infested territory at least is very thoroughly established, being found on smartweed, ragweed, lamb's-quarter, barnyard grass, cocklebur, and other weeds and grasses, as well as on sweet corn, flint corn, and rarely on silage or fodder corn, such as Eureka.

"Many new and interesting items of information about the habits of the insect were brought out during the course of the day's field trip. It has been established, for instance, that the insect may also occur and in the Massachusetts area is found infesting such garden flowers as salvia, peony, gladiolus, and dahlia. It has been found in pepper, in beets in the field, and is not uncommon in celery. From the economic standpoint it was appparent that the most damage was being done to sweet corn. The worst infested patches of sweet corn were seriously injured by the presence of the borers in the cob and the corn. In the worst infested patches of field corn, on the other hand, there were many sound ears even on stalks containing borers. Probably considerably less than half of the ears were infested in the worst infested patches of field corn. Much clean-up work has been done at State and Federal expense in this territory. The effectiveness of such work is questionable. There are fields which were not cleaned up last year but which nevertheless have a much smaller infestation of borers this year than last. On the other hand, there are fields in which as high as $75 per acre was expended in clean-up work in which the borers apparently are more severe this year than they were last. It seemed rather evident that the worst infestations were in fields surrounded by neglected and waste ground overgrown with weeds or bounded by abandoned war gardens grown up to weeds and old garden plants, corn, etc. One rather notable example of clean-up work was inspected on the Brooks estate, near Boston. The manager of this estate was instructed by the owner to do everything possible to rid the corn of the borer. Here methods of good, clean farming were followed; there were few weeds and no waste ground immediately about the cornfield, a rather close-clipped meadow came right up to the corn rows, and although the labor

cost in the clean-up work which has been done was probably greater than the average farmer would feel able to afford, nevertheless the work appeared to have resulted in diminishing the amount of infestation in a marked degree. The evidence of some other fields, however, where clean-up work apparently did not have this effect, must raise the question whether in such cases as the Brooks estate the results accomplished were due actually to the work done or to some operation of natural causes.

"There was a very interesting exhibit at the Medford experimental plats. Various varieties of corn had been grown on these plats, including different types of sweet corn, flint corn, and Eureka, a late southern dent corn. There was considerable infestation in nearly all of the varieties with the exception of the Eureka. This variety was still standing, the planting consisting of a single row through the plat, the early-maturing varieties of corn on either side of which had been harvested. Apparently there had been every opportunity for an equal infestation of the Eureka corn, yet it was difficult to find traces of a borer in this standing row. This would seem to offer interesting evidence or at least support the suggestion that our Indiana varieties of corn, which are much larger, stronger growing, and with heavier stalks than the sweet corn and flint corn grown in Massachusetts, might have a considerable degree of natural immunity to borer attack.

"Dr. Felt is inclined to place a different interpretation upon the apparent immunity of the Eureka corn in the Medford plats, his contention being that the susceptibility of the varieties depends in a large measure on its state of maturity, tassel formation, etc., at the time the moths are in flight and laying eggs, rather than on any inherent difference in the susceptibility of the variety to borer attacks.

"Some means of attempted control proved by Massachusetts State officials early in the borer fight have proved quite worthless. The party visited one field of probably 10 or 12 acres of sweet corn, which early in the season had been condemned by Massachusetts officials and ordered plowed up. The order had been complied with and sweet corn had been replanted late and had just matured its crop. Apparently the crop had been harvested, although it was not difficult to find a few ears remaining. Some of these ears were infested by the borer, but we were given to understand that the late-planted crop had nevertheless been quite profitable. It was apparent that the plowing up of the corn in the spring had not afforded protection from the borer. It has been shown that the borers may be buried 8 inches deep and yet pupate, and the moths emerge apparently without difficulty. The practice of attempting to control the borer by plowing under infested stubble or weeds is, then, entirely futile.

"It has been shown also that the borer may feed on lawn grass and come to maturity without having access to corn plants or the common weeds which it ordinarily infests.

"Conditions in New York State: In New York State the principal infested territory is in the vicinity of Schenectady. The insect appears to be confined mostly to corn in this district. Infested cornfields have been found scattered about an area of 400 square miles. There seems to be but one brood a season in the New York area. The infestation is much less severe and in most of the fields to which the party was taken, and which were considered among the worst infested, it was very difficult to find any borers. In no case was it clear that the borers had done much damage to ears. The most plentiful supply of borers in the New York area visited were found in the Mohawk Valley on land described as "The Island." The corn in this field had been cut. The field was bottom land much like many of the southern Indiana river bottoms. The low bluffs surrounding it and crooked channels cut by the river during high water were all overgrown with an abundance of weeds. The weeds were most of them infested with borers, many of which were identified as native species, but some of which may have been corn borers. In this field it was difficult to estimate the percentage of the damage, because many of the ears had been damaged by blackbirds, and, as stated above, the corn was cut and was in the shock. However, it was not difficult to find borers in the corn stubble. Certainly the borer has done very much less damage in New York State than the corn-ear worm has done in Indiana. The growers of sweet corn, we were informed, did not know their fields were infested. The buyers on the market also failed to discover the borer in field corn even from the infested districts in New York State, although an expert making a diligent search might discover the presence of the borer. We talked with several farmers in the New York area, none of whom had known that their fields were infested until entomologists had told them.

"I think it is generally agreed with regard to the New York situation that the damage caused by the borer is, from an economic standpoint, negligible, although some entomologists feel that the potential damage is great. There is every reason to believe, however, that the insect has been present in New York for some 10 years, with unrestricted opportunity to spread and become established. It must certainly have taken nearly this long to become disseminated over so wide a territory. If, during this time, it has become no worse at any point than it actually has become, it is questionable whether it is likely to be of much economic importance. The fact that much less damage has been done in New York State than in Massachusetts may be due to the fact that the insect has only one brood in New York State, whereas it has two in Massachusetts.

"Possibilities of control: It was apparent to the Indiana representatives that there is a considerable difference in point of view between State officials in New York State and the members of the Federal Horticultural Board. The New York Commission of Agriculture, for instance, appeared very anxious to obtain Federal funds to be used in New York State in a campaign to exterminate the borer. With the facts fresh in mind as to the wide range of plants which the borer infested in Massachusetts, with an area of over 200 miles infested in New York State admitted by the New York State officials, the idea of undertaking to exterminate the borer in New York State seems preposterous. The New York State officials, however, fall back on the contention that, inasmuch as the borer is found only on corn in New York State, no other plant need be considered in a campaign for control or extermination. This fact is, in the judgment of the writer, open to question. Even if corn, however, is the only plant infested in New York State, it is by no means certain—indeed, it is extremely unlikely—that the area now known to be infested includes all of the territory which actually is infested. Even if an exterminating campaign, therefore, were to be undertaken and were to be confined to the effort to exterminate the borer on corn, there would be a very serious question of the wisdom of spending large sums to destroy every infested cornstalk in the area of infection now known, with every probability that new areas of infestation in New York State, Massachusetts, and New England and the Middle West will be discovered within the next few weeks. The Indiana representatives were greatly interested, however, in an experiment which will be made this fall in Massachusetts to exterminate the borer on an area of some 42 square miles. Very elaborate preparations have been made for this fight. Machines have been constructed into which will be fed all succulent material, weeds, etc., which may be collected from gardens, roadsides, fields, etc. This will be crushed in such a manner that any borers contained will be killed. All cut-over ground along the roadsides, gardens, back yards, waste lands, etc., will then be gone over with fire. Powerful machines for spraying burning oil have been prepared for this purpose. The result of this attempt to exterminate the borer over a relatively small area will be watched with interest. In the opinion of the writer, however, it will be impossible, even at the very large expense incurred.

"The possibilities of quarantine: The Indiana representatives were greatly interested in studying the field conditions in Massachusetts and New York State with a view to determining the possibility of an effective Federal quarantine on infested territory, thus protecting the balance of the country against the possibility of invasion by the borer. When it is recalled, however, that a new infestation has recently been found in Pennsylvania, that there is strong likelihood that infested areas will be found in the Ohio Valley, a quarantine of infested districts in Massachusetts and New York is made ridiculous. It is impossible even in the New England section to draw a line about the infested territory with any likelihood that new infestations will not be found outside of that line as soon as there has been time to make a reasonably thorough search. A quarantine is thus made impossible if for no other reason than because it is impossible to define the area which ought to be quarantined. When it is considered, moreover, that sweet corn is often sold from home stands in front of the farmer's residence, and that motor travel is continuous throughout New England, and that any automobile party buying roasting ears at a farmer's place might spread the infestation to remote territory, and in view of the impossibility of controlling such sales and such transportation, the enforcement of a quarantine is seen to be doubly impossible.

"Moreover, large areas in New Hampshire and Vermont and in the States south of Massachusetts are dependent for thousands of tons of foodstuffs on the trucking area about Boston. New Hampshire officials last spring, after viewing the whole situation, said emphatically that they would much prefer to take the corn borer into New Hampshire than to have New Hampshire deprived of its food supplies from Massachusetts.

"What should Indiana do? Indiana should know definitely whether the borer is within the State or not. For this purpose we propose immediate surveys with the assistance of specialists detailed for this work from Mr. Worthley's force of Federal scouts. There is reason to believe that the borer was introduced in this country some 10 years ago on shipments from Austria-Hungary of broom corn. Several hundred tons of this broom corn came into the Ohio Valley. Every effort should be made to ascertain whether any Indiana broom-corn factories used any of this material and search should be made for the borer in the neighborhood of such factories if any are located. If any Indiana sweet-corn canners have imported seed from infested areas in Massachusetts it is possible that the borer may have been introduced with the sweet-corn seed. Immediate steps are being taken to find out whether any Indiana canners have such imported seed, and surveys will be directed at once to any territories to which such seed may have been distributed. No quarantine should be imposed in Indiana for a few weeks until there has been further opportunity to determine whether the borer is already within the State, and if so, how much territory may be infested.

"If the borer is not found or it appears to be restricted to a very small area, importation of pop-corn seed or sweet-corn seed on the cob should be prohibited. It may be that importation of all seed corn on the cob should be forbidden.

"In any event, Indiana sweet-corn canners should be advised fully of the borer situation, and should be advised to pool their orders, so far as possible; send an agent east to close contracts for seed; arrange to have such an agent accompanied by a competent corn-borer specialist; and to satisfy himself that seed for Indiana has been grown in noninfested areas. Such seed should be shelled after being inspected and approved for type and none shipped into Indiana on the cob.

"The Indiana representatives can not subscribe to the alarmist campaign apparently being conducted by the National Association of Commissioners of Agriculture. We do not believe that the 'corn crop and all that goes with it is doomed' unless the borer is exterminated. We believe that a large measure of borer control may be found in the practices of clean farming and good husbandry. Additional protection may be obtained through planting corn at the right time. We believe that abundant appropriations should be made immediately available by Congress to enable the Bureau of Entomology and the Federal Horticultural Board to make thorough surveys and to determine at the earliest possible moment every section of the country in which the corn-borer infestation already may have started. We believe that wherever the borer has appeared measures should be taken at once by State and Federal authorities to see that seed corn on the cob is not shipped out, as this appears to us to be by far the most probable means of dissemination at the present time. We believe that the effort to determine whether extermination is possible is well worth making on the limited area in Massachusetts, although we are skeptical as to the success of any extermination campaign and doubtful as to whether the great expense would be justified as an economic measure. We believe that the amount of Federal appropriations necessary to enable the Federal departments to wage the most effective possible campaign against the borer can be determined much more accurately by the Bureau of Entomology and Federal Horticultural Board, who have responsibility for the work done than by State commissioners of agriculture."

TREATY OF PEACE WITH GERMANY.

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

The VICE PRESIDENT. The pending question is the amendment of the Senator from Wisconsin [Mr. LA FOLLETTE] to strike out Part XIII of the treaty. [Putting the question.]

Mr. LA FOLLETTE. I understood that the Senator from Illinois [Mr. SHERMAN] was to speak on the amendment this morning. I think he did not understand that the treaty is before the Senate.

The VICE PRESIDENT. The Chair waited for a while before calling for a vote.

Mr. LA FOLLETTE. I think the Senator from Illinois did not hear the call of the Vice President for a vote upon the amendment.

Mr. THOMAS. I certainly did not, for I wish to ask for the yeas and nays on agreeing to the amendment.

Mr. SHERMAN. I understood that a roll call would be taken on the question.

The VICE PRESIDENT. It is no vote if the Senator wants to speak.

Friday, October 31, Monday, November 3, and Tuesday, November 4, 1919.

Mr. SHERMAN. Mr. President, the second part of the treaty will, by consent, in the event we ratify without adopting the motion of the Senator from Wisconsin [Mr. LA FOLLETTE] to strike out the article I refer to in Part XIII, result possibly in economic pressure being applied to our Government and our people in the event we do not obey the international labor body passing upon various questions. Those questions may refer directly to our domestic affairs. In fact, they are enumerated here by way of example so as to remove any question of the character of subject that comes before the league of nations or the international labor body. Part XIII of the treaty, section 1, refers to the organization of labor, reciting:

And whereas conditions of labour exist involving such injustice, hardship, and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperiled; and an improvement of those conditions is urgently required, as, for example—

Here are the arguments used, of the very kind that refer to our domestic problems, to illustrate the scope of the investigation and findings made by the international labor body—

as, for example, by the regulation of the hours of work, including the establishment of a maximum working day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease, and injury arising out of his employment, the protection of children, young persons, and women, provision for old age and injury, protection of the interests of workers when employed in countries other than their own, recognition of the principle of freedom of association, the organization of vocational and technical education and other measures.

If there is anything left out of the illustrations of the scope of the investigations in these enumerations, we have not found it in this Chamber, nor have any of the large States of the Union having great industrial organizations found it. They include, Mr. President, every subject on which New York, Pennsylvania, Ohio, Indiana, Illinois, Iowa, and many other States have legislated. It continues:

Whereas also the failure of any nation to adopt humane conditions of labor is an obstacle in the way of other nations which desire to improve the conditions in their own countries.

The high contracting parties, moved by sentiments of justice and humanity as well as by the desire to secure the permanent peace of the world, agree to the following.

What I have read is the preamble of Part XIII of the treaty with Germany.

When these subjects in the preamble are examined, therefore, it will be found that they leave practically nothing that is not used by way of illustration; they cover the whole ground of labor legislation. A preamble here, as in other instances, indicates the range of subjects embraced in the subsequent provisions.

I wish to remind the authors of this document, as well as some Members of the Senate, that the various States of the Union enacted progressive and liberal labor laws before Great Britain and other European nations. Our States were found legislating upon the subjects mentioned in this preamble long before his distinguished highness the Sultan of Hejaz ever heard of labor legislation.

Hejaz is a State created out of the Arab population of western Asia. I have some Arabs among my constituents. I do not believe many of them are naturalized. They dwell down below the board of trade, southwest of the foot of La Salle Street, Chicago, for a time quite a large colony, some 350 or 400. We also have in our constituency some Chinese. There are in Cook County 400 Chinese voters. It does not do to ignore the Chinese vote. They might be conclusive in certain wards or in certain closely contested elections. Those Chinese were born in Chicago, Ill. They have the birthright of an American citizen. They are registered before the board of election commissioners; their habitation, street number, and the like, duly accounted for; and they are entitled to all the rights of franchise that belong to the Caucasian. They are recognized by the laws and by the local rules of elections in our State. We have in our country a polyglot people, but that is no reason why we ought to surrender our domestic labor affairs to the control of the European or Asiatic Governments whence some of these people come.

But, Mr. President, it is a work of supreme insolence for the preamble of Part XIII, and the subsequent sections of this part, to undertake to instruct some of the States of the United States how to legislate on the regulation of these labor questions. In 1897 and in 1899 the first juvenile delinquent court act so far as I know in the world—and I know the first one in the United States—was enacted in Illinois. The original act was in 1897, and the amendatory act, after two years' experience perfecting

and applying it, as a result of valuable experience for that period, came in 1899. This was a juvenile-court act to deal with juvenile delinquents that were growing up gradually in the larger cities of the State, especially in Chicago and Peoria and certain others.

The vast body of forsaken children, abandoned by their parents, either criminal or semicriminal, the illegitimate children whose parents had left them to the tender shelter of a dry-goods box or under a warehouse, or to the care of a foundling asylum that took the earliest opportunity to shift their responsibility upon the general public, were gradually furnishing recruits to the criminal population of the larger metropolitan centers.

Some remedy was required. It was given by the statute to which I have referred, resulting in the creation of a school for boys, in which from 500 to 1,000 of the juvenile delinquents are committed by proper court orders, by the county court outside of Cook, and the juvenile court inside of Cook County.

These regulations take the boy, or the girl, for whom a separate school is established, and seek to reclaim them from their ways. We have a farm of nearly 600 acres at the boys' school, and also a farm and garden at the girls' school. They are taken out of their criminal or semicriminal surroundings, put in the school, and given humane care. The house father and house mother take a certain number of them, not exceeding 40 as a rule, in a cottage. They do not put them all in a large building, but have adopted the cottage plan, and the house father and the house mother take the boys and care for them. The boys have their rooms, and their own personal belongings that they are allowed to have after they come to the place. They are given every opportunity, including school, regular hours, work on the farm or in the garden, and every form of useful occupation.

As a part of this system there is a child-labor law. The child-labor law has existed in our State for many years. It has been well enforced by the State. An effort was made by the Congress to regulate the matter. It met with an adverse decision in the Federal Supreme Court. It was beyond the power of Congress so to legislate.

These two matters are intimately connected with the subject of this preamble. Necessarily, child labor will be considered by the international organization. It must, in the nature of things, lead to some recommendation. Just what Great Britain may do, or France, or Italy, or the various European countries we do not know. They may take some action similar to our State legislation, or the unconstitutional bill passed by Congress. The difficulty mentioned by the senior Senator from New Mexico [Mr. FALL] must then arise. However, when they undertake to legislate on that, it removes from the several States of the United States and from Congress all future legislation not in express terms by the powers granted or by the prohibition made, because the several nations reserve to themselves the usual rights of sovereignty, even if nothing were provided in the treaty; but to make assurance doubly sure, there are provisions in the treaty which, if we ratify it unamended, if we vote down the motion of the Senator from Wisconsin [Mr. LA FOLLETTE], will leave us consenting to place in the hands of the various other nations of the world a club with which to smite us if we refuse to take the recommendation of the international labor organization. We thereby effectively surrender practically our power to regulate our domestic affairs, either by Congress or by the several States of the Union.

I predict that our labor legislation, our remedial and humane features adopted in so many of the State laws, beginning with Wisconsin, which is an essentially progressive State in such legislation, and with all the States of the Middle West of an industrial character and reaching to the Atlantic coast, will no longer be binding if the league and treaty are ratified in their present form. I resent the assumption, coolly made by this document, that other parts of the world can advise us better than we can advise ourselves upon domestic questions of this character. Who was it that passed the first child-labor law? The State. Who passed the first act regulating the hours of labor for women? The State. Who passed the first compensation law for injury, abolishing the ambulance chasers and the damage lawyers in the cities? The States did it. Who first abolished the necessity of employing lawyers and paying 25 or 50 per cent of the judgment finally collected? That was done by the States. The old-age pension is the only thing in which England led the way. Their act of 1911 was the first old-age pension act for industrial workers in Europe as well as in the Western Hemisphere. That, however, is not a very complete act. It has been amended several times.

The preamble of the treaty and all of Part XIII carry the assumption that the international labor body will be more competent to deal with our internal labor problem than we are ourselves. These various articles set forth that—

> A permanent organization is hereby established for the promotion of the objects set forth in the preamble.

Those are the various ones which I have read.

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

Then it provides in subsequent articles for the members to be represented by various delegates and by their advisers. Everything on the docket for investigation at the international labor body's meeting will entitle the member nation to send not only delegates but to send advisers upon each separate item on the docket that is made up for the meeting. The agenda referred to in the treaty is precisely in effect the same thing made up in a court docket. The matters that come before that section for hearing are made up and delegates are entitled to two advisers upon each subject. One delegate can go on child labor, another on woman labor, another on old-age pension, yet another on personal injuries and compensation, yet another on hours of labor and the minimum wage scale, and all the other various items that enter into the labor controversy, and two advisers may be sent upon each subject.

I do not know, Mr. President, where the limitation as to expense may be. Who would name these advisers would likely depend upon an act of Congress or upon the Executive, who, in the absence of legislation, would probably assume the power to name delegates. It would remain, therefore, for Congress by appropriate legislation to provide funds to meet the expenses.

Various articles provide for the machinery for carrying these powers into effect. An international labor office is created "under the control of a governing body consisting of 24 persons, appointed in accordance with the following provisions." Then it sets out in detail that 12 persons shall represent the Governments; six persons elected by the delegates to the conference representing the employers, and six persons elected by the delegates to the conference representing the workers. Then, after various details are taken care of, it is provided in article 405 that:

> When the conference has decided on the adoption of proposals with regard to an item in the agenda it will rest with the conference to determine whether these proposals should take the form (a) of a recommendation to be submitted to the members for consideration with a view to effect being given to it by national legislation or otherwise, or (b) of a draft international convention for ratification by the members.

It may be referred to the several member nations to be made effective by legislation enacted by the proper bodies of each nation, or it may take the form of a reference to be ratified by each nation. In the event of the ratification plan, or, as it is called here, of a draft international convention for ratification, whenever the nations concerned ratify it, it becomes binding as to the nations so ratifying. If all of them in Europe ratify and we do not, we thereby become an outlaw nation. Let us see what happens under those conditions:

> In framing any recommendation or draft convention of general application the conference shall have due regard to those countries in which climatic conditions, the imperfect development of industrial organization, or other special circumstances make the industrial conditions substantially different and shall suggest the modifications, if any, which it considers may be required to meet the case of such countries.

Then, referring to member nations, it provides:

> Each of the members undertakes that it will, within the period of one year at most from the closing of the session of the conference, or if it is impossible owing to exceptional circumstances to do so within the period of one year, then at the earliest practicable moment, and in no case later than eighteen months from the closing of the session of the conference, bring the recommendation or draft convention before the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action.
>
> In the case of a recommendation, the members will inform the secretary general of the action taken.
>
> In the case of a draft convention, the member will, if it obtains the consent of the authority or authorities within whose competence the matter lies, communicate the formal ratification of the convention to the secretary general—

That is, to Sir Eric Drummond, who is now secretary general of the league—

> and will take such action as may be necessary to make effective the provisions of such convention.
>
> If on a recommendation no legislative or other action is taken to make a recommendation effective, or if the draft convention fails to obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the member.

In that event it does not bind us. No question of the kind referred to by the Senator from New Mexico [Mr. FALL] could arise, because there is no treaty obligation assumed. But the

matter does not rest here, for here is the economic weapon placed in the hands of the ratifying nations:

In the case of a federal State, the power of which to enter into conventions on labour matters is subject to limitations, it shall be in the discretion of that Government to treat a draft convention to which such limitations apply as a recommendation only, and the provisions of this article with respect to recommendations shall apply in such case.

Under this provision Great Britain and all of her colonial dependencies may escape. Canada, under her claim of sovereignty, would be exempt. It is written with an eye single to the conditions of the British Empire. That country is farsighted in caring for her own. I now read from article 409:

In the event of any representation being made to the international labour office by an industrial association of employers or of workers that any of the members has failed to secure in any respect the effective observance within its jurisdiction of any convention to which it is a party, the governing body may communicate this representation to the Government against which it is made and may invite that Government to make such statement on the subject as it may think fit.

That is preliminary to one weapon, as if employers and employees did not now have sufficient difficulties to bring before the general public and without causing disputes to arise afresh with the sunrise of each day. Here is another section that not only in the capital city of every State in the Nation but in this Capital will cause resort to be made constantly to the various labor boards, annoying both to the laborer and the employer. As if that were not difficulty enough in our domestic affairs, to make confusion worse confounded, this section must come in, under which employers and labor representives themselves will be required to go beyond seas, for the conference meets at Geneva in the absence of affirmative directions by the league or by the international conference to meet elsewhere. Therefore the employees and the employers upon complaint will be constantly called to cross the sea, there to meet any charges that may be made against them by the authority of this treaty.

Then, after the hearings shall have been had at Geneva, in article 413 it is provided:

The members agree that, in the event of the reference of a complaint to a commission of inquiry—

The creation of which is provided for in a preceding section—

they will each, whether directly concerned in the complaint or not, place at the disposal of the commission all the information in their possession which bears upon the subject matter of the complaint.

In other words, there has been a hearing of the complaint, a finding made, and then a report by the commission of inquiry. Article 414 provides:

When the commission of inquiry has fully considered the complaint, it shall prepare a report embodying its findings on all questions of fact relevant to determining the issue between the parties and containing such recommendations as it may think proper as to the steps which should be taken to meet the complaint and the time within which they should be taken.

I anticipate in the cotton belt, for instance, where factories are developing in close neighborhood to cotton production, where child-labor laws are now within the power of the various States concerned, that this matter will be of vital consequence, because the last paragraph of article 414 is as follows:

It shall also indicate in this report the measures, if any, of an economic character against a defaulting government which it considers to be appropriate, and which it considers other governments would be justified in adopting.

Almost halfway around the world British engineers, along in the nineties, planned at the second Nile cataract one of the greatest engineering works in the world, the Assouan Dam in the River Nile being the result. It doubled the area of arable land subject to overflow in the whole valley of the Nile. Incidentally, it destroyed some of the ancient ruins of the time of the early dynasties of the Rameses and the Pharaohs, but it practically doubled the acreage of cotton land of the whole valley. It created vast reservoirs that caught the overflowing water during the flood seasons when it comes down from equatorial Africa, following the torrential rains of that region. It stores great quantities of water for the dry season, and with proper engineering facilities is the greatest irrigation project the world ever saw.

The labor question in Egypt and the Nile Valley is not an acute one. People looking for work are much more numerous there than are the opportunities for employment. The wages are correspondingly low. It is a tropical country, the standards of living are different from those in the north temperate zone, clothing and lodging do not become expensive, and, consequently, the economic conditions lend themselves to the production of cotton.

The long-fiber cotton of the Nile Valley is used for certain manufacturing purposes. It is a competitive article in our market with the long-fiber or sea-island cotton of certain of the Southern States. The upland or short-fiber cotton is an entirely different merchantable article. The Nile cotton and the sea-island cotton are used for laces, for fine underwear, for sewing thread, for ladies' lingerie, and articles that are required to be of a more expensive weave and structure. This cotton comes to our shores by way of England, and many million dollars' worth are entered at the port of Boston and sold in competition with our own sea-island cotton. The importation is beginning to affect our market; those who deal especially in the home-grown article are beginning to feel the effect in price. This engineering work was the beginning of the competition. The English are always long-headed in their philanthropic enterprises and in their governmental protectorates of the various countries around the world over which they exercise power. They propose to grow cotton of both varieties to supply the demands of their mills. They do not propose to be dependent upon the United States for cotton any longer than that development can be had.

Therefore when they control by economic means authorized in these articles our exports, it will be comparatively easy to bring in some regulation before the commission of inquiry that is distasteful or impossible under our laws or our methods of manufacture. It will be the easiest matter in the world for an English manufacturer in Manchester to make a complaint and to secure a finding, with their influence in the league and upon this commission of inquiry, that will make it impossible for us to comply. They can regulate, for instance, by such a finding as they see proper, the method of raising cotton, both upland and sea-island cotton, in the United States. They can limit ages, hours, and conditions of service either in factory or on the cotton plantation. That controversy having been provoked, they may proceed to a finding which will make it impossible for us to raise cotton and export it to their country. They are adepts in regulating the terms under which we go through their customhouses. It will be comparatively easy to contrive a finding that we can not comply with; and then, under this provision, the last paragraph of article 414, they can have the commission report what measures, if any, of an economic character shall be had against our defaulting Government. It is no more than her navigation laws of other days.

Great Britain, with her navy, can afford to make any commercial regulation she pleases. She can lay an embargo upon cotton. She can lay it on agricultural implements, as she has in effect already done. She can stop us from shipping by adverse regulations, either of duties or of burdensome consular provisions or of actual prohibition by an embargo, until we can not enter her ports anywhere in the United Kingdom of Great Britain or in any of her colonial dependencies; and she may, by her influence, reach every nation in Europe, Asia, and Africa. With those with whom she has influence in South America, she may bar their ports not only to the article named, but to all other merchantable products in our exports.

Therefore, Mr. President, it seems to me that it is of some concern to us to know whether this provision shall be ratified by a vote of the Senate. We are in a condition, it is true, to resist it; but economic pressure applied in strict accordance with what the Senate ratifies, it being already approved by the Executive, puts us in the embarrassing position of having agreed to the embargo or other prohibitory or restrictive measures that may be leveled against us. How will we object to it, either by peaceable measures or by movements warlike in character, after having consented that those provisions shall be applied to us?

I see no reason for aliens interfering with our labor problems. We work them out to suit ourselves. We have been fairly successful in the United States not only in settling our controversies such as impend to-morrow but in legislation that justly cares for the rights of both employer and employee. It seems to me that it is an instance of insufferable impertinence for these nations to come in and undertake to tell us, in our domestic affairs, how we shall regulate our labor problems, or, in the event we do not agree with them, that they will apply economic pressure by refusing to open their ports to our merchant ships or placing burdensome duties upon us.

I said a while ago that Great Britain was an adept in finding such means of restricting imports. I wish particularly now to refer to a letter of August 28, 1919, in order to illustrate the method in which Great Britain obtains advantages with no such instrument in her hands as the one I have referred to in article 414.

Barnhart Bros. & Spindler are one of the oldest type founders and manufacturers of printers' specialties in the Middle West. In a letter from Chicago under the date given, addressed to myself, they refer to the following trade regulations now made, even in the absence of this treaty:

Last June a Mr. Radiguer, of Paris, France, was in the United States intending to buy a large amount of printing material. In fact, he left with our house a handsome order; also orders with other Chicago con-

cerns dealing in printers' goods. In July, just before sailing for France, he wrote us that France had added 30 to 35 per cent to its tariff on printing machinery coming from the United States and but 15 per cent on that coming from Great Britain. This indicates that France wishes to buy all the printing supplies she needs from England or possibly from Germany.

Even if reciprocity and gratitude for favors done France does not give us a fair field for trade there, it would seem that the "most-favored-nation" policy entitles us to fair treatment.

Is it not possible and proper for our Government to make a vigorous protest against such unfair discrimination?

This letter is signed by Mr. French, the president of the company.

Again, in the Middle West are some of the largest agricultural-implement plants in the world. That country was not only the inventor of the corn planter and various improved forms of agricultural implements, including wheat drills, but it has become the manufacturer of supplies that go around the world under normal conditions. The wheat fields in the Black Sea country were drilled with machines made in this belt. Plows made in the same country were sent all over the wheat area of Russia and part of France. With the armistice, dealers in agricultural implements thought that certainly conditions would now favor the restoration of the trade which they enjoyed before the war. Nearly the entire export trade to Europe is gone, as a necessary result of warlike conditions. It had been somewhat interfered with in South America and Central America because of the lack of shipping facilities; but with the return of normal peace conditions, and more tonnage being available for shipping purposes, it was supposed that an opportunity would be given to restore those market conditions. For some reason—I am unable to sav why—the Government has resolutely refused to give to agricultural-implement dealers licenses to engage in the export trade. In the case of the single agricultural implement of corn planters, for instance, about 80,000 corn planters are required to supply the domestic market. Our export trade requires a considerable number, although for other forms of agricultural implements the requirements are much larger. A resumption of these exports would only restore to us the trade we had before the war. It is entirely a normal condition. It asks us for nothing new. It only gives to us what we had under ordinary trade relations with other countries.

It seems, however, that in portions of Europe we are not permitted to enter if we wish, even if we have the proper license from the proper authorities in our country, prior to the ratification of the peace treaty. The following appears in a cablegram from Rome:

Owing to restrictions on the importation of American-made tractors, binders, and other agricultural implements, American representatives of these firms are compelled to stand idly by and watch the French and British makers, who are allowed to enter.

A prewar agreement between Italy, France, and England permits this discrimination, which now puts American machines under the recent new restrictions. While special permits may be obtained, the difficulties of red tape practically eliminate American makes.

Further complications enter the situation because the Italian Government has started a plant for similar machines, and the output is a copy of a well-known American machine. Initial contracts have been closed for $3,000,000 product. It is generally conceded American machines are superior, but they can not surmount these handicaps. That Italy is showing great fortitude and patience in "carrying on" as it is despite the lack of coal is the opinion of Edward H. E. Beckert, of New York City, consulting engineer for the Standard Oil Co. Beckert is in Italy in connection with construction enterprises by his firm, the nature of which can not be divulged at present. From Rome he proceeds to Constantinople to take charge of the Standard Oil interests.

Mr. President, I ask that the whole of the article be printed without reading.

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

The matter referred to is as follows:

"America and England should combine to furnish Italy coal and other necessities," said Mr. Beckert. "Italy at present is struggling and facing tremendous odds to reestablish her industries and manufactories, and unless the great powers like the United States and England see to it that Italy receives sufficient coal Italy can not continue.

STRONG FOR AMERICA.

"I find in coming in contact with business men from all parts of Italy that a decided pro-American spirit exists.

"While the Fiume incident is a sore spot and President Wilson's personal attitude is resented, a spirit of friendship and good will toward the American people is everywhere manifest. Italian business men realize also that the rate of exchange must be stabilized before they can engage in business with American firms on the prewar scale, and with this end in view they are bending their energies to strengthen their financial situation."

Mr. SHERMAN. There is a further difficulty, which seems to be entirely of British origin. It comes from regulations, burdensome in character, in entering the English market. A cablegram from London, as far back as last March, informs us that—

England is swarming with American business men, who came here fully expecting to reestablish their old connections as soon as the vital factor of tonnage permitted, but who now find themselves under heavy handicaps in view of the system of special licenses under which all imports will be controlled, at least until September 1.

These regulations are of the kind that can not be overcome and permit profitable trade.

This, too, Mr. President, I ask to have inserted in the RECORD without reading.

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

The matter referred to is as follows:

They realized that while the war was being waged the allied Governments had the first call on shipping, regardless of private interests. They have the tonnage now, but official barriers prevent their using it.

Some think they have a grievance. They kept up their British establishments at a loss during the war on the expectation of doing business again immediately after the close of the struggle.

The process of obtaining import licenses is that each prospective importer must present his case to the board of trade and to the controller of imports. Each case is dealt with on its merits, as the controller judges it from the importer's standpoint, and the board of trade's first consideration is whether the goods in question can be obtained from English firms. If they can, the license is refused. If the importer makes out a particularly strong case for special consideration, he will be permitted to ship limited quantities.

DOMINIONS ARE EXEMPT.

Conspicuous among the American products which find themselves against what virtually amounts to a stone wall are motors, boots, and typewriters, which cost from $200 to $300 in England to-day.

It is said a great British company which has hitherto devoted its plants to the manufacture of implements of war is transforming its works for the manufacture of typewriters.

The self-governing dominions of Great Britain are exempt from the difficulties the Government's policy imposes on foreign merchants.

The situation is looked upon as the beginning of an important chapter in the after-the-war economic adjustment.

Arguments of the free traders have been roughly summarized by the Morning Post, which is the strongest protectionist newspaper in Great Britain. It also points out the possible weakness of the temporary licensing measure.

Free-trade newspapers are also criticizing the Government's policy regarding importations, which was first disclosed by Sir Auckland E. Geddes, minister for national service and reconstruction, in the House of Commons on Monday. The newspapers denounce this proposal as an attempt to introduce protection without any mandate from the voters, insist that a great majority of the voters are opposed to a protective system, and declare that England is still a free-trade country at heart. They say that "Great Britain gained her commercial and financial supremacy through free trade and can hold it only by free trade."

IMPORTERS FEEL HANDICAP.

One point on which newspapers of all shades and views on the tariff are agreed is that, after British manufacturers and merchants have enjoyed the sort of protection afforded to them by the license system, the "vested interests" will have been built up, or at least fostered, which will make it difficult to revert to a free-trade basis.

From the viewpoint of importers, the license system handicaps them with all the disadvantages of a protective tariff without its stabilizing virtue of certainty. They say that with a protective tariff of 30 or 50 per cent, or any specific rate, they would know where they stand and might adjust their prices and do business in accordance with well-known conditions.

At present they do not know whether to plan to do any business, because they can not count on being licensed to import any given quantity of products, or on being prohibited altogether from making imports.

GOLD BARRED AT PRESENT.

The Government, however, is able to present strong reasons for special measures. British industries have been torn to pieces by the war. They have been compelled to give up all ordinary business, transform their plants into munition factories, and take orders from the Government. They have virtually submerged themselves in the Government machine and now claim that the Government is under obligations to give to them help and protection in the broadest sense during a breathing spell sufficient for them to readjust themselves to peace conditions.

The board of trade announced to-day that the general license permitting the importation of British Empire products and manufactures will not at present apply to gold or articles containing gold, except when consigned direct to the Bank of England. It will also not apply to spirits, except brandy and rum, but it will include hops.

Mr. SHERMAN. Another article I have indicates yet a further provision of Great Britain's application of red tape and burdensome trade restrictions. The article is copied verbatim from the Times of India, a large and influential newspaper of British India, under date of September 12, 1919. I shall not read it at length, but only in substance give its provisions.

An embargo is laid on the export of hides from the British East Indies. It is not an embargo in express terms, which would be too palpable, but a duty of from 10 to 15 per cent on exports is levied at the customhouses, so that that enabling act gives to Great Britain and her colonial dependencies, exempted under the regulation, the advantage of an exclusive market for all of the hides going to the tanneries of Great Britain and her colonial possessions.

This article I also ask to have printed without reading, Mr. President.

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

The matter referred to is as follows:

THE INDIAN EMBARGO ON HIDES AND SKINS.

The following article is copied verbatim from the Times, of India, a large and influential newspaper of British India, under date of September 12:

"In introducing the Indian tariff act amendment bill, the Hon. Sir George Barnes said: 'The effect of this bill can be stated in a very few words. It is to impose an export duty of 15 per cent on hides and

skins with a rebate of 10 per cent to hides and skins exported to other parts of the empire and there tanned. Its object is to insure that our hides and skins shall be converted into fully tanned leather or articles of leather so far as possible in India, and failing this in other parts of the empire instead of being exported in a raw state for manufacture in foreign countries. I need not take up the time of honorable members with any detailed account of the history of the hide and skin trade in India. It is a common knowledge to all honorable members that before the war the hide trade was monopolized by the Germans and at that time the tanning trade in India was comparatively very small. Great changes were brought about by the war, immense quantities of leather were required for war purposes for soldiers' boots, for saddlery, and for equipment of various kinds, and sufficient tanneries for converting the hides into leather were not available outside Germany. The result was that tanneries for this purpose sprang into existence in India under the guidance and with the friendly assistance of the Indian Munitions Board. In this way India rendered an immense service to Great Britain and her allies in the war and incidentally greatly benefited herself. While the tanning of hides in India was fostered and stimulated by war requirements, the tanning of skins was injured, for it was found necessary to divert the energies of the skin tanners to the tanning of hides for military requirements. During part of the war it was unfortunately necessary to prohibt absolutely the tanning of skins. The present position is that we have in India at the present time some hundreds of tanneries for the tanning of hides, a large number of which have come into existence in order to satisfy military requirements during the war; we have in fact the foundation of a flourishing tanning industry. But there is reason to fear that it may tend to dwindle and disappear with the diminution of military requirements if some other support is not given. We want to keep this industry alive and we believe that in this case protection in the shape of a 15 per cent export duty is justifiable and ought to be effective.

A MEASURE OF PROTECTION.

"'It is clearly just also that the same measure of protection should be extended to the tanners of skins whose business, as I have already stated, was injured by the necessities of the war. Though Indian tanneries have enormously increased in number during the past three years, we can only deal with the comparatively small proportion of the raw hides and skins which India produces, and it is to the advantage of India and the security of the Empire in general that this large surplus should, so far as possible, be tanned within the Empire, and with this end in view the bill proposes a 10 per cent rebate in respect of hides and skins exported to any place within the Empire. I should add that it is proposed to limit by notification the benefit of this rebate to hides and skins actually tanned within the Empire, and Indian hides and skins reexported from the Empire for the purpose of being tanned abroad will not be entitled to any rebate. I need not tell you, sir, that the effect of the bill on the producers of raw hides and skins has been most carefully examined by our expert advisers. We have no desire to benefit the Indian tanners at the expense of the Indian cattle owners or dealers in hides and skins. We are advised that the world demand for Indian hides and skins is so great that there is no risk of any injury being done. We have no cause to be afraid of the competition of the raw hides and skins from other countries. In the world's leather market India has almost a monopoly in respect of skins and produces such a very large proportion of the lighter types of hides, which are far the most suitable for certain purposes, that the world will never be able to do without Indian hides in one form or another. In conclusion, the bill is an effort to keep the tanning industry on its feet. The next few years will be years of difficulty and danger owing to the changed conditions and reduced demands for the army, but when the years are passed I believe that the future holds out a promise of great possibilities for the tanning industry in India. We have the hides, the skins, and practically all the tanning materials ready to our hands and an almost unlimited world demand for leather. It is one of the most promising Indian industries, and we hope that the beginning, which has been so well made, has a bright and successful future before it.'"

TANNERY SCHOOLS.

The Hon. Mr. Crum said that he thought it proper that the duty should be kept no longer imposed than was necessary to launch the industry in India. As far as he was concerned, it was a very simple bill, and it seemed to be quite satisfactory, but he wanted to refer to two points mainly connected with the bill. India could not help importing hides and skins from England, but in order to give the bill a practical shape it was necessary to see that a large number of Indian youths were educated in the industry of tanning. He suggested that a part of the duty which was proposed should be set apart for starting one or two schools of tannery in India. If some schools were located in different parts of India, and if necessary staffs for such schools were imported from England, he was quite sure that within a few years there would be in India an industry of tannery which might meet the demands of the country. He pointed out that the exporters of raw hide and skin would not give support to the bill chiefly on the ground of the effect it will produce on them, but, anyhow, the amelioration of the problem depended on the lines he suggested.

The Hon. Mr. Nigel Paton thought the bill was the first fruit of the labors of the industry commission, and it was the first step toward the industrial regeneration of India.

The motion was further supported by the Hon. Mir Asad Ali and the Hon. Sir Dinshaw Wacha. The afterthought of the bill was the harbinger of similar other measures.

The Hon. Mr. Sarma congratulated the Government on the initiation of their economic policy.

The Hon. Pundit Malaviya thought it was a great tragedy that in spite of all resources and economic supply of raw hides, the Government should not start tanning industries in India but grant a rebate to countries which imported hides.

The Hon. Sir George Lowndes, replying to Pundit Malaviya, said that what was proposed under the bill was to find an outlet for the surplus products of this country.

The Hon. Sir George Barnes, replying to the debate, said all contracts would be respected, provided they were contracts with a country to which export was not prohibited. Replying to Pundit Malaviya, he said the Government had only a limited amount of money to spend in developing the tanning industry. It was the intention of the Government to help the individual tanner and not crush him by Government enterprise.

The motion to introduce the bill was accepted.

Mr. SHERMAN. Another article which I find in a cablegram gives the reason for these various restrictions on agricultural implements. It says that "Advantages shall be given to those implements made in the British Isles." At the close of the war, or upon the signing of the armistice, many of their ammunition plants were of the kind to be readily remodeled for industrial purposes. Among the different undertakings provided for were those manufacturing agricultural implements. The patents have expired on all the binders, the mowers, the corn planters, the wheat drills, the harrows, the disks, many of the tractors, and other agricultural implements patented and manufactured in our own country. Great Britain is taking advantage of those expirations. The advantages held out to her domestic manufacturers have led them in many cases to buy, at a nominal price, the ammunition plants and convert them into agricultural implement houses. These advantages are now evident in the Italian market. The exports of agricultural implements have gone from Great Britain to various parts of Europe.

I can understand, Mr. President, why Great Britain would take that advantage by making such regulations. It is entirely in accord with her domestic industrial rehabilitation. I can not understand, Mr. President, why our own departments in this country refuse to our agricultural implement manufacturers the licenses necessary to engage in that export trade, and to go into that country and make an effort, if they wish, to regain some of their lost business. It may be a mere coincidence, but I have known many persons to be convicted of various offenses on circumstantial evidence not stronger than the action of the departments in Washington in our own country in keeping our exports out of Europe, in order that Great Britain may have free access to those markets. How long until our Government begins to think of our country and our people?

If this burns so well in the green wood, Mr. President, what will it do in the dry? If such advantages can be procured under present conditions, before the ratification of the treaty is made, before the international labor body has begun its operations, what will it be after we have ratified the treaty and put in the hands of Great Britain, France, Italy, or a combination of nations, the economic instrument of oppression found in article 414 of the treaty? This is a question, it seems to me, that is of vast importance to our own country.

It is especially significant when it is taken with an article of last July, cabled from London, from which it appears that Australia is beginning to consider seriously the question of abandoning her open ports, or her tariff, which stimulates imports and becomes protective to her manufacturing or producing centers. The same question is agitated in the Westminster Gazette, according to this cablegram. There will not only be the advantage of economic pressure in the event we do not accept the recommendations of the labor body but there is the rising tendency to build up at the customshouses barriers in the form of discriminating duties against our exports. That is entirely proper, being within the reach of any country as a means either of revenue, or avowedly for other purposes. Taking them altogether, Mr. President, it seems to me that these are very dangerous provisions.

The motion by the Senator from Wisconsin to strike out these provisions in the league of nations, article 23, as I remember, would render harmless those provisions in the treaty. At least, it would put it in a form where, if the motion should prevail, by proper reservations we could save our rights.

There are some other features of this I would like to consider, but I would rather not go on to-night, Mr. President, if it is probable that an adjournment is to be taken. But if not, I can proceed.

[At this point Mr. SHERMAN yielded the floor for the day.]

Monday, November 3, 1919.

Mr. SHERMAN. Mr. President, on Friday evening, at the time the Senate adjourned, I was remarking upon certain phases of foreign commerce. I had not completed the material which I wished to present. I now add a cablegram, which indicates a very unsatisfactory state of our foreign markets, not only at present, but presages a very disturbed condition in the future. This was dated at London the 31st of last August. It shows that the manufacturers in Great Britain, France, and Italy have been unofficially instructed to stop importing from the United States, and to confine their business as far as possible to dealing with each other. I said the story might be denied, but that it was undoubtedly true. Since then, Sir Aukland Geddes, president of the British Board of Trade, which is the British Department of Commerce, has in several public addresses confirmed the cable. The cable reads:

"It is no good for anyone to say, or for any nation to say," declared Mr. Geddes, "we would rely on America to see us through. Salvation for Europe is to be found in Europe and in Europe alone. I am told that America suffered little by the war, and that she will

flood our markets with goods, that she will capture the markets of Europe. America is so placed that, like all the rest of us, she is in great difficulties in regard to the future of her trade."

Mr. SHERMAN at this point read from the Geddes article down to and including the words:

Labor leaders of the United States should realize the dangers they are facing.

Mr. SHERMAN. These men in Great Britain who represent union labor say that they must work or die. We appear to be in no such extreme condition in our country. We can remain idle and live. That seems to be the motto of a number of spokesmen for the labor world.

Following the prediction in this news item of last August we have had an iron and steel strike; we are now in the first day of a coal strike, in which 435,000 out of a potential 500,000 in the bituminous-coal fields are out on strike. Of this half million of bituminous-coal workers approximately 65,000 are outside of the union. They are the only ones to-day who are at work. So the predictions in this news item are literally being fulfilled. We have largely experienced such embarrassment as could come from the strike of the iron and steel workers. The backbone of that strike appears to have been broken. What will occur in the bituminous-coal strike remains yet to be developed.

We are reaping what we have sowed in our own domestic labor affairs. We could not expect to have other than these occurrences in view of the extreme carefulness, to say the least, with which this administration has handled all labor questions. We have not only legislated, because of the weakness of Congress, but by the aggressive conduct of the administration the executive department has literally filled all offices concerned with labor administration with those who go to the very limit asked in order to yield to such demands as are made. We could not expect anything else than these unreasonable lengths to which unionized labor, through their spokesmen, have gone. It only indicates that at last we may be in a condition where we will be no better off than the Old World.

This relates itself directly to the labor provision of the treaty. There are in our own country and in our city the international conference. They are undertaking to settle a number of questions which must be directly connected with our domestic labor situation. These men, representing a great variety of countries in the Old World, are meeting under a provision of the articles sought to be stricken out by the motion of the Senator from Wisconsin [Mr. LA FOLLETTE]. I refer especially now to the provisions for the place of meeting in the annex following article 426:

First meeting of annual labor conference of 1919—

is the heading—

The place of meeting will be Washington.

It makes no difference whether we have ratified the treaty or given any authority to these alien delegates sojourning in our midst. They pay no attention to a mere matter of ratification. They are here busily engaged in conferring upon how they shall regulate the affairs of the entire world. For instance, last Saturday they were busily engaged in deciding whom they would admit into the conference, and there were divers threats made by those gentlemen, who hold the industrial fate of nations in the palm of their hand, that if we did not send in our delegates very promptly we would be barred from all future conferences.

This is a tremendous fulmination. It ordinarily produces instant action in a body like the Senate. We have been so accustomed here to crooking "the pregnant hinges of our knee" every time somebody spoke in the holy name of organized labor, that I am greatly perturbed that we have been in session all day to-day since this fulmination was made, and no lusty voice in the Chamber has been raised to give instant acquiescence so as to avoid the horrors of this threat. I fear that we are becoming irreverent, that we no longer are moved as we were in former days.

This threat goes on to state:

The labor group in the International Labor Conference is dissatisfied with the present basis of representation. They are criticizing the character of delegates. There is too much government and too little labor in the representation. An effort to throw out the votes of all countries which had not sent worker delegates and are represented only by governmental appointees will be made by the labor group in to-morrow's assembly. Decision to take this action was reached at a special meeting late to-day by the labor men. The provisions in the peace treaty under which the conference is held are considered especially responsible for the grievance over representation. These provisions allotted each country two delegates—one employee and one employer in the international federation of trade-unions.

The question was to have been brought up at once when the federation met in Washington last Monday, but the meeting was postponed until the German and Austrian delegates arrived.

Mr. SHERMAN at this point read from the Geddes article as follows:

The labor group in the International Labor Conference is dissatisfied with the present basis of representation, * * * but the meeting was postponed until the German and Austrian delegates arrived.

Mr. SHERMAN. So these persons are now sitting, undertaking to pass upon the delegates who shall sit in this international labor conference. When that shall have been done they will then take such action as will relieve the conditions in Europe, since we are not represented officially. The threat heretofore made, that unless delegates are forthcoming from unrepresented countries they will hereafter be barred, is a hint to us that drastic action may be taken while we are unrepresented. Therefore all these market conditions referred to in this cablegram of August 31, 1919, may be aggravated.

We will be unrepresented, we will have no voice to defend our interests, and before long we will be entirely barred, since it is a question of life and death and Europe is now engaged in caring for her own markets, to the extent of excluding us, excluding everything but the food that she actually needs to keep body and soul together. For every other thing for which she has found some means of supplying herself she is now beginning to consider how she shall bar absolutely, under burdensome restrictions, our export trade entirely. That is what this means where it says that manufacturers in Great Britain and Italy had been unofficially instructed to stop importing from the United States and to confine their business so far as possible to dealing with each other.

That led to the import duties of 30 per cent on the merchandise I referred to last Friday. It referred to a duty in the French market of 15 per cent on some articles of merchandise coming from Great Britain and her colonial dependencies. That is a double rate. It is in keeping with the information contained in the news dispatch from which I read this afternoon, that these countries are in a combination to secure their own trade and to exclude our manufactures entirely from foreign markets in Europe at least. How far it will go in South America, by the influences they will exercise, by the tonnage they control in all-ocean freight, and by diplomatic influences to be exercised remains yet to be seen.

It is well known that we can not under existing conditions get a ton of ocean freight out of certain South American countries for any of the European ports. None of the Argentine beef can be exported by any American packer. Every British packer in Argentina is allowed to slaughter at pleasure; he is given all the refrigerator tonnage in British boats, that so far have a monopoly of that species of transportation; an Englishman can obtain all the tonnage he requires; but not an American packer, large or small, can obtain a ton out of any South American port. Still we are to be charitable; we are to give all the needed help to suffering Europe.

I referred on Friday to the loan now being floated in this country by the United Kingdom of Great Britain and Ireland. Certain Chicago banks with certain other banks in New York City are underwriting the loan. J. P. Morgan & Co. head the list in New York. The sum of $250,000,000 gold is to be taken out of our markets in order to relieve the financial condition of Europe, and yet at the same time they are denying, by reason of their traffic arrangements, the exportation of South American beef killed by American packers. The necessary effect of that might not be of any consequence under other conditions, if other markets were open than the United States; but, Mr. President, the packers have certain stocks on hand in South America; they have certain contracts with the cattle raisers and the farmers of that region. A vast area of grazing land is accessible there and is under pasture. They are under contract to receive in a stipulated time a certain quantity of beef on the hoof. That contract was made without anticipation of shutting out that product from the English market. Closing the market by denying the use of transportation facilities, with no stress of war on, turns all this beef into the United States market.

In addition, our export trade from the United States has been destroyed. Since January, 1919, unless in the last month, for which I have no information, there was not a pound of American raised beef that found a market in England. The result is seen in our own market. Last July, when these results first began to be apparent in our domestic market, cattle fell from $20 and a fraction per hundred on the hoof to $14.35.

Therefore, Mr. President, the international labor situation, when coupled with traffic conditions and with burdensome restrictions placed upon our trade, make it impossible for foodstuffs or agricultural implements or other merchandise of domestic manufacture to obtain access to foreign markets. I re-

peat, it is no time now to be considering how we may further hamper ourselves and handcuff our facilities to take care of ourselves. I wish to have printed, without reading, the whole of this cablegram from London, being an article by Henry Hyde.

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

The matter referred to is as follows:

GERMANY OPENS NEW WORLD WAR—WAR OF TRADE—ENGLAND UNITES LABOR AND CAPITAL TO RAISE PRODUCTION.

[By Henry Hyde.]

LONDON, *August 31.*

I have just been talking with the sales manager of a great firm of American exporters, who returned this morning from a business trip through Italy and France.

"The head of an important firm in Milan," he said, "took a letter from his file and gave it to me to read. It came from a factory in Germany:

"'Our books show that at the beginning of the war your firm was indebted to us in the sum of 2,800 marks,' said the letter. 'We take pleasure in canceling that indebtedness. Let us start again with a clean slate. Our Herr Schmidt will call on you soon and show a full line of samples. We recognize that conditions with you are not exactly favorable, and we shall be glad to give you nine months' or one year's time on all goods bought. If you prefer to take advantage of the present rate of exchange, which is greatly in your favor, we offer the usual discounts for cash in 30 days.'"

SHOWS CHEAP GOODS.

The sales manager, who is a New York man, though he sells many goods made in Chicago, proceeded to show me his silk shirt and neck scarf, wrist watch, and several other articles he was wearing or had in his pockets. They had all been bought in Italy. He quoted the price paid for each, and, translated from Italian lira into dollars and cents at the present tremendously high rate of exchange, every price was ridiculously low.

Most of them were made in Germany and had been sold since the armistice in Italy. For instance, a beautiful pocketknife with a handle of one solid piece of mother-of-pearl. It had three blades of the best steel, and he paid for it in Milan at retail 4 lira, amounting at the present rate of exchange to less than 50 cents. The same knife at home would cost at least $2.

"I am going home on the first ship," he declared, "and get my firm to send me back with instructions to buy great quantities of these cheap manufactured goods. We could pay 100 per cent tariff on almost everything and still make big money."

EUROPE FOR EUROPE.

The other night I sent a cable stating that commercial men and manufacturers in Great Britain, France, and Italy had been unofficially instructed to stop importing from the United States and to confine their business, as far as possible, to dealing with each other. I said the story might be denied, but it was undoubtedly true. Since then Sir Auckland Geddes, president of the British board of trade, which is the British department of commerce, has in several public addresses confirmed the cable.

"It is no good for anyone to say or for any nation to say," declared Mr. Geddes, "we will rely on America to see us through." Salvation for Europe is to be found in Europe and in Europe alone.

"I am told that America suffered little by the war; that she will flood our markets with goods; that she will capture the markets of Europe. America is so placed that, like all the rest of us, she is in great difficulties in regard to the future of her trade."

HEAR OF BIG RAIL STRIKE.

By way of proof, the London papers to-day carry scare headlines stating that 1,000,000 United States railroad men and other workers are already on a strike, and that other millions are about to strike in many trades. American steel and iron mills are said to be refusing orders on account of threatened strikes. The picture is one of increasing alarm and confusion.

In contrast, the same papers to-day carry renewed appeals from recognized trade-union leaders of Great Britain urging the men to double production and to forget grievances until the nation is out of the financial weeds. The sensational appeal of Brewnlie, head of the great machinists' union, is backed by William Appleton, secretary of the General Federation of Trades Unions, who declares: "We must work or die."; by Ben Tillett, member of Parliament and famous radical labor leader; and by a half dozen other of the most influential men in the labor movement. Rally of these men to the threatened cause of British industry, it is believed, will have great influence on the annual congress of trade-unions in Glasgow next month.

ECONOMY IN GOVERNMENT.

Coupled with this is a great campaign for governmental economy started by Premier Lloyd-George himself, whose letter threatening discharge to government officials who do not institute the strictest economy has caused a great sensation.

Manufacturers and labor leaders of the United States should realize the danger they are facing.

Mr. SHERMAN. Mr. President, I now wish to return to the developments more in detail of the International Labor Conference in session in the city of Washington:

Labor delegates sought this delay in the program for the further purpose of preventing action prior to the arrival of the Germans and Austrians, it was said, as they are expected to be almost solidly in sympathy with the workers. By eliminating the votes of governmental delegates from countries without labor representation, and through the support of the governmental appointees of Germany, Austria, and other countries believed to side with labor as against capital, the labor-group leaders hope, it was said, to create a block strong enough to prevent the conference from taking any action unfavorable to it. A two-thirds vote is required on all conclusions of the conference.

* * * * * * *

The German and Austrian delegates sailed from Amsterdam on October 24 and should be here by Wednesday, according to W. A. Appleton, of England, president of the International Federation of Trade Unions. It was frankly admitted that their presence might produce an awkward situation.

That would be most deplorable, Mr. President—to produce "an awkward situation" here in our own Capital at the first labor conference that has been held. It only shows the extreme folly of attempting to function under an arrangement of this kind before we ourselves have ratified the treaty. We are helpless; we can not deport the delegates to this international conference. German labor leaders, extremely socialistic in their tendencies, and Austrian labor leaders of a like kind, are here. They are the "stormy petrels" of many an industrial war. They are here from all parts of the globe. There have come to Washington not only from England but from every corner of Europe, even from some of the Balkan Provinces, men who themselves are more concerned in fanning the flames of discontent in our domestic affairs than they are of promoting peace.

The International Labor Conference, Mr. President, is a menace to the continued domestic peace and good order of our own country. The radicals are here. They are here for no good purpose. Not all of them are radicals, but one firebrand is enough to consume a city. The cow down on De Koven Street in 1871 that burned up Chicago upset a lantern. That was enough to start the physical conflagration. In the irritated condition of our industrial life it is very easy for disturbances to blaze into a flame that will involve the whole industrial fabric of our country. In this crisis, with the iron and steel strike still unsettled, with such spokesmen as Mr. Foster and his aids, with such spokesmen in the pending bituminous coal strike as John L. Lewis and his aids, with the generally inflamed condition of certain men in the country who do not represent the respectable, staid, conservative element in the labor unions or in the industrial world outside the unions, it is no time now to assemble here an international conference of firebrands from all over the world. We have enough of our own.

If I were connected with the executive department and had authority in such matters, I know what I would do, and take the chances. We are not now living under normal governmental conditions. We might as well recognize that we are living under the regency of Tumulty and Mr. Baruch. So long as there is an interregnum, we ought especially to be careful to see that no untoward events happen. If I had the power, I would deport the members of this International Labor Conference, that are so busily engaged in giving us advice as to how to run everything in the world, including our domestic affairs. The extract I am about to read will indicate the character of some of the men we have already harbored in our midst:

OVERTURN "THE DIRTY, ROTTEN GOVERNMENT OF THE UNITED STATES," SAID TROTSKI.

The night before he started for Russia Trotski, speaking to several hundred of his East Side, New York, followers, said:

"I want you men to remain here and organize and keep on organizing until you destroy this dirty and rotten Government of the United States, while I return to Russia, bring on a revolution there, and stop Russia's war against Germany."

That is a quotation from Trotski's statement a short time before he left this asylum, to which he had escaped to avoid the consequences of his seditious conduct before coming here.

Some months ago the American Defense Society, keeping close track of the movement which was then under way for the purpose of carrying out Trotski's command to his followers, warned the officials of every leading city that efforts would be made by the socialists and anarchists and Bolshevists to bring about a revolution for the purpose of destroying the American Government. They were advised that the plan involved starting a strike first at one point and then at another, testing out at each place the ability of the strikers to completely capture that city, and the first city which came completely under the domination of these revolutionists was to be the signal for similar revolutionary activities in every city in America.

I read this in order to show how closely it tallies with actual developments:

Seattle was the first place at which the effort was tried, but the backbone of the mayor of that city broke the strike and saved the country from a general campaign of destruction and chaos.

Boston was another point at which the effort was made, and now the steel strike and many other strikes are merely the fulfillment of the statements made months ago by the American Defense Society in warning the officials of every city to be ready.

Since this article was given to the public press of the country the bituminous coal strike has assumed form and actually occurred and is to be added to those already enumerated.

These strikes are simply an effort to definitely carry out Trotski's command to his followers to be prepared at the proper time to overturn the "dirty, rotten Government of the United States." Trotski's speech was made in a German hall. He went from America through the cooperation of Germany, and possibly some Americans, for it is

claimed that somebody in this country had sufficient influence to have this country ignore a reported request from the British not to permit his leaving America. He was landed in Russia through the cooperation of Germany, and what he did in Russia he and his followers and Germany unitedly are seeking to repeat in America.

There are many innocent men who are out on strikes, but every man in this country who to-day is on a strike is cooperating with Trotski, with the Bolshevists, and with Germany in their effort to overturn what Trotski called "the dirty, rotten Government of the United States."

He who does not understand this situation has little comprehension of the work that is under way. It is time for the American people to wake up.

Many laborers participating in the present coal strike have been misled. I do not mean to say that they are in sympathy with such as are referred to in the statement of Trotski. However, the man misled who quits his work injuries the public welfare as much as the man who quits through malicious design. There is, I believe, a great body of law-abiding union-labor men in this country, and when they understand to what base uses they are being led I look for a return on their part to their accustomed work. I believe our experience during the war proved that the great body of union labor is loyal and sound at heart.

Some of the leaders of the American Federation of Labor during the war showed that they were equally loyal and sound. I join with them cordially in promoting peace and good order. I do not believe they understand the articles referring to the international labor union, or they would be found back of the Senator from Wisconsin [Mr. LA FOLLETTE] and favoring his motion.

To show the international character of the delegates sitting in this Capital, the evening news reports contain an account of a delegate from the British East Indies, found in the Evening Star of November 3, 1919. The labor conditions in the British East Indies are such as to make it impossible for any advice to us in our domestic situation to be given from that source. I shall not undertake to pronounce the name of this "striking figure at the international labor conference," but the reporter and the printer can get it. It is in the column I have marked. I ask that it be included in my remarks without reading the news item further.

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

STRIKING FIGURE AT INTERNATIONAL LABOR CONFERENCE.

[Picture.]

Bahman Pestonji Wadia, delegate from India.

Mr. SHERMAN. There is one difficulty upon which I can not, as a practical matter, see a way to overcome. There is that wide difference in the industrial situation in many countries that makes it impossible here to confer with delegates from those countries to our profit. There is, for instance, such a very wide divergence in the methods of labor and in the wages paid that I am unable to see how anything of value can come to us from participation in this conference.

In the longshoremen's strike, for instance, that has been on in San Francisco for some time, the following is the scale of wages paid for the week of August 28 to September 3, 1919, by one of the steamship companies, to the longshoremen. The compensation runs from $65.50 per week to $80.25. Some of the stevedore gangs, however, average lower. Their compensation runs as low as $63.66 per week, and some as low as $57.50. The schedule of wages contained in the list from which I am now reading was fixed some time ago at a conference between the employers and the spokesmen of the several unions concerned. The Water Front Employers' Union dealt with the several representatives of organized labor, and arranged for these schedules. With these rates of compensation, which are on an equality with many other lines of labor, skilled and unskilled, and especially keeping in mind the schedules for railroad employees, I wish to make a comparison.

The Chinese railroad rate, for instance, in 1914 and 1919 is a very instructive thing. In 1919 the subinspectors on Chinese railroads received $660 per annum. I can say, parenthetically, that the compensation in Japan for like services, skilled and unskilled, runs very much the same. Through the fitters, headmen, coolies, gatemen, carpenters, firemen, yardmen, electricians, painters, and cleaners, and running through the various grades down through the shops, all of which have very recently been more or less concerned in the strikes we have had in our country, the rates of wages are given. Then, the rates of wages given in Japan run all the way from an increase of 25 per cent over 1914 to as high as 44 per cent; but in every instance the wages paid are so pitifully inadequate, as compared with our own, as to provoke almost derision when the comparison is made. When these scales are put alongside of the wages of a carpenter, an ironworker, a shopman of the terminals of our railways, or the longshoremen in the strike in New York City, the very great divergence is at once apparent. How these delegates coming from oriental countries—from the British East Indies, from Siam, Japan, China, Persia, from various points where they have the right to sit with an equal delegation from these industrial conferences—can be of value to us in settling our industrial or strike troubles, I am unable to see. Still, they are here. They are here under the articles referred to in the motion of the Senator from Wisconsin, and in the annex that follows these articles.

I read these rates of wages only to show how greatly different the standards are in those countries whose delegates are here for the purpose of advising us what to do in matters of domestic concern.

I wish to put in the RECORD the longshoremen's scale of wages which I have referred to, and also the wages of the Chinese and Japanese occupations, without reading.

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

[From the American Economist of Sept. 19, 1919.]

SHIPYARD WAGES IN CHINA.

Take the shipbuilding industry. The wages in this line for the day fall far below the hourly wage of American shipyards. Consul General Anderson sends the following table of pay per day prevailing in one of the yards, the rates being given in Hongkong currency. The value of the Hongkong dollar averaged about 45 cents in gold in 1914 and about 80 cents in 1919:

Workmen.	1914	1919
Fitters	$0.87	$0.89
Fitters' assistants	.35	.29
Turners	.96	.95
Turners' assistants	.20	.26
Boiler makers	.80	.78
Boiler makers' assistants	.30	.30
Molders	.64	.65
Dressers	.48	.49
Coppersmiths	.66	.69
Electricians	.70	.64
Brass finishers	.72	.77
Sawmillers	.62	.64
Galvanizers	.55	.56
Pattern makers	.90	.94
Blacksmiths	[1] .75	[2] 1.27

[1] Includes strikers. [2] Does not include strikers.

He also gives the daily wage of the following tradesmen, which, he says, has not changed much during the war, although most of the work is done by contract: Carpenters and joiners, 60 cents per day; calkers, 55 cents; riggers, 75 cents; sailmakers, 80 cents; bricklayers and cementers, 55 cents; painters, 45 cents; and coolies, 40 cents.

CHINESE RAILROAD WAGE RATE.

Here is the table of wages in the railroad industry for 1914 and 1919, again in Hongkong currency:

Designation.	Rate.	
	1914	1919
Maintenance expenses:		
Subinspectors ... per annum	$480.00-$660.00	$480.00-$660.00
Survey coolies ... do	144.00	168.00
Fitters ... do	360.00	480.00- 660.00
Headmen ... do	360.00	360.00
Coolies ... do	144.00	144.00
Gatemen ... do	144.00	144.00
Carpenters ... do	360.00	420.00
Operating expenses:		
Drivers—		
First class ... do	480.00- 660.00	480.00- 720.00
Second class ... do	420.00	360.00- 420.00
Firemen ... do	216.00- 300.00	216.00- 288.00
Yard points men ... do	156.00	156.00
Electricians ... do	408.00	240.00- 660.00
Carpenters ... do	600.00	720.00- 900.00
No. 1 fitters ... do	720.00- 900.00	720.00- 900.00
Fitters ... do	480.00- 660.00	480.00- 660.00
Riggers ... do	216.00- 324.00	480.00- 660.00
Painters ... do	360.00	480.00- 660.00
Cleaners—		
Locomotive ... do	180.00	180.00
Carriage ... do	144.00	120.00- 216.00
Carpenters ... per day	.92- 1.15	.92 1.25
Turners ... do	.92- 1.10	.92- 1.40
Fitters ... do	.90- 1.45	.92- 1.00
Apprentices ... do	.15- .31	.10- .40
Blacksmiths ... do	.80- 1.04	.92- 1.10
Strikers ... do	.58	.58
Riggers ... do	.58- .60	.46- .69
Painters ... do	.92	.92
Traffic expenses:		
Station masters ... per annum	720.00- 900.00	720.00- 900.00
Booking clerks ... do	360.00- 420.00	360.00- 420.00
Goods clerks ... do	360.00- 420.00	360.00- 420.00
Assistant guards ... do	480.00- 660.00	720.00- 900.00
Ticket collectors ... do	240.00- 420.00	360.00- 420.00
Brakemen ... do	240.00- 420.00	240.00- 420.00

Of importance to the same study of oriental wages is the following table of average hourly rates paid by an engineering concern in Yokohama, compiled for the British embassy at Tokyo and printed in the Iron Age:

Occupation.	Average rate of wages per hour, in cents.				Increase 1914 to 1918.
	1914 and 1915	1916	1917	1918	
Pattern makers:					*Per cent.*
Ordinary men	6	6½	7	7½	25
Best men	8	8½	9½	11½	44
Carpenters:					
Ordinary men	6	6½	7	7½	25
Best men	7	8	8½	11	57
Molders:					
Ordinary men	.....	6½	7	8	33
Best men	7½	8	10	11½	53
Machinists and fitters:					
Ordinary men	5	5½	6½	7½	50
Best men	8	8½	9½	11½	44
Boiler makers:					
Ordinary men	6	6½	7	7½	25
Best men	8	8½	9	11	38
Blacksmiths:					
Ordinary men	6	7	7½	8	33
Best men	10	10½	11	12½	25
Labor, unskilled:					
Ordinary coolie	4	4	4½	5	25
Best coolie	5	5	5½	6	20

These are the rates for work done during the ordinary working hours (nine per day); but it is stated that overtime, which is paid for at the rate of time and a quarter, is now being regularly worked, with the result that average monthly earnings have increased much more than would appear from the table given above. The rate of increase calculated on monthly earnings ranges, in fact, from 60 to 150 per cent for the occupations given above. Simultaneously there has been a decline in the quality of the labor available. Many new projects have been floated during the last two and a half years, and there has been a great demand for labor in consequence. The employer who supplied this information states that in reality the cost of labor has nearly trebled since July, 1914.

OSWALD F. SCHUETTE.

[From the San Francisco Daily News of Oct. 2, 1919.]

The following is the pay roll for the week of August 28 to September 3 by one of the steamship companies operating in this port. The amounts are given exactly in order as they appear on the company's pay roll and in the order in which the men were put to work: $80.25, $74, $48, $71.50, $65.50, $73.75, $64, $74.25, $65.50, $80.25, $73.75, $74.50, $71.80, $73.60, $76.50, $73, $73.80, $65.50, $73.60, $27.25, $74.35, $78.30, $81, $55, $73.75, $73, $73.75, $73, $82.35, $74.80, $74.50, $73.15, $73.75, $73.75, $73, $61.75, $73.30, $73, $73, $62.50, $65.50, $69.25, $72.25, $73.60, $68.50, $64, $71.50.

The average wage paid these 47 men for that week is $70.76.

These longshoremen were paid $1 an hour straight time—that is, all time worked between the hours of 8 a. m. and 5 p. m. week days—and $1.50 per hour overtime, or for work performed between 5 p. m. and 8 a. m., or on Sundays or holidays.

Not all of the stevedore gangs, however, average $70.76 per week. Here are figures from another crew, which only averaged $63.66 for a single week, the week ending August 30: $63.25, $82.75, $57.50, $58.25, $63.50, $63.50, $81.50, $85.75, $52, $58.25, $59.50, $63.50, $64, $73.50, $58.25, $57.50, $63.50, $63.50, $48.75, $58.25, $57.50, $63.50, $75.25, $59.75, $58.25, $58.25, $63.50, $69, $58.25, $57.50, $59.50, $63.50.

These figures are a matter of fact that are of record. They are wages paid under union regulations.

We submit this schedule of wages for the thoughtful attention of the wage-earning men and women of San Francisco, so that they may have a better understanding of the relations that existed between ourselves and our men, and of the treatment we accorded them before the strike.

WATERFRONT EMPLOYERS' UNION.

Mr. SHERMAN. Connected with this subject vitally, I have a cablegram from London on industrial questions, showing that England's colonial dependencies are beginning to look out for the monopoly of their own markets. What an industrial conference here of representatives of various foreign countries can do to relieve the situation for us is more than human ingenuity can explain.

The article referred to is as follows:

[From the San Francisco Call and Post of Monday, July 21, 1919.]

ENGLAND MUST ABANDON FREE TRADE, SAYS PRIME MINISTER OF AUSTRALIA.

(By Floyd Macgriff, International News Service Staff Correspondent.)

LONDON, JULY 19.

"Nothing is more certain than this: Unless a definite policy is adopted that will give the British manufacturers a preference in the home markets and to the overseas dominion a larger market within the Empire for their raw materials, not only will imperial trade suffer but the Empire itself will tend to disintegrate, for the surest tie is that of mutual self-interest. All things are now possible. We have come to the crossroads. The passing hours are deciding the destiny of the Empire."—W. M. Hughes, Prime Minister of Australia in farewell London address.

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LONDON, JULY 19.

Will Great Britain adopt imperial trade tariffs and restrictions?

The answer to that question is of supreme commercial importance to the whole world. American manufacturers, as well as German concerns against whom such restrictions would be directed, are deeply interested in the answer that Great Britain will give to that proposal, which is favored even in high political circles.

As yet the British cabinet has not given any indication of what the answer will be, although the proposal has been laid before it.

Whether Great Britain is to reform her trade policy of generations' growth is likewise of great concern to home manufacturers.

Prime Minister Hughes of Australia, who has preached that it is high time that England abandoned free trade, has secured considerable following, including the Times, the Morning Post, Lord Milner, colonial secretary, prominent manufacturers and others.

For 18 months Premier Hughes has been an apostle preaching in his homeland the necessity of conserving the Empire's resources to the sole first call and use of the British. He has demanded closer trade unity between the homeland and dominions, saying foreign trade should be kept out so that there would be plenty of business for the close family partnership and so that industries could provide employment continuously.

DEMANDS PROTECTION.

Because Germany got such a grasp upon raw materials in British territories, owing to the interlocking German banking-industrial system, Hughes wants the Empire to protect itself now, so that in the future Germany will have to go elsewhere for her raw materials or buy them from Great Britain.

Since Great Britain controls the greater part of the storehouse of Africa, all of India, a great part of the Near East, besides the continent of Australia and near-by islands and the top half of North America—one-sixth of the world, in fact—a procedure of this sort would have far-reaching results. And this one-sixth produces at least a third of the world's supply of raw materials, if not more.

British opinion has been lining up for some time in two camps—one for continuing the free-trade policy of the past and the other for making needed changes that will give British industry some measure of protection.

PAPER IS FREE TRADER.

The Westminister Gazette, a free trader, says:

"If the Government is going to adopt Hughes's ideas and turn the Empire into a close preserve with German trade barred and other foreign trade heavily discouraged, the merchants, manufacturers, and shipowners ought to know it. If the Government is going to give him the preferences that he demands, which can only be on wool, meat, and corn, the public should know it.

"And again, if Sir George Perley's view that the products of the Empire should be used 'solely for trade within the Empire' is to prevail, that should be frankly stated to the supreme economic council and to our European allies, for plainly otherwise most of the economic provisions of the peace treaty will be on a false basis, and many of the assurances that we are giving, both to the enemy and to our allies, will be scraps of paper.

"When these views are stated with the apparent support of Lord Milner, and the cabinet neither confirms nor denies them, how can we expect manufacturers, traders, and shipowners to make any settled plans for the future?"

Premier Hughes quoted Herr Zimmermann's speech during the war, which said England's open-door policy permitted Germany's commercial expansion. Zimmermann's words were:

"We are sojourners in England's house, paying guests of the Anglo-Saxons.

"The secret of our success lies apart from our organization and the training of our working classes to the fact that England and the countries which are the great producers of raw materials granted us an open door, allowing us to draw upon their vast reservoirs of raw materials. If this permission is withdrawn we shall be at one stroke once more the Germany of 1880.

GERMAN GIVES VIEWS.

"Our dependence on the Anglo-Saxon was so great that it is no exaggeration to say that our system of protection was only possible because the Anglo-Saxon put at our disposal their fields of cheap production across the sea. But they did more.

"They gave admission to our merchants, trade agents, commercial establishments everywhere in their broad domains, looked kindly on them as long as they were modest, and thereby they assisted materially to open markets for our industrial products."

That's what Hughes wants changed. He wants it fixed so that there will be no more of that kind of thing which permitted Germany to control products vital to warfare. So Hughes asks:

"Are the self-governing dominions to be bound to Britain and to each other by ties of blood and traditions only, or are we to have a great imperial partnership in which the national and economic interests of each are conserved?

"Are we to have a policy of Britain for the British, Canada for the Canadians, Australia for the Australians, and the Empire for us all; forming a league of nations ourselves as well as being part of that greater league of nations, or are we to go back to things as they were before the war, a policy of negation, a policy of Britain and the Empire for the Germans, a policy dictated by Germany or by international finance?"

Mr. SHERMAN. What the labor conference will take up nobody can tell. There is a strike in Dublin among the grave-diggers. They have halted all the hearses. Nobody can be lawfully buried within a given area in Ireland at this time. I read just a short time ago, too, that the labor unions would take up a revision of the boxing code. Of course, everybody that goes into the ropes, the trained gladiator of the sawdust circle, is a laborer. They ought to form a union—the grand international union of physical sluggers—and here is a proposition to take them in and to devote the sober time of this international labor conference, I presume, to settling various international questions of where and how to hit an antagonist. Of course, the practical suggestions, as usual in all these labor conferences, come from England. Notwithstanding she is not carrying the world's championship among the subjects of George V at this time, she is always present with advice when anything is to be done, whether it is a grave-diggers' strike in Dublin or the proper knockout blow to be administered under the Marquis of Queensberry rules. It goes on to say:

"The root of many dangers and dissensions will have been extirpated," says a leading English critic, "when the three chief pugilistic countries—

You notice the honorary mention we receive at the hands of this distinguished authority—

Great Britain, America, and France—have accepted an international code of rules and a standard scale of weights."

The distinction between heavyweights and featherweights, between the heavy, slugging pugilists and those of a lighter and more agile form, will be reduced to a scientific basis. The article continues:

The Fédération Française de Boxe is calling a meeting of international representatives for next year to discuss the anomalies that exist all over the boxing world.

This came from Paris, of course. Great fistic events have been conducted there on divers occasions. The article continues:

If Great Britain and America could agree upon a common code (it would have to be arranged, of course, on the do ut des principle) the standard of boxing in both countries would be appreciably raised and the "regrettable incidents" which have caused so much trouble and provided captious critics with ammunition could no longer occur.

In America referees allow many things which are forbidden under National Sporting Club rules, with the result that the American boxer who comes over here is necessarily handicapped (for the boxer has to learn how to do what he does instinctively) and is apt to feel aggrieved when he loses the decision by a narrow margin.

Now it lapses into purely technical expressions:

The kidney punch, hitting with the open glove, and the "occipital" or "rabbit" punch are all allowed in America, and American boxing would be all the better if these dangerous and unsportsmanlike tricks were forbidden.

So we will come in for disciplining at the hands of the conference for everything. Possibly they see some way to obtain the championship belt by diplomacy rather than by scientific hitting. Great Britain is the greatest diplomatic country in the world, and possibly she, now that the war is over, has turned her attention to this highly important subject, so that we shall no longer obtain this honor in the sporting world.

I wish to insert the whole of this article on the boxing code without reading; also the article in reference to the gravediggers' strike in Dublin and elsewhere; also the report of the proposed barring of votes from the international conference if we do not get in early.

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

The matter referred to is as follows:

BOXING CODE URGED FOR THREE NATIONS—INTERNATIONAL STANDARD WOULD KILL MANY ABUSES, BRITISH CRITICS CLAIM.

Suggestion comes from England that the three principal countries in which the sport of boxing is practiced—America, Great Britain, and France—should adopt an international code of rules and a standard scale of weights. It is contended that such a code and standard would obviate many abuses that occasionally creep into the sport and give its enemies something to talk about. British critics contend that there is altogether too much fouling in the ring, and they also deplore the attitude of fight crowds that persistently clamor for rough work and care nothing for the scientific aspect of boxing.

"The root of many dangers and dissensions will have been extirpated," says a leading English critic, "when the three chief pugilistic countries—Great Britain, America, and France—have accepted an international code of rules and a standard scale of weights. The Fédération Française de Boxe is calling a meeting of international representatives for next year to discuss the anomalies that exist all over the boxing world. If Great Britain and America could agree upon a common code (it would have to be arranged, of course, on the do ut des principle) the standard of boxing in both countries would be appreciably raised and the 'regrettable incidents' which have caused so much trouble and provided captious critics with ammunition could no longer occur.

"In America referees allow many things which are forbidden under National Sporting Club rules, with the result that the American boxer who comes over here is necessarily handicapped (for the boxer has to learn how to do what he does instinctively) and is apt to feel aggrieved when he loses the decision by a narrow margin. The kidney punch, hitting with the open glove, and the 'occipital' or 'rabbit' punch are all allowed in America, and American boxing would be all the better if these dangerous and unsportsmanlike tricks were forbidden.

"As regards infighting, on the other hand, the practice of American referees has struck me as more in accordance with common sense than that of some of ours, who are always pulling up the men engaged at close quarters for quite imaginary offenses against the spirit of the game. The result is that our young champions in the making are apt to pay too little attention to inside work, and, being single-plane fighters for the most part, are at a disadvantage when they meet the American, who fights in both planes—distributing his attack between the body and the head, the former for choice, which is the basis of a scientific all-round style.

"It ought not to be impossible to agree on a common code, provided, of course, we do not pose as having a monopoly of the quality of sportsmanship. There is really no reason in the nature of things why men should not box, as they play cricket, under the same rules all the world over."

—

GRAVEDIGGERS IN DUBLIN ALSO RESORT TO STRIKE—HAVE APPEALED TO HEARSE DRIVERS, WHO NOW REFUSE TO CONVEY BODIES FOR BURIAL.

DUBLIN, *September 10.*

A strike of gravediggers in Dublin, maintained for some weeks at Glasnevin Cemetery, has caused much inconvenience and some risk to the public health. It was mitigated, however, by the decision of the cemeteries committee to permit interments by people having plots in the cemetery provided that they opened and closed the graves themselves without calling on the committee for assistance.

The gravediggers have now appealed to the hearse drivers, who have declared a sympathetic strike and refuse to convey bodies for burial.

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WOULD BAR VOTES OF NATIONS FAILING TO SEND DELEGATE—INTERNATIONAL LABOR CONFERENCE GROUP DISSATISFIED WITH REPRESENTATION—ISSUE BLOCKS PROGRAM PLANNED FOR TO-MORROW—EIGHT-HOUR DAY AND FORTY-EIGHT HOUR WEEK WAS TO HAVE BEEN TOPIC.

The labor group in the International Labor Conference is dissatisfied with the present basis of representation. An effort to throw out the votes of all countries which have not sent worker delegates and are represented only by governmental appointees will be made by the labor group in to-morrow's assembly. Decision to take this action was reached at a special meeting late to-day by the labor men.

Provisions in the peace treaty, under which the conference is held, are considered essentially responsible for the grievance over representation. These provisions allotted each country two Government delegates, one employer and one labor delegate.

When the International Federation of Trade Unions met at Amsterdam some time ago the demand was made that the Government delegation in each instance be reduced to one person. The question was to have been brought up at once when the federation met in Washington last Monday, but the meeting was postponed until the German and Austrian delegates arrived.

DISAGREE ON PROCEDURE.

The raising of this issue blocked the program of the conference to take up Monday the question of an 8-hour day and 48-hour week. The commission of selection, which is the conference steering committee, was unable to agree on procedure to handle the problems, and the entire matter probably will come before the conference this week. Some delegates favored referring the question of representation to a committee to prepare a plan for reorganization of the conference.

Labor delegates sought this delay in the program for the further purpose of preventing action prior to the arrival of the Germans and Austrians, it was said, as they are expected to be almost solidly in sympathy with the workers. By eliminating the votes of governmental delegates from countries without labor representation, and through the support of the governmental appointees of Germany, Austria, and other countries believed to side with labor as against capital, the labor group leaders hope, it was said, to create a block strong enough to prevent the conference from taking any action unfavorable to it. A two-thirds vote is required on all conclusions of the conference.

WOULD TAKE PART OF WORKERS.

The Government delegates of Czechoslovakia, and probably of Holland and Belgium, would take the part of the workers on all issues included in the agenda of the conference, one foreign delegate said.

The German and Austrian delegates sailed from Amsterdam on October 24, and should be here by Wednesday, according to W. A. Appleton, of England, president of the International Federation of Trade-Unions. It was frankly admitted that their presence might produce an awkward situation.

The 11 men from each of the two Central Powers will be placed on a quasi-diplomatic status, it was said, and may be housed in the old German Embassy, which now flies the Swiss flag. They could take their seats at the conference in alphabetical order, in accordance with recent seating arrangements.

The conference hall was given an international aspect by identifying each country's place at the long tables with the flag of that nation, but the German and Austrian designs will be excluded, due to legislation prohibiting the display of enemy colors.

ADMISSION OF NATIONS.

The commission on selection yesterday named a committee on the admission of new countries, which will have to take up the question of Finland and Mexico. Its members are: Government, Arthur Fontaine, France, and Newton W. Rowell, Canada; employers, Mr. Collinet, France, and Marcel Fraipont, Belgium; labor, Samuel Gompers, president of the American Federation of Labor (N. M. Joshi, of India, will act in his stead until the United States is represented officially), and Gino Baldesi, of Italy.

The following committee on standing orders was named: Government, Count de Eza, Spain; M. Kershaw, India; E. Mahaim, Belgium. Employers, Mr. Goineau, France; Dr. Miall, Great Britain; Mr. Verkade, Holland. Labor, Conrad Ilg, Switzerland; Mr. Tayerle, Czechoslovakia; and P. M. Draper, Canada.

At the request of the labor delegates the question of a universal eight-hour day will be deferred to-morrow by the international labor conference.

Representatives of labor at a meeting yesterday evening decided they were not yet ready to begin the debate on the eight-hour day, as they desire to hold informal conferences with capital delegates. They so reported to the steering committee, which agreed to recommend the postponement.

Mr. SHERMAN. It is said [reading]:

Italian labor conferees represent 1,300,000 men. Gino Baldesi describes conditions among workmen of his people.

"Trade-unions in Italy were born of the political socialist movement," Mr. Baldesi explains. "It is only natural that the men who directed and still direct the trade-union movements should belong to the Socialist Party, even if they do not wholly approve the methods of action practiced by that body."

He is here and is now engaged in giving us wholesome advice. By the time this gentleman will have finished his sojourn in our midst and the offering of much advice on how to settle our troubles, no doubt the men out on a strike in the bituminous coal region will feel greatly encouraged. They will be convinced of the justice of their claims and encouraged in a persevering, obstinate struggle with the Government in its attempt to produce enough fuel to keep people from starving and freezing during the ensuing winter. I also wish to incorporate in the RECORD this news report from the Washington Star of the Italian labor conference.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The article referred to is as follows:

ITALIAN LABOR CONFEREE REPRESENTS 1,300,000 MEN—GINO BALDESI DESCRIBES CONDITIONS AMONG WORKMEN OF HIS PEOPLE—WAGES RISE 100 PER CENT SINCE WAR.

The International Labor Conference fairly bristles with distinctive personalities. Observers at the sittings frequently during the last week have found their attention sharply arrested by the vehement speeches of a member of the Italian delegation, delivered in his native tongue and ably and speedily translated into English by an elderly woman interpreter with a slightly Scottish accent who sits with the group from Italy.

The vigorous speaker is Gino Baldesi, vice secretary general of the Italian Confederation of Labor, and a leader of the socialists among wage earners. He is of medium height, is smooth shaven, has a high forehead and hair of a slightly reddish tinge, and appears to be in his early thirties. His acquaintance is international.

So soon as the labor conference here adjourns Mr. Baldesi will hold several meetings with Italian societies in the larger eastern cities, including Washington, and then will tour a part of the United States, delivering lectures under the auspices of the "Federazione Socialistica Italiana." He represents in his own country an organization of 1,300,000 workingmen, whose slogan is "nobody idle."

ITALIAN LABOR IS TOPIC.

Mr. Baldesi described during the course of an interview last evening the present condition and current activities of Italian labor people:

"The condition of Italian workmen to-day is greatly improved, thanks to our confederation, which has a membership of 1,300,000. Wages have risen 100 to 150 per cent above prewar rates, and as a result of the recent strike of metal workers (which lasted 60 days) these wages have been consolidated by fixing a minimum rate transforming the former earnings, which consisted of payment by the hour, by piecework, and in a bonus for the high cost of living, into a fixed rate as so much an hour, increased by a percentage in the case of those workers who do not work by the piece.

"This great strike, the importance of which was not made known in foreign countries, kept 250,000 workmen idle at a time when 100,000 workers in other industries were having industrial disputes with their employers.

"All workers in the steel and engineering trades now have the eight-hour day, secured last February. Steel workers have a weekly day of rest, and to make this possible relief shifts are employed. After the steel people won their eight-hour-day fight the same length workday was obtained by textile workers, printers, men engaged in building industries, and agricultural workers."

COMMITTEES ASSERT INFLUENCE.

"The workers' shop committees have asserted their influence in a notable way," he declared. "They have secured positive results which entitle us to hope much in the future. All individual or partly collective disputes are settled by agreement between the shop committee and the employer. Our workers have clearly shown that they understand not only their own special work, but the working of the industry as a whole, more especially with regard to the greater yield obtained as a result of certain methods which secure to pieceworkers the highest earnings."

In Italy there is now a strong organization of agricultural laborers led by a woman, Signora Argentina Altobelli. It has half a million members and with it is affiliated all other classes of workers, including clerks in stores and shops.

"Trade-unions in Italy were born of the political socialist movement," Mr. Baldesi explained. "It is only natural that the men who directed and still direct the trade-union movement should belong to the Socialist Party, even if they do not wholly approve the methods of action practiced by that party.

"Our unions are open to all on presentation of a statement of the trade to which they belong, and without obligations on their part to join any political party. If the majority of our members were of any other party than the Socialist, that majority could change the policy of the confederation of labor."

Mr. SHERMAN. There is another point to be noticed. It is not directly connected with the treaty, but it is entirely proper to comment on it, while they are advising us on everything from digging graves to boxing. It is our behavior in entertaining royalty. We are the butt of ridicule for the civilized world. Here is a report published in a newspaper in the capital of this Republic. When Punch in London will, with its celebrated artists, properly illustrate it they will have a star edition of the great British jester. It is the comic paper, running from before the days of the Civil War. It has apologized sometimes through its managers, but it has been a comic paper in England for many years without missing an issue. It even extracted comedy from the aircraft bombardment of the metropolis of the world. I read it during the war. It is well calculated, if a person could extract any comedy from tragedy, to do so. So I do not for a moment hesitate to refer to it in soberly arguing the international labor articles of the treaty. But we are told, in an article dated November 1 at New York, by Herbert Corey, and found in various papers in the United States, that when the King and Queen arrive at their own fireside for reflection they have a giggle coming. It goes on at some length to say that we have shown ourselves to be raw, uncouth, crude, without knowledge of social etiquette, and especially that we do not know how to treat crowned heads.

It is because we have so few of them coming to our shores and none of our own. I remember when the German Prince was sojourning here some years ago that the most vivid recollection I have is a large bill for damages that the State of Illinois had to pay, because during the blare of trumpets and the general martial uproar that prevailed several citizens fell off or were run over by the Illinois National Guard's horses and severely hurt, one of them maimed for life. He promptly filed claims against the State and was allowed a substantial sum. So, if we do not know how to entertain royalty, we know at least how to pay their bills.

I have an idea that when this thing gets into the Appropriations Committee it will be found that most of the sojourning representatives of royalty on our shores are coming here to hasten the final payments upon loans which have been promised by the Executive to be made. While the President of Liberia was here he closed up the last installment of a promised loan, and I apprehend the President of that Republic will be no more out of fashion than the rest of them. By the time we get it all there will be a series of closed-up loans, and with a rapidly narrowing market because of trade restrictions; by the time we loan them more money, and lose the rest of our trade, we will be in a condition where we may begin to look out for America.

James Bryce, former ambassador to this country from the United Kingdom, is not satisfied. Mr. Bryce wrote quite a critical article only a few days ago dated at London. He says that this whole treaty has in it the seeds of future commotion. He says that open diplomacy, of which so much has been said, is yet far away and declared that if they had not been too much occupied at home the English people would not have allowed so much to be kept from them. The article continues:

Lord Bryce said he thought the conference committed some very grave errors and was in grave danger of committing others.

He goes on to give in detail what he thinks some of the vital mistakes are and is not at all optimistic as to the future abolition of war so confidently promised by the league and the treaty. I ask to have this printed, Mr. President, without reading.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The article referred to is as follows:

BRYCE ASSAILS PEACE COUNCIL—NATIONALITY AND OPEN DIPLOMACY IGNORED, HE ASSERTS.

LONDON, *October 31.*

Lord Bryce, commenting on the work of the peace conference, says that the principle of nationality proclaimed in President Wilson's 14 points was accepted in all belligerent countries and was the basis of the armistice, but that it had not been followed out in the peace conference. He declared that, although the conference had been sitting since last January, not much had been heard about its proceedings.

The veteran British diplomat remarked they had not yet arrived at that "open diplomacy" of which so much had been said, and declared that if they had not been too much occupied at home the English people would not have allowed so much to have been kept from them.

Lord Bryce said he thought the conference had committed some very grave errors and was in grave danger of committing others. Under the treaty signed with the little bit of Austria which remained he said 280,000 Tyrolese were taken and handed over to Italy. He said he had searched in vain for the reason for this action, but could find none, although it was totally opposed to the doctrine of nationality. The Italian Government said it wanted the Tyrolese territory for strategic purposes, Bryce said, but he declared they could not want it for that purpose against a practically bankrupt State of only 6,000,000 persons.

Mr. SHERMAN. I also ask to have the article from the Washington Star, by Mr. Corey, on the course that America takes in entertaining royalty, printed.

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

The article referred to is as follows:

AMERICA TAKES COURSE IN ENTERTAINING ROYALTY—WHEN KING AND QUEEN ARRIVE AT OWN FIRESIDE FOR REFLECTION THEY HAVE "GIGGLE" COMING.

[By Herbert Corey.]

NEW YORK, *November 1.*

When King Albert of Belgium and Queen Elizabeth get back home—and get the soreness soaked out of their poor feet—and pull on nightcaps at night instead of wearing crowns—and sit around the royal fireside with their collars unbuttoned, it is fairly certain they will lift weary eyes to weary eyes; and then they'll giggle. Not a hearty laugh, if you get me; true royalty isn't laughing at the untamed yeomanry this year. But there is undoubtedly a giggle coming.

"We Americans," said an observer, "haven't yet learned how to handle kings and queens."

We are doing well, at that. The observer said that some of our ladies courtesied so low to Albert and his queen that the bursting of corset strings sounded like the abrupt deflating of rear tires. And there were a few fat ladies who achieved the ultimate in the way of sinking before majesty, but could not get back to an upright position without assistance. That more or less impaired the spectacle. And the observer said that the sight of a sturdy democrat meeting socially the first honest-to-goodness king that ever visited our shores was invariably inspiring.

WOULD TAKE KING'S HAND.

"The sturdy democrat," said he, "would take the king's hand, and then he would not know what to do with it. Not being brought up to the etiquette of courts, he never knew whether he or the king was supposed to let go first. And he always smiled warmly at the king, but rarely initiated any conversation. Nor did the king, because his English is not exactly ardent. By and by, Brand Whitlock, or one of the other hands attending royalty, would pry the democrat loose and he would move on. And another would take his place, smiling warmly, but also speechless."

It was when the king and queen visited the Grand Canyon of Arizona, the observer said, that the tendency of the American courtier to adhere

to the beaten paths of conversation became most appallingly apparent. The governor of Arizona, he said, entered the private car of the king and queen at 7 o'clock that morning, when the car crossed the Arizona line, and stayed with them to the New Mexico line, where a New Mexican escort took up the darling task of keeping the king and queen all buoyed up. Of course, royalty was shown the Grand Canyon, and after the showing the governor of Arizona and others introduced various persons of eminence to the titled guests.

"Brand Whitlock always told 'em," said the observer, "that both the royal Belgians can talk English—though the queen talks the more reliable brand. So each new initiate seized a monarchial hand and with every confidence that he was entering an untried field of talk, asked:

"'What do you think of the Grand Canyon?'"

It was at Flagstaff, Ariz., that Albuquerque, N. Mex., got what was coming to her. Jimmy Swinnerton and other highbinders of the great dust heard that Albuquerque designed entertaining the guests with some Indian dances. Indian dancing is considered by Flagstaff a peculiarly Arizonian enterprise. So Jimmy Swinnerton and associates sent flivvers into the desert and captured every loose Indian.

No attention was paid to consideration of age, sex, rank, or condition. They were ruthlessly dragged down to Flagstaff, stripped down to dancing costume, and set a-dancing. For two hours they capered and yahooed in front of the hotel, while the king and queen sat mournfully on the veranda and watched the performance.

"They gave every sort of dance from the Gero imo Jazz to the First of July Snake Dance," said the observer. "Indians danced before the king that hadn't lifted a leg in 30 years. The merciless Swinnerton lurked in the shadow urging them on."

KING GIVES HIS OPINION.

After the dance the king was asked by the observer what he thought of the dancing. He hesitated for a moment, seeming to choose his words with great care. Then he said:

"It—ah—seemed rather prolonged."

The next day the king and queen visited Albuquerque, N. Mex., said the observer, and the Albuquerquans put on an Indian dance to amuse them. They had heard of the pitiful efforts of the odious Swinnerton and his fallen associates and determined to give the king and queen a desert dance show they would never forget. The observer thinks they succeeded. The Albuquerque affair lasted four hours.

As is the custom of royalty, the king carries trunks full of orders and medals around him. One of the officers of his entourage is forever one foot behind him to the right, with his pockets full of every sort of decoration that Belgium turns out.

SAN FRANCISCO'S WELCOME.

At San Francisco the local 1,300 determined to give a nifty banquet in honor of the royal guests. Only they have never entertained any royalty in San Francisco since the visit of the late Queen Lil, who was currently reported to care more for a good dish of hooch than for any other form of amusement. So the making of ground rules was intrusted to some folk who had had experience with monarchs on their native heaths. They fixed up a grand mess.

"All the guests must face the king and queen at the banquet," said the rule makers. "No one may touch any course until the queen does. If she declines a course all must pass."

There were other rules, but these are enough. All went merry as a wedding bell until it was discovered that if every banqueter must face the queen there wasn't a dining room in the city big enough to seat more than 300. And if no one might take a course the queen declined there were fears that the guests would bring pockets full of popcorn, for by this time the queen was eating only crackers and milk.

SOCIAL ARBITERS QUIT.

"So the social arbiters quit," said the observer, "and the bars were thrown down and any sort of a bit went for three bases. About 2,000 people were present and they sat on the queen's lap and every one had a grand, uproarious jubilee."

On approaching the East, after their tour of the West, the observer says the king, munching a handful of mint drops, had a conference with Brand Whitlock one morning, while the queen was opening a bottle of pepsin tablets. And later that day Whitlock sent a telegram to the caterer who was preparing the meal which was to grace the next formal function.

"For heaven's sake," the telegram read, or something like that, "give their majesties some plain food. They haven't eaten anything without truffles in it since they came out West!"

Mr. SHERMAN. It is no wonder an Englishman not long ago said that the United States was the fat boy of the world. We are, it seems, to be found always looking out for somebody else; either that or we are grossly overreached. We either do not know how to take care of ourselves or we are the most philanthropic knight-errant the world ever saw.

I now return, Mr. President, to these various articles referred to. At some length on last Friday I commented upon article 414. There is much in this subhead of the treaty, and the various articles following, to bear out article 414. It is there expressly recognized as the right of these nations to take any action of an economic character against a defaulting Government which they consider to be appropriate and which other Governments would be justified in adopting.

It follows in article 416 that in the event of any member failing to take the action required by article 405, which is, in substance, the entire code of procedure for the conference with regard to a recommendation or draft convention, any other member shall be entitled to refer the matter to the permanent court of international justice.

Anything that happens in the event we were a member of this international conference now sitting, any action taken which we did not feel at liberty to obey, could be referred to this authority, the permanent court of international justice, to be created under article 14 of the league of nations. These various small countries will be represented in the international labor conference just as they are in the league of nations. We may be outvoted.

On any of the various terms affecting our labor conditions the smaller nations of Europe and Asia, Central or South America, may join and vote upon us conditions totally inapplicable to our industrial state. Then, if we do not obey them, economic pressure can be applied.

While I have great confidence in the British Empire's sense of justice in war times or in great emergencies, I can not forget that even to-day she has navigation and trade laws with countries, and some of her own subject territories, at that, which are most unjust. There exist to-day in some quarters of the world some regulations that are as burdensome as the navigation laws of our colonial periods.

Great Britain, therefore, using the smaller nations, has voting power, and may thrust upon us unjust regulations, unjust to both the employee and the employer, in our domestic affairs. She may do this premeditatedly. She is noted for embarrassing the trade of her competitors. She may not abandon her free-trade course of former years. She need not to do so. She can obtain advantage of us, still preserving her traditional attitude on that economic question. She can, through the smaller nations, through the power that she will exert in her territorial dependencies, so embarrass us as to destroy our export trade, especially if she is given power in the international labor conference to work out such measures as are of an economic character, if we are held to be a defaulting Government.

In article 417 it is provided that—

> The decision of the permanent court of international justice in regard to a complaint or matter which has been referred to it in pursuance of article 415 or article 416 shall be final.

There is no appeal from this save to the arbitrament of the sword. Couple this with article 418:

> The permanent court of international justice may affirm, vary, or reverse any of the findings or recommendations of the commission of inquiry, if any, and shall in its decision indicate the measures, if any, of an economic character which it considers to be appropriate and which other Governments would be justified in adopting against a defaulting Government.

The Senator from New Mexico [Mr. FALL], in discussing that question last Friday afternoon, reminded the Senate of a regulation that might be made by Congress, declared valid by the Supreme Court of the United States, and declared inapplicable, or no longer to apply to us, by the international labor conference. He then propounded the inquiry, Whom would be obey, our own Supreme Court mandate or the international labor conference?

It is provided here that the finding of the permanent court of international justice shall be final, and in its last judgment on the question it may indicate in its order the character of the economic pressure which it considers appropriate to be applied to a defaulting Government. If that were applied to us let us examine for a moment what it would do, what would be the necessary consequence if the international court should enforce one of its orders against us for a failure to obey some finding of the international labor conference.

The Supreme Court might declare that the regulation was valid. It would be binding upon every citizen, official, and every State authority in the 48 States of the Union. It would be valid to all intents and purposes within our territorial limits. However, at some remote point in the world, Geneva, or some place in Baluchistan, the international labor conference shortly afterwards holds its meeting. They find that the rule we have adopted, and which the Supreme Court has held valid in our country, is not in accordance with international justice.

The angle at which the various nations of the world view it will be expressed by two-thirds majority. If two-thirds majority have been obtained, they will enact some other and different rule for the regulation of the same subject. Child labor is a good illustration. Child labor in the British East Indies or in any part of the warmer portion of Asia would require a vastly different standard from that of the northern Temperate Zone. The development of children, the age at which they reach maturity, is somewhat a question of latitude. Therefore, the rule that would be applicable in our country would be a too high age limit in the Tropics or in any of the warmer portions of central Asia. It would not apply to portions of northern Africa, any of the French possessions, Algiers, or Egypt, or of the various countries where there is an earlier maturity of childhood.

Therefore the conference may arrive at some different conclusion and impose some other international rule upon us, a different law than that we had provided for our own domestic affairs. Of course, they can not enforce it unless by war. That is a matter for us to decide to suit ourselves. But under these provisions economic retaliation is the weapon expressly provided. In the covenant of the league of nations one of the articles empowers the instruments of that league to create a

permanent court of international justice. Evidently the men who framed these various articles knew what they were doing. They had a very comprehensive view of the entire mechanism, and it fits accurately one part to another.

The permanent court of international justice referred to in articles 416, 417, and 418 is the same tribunal the creation of which is provided for in the covenant of the league of nations. Their decree, therefore, binds all the appropriate measures of economic retaliation the governments would be justified in adopting against any defaulting government. Article 419 goes still further:

In the event of any member failing to carry out within the time specified the recommendations, if any, contained in the report of the commission of enquiry, or in the decision of the permanent court of international justice, as the case may be, any other member may take against that member the measures of an economic character indicated in the report of the commission or in the decision of the court as appropriate to the case.

So it is not only the joint action of all the members taking part in the conference, but any one of them may, on its own initiative, undertake to enforce economic retaliation against us. It may make burdensome port regulations, it may put on discriminative duties, it may lay an embargo upon the principal articles we export to their market, it may take any measure that, in the discretion of its government, it sees fit to adopt, and we are helpless as against one of the members of the international conference or against all of them acting jointly against us.

Mr. President, I can not conclude my comments this evening. There are several sections yet; and, if it is agreeable to the Senate, I would prefer to conclude at some other time.

[At this point Mr. SHERMAN yielded the floor for the day.]

Tuesday, November 4 (legislative day of November 3), 1919.

Mr. SHERMAN. Mr. President, I had not concluded on the amendment when the recess was taken last night. In the presentation of various parts of the chapter referred to I had *not* taken up all of the articles or paragraphs with the annex. I had reached in the discussion as far as article 419. It is provided there:

In the event of any member failing to carry out within the time specified the recommendations, if any, contained in the report of the commission of enquiry, or in the decision of the permanent court of international justice, as the case may be, any other member may take against that member the measures of an economic character indicated in the report of the commission or in the decision of the court as appropriate to the case.

This leaves to any member a discretionary right to insist upon retaliatory economic measures to be applied to any country that is held to be in default. This article is immediately followed by article 420, which reads:

The defaulting Government may at any time inform the governing body that it has taken the steps necessary to comply with the recommendations of the commission of enquiry or with those in the decision of the permanent court of international justice, as the case may be, and may request it to apply to the secretary-general of the league to constitute a commission of enquiry to verify its contention. In this case the provisions of articles 412, 413, 414, 415, 417, and 418 shall apply, and if the report of the commission of enquiry or the decision of the permanent court of international justice is in favour of the defaulting Government, the other Governments shall forthwith discontinue the measures of an economic character that they have taken against the defaulting Government.

This article is followed by Chapter III, which immediately fits in with the preceding articles quoted. Article 421 provides:

The members engage to apply conventions which they have ratified in accordance with the provisions of this part of the present treaty to their colonies, protectorates, and possessions which are not fully self-governing.

Great Britain, the largest holder of colonial possessions in the world, could apply any of these provisions to Jamaica, in part, and to any of her West India possessions in the Caribbean Basin. Conditions in her colonies in the West Indies might make them competitive with countries in Central America. The other day I referred to the banana market as being supplied principally by two countries in the world, namely, Costa Rica and Jamaica. The labor conditions in Jamaica might be intimately connected with labor conditions in Costa Rica. Costa Rica is an independent Government.

It furnishes, roughly speaking, about two-thirds of this well-known fruit to the market. The other third is furnished by Jamaica. Under the provisions of the treaty as to the international labor conference, the details of the production of this article might be so regulated or fixed as to give Jamaica the advantage in the market. Jamaica is a British-governed island; the laws and the regulations of Great Britain in labor matters would apply to Jamaica equally as to other parts of British colonial possessions; more so than they would in New Zealand or Australia, because the latter are, in all local affairs, purely self-governing and independent, whereas Great Britain, through acts of Parliament and by administrative officers appointed in England, governs such conditions in Jamaica. They could in a labor conference, therefore, adopt regulations which would seriously hamper Costa Rica or any other Central American country. The conditions are of such a character that they can be applied to parts of any partially self-governing province. They would apply particularly to a large number of the colonial possessions of Great Britain outside of the five that are made sovereign powers in the league. The exceptions provided in article 421 are:

(1) Except where owing to the local conditions the convention is inapplicable; or

(2) Subject to such modifications as may be necessary to adapt the convention to local conditions.

And each of the members shall notify to the international labour office the action taken in respect of each of its colonies, protectorates, and possessions which are not fully self-governing.

Article 422 relates to the majority required to adopt amendments to the labor provisions of the present treaty, requiring a two-thirds vote "cast by the delegates present," to "take effect when ratified by the States whose representatives compose the council of the league of nations and by three-fourths of the members." Article 422 has been referred to by the Senator from Wisconsin [Mr. LA FOLLETTE]. I do not think he overrates the significance of this article. I quote it again, because it will be of far-reaching significance in the event of the adoption without amendment of the league and the treaty.

Article 423 provides:

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

Here is a grant of jurisdiction to an alien tribunal. It provides that any dispute arising from the international labor conference shall be referred to the permanent court of international justice. The creation of that tribunal, how it shall function, and its jurisdiction are in general terms provided for in the so-called league covenant of the league of nations. Article 423 enlarges its jurisdiction and further permits it to have control of any disputes arising out of the international labor conference. It places any disputed matter that may be purely domestic to the United States within the power of a foreign tribunal. Matters relating to a disputed question growing out of our labor conditions are no longer to be regulated by Congress or by the legislatures of the several States; they will hereafter, as soon as a dispute shall have originated, be referred to an alien tribunal. The award or the decree of that tribunal when made will apply to this country because of the power of economic retaliation given in the preceding sections to which I referred yesterday. Without giving in direct terms the power to the alien body to regulate our affairs, because that would seem too open an invasion of the powers of Congress in local matters, it indirectly places us, in effect, within the power of this tribunal. For reasons indicated in commenting upon the preceding sections, it puts our entire foreign trade, our foreign travel, our financial communication, our sale of exchange, the collection of debts of our nationals owing them by any debtor of any other country entirely within the retaliatory power of the tribunal that passes on the dispute.

Such disputes may be initiated by any member of the international labor conference, or, in the event they arise in the conference itself, they may be referred by proper resolution of the conference to the tribunal for decision. So in either event, either by action of an individual nation or by the combined action of the nations represented in the conference, they may be referred to this tribunal, and article 423 gives them full power of decision.

There could not be a more disastrous invasion of the local problems which at the present time it is purely within our power to solve without interference by any foreign country. Here, however, we consent to such interference. We consent, in the event we do not retain the power of regulation of these domestic matters, to have economic retaliation visited upon us for our failure so to comply.

Following, in article 424, chapter 4, it is provided:

The first meeting of the conference shall take place in October, 1919. The place and agenda for this meeting shall be as specified in the annex hereto.

Arrangements for the convening and the organisation of the first meeting of the conference will be made by the Government designated for the purpose in the said annex. That Government shall be assisted in the preparation of the documents for submission to the conference by an international committee constituted as provided in the said annex.

In pursuance of these powers the representatives of the various countries concerned have sent their delegates. The treaty and the league covenant are not yet in force in our country; we have not yet ratified them; but we witness the

convening of the labor conference in this country. It convenes here, as I intimated yesterday evening, not at an opportune time. We are in a sensitive, not to say a dangerously irritated, state, so far as our industrial affairs are affected; but, without waiting for any ratification of the treaty and league covenant, the delegates from the various countries that are eager to obtain the benefits of the stronger nations have sent their delegates here, and they have begun to function in this Capital. So far as I am concerned, they are an unwelcome body; I have no kindred feeling for the delegates that have thrust themselves upon this country. I regard them as impertinent intermeddlers, seeking to effect a lodgment here on local matters that are not wanted by the country where they are temporarily sojourning.

It provides in the latter paragraph:

The expenses of the first meeting and of all subsequent meetings held before the league of nations has been able to establish a general fund, other than the expenses of delegates and their advisers, will be borne by the members in accordance with the apportionment of the expenses of the international bureau of the Universal Postal Union.

And when it comes to meeting the expenses generally of the league or the treaty, the only limitations on the power of the league or the nations concerned, when they meet jointly, is in the maintenance of the secretariat and the payment of the expenses of the International Labor Conference. On all other expenses, notwithstanding the views at one time expressed by the Senator from Nebraska [Mr. HITCHCOCK], the apportionment is purely within the power of the several nations represented in the league. How it will be apportioned, we can very intelligently conjecture.

Some days ago I put in the RECORD a list of the private taxable wealth of the various countries of Europe compared with our own. It shows that our wealth is very largely in excess of that of any other country in the world. It is more than the total taxable private wealth of many of the countries combined. It is nearly twice that of the United Kingdom of Great Britain, and nearly three times that of the German Government, or the people living within the borders of that Government. It is nearly eight times that of some of the smaller powers engaged in the war. When it comes to paying the expenses, some light is shed on the methods by the enumeration, in the two cases I have given, of how the expenses shall be apportioned. They are, in the two cases only, limited by the method adopted in distributing the expenses of the international bureau of the Universal Postal Union. The enumeration in the two cases of how the expenses shall be apportioned excludes any limitation upon all the other expenses, under the well-known rule of interpretation that where the method is enumerated in certain instances, and all of the others are not enumerated, that leaves it open to the generally granted discretionary powers of the league. Therefore we are very likely to pay from two to five times or eight times as much as any other country in the world of these expenses. The only place where there is a definite limitation is in the two instances mentioned, the International Labor Conference and the expenses of the secretariat, which is a permanent organization, the office and the departments of which will be found at Geneva upon the beginning of the actual organization of the league.

In article 425 it is provided:

Until the league of nations has been constituted all communications which under the provisions of the foregoing articles should be addressed to the secretary general of the league will be preserved by the director of the international labor office, who will transmit them to the secretary general of the league.

So that the actions taken by the International Labor Conference in Washington in October and November of this year will be preserved by the proper authority, and in due time transmitted to Sir Eric Drummond. He will be the custodian from the time he receives them until other arrangements have been made. This, therefore, puts in the hands of a citizen of Great Britain all of the detailed knowledge of the proceedings of this conference held in Washington. Whether we will be able to obtain it, in the event it becomes interesting to any of our domestic affairs, we are unable to say. We can only know that in attempting to obtain the records of the deliberations leading to the formation of the league and the treaty we were unable to obtain a single page. We know the value that it might have in the Foreign Relations Committee of the Senate, or in this Chamber, in the interpretation of the various articles and phrases in this document; and still we have wholly failed to receive any of the records that might so enlighten us.

Mr. TOWNSEND. Mr. President, would it interrupt the Senator if I asked him if he has inserted in the RECORD, or stated anywhere, what are the methods of distributing expenses by the International Bureau of the Universal Postal Union?

Mr. SHERMAN. No; I have not put those in the RECORD. They can be readily obtained, and I should be glad if some Senator would place them in the RECORD in connection with the discussion of the labor provisions of the treaty.

Mr. TOWNSEND. I have been curious to know, but have not yet taken the time to find out, what the method is that is employed by the Universal Postal Union.

Mr. SHERMAN. I would not undertake to give them, Mr. President. I have read them only since the discussion under the treaty began. It is provided there that the various nations that are members of the Universal Postal Union shall contribute in certain ratios to the expenses, but I would not undertake to give the matter from memory. I will find the provisions if no other Senator does, and have them inserted at length. I think that in view of our discussion upon both sides here and in the maintenance of the secretariat the whole of the regulations ought to be preserved where they are more readily accessible. They can be had by referring to the Research Department of the Congressional Library.

If we are no more successful in obtaining the records of this meeting, which might, in the event we ratify the league and treaty, become material to us, than we have been in former cases, we would proceed in total ignorance, except as it might be given to the public press.

In article 426 it is provided:

Pending the creation of a permanent court of international justice, disputes which in accordance with this part of the present treaty would be submitted to it for decision will be referred to a tribunal of three persons appointed by the council of the league of nations.

Before the permanent court of international justice is created by the authority provided in the league, here is a temporary tribunal which may have access to these records which may be denied to us if the same rule is followed as in the peace conference at Paris, and in settling disputes they may act upon all matters that the permanent court of international justice could act upon. This temporary tribunal may last for a year. How long it will take to frame the permanent court of international justice no Senator can say. It might be purposely deferred. It furnishes the means for indefinite delay. If advantage would accrue to any of the controlling spirits of the league or of the international conference, this temporary tribunal could be made to last for several years.

The annex provides for the first meeting of the annual labor conference of 1919 at Washington. The Government of the United States is requested to convene the conference. That has not been officially done. It has not been possible officially so to do. The President issued a purely extra-official proclamation. He had no executive power, under any of the general constitutional powers vested in him, to issue such a proclamation. This International Labor Conference now in session at the Pan American Building in Washington therefore has no lawful status in this country. They are here as guests. They sojourn here merely as aliens. They possess no legal significance. Their findings are of no binding authority on this country. Their convening is purely voluntary. Any Executive order of the President lends no significance or authority to their presence in this Capital.

I refer to this matter to show the somewhat indecent and tumultuous haste with which some of the nations of the world are imbued in attempting to operate under the league of nations before it exists. Their precipitate haste ought to put us on our guard.

The international organizing committee—

The annex continues—

will consist of seven members, appointed by the United States of America, Great Britain, France, Italy, Japan, Belgium, and Switzerland. The committee may, if it thinks necessary, invite other members to appoint representatives.

It provides for a program, or what would be called in a judicial tribunal in this country the agenda, the number of subjects or cases that are to be disposed of at that term or session. The agenda provided here sets out in detail the subjects that are to be considered:

(1) Application of principle of the 8-hour day or of the 48-hour week.
(2) Question of preventing or providing against unemployment.
(3) Women's employment:
(a) Before and after childbirth, including the question of maternity benefit.
(b) During the night.
(c) In unhealthy processes.
(4) Employment of children:
(a) Minimum age of employment.
(b) During the night.
(c) In unhealthy processes.

The fifth reads as follows:

(5) Extension and application of the international conventions adopted at Berne in 1906 on the prohibition of night work for women employed in industry and the prohibition of the use of white phosphorus in the manufacture of matches.

These are all of the provisions of the annex. I wish to take these up and consider them briefly in reference to our domestic situation.

The 8-hour day and the 48-hour week are matters that are entirely within our own jurisdiction. By various private arrangements between employer and employee, through organized labor, in many instances, and where it has come within the police power of the State, the hours of labor for children, as well as for women, have been fixed either by agreement or legislation.

We can carry that further and provide by law, by States, or within the jurisdiction of Congress under the interstate-commerce clause, for eight hours in matters of national concern. These, however, are all questions of domestic jurisdiction.

Then there is the question of preventing or providing against unemployment. We have had our own unemployment periods here. What good can possibly come from the nations in this international league represented here intruding their advice upon a domestic unemployment condition? How will it be possible for some of the nations that join in the treaty, like Ecuador, Siam, Hejaz, Liberia, Peru, or Nicaragua, to give us advice upon the unemployment situation in our country? What sound reason is there that these nations should interfere in making regulations on an unemployment question? We have had our own bread lines and bread wagons in years past, and we have managed to go through the winter without advice from foreign sources. Why these matters should now be advised upon by the body sojourning here passes human understanding, from the American viewpoint.

Women's employment, relating to the various States and conditions of that employment, is to be considered. We have some of the most humane laws regulating the employment of women in the several States of the Union known to the industrial civilized world. Just what terms might be fixed by an international labor conference, even this one now in session here, is beyond conjecture. What these countries from the equatorial regions, or from the Orient, may regard as proper regulations we can not now say; but we are vitally interested in it. It is of the utmost concern to us that we preserve free from interference our right to regulate the employment of women inside the borders of the United States.

If, however, we claim this right and exercise it exclusively, we render ourselves liable at any time if we differ from recommendations made by the labor conference to industrial boycott that might very materially affect our prosperity. It makes no difference what the reasonableness or the unreasonableness of this provision might be from our angle. We no longer control it. We must either pay the penalty of not obeying, or obey and render ourselves unable to regulate our local conditions.

The employment of children is in a like condition. Child labor is a matter of vital concern, because the physical and mental condition of the succeeding generation is materially determined by regulations of that character. It is a matter peculiarly applicable to our own affairs. I know of no reason why this country should interfere to tell us the age at which boys or girls should begin to be breadwinners. At present in most of the northern or western industrial States the boy becomes an industrial adult at the age of 16 years. For all purposes he is able then to do a man's work. He is released from any regulations of the States, and is able from that time to work as he pleases, subject only to the general regulations applicable to all adults. Whether 16 would be a proper age in the judgment of an industrial conference of this character no one can say.

I have seen some of these delegates about the hotel and various public places in the last few days. I would not, for my part, feel like relegating our industrial regulations to those men. I can not speak their language, and from a general inspection of their aspect and a judgment of their character apparent from their contour and behavior, I do not feel like trusting my affairs or my country's affairs to their tender mercies. I can see only one visible effect so far from the conference. It illustrates the infinite number of varieties in which the human beard may be grown and trimmed. As a sanitary regulation, if I were to offer a resolution as a member of the international conference, it would be to eliminate several tons of whiskers from the visiting brethren as a first means toward procuring sanitary conditions of working in the countries from which they hail.

Still these gentlemen are sojourning here, and before long will be engaged in passing upon the industrial labor situation in our country and enforcing upon us resolutions of theirs, under pain of economic boycott.

To what base uses we may return!

* * * * *

Imperious Cæsar, dead and turn'd to clay,
Might stop a hole to keep the wind away.

We are in the humiliating condition now in which we are merely international hole stoppers for the world. We have no independence left. It is worthy of another Shakespeare to show the deterioration of American spirit, the total surrender of affairs, for proposing which a few years ago anyone in this Chamber would have been regarded as demented or so utterly lacking in patriotism that he ought to expatriate himself and go elsewhere.

We are able to take care of ourselves. We are able to produce the necessary food and other supplies. When necessary, we can produce an Army and Navy sufficient for our purposes. We do not require any guardianship. We need no conservator, either in peace or war. We are abundantly endowed for self-defense. If we would attend strictly to our own affairs, remain within our own borders, conserve our man power and our credit, instead of interesting ourselves, or attempting to do so, in the difficulties of every nation in the world, these delegates would not have the supreme self-assurance to come here and undertake such authority over us.

Outside of these matters, which are purely domestic, relating to child and woman labor, there are other matters that could be reached by this international labor conference that would seriously interfere with developments that are constantly taking place in our own country. I have always been disposed very favorably, in settling labor controversies, toward profit sharing. I believe it contains, under reasonable rules, much that will settle the frequent strikes that are troubling us from time to time. Profit sharing in our country is not only a curative process for these disturbances but it becomes a promotor of thrift. It is an ally of the savings bank. It would do a world of good in promoting a more general distribution of the profits of the various enterprises.

Profit sharing has taken various forms in our own country. Profits have been distributed according to the salary or wages paid the employees in the particular industry. They have been encouraged to invest their savings in shares of stock of various enterprises. I have in mind a very large mercantile concern in St. Louis in the hardware business. They make it a rule that every employee must have at least one share of stock in the company. They will furnish him the one or more shares of stock and give him time to pay for it, making it possible to everyone who enters their employ to become a part owner.

In others of the different enterprises a great many details are worked out. Mr. William C. Procter, in the American Magazine not long ago, gave a detailed plan of profit sharing with his employees. He is a member of the well-known firm of Procter & Gamble, engaged in the manufacture of soap.

These people have worked out a profit-sharing plan that gives general satisfaction. There is but little complaint ever heard from any of their employees. The profit sharing of this enterprise and others is peculiarly applicable to the Anglo-Saxon race. I am referring to this because the international labor conference have power to act upon this subject.

There are in this conference as constituted at the present time many socialist delegates. There is a number that go beyond even the limits of peaceful socialism. They are radicals. They need not necessarily come from some of the smaller countries. Great Britain has radicals within her borders. They abound in any one of the countries of the United Kingdom. The radicals present in this international labor conference are but a few degrees removed from those who advocate the plan to reduce all industrial life to a soviet basis. These radicals do not believe in the accumulations of the so-called bourgeoisie, the middle class in our country. They regard the middle class as their enemies. The great body of the people in the United States in moderate circumstances, those who own their own business or have a small income, either upon their savings or upon some occupation, are regarded as the social enemies of all who believe in the soviet form of government, and especially the plan of taking over industries by this plan.

So the hostility to profit sharing can at any time be brought to a head by the radicals in these conferences. I have been observing their conduct, so far as the press gives such reports, to find out whether any such spirit will develop. While no signs are manifest up to this time, nobody can tell when some radical or socialist who believes in the State assuming ownership and operation of the various industrial enterprises will rise and propose some such measure.

None of these radical delegates favor profit sharing. Whatever may be our domestic system of development in that branch of our industrial disputes and the settlement supplied, the national labor conference may destroy, by a single resolution, all of the developments in our own country out of which much good, I believe, has come. If we do not obey whatever recom-

mendation comes from the conference, and if a majority of the commission of inquiry report and the permanent court of international justice approved upon an appeal and a hearing, we are liable to this economic discrimination to compel us to comply with the orders of the conference.

This is a particularly dangerous place for the conference to interfere. Our own developments along this line have built up some of the most prosperous concerns in the country. Some of them have not had a strike in more than 25 years, since the initiation of this plan. It is a method of democratizing an industry that has in it much practical good. It is democratizing of an industry that does not appeal to Government ownership or the instincts of confiscation. It does not appeal to the soviet or any similar method of taking something for nothing. It leaves us to work out, by peaceful details and under the rules of economic processes, our own solution of the problem. I believe this method that has developed so much good in our country is in danger of destruction at the hands of international labor conferences of the kind now held here.

Mr. President, I wish to ask that the plan presented and in actual operation at Cincinnati and various other plants of the Procter & Gamble Co., presented by Mr. William C. Procter, be printed in the CONGRESSIONAL RECORD without reading. I have quoted somewhat from it.

The VICE PRESIDENT. If there is no objection, that may be done.

The matter referred to is as follows:

YOU ARE CONCERNED IN THIS, WHETHER EMPLOYER OR EMPLOYEE.

"Almost every important business in the country is studying some form of profit sharing. It is a subject of great interest just at this time. No matter whether you employ others or work for others—you are involved.

"For over 30 years the Procter & Gamble Co. has successfully carried on a profit-sharing plan. So we asked William Cooper Procter, the president of the corporation, to tell exactly what his company does.

"Here is his article. It is full of surprising facts—both as to the amount of money some employees make and the extent of their participation in the conduct of the business.

"THE EDITOR."

PROFIT SHARING—HOW WE DIVIDE WITH OUR MEN.

(By William Cooper Procter, president of the Procter & Gamble Co.)

"'Is your firm afraid of Bolshevism among its employees?' a friend asked me the other day.

"'No,' I answered, 'not at all.'

"The question sent a series of pictures flashing through my mind. One of these, which would have been far more effective than my denial, throws an interesting light on the mental attitude that 33 years of profit sharing have given our workmen.

"In February, 1918, we told the employees' conference committee, our men's parliament, that we were going to give them the eight-hour working day as soon as possible. 'War demands are so heavy,' we explained, 'that the 10 and 11 hour day must be continued for the present, although we recognize the 8-hour day as a base, and we'll pay you time and a half for all overtime.'

"Two months after the signing of the armistice we were able to announce that we would go ahead to the standard eight-hour day and would stop the overtime work.

"'You are going to make considerably less money,' I said to the men, 'unless your wages are raised. I want you to call meetings in all the departments and thrash this out. Decide what wages you think you ought to receive if the eight-hour day goes into effect and report your decision in 10 days.'

"In each of the 35 departments at Ivorydale—our Cincinnati plant—the workers got together and talked out the situation. They then compared results at a general meeting of the conference committee. Promptly at the end of 10 days the decision of the general meeting was brought back in the shape of a report—a report which shows there is no breeding ground for Bolshevist bacilli at the Ivorydale plant.

"'We want the eight-hour day,' the report ran, 'but it is our unanimous decision that we don't want to say what you shall pay us. You know as well as we that the cost of living has gone up, and you'll take that into account. You have always treated us right, and we know you are going to keep on doing it.'

"Soon after we received this report the company was able to announce a new scale of wages, under which the lowest paid able-bodied man in the plant would get 50 cents an hour and the average worker would receive as much for 8 hours' work as 10 hours had been bringing him before. I was pleased to learn later that this scale was above that set by any department in their informal discussions.

"Our employees have been called 'working capitalists.'

"Perhaps the title is not too far afield. But to me it is of more significance to know that they are contented and happy.

"Many of our innovations were born more of the earnest desire to foster this spirit of content and to give our workers freer opportunity to express themselves than of the mere wish to improve their finances.

"The employees' conference plan was, I believe, the first move of its kind in business history. Certainly it was one of the first. Together with the profit sharing, group insurance, and pension and benefit plans, it is simply in line with our conception of the square deal.

"Early last year we worked out the idea of having the employees elect by secret ballot a conference committee to meet monthly with the management, in order to bring to our attention matters that seemed to need correction or to make any suggestions for the general betterment. Each department with not more than 50 workers chooses a representative, and there is one representative for every 50 persons in the larger departments.

"Up to the present no suggestion by the employees—and they have made many—has been turned down unless we were able to show them that it was impracticable. I always feel that if I talk with our men and can not convince them that they are wrong the chances are they are right.

"Business men know that wages are higher and working conditions better in a large manufacturing plant than in a small one. Yet the men in the smaller plant—working longer hours, paid less, and not so well looked after—are usually more contented. The reason lies largely in the fact that men feel a more intimate personal interest in the smaller organization, and therefore a greater loyalty to it.

"The chief problem of 'big business' to-day is to shape its policies so that each worker, whether in office or factory, will feel he is a vital part of his company, with a personal responsibility for its success, and a chance to share in that success. To bring this about, an employer must take the men into his confidence. They should know why they are doing things, the relation of their work to other departments, and, so far as practicable, to the business as a whole; they should be told those elements of cost of production affected by their work, or they can not put intelligent effort into what they are doing. What is more, I believe that the workman should have some means through which he can give expression to his ideas as to the general policy of the business, in accordance with his position and ability, and especially as it relates to his own work.

"On March 1, 1919, at the 'dividend day' meeting, I announced to the men that we had decided to ask them to elect three of their number to sit on the board of directors of the company—the body that has the authority to discharge me, or the general superintendent, or the general manager, or any other officer of the company.

"I told the men that this meant that their influence and voice would run through the whole organization more fully than ever before; and that this influence, these rights, placed upon them a corresponding obligation.

"'The only real test of the plan's success,' I explained, 'is contentment and the greater production that comes from contentment, based on the realization that you are assured, in accordance with your position and ability, a free and full voice in the conduct of the industry to which you are giving your lives.'

"Steps such as these may seem iconoclastic to many business men, but they are the logical sequence of the distribution of profits carried on by this company for more than three decades.

"'Tell me how your profit-sharing plan works,' other employers sometimes say to me. 'I want to start something of the sort myself. I believe it will pay in the long run.'

"'If that is your object, don't do it,' I always answer. 'No one can build a sound profit-sharing plan on the desire to make money. You must be possessed of the conviction, not only that a fair share of the profit existing without the profit-sharing plan belongs to the worker, but that under the profit-sharing plan the worker will produce enough additional to pay his profit-sharing dividend. Your interests must be primarily in the men and seeing that they have the opportunity of earning, through increased interest, the additional money; and, above all, you must realize that it is more than money that the men want; it is a sense of ownership, that can be, in part at least, developed through profit sharing. Without this unselfish motive on the part of the employer, profit sharing will never be a success, for both he and the men in the end will distrust each other and be dissatisfied with any distribution made.

"Our profit-sharing program started back in 1886, when the Knights of Labor movement was agitating American workmen.

In one year we had no fewer than 14 strikes, and men were quitting daily for trivial causes.

"I was just out of college, with rather radical ideas, for those times, on business problems. The situation distressed me. Day in and day out I was working beside these men, nearly all of whom I could call by their first names.

"One of my earliest adventures in industrial discontent was the discovery of the fact that these men were working too long hours. I talked the matter over with my father, who was then at the head of the firm, and persuaded him to give the men Saturday half holiday. So far as I know, we were the first firm in the country to take this step.

"The next move in order was to make the men feel that their own interests and the interests of the firm were identical. So we worked out our first profit sharing plan. To build the framework for this plan was no slight job, for we were pioneers and had to blaze our own trail.

"We finally decided that net profits should be divided between the firm and its employees in the proportion that the men's wages bore to the total cost of production. To illustrate: Assume that we paid $20,000 a year in wages, spent another $70,000 in additional manufacturing costs, and had a total sales for the year of $100,000. Then, the $10,000 difference between our costs and our sales would be net profit, and would be divided two-ninths to the men and seven-ninths to the firm.

"This system was crude, but it was a far reach forward for those days. The men received it rather half-heartedly; but when at the end of the first six months they were paid a dividend of 11 per cent of their wages, signs of interest began to be shown.

"The first year this plan was in operation we had three strikes. Since then we have had only one strike in our history, and that was forced at a branch plant by I. W. W. pressure from the outside.

"From 1887 to 1903 we made numerous changes in the plan, one of which was to give up the system of costs and profits, and to pay every worker in the plant, twice a year, a dividend of 12 per cent of his wages.

"All these plans had one serious defect in common—the workers looked on their semiannual 'dividend day' checks as merely extra wages, and spent them as such. Very little of this money was going into their savings accounts.

"For a time this situation baffled us. Then I decided that we could place a premium on thrift by requiring the men to save a certain fraction of their wages before they would receive any extra money from the firm. Through the plan that went into effect in 1903 we said, in substance, to each workman, male and female, in our employ:

"'To every dollar you save we will add $4, until as much money as you make in a year has been accumulated. This money is then yours. Our only stipulation is that it must be invested in the common stock of the company. We expect our stock to increase greatly in value. That increase, too, will be yours. However, we will protect you against depreciation. If you should ever decide to leave the company, and your stock should then be below the market price at which you obtained it, we promise to return to you in cash that full market price.'

"Before going further into the exact operation of this plan, it may be illuminative to glance at the histories of some of the men and women who have taken advantage of it. These histories may be picked almost at random from our books. Here is a typical case:

"On July 1, 1903, a blacksmith, making 27 cents an hour, subscribed for stock to the amount of his annual wages, $842.40. His further purchases of stock under the profit-sharing plan, due to wage increases and longer service, belong to principles of that plan which I have not yet explained; so I will simply turn to that part of the record which shows that on June 1, 1919, this man, still a blacksmith, although his wages were then about 65 cents an hour, owned stock to the value of $6,286, and yet all the cash he ever paid toward the purchase of that stock was $692.72, about 11 per cent of the total value!

"The figures cited refer merely to the stock that this man had accumulated directly through the profit-sharing plan. There is a limit, based on wages, to the amount of the stock that can be so obtained. Most of our old employees, however, once they have reached this limit, have been so encouraged by the rewards of thrift that they have bought stock in the open market. So it happens that men who had only 6, 8, 10, or 12 shares of 'profit-sharing' stock, are owners of from 1 to more than 80 shares which they have purchased (usually through us) in the open market. And I am referring to workmen and foremen, not managers and superintendents.

"To illustrate my point, let me take the case of another man who subscribed for stock in 1903, when he was making 42 cents an hour. He acquired 12 shares of stock through the profit-sharing plan by cash payments of only $1,229.48. This block was merely an impetus to his thrift. In 16 years he bought, as an investment, 83 additional shares, and on June 1, 1919, this man—now a blacksmith foreman, at 95 cents an hour—was worth $C5,000. Of course, the stock for which he originally subscribed had increased greatly in value during that time.

"I have in mind one stenographer who has been working for the company 23 years. She came at a salary of $9.50 per week, and is now making $150 per month. During these 23 years, in addition to supporting dependents, she has managed to save $7,000, or about $300 a year. At the present time she owns 37 shares of stock, worth more than $26,000. Nineteen thousand dollars of this amount has come to her in profit-sharing rewards, cash dividends, and appreciation in stock values. This woman has been shown no special favoritism, and her case is not at all exceptional.

"In giving a somewhat clearer picture of the manner in which our profit-sharing system is operated, I shall describe the plan followed, with minor modifications, from 1903 to July 1, 1919, when a new plan went into effect. There is little difference in principle in the two plans, and the employees whose cases I cite have made their profits under the old plan.

"This plan was intended to benefit the workingmen—to encourage thrift among those drawing a small wage. So we stipulated that no man making more than $1,500 a year should be allowed to take advantage of it. (The plan of July 1, 1919, raised this limit to $2,000, on account of the recent increase in wages. We will advance the limit again if the pay envelope of the workingman drives it up.)

"'When you subscribe to this stock,' we said to our men, 'you must pay down 2½ per cent, or one-fortieth of its market value, and you must further pay 4 per cent of it each year until your part is paid for.

"'In the meantime we will give you each year one-fifth of the amount of your wage, which we will call a 20 per cent dividend on the stock. This is to be deducted on our books from the amount you will owe for the stock. At the end of four or five years the stock is yours, and you will have paid out of your savings less than 20 per cent of its value. The company will have given you all the rest as a reward for your thrift.

"'We will hold this stock for you. After five years you may buy enough additional stock to bring your holdings up to one and one-quarter times your annual salary, provided you are not making above the $1,500 limit. At the same time the 20 per cent profit-sharing dividend will be increased to 25 per cent a year. After 10 years you may again buy extra stock to bring your total holdings up to one and one-half times your annual salary, and your "profit-sharing dividend" will be increased to 30 per cent, which we will pay you each year so long as you remain in our employ and have not passed beyond the salary limit.

"'If your wages are raised above $1,500, we will see that they are at least $1,800, to make up for what you lose by passing beyond the operation of this plan. Your stock will then be placed in your personal possession.'

"Naturally there are many other details to the plan. Two that I may mention in passing are the 3 per cent interest we have charged employees on their unpaid balance, and the regular cash dividends on the stock which they have received from the start—just as all other stockholders received them. These two items about balance each other, however.

"Let us take one further case of an employee to see how all this works out. I will select a soap stamper, who was making 16 cents an hour at the time he entered the plan. His history is briefly this:

	Shares.
Subscribed for stock on Mar. 1, 1904, to the amount of his annual wages	1.49
Additional purchase from increase in wages	1.96
Additional purchase from 5-year and 10-year increase of stock allowed him	1.01
Extra shares given him on increase in capital stock	3.09
	7.55

"His original subscription was paid for in six years. His own cash payments totaled only $243.36.

"On June 1, 1919, this man was making 65 cents an hour as a department foreman. His stock was worth $5,285.

"In order to avoid confusion, I shall not go into the new profit-sharing plan in detail. Its essential points of difference from the one I have been describing are:

"PLAN PRIOR TO JULY 1, 1919.

"Two and one-half per cent.

"Four per cent of total paid each year.

"Fifteen hundred-dollar wage limit.

"Twenty per cent profit-sharing dividend.

"PRESENT PLAN.

"No cash down.

"Five per cent each year.

"Two thousand-dollar limit.

"Sliding scale of dividends.

"The old axiom that the 'first thousand dollars comes hardest' is really the motive of our profit-sharing system. We help a man to save a year's salary. He is started on the road of thrift. Finding its rewards surprisingly great, he continues to save and invest his money in the stock that gave him the impetus. We are always ready to lend our men money at a small rate of interest to make purchases of stock in the open market.

"The higher salaried employees of the firm have been liberal investors in stock ever since the incorporation in 1890, 13 years before the profit-sharing system was instituted. We have encouraged them to become investors by a plan which allows them to pay $25 a share down and 10 per cent of the total each year. Four per cent interest is charged on unpaid balances, but this is covered by cash dividends they receive.

"One of our salesmen, who began buying stock in the early days, came to us at an annual salary of less than $1,000 a year and never made more than $7,000 a year during his career with the company. Yet when he retired, a few years ago, he was worth three-quarters of a million of dollars.

"Profit sharing has many attendant advantages. For one thing, it inclines a man to stay on the job by giving him a vital interest in the business. Fifty-six men at the Ivorydale plant have been with us from 25 to 40 years. Nearly half of the more than 2,700 workers are employees of from 1 to 40 years' standing. The average annual turnover shown in industrial plants is 120 per cent—twice the annual turnover shown at Ivorydale. Our records show that if a man stays with the company one month—long enough to get fairly acquainted—he is likely to remain here indefinitely.

"I believe that the spirit of thrift and the sense of responsibility that have come to our men through the profit-sharing plan have had much to do with the rapid development of leaders among them.

"All but one of the men in places of power with this company to-day have come up through the ranks, and most of them started at not more than a day laborer's or a clerk's salary. Our general superintendent began work as a boy in the box factory at $2 a week. The superintendent of the plant at Port Ivory, N. Y., entered our employ 16 years ago as a $45 a month bill-of-lading clerk. Our chief engineer at Cincinnati started at $5 a week. It is only 15 years since our general sales manager was a $60-a-month clerk in the treasurer's department. The central and western sales managers broke in as office boys, and so the list might be carried on.

"Our experience, however, has proved to us the great value of a college education, and I can not urge young men too strongly upon this point. While all but one of the men in places of power in this company to-day have come up through the ranks, over 80 per cent of those men drawing salaries in excess of $3,000 a year are college graduates. They start with the crowd, but the trained mind demonstrates its value as truly as the skilled laborer stands out over the unskilled.

"Remembering how these men came out of the crowd and forced recognition of their merits, I have slight sympathy with the theory that luck plays a controlling part in business success. Luck exists, of course, and some folk seem to get more than their share of it, but to every man comes enough luck so that he will be able to make his mark if he has the native ability, ambition, and vision to measure up to his opportunities.

"The first promotion, that which lifts a man from the crowd, is the hardest to get. It is like the private's promotion to corporal. But once the workman has become a foreman, or is given any position with authority over other men, he has risen where he can be seen. He will be seen, too, for every employer is sweeping his organization with a spyglass to seek out ability.

"Looking back over the lives of the men whom I have watched as they won their way to leadership, I find five marked characteristics. They have been aggressive, truthful, unselfish, and courageous, with the power of decision and determination to carry decision through. Lacking any one of these, and especially the latter, a man's success is very doubtful; granted the five, it is assured.

"Aggressiveness and good health usually lodge together; that is why I am always preaching the gospel of physical fitness. Look over the world's leaders and you will find, for the most part, men of tireless physical vigor. Some great men have been frail, a few have been invalids, but each case is an exception to the rule. Most great men have been charged with the physical vigor out of which is born much of the dynamic force that drives them through to success. Men who work their minds for 16 hours a day and slight their bodies are violating the laws of the very success they seek. I firmly believe that 50 per cent of whatever I have been able to accomplish has been due to strength and endurance.

"From 20 to 25, or the first few years out of school, is the most important period in a man's life. If he has not found himself, if he has failed to make some definite impression by the time he is 27 or 28, barriers will have been built up in front of him which only the very exceptional men can scale.

"Sometimes one will hear a young man remark, 'I can afford to take things easy until I am 30 or 35. Then I will make up for lost time.' This is the most foolish of fallacies. Men who make their mark in middle age almost invariably have established an outstanding reputation for ability, aggressiveness, and ambition in the first years of their business life.

"Real genius may be handicapped, but never permanently held down, by being misplaced. Yet each employer has a great responsibility to make sure that he is helping his men to develop themselves by giving them jobs that 'fit' them and that measure up to their abilities. We put 100-horsepower loads on 50-horsepower men and break them. We put 50-horsepower loads on 100-horsepower men and there is unused energy running to waste. The most successful employer is the one who can most closely match the load to the man.

"I have already mentioned my belief that no man can handle his job with full efficiency and economy unless he knows why he is doing it and what it costs. The next step this company is going to take will be based on these facts. We are going to let each department share in the lessened cost of production. Our books will be thrown open to the men; they can see for themselves the costs of production in their departments for a given period. We hope so to arrange matters that each department that is able to obtain the same results more cheaply will divide the savings with the firm.

"This is simply another adventure in common sense and justice. The laboring man wants no one to become hysterical or sentimental over him. He resents it. All he wants is to be treated fairly.

"One thing we have continually tried to avoid is any interference with the private life of our workers. I have always felt that the employer who follows up his direction of a workman's job by telling him what he should do at home is unduly impertinent to a man's soul.

"Any system of rewarding labor must be predicated on the fact that every man shall return value received for what he gets, otherwise the system is unsound and can not continue.

"My greatest pride in our profit-sharing plan comes from the knowledge that it reaches the minds of our workers as well as their pocketbooks. Out of thrift has come independence; out of independence has come freedom and happiness. We have not only given our men additional money—we have helped them to find additional ideals."

Mr. TOWNSEND. Mr. President, may I ask to have inserted in the RECORD, in connection with the remarks of the Senator from Illinois relative to distribution of expenditures, chapter 38 of the Universal Postal Union, which answers the question which I asked and which, I think, is important for the Senate to know, not only in connection with the expenses of this organization but of the secretariat as well? I ask unanimous consent to have inserted in the RECORD the chapter to which I have referred.

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

The matter referred to is as follows:

DIVISION OF THE EXPENSES OF THE INTERNATIONAL BUREAU.

"1. The ordinary expenses of the international bureau must not exceed the sum of 125,000 francs annually, irrespective of the special expenses to which the meeting of a congress or of a conference gives rise.

"2. The Swiss postal administration supervises the expenses of the international bureau, makes the necessary advances, and prepares the annual account, which is communicated to all the other administrations.

"For the apportionment of the expenses the countries of the union are divided into seven classes, each contributing in the proportion of a certain number of units, viz:

"First class, 25 units.

"Second class, 20 units.

"Third class, 15 units.

"Fourth class, 10 units.

"Fifth class, 5 units.

"Sixth class, 3 units.

"Seventh class, 1 unit.

"4. These coefficients are multiplied by the number of countries of each class, and the total of the products thus obtained furnishes the number of units by which the whole expense is to

be divided. The quotient gives the amount of the unit of expense.

"5. The countries of the union are classified as follows, in view of the division of expenses:

"First class: Germany, Austria, United States of America, France, Great Britain, Hungary, British India, Commonwealth of Australia, Canada, the British colonies and protectorates of South Africa, the whole of the other British colonies and protectorates, Italy, Japan, Russia, Turkey.

"Second class: Spain.

"Third class: Belgium, Brazil, Egypt, Netherlands, Roumania, Sweden, Switzerland, Algeria, French colonies and protectorates in Indo-China, the whole of the other French colonies, the whole of the insular possessions of the United States of America, Dutch East Indies.

"Fourth class: Denmark, Norway, Portugal, Portuguese colonies in Africa, the whole of the other Portuguese colonies.

"Fifth class: Argentine Republic, Bosnia-Herzegovina, Bulgaria, Chile, Colombia, Greece, Mexico, Peru, Serbia, Tunis.

"Sixth class: Bolivia, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Hayti, Republic of Honduras, Luxemberg, Republic of Nicaragua, Republic of Panama, Paraguay, Persia, Republic of Salvador, Kingdom of Siam, Uruguay, Venezuela, German protectorates in Africa, German protectorates in Asia and Australasia, Danish colonies, Colony of Curacao (or Dutch West Indies), Colony of Surinam (or Dutch Guiana).

"Seventh class: Congo Free State, Corea, Crete, Spanish establishments in the Gulf of Guinea, the whole of the Italian colonies, Liberia, Montenegro."

Mr. SHERMAN. I am very glad the Senator from Michigan has had it incorporated in the RECORD in connection with my presentation of the matter. It will be valuable for future purposes as well.

Mr. President, there is in the periodical Industry of October 15, 1919, an article entitled "Will the international labor conference menace American industrial progress?" In commenting it says:

> The make-up of this conference is comparatively easy to understand. There will be delegates from England, France, Italy, and various other European countries, and the bulk of these delegates will be socialists or radicals, intent on putting into effect the socialistic and radical plans. Now, there are two things which industry in the United States must regard with apprehension. One is an attempt to impose the closed shop, or the socialistically conducted shop, on the country, and the other is the imposition of the limited working day, which is part of the program of the socialists and the labor unionists. Both the closed shop and the 40-hour or 44-hour week mean in the very first analysis decreased production, increased cost of production, and increased cost of living. It means the strangling of individual initiative and effort, the imposition of restrictions designed to put all workmen on the common footing of mediocrity, and it places in the control of a few leaders the very life of industry in this country. The public has a greater interest in the maintenance of the open shop and the maintenance of proper and normal production than the employer has.
>
> This international labor conference will be largely composed of men committed to these principles.

And, as if in precise arrangement for the purpose of dovetailing in these provisions, it is enumerated that the application of the principle of the 8-hour day or the 48-hour week shall be taken up in the first conference to be held in this country.

We are vitally concerned not only in the peace questions that I have already referred to but in the question of the closed shop. Suppose the international conference now in session in Washington should declare in favor of the closed shop. The greater part—I believe a majority, at least—of the delegates in this conference are committed to this economic principle, as they call it. Suppose they pass a resolution before ending that conference imposing upon this country, even though we are not officially represented, the closed shop or a limited number of hours per day. They disperse to their various countries. Some representative of a country concerned—Germany, for instance—makes complaint. The delegates from Germany are sitting in this conference, I have understood. The delegates from Japan are sitting in this conference. Their members can be found in their seats to-day if you go over to the Pan American Building. If they are in this country and in this conference for any good purpose toward the United States, no person searching the motives of men can find it out. The German delegates, if present, are here to promote industrial mischief. Japan is here for the purpose of increasing her trade. Their export trade now with the United States has increased amazingly in the last four years. They have taken no considerable part in the late war. They have not exhausted their credit, their man power, nor their industrial plant in anything they contributed to the struggle. When they had expelled the Germans from Shantung their decisive action was over. They did concern themselves somewhat in Siberia, but that is purely for prudential reasons. They expect sooner or later to effect a lodgment of their Government on this part of the mainland of Asia. Every move they have made is dictated by a purely national selfish purpose. From their viewpoint they are justified, but in our country we are equally justified in taking such defensive steps against any industrial inroads they may make on us or in binding ourselves in a league or any international labor conference in which they may have advantages.

Suppose, to carry on further what naturally would follow when this conference has dispersed, the Germans, within a few months or a few weeks, the treaty of peace having been ratified and Germany recognized as having resumed her international and diplomatic relations with this country, makes complaint. On that complaint a commission of inquiry is created. The commission of inquiry investigate. They make a finding on the closed shop. Great Britain's industrial representatives would be inclined to vote that way. Some 85 or 90 per cent, possibly, of all of Great Britain's employees are unionized. Their delegates representing labor will be a closed-shop delegation in our country. In all probability the Government delegate representing the United Kingdom of Great Britain will not feel like provoking a quarrel with labor interests of their own country by opposing the closed-shop procedure. Arthur Henderson and his allies in industrial England will be able to overcome any scruples that Lloyd-George and his ministry would have, or their delegate representing them, against the closed shop. It is fair to presume, from local conditions in Great Britain, that both their delegates will be found joining with the German delegates and the delegates from the smaller countries, socialistic in their nature. Some of the Spanish delegates are not to be trusted upon this question. They will be found joining to adopt a resolution for a closed shop.

This is the beginning of internationalism. This conference is the first step in international procedure. It is the first step in international procedure in labor questions. It is the practical expression of industrial internationalism.

When they have proceeded thus far, passing the appropriate resolution for the closed shop, they will make complaint if we do not adopt it. The economic retaliation to be applied under stress of labor conditions in England and by deliberate purpose, without regard to the merits of the controversy, in Japan, would provide that all articles manufactured in our country in an open shop will be denied admission into their market.

That is the first practical economic boycott that can be applied to our affairs by the international labor conference. This, therefore, under the provisions of the sections sought to be stricken out by this motion would create a discrimination against some of the largest producing centers in our country. The United States Steel Co. is an open shop; the various plants of the Link Belt Co., of which Charles Pease, of Chicago and Philadelphia, is the leading spirit, is an open shop. I need not enumerate others of the largest concerns in the United States which are to-day operating on an open-shop basis. They make no discrimination against any member of a labor union, but they do not pledge themselves to employ only union labor. They employ any fit laborer that applies. The men at the heads of large enterprises are in danger of having their open-shop methods revolutionized and destroyed by the action of foreign countries. If the open shop ends, it ought to go as the result of our domestic action; the closed shop ought not to be forced upon us from abroad by an international labor conference, and by a species of internationalism that is utterly alien to our institutions.

Mr. President, the danger on the question of the open and closed shop that is contained within the limits of the articles I have quoted is a very grave one; it is not an imaginary danger. Before the international conference now in session shall have adjourned there will be enough happen from the radicals and the alien firebrands that are in our midst to justify me in what I say to-day. It is further stated here:

> It is all very well to talk of the limitations imposed by our Constitution, but it is an unfortunate fact that our position in international affairs to-day inevitably limits our Constitution, no matter what the judgment of the courts may be. If the international conference at Washington, with the cooperation of part of the delegates of the United States, indorses the closed shop and the 44-hour week, this country will have to stand before the world as repudiating the findings of a conference which it helped to create and in which it participated.

We are not officially participating in it, since the treaty and the league covenant have not yet been ratified, but under the provisions of the proclamation under which these delegates assembled, we are morally bound by their actions. The only way we can free ourselves from that moral obligation is to strike out of this treaty the articles referred to. Continuing the reading:

> If we argue that the Constitution does not permit the legislative enforcement of the findings of the conference we shall be met with the argument that the spirit of the people should be sufficient to compel acceptance and application of the findings of the conference.

I ask to have printed in the RECORD the whole of this article from Industry of October 15, 1919, without reading more of it.

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

The article entire is as follows:

[From Industry, Oct. 15, 1919.]

"WILL THE INTERNATIONAL LABOR CONFERENCE MENACE AMERICAN INDUSTRIAL PROGRESS?

"While interest in the industrial conference which is now being held in Washington is naturally very great, this conference must not be permitted to overshadow in the minds of the people, of all the people, the gravity of the conference which will assemble in Washington on October 29—the international labor conference provided for in the peace treaty. This will be something new, not only in our domestic affairs but in international affairs, and let it be said emphatically that it may be fraught with danger to the United States. We have called attention to this conference before in Industry, but its extreme significance does not seem to be understood or appreciated.

"This international conference is the first of annual meetings made possible under the peace treaty, and delegates from all the European countries will participate. Our own representation will be comparatively negligible when compared with the total membership of the conference. There are a variety of proposals which may be considered. Some of them are sociological, some are humanitarian, some are socialistic, and some are directly in the interest of specific classes. There is just as much possibility that the socialistic and special class programs will prevail as that the sociological and humanitarian programs will be put into effect.

"The make-up of this conference is comparatively easy to understand. There will be delegates from England, France, Italy, and various other European countries, and the bulk of these delegates will be socialists or radicals, intent on putting into effect socialistic and radical plans. Now, there are two things which industry in the United States must regard with apprehension. One is an attempt to impose the closed shop, or the socialistically conducted shop, on the country, and the other is the imposition of the limited working day, which is part of the program of the socialist and the labor unionist. Both the closed shop and the 40-hour or 44-hour week mean in the very first analysis decreased production, increased cost of production, and increased cost of living. It means the strangling of individual initiative and effort, the imposition of restrictions designed to put all workmen on the common footing of mediocrity, and it places in the control of a few leaders the very life of industry in this country. The public has a greater interest in the maintenance of the open shop and the maintenance of proper and normal production than the employer has.

"This international labor conference will be largely composed of men committed to these principles. It is all very well to talk of the limitations imposed by our Constitution, but it is an unfortunate fact that our position in international affairs to-day inevitably limits our Constitution, no matter what the judgment of the courts may be. If the international conference at Washington, with the cooperation of part of the delegates of the United States, indorses the closed shop and the 44-hour week, this country will have to stand before the world as repudiating the findings of a conference which it helped to create and in which it participated. If we argue that the Constitution does not permit the legislative enforcement of the findings of the conference, we shall be met with the argument that the spirit of the people should be sufficient to compel acceptance and application of the findings of the conference.

"Under the treaty, economic pressure may be brought against us if we fail to enforce the findings of this conference, and we must not assume that this economic pressure will be lacking, because if other nations find it within their power to force us into an industrial position which will bring chaos, it will be to their advantage very materially. We have subscribed, through our representative in Paris, to the idea of this international conference, and we can not repudiate the findings on technical grounds. In other words, we are committed to something which is destructive to ourselves, which is un-American, which is unconstitutional, but which we have passed our word to recognize and follow.

"The open shop must be maintained in the United States irrespective of international obligations, peace treaties, and everything else. The prosperity of the country, the maintenance of its industries, the comfort of its inhabitants are superior to what might be called a technical violation of our word of honor, because that word was not given with the assent of the people of the United States. It was part of a bargain, of a diplomatic bargain, done without consideration of its ultimate effects. The people of the country must understand what it means and must repudiate in advance any action of the International Labor Conference which is in conflict with the best interests of the Nation.

"One or two Senators of the United States, with vision and understanding, have already pointed out the danger in the labor articles in the peace treaty. They should go further and emphasize these dangers, and the Senate of the United States should amend the labor articles so as to preserve to the United States its industrial independence and industrial strength. A reservation should be attached to the labor articles to the effect that no findings of the International Labor Conference will be regarded as binding on the United States which is in any way in conflict with our Constitution. This will serve notice as to our official attitude and will supplement and make positive the action which our people must take to preserve their industrial integrity. Our word of honor passed in Paris must be clarified and illuminated, made plain and definite, showing that the United States is not going to turn over its industries to the dictation of a socialistically constituted conference, whether international or domestic."

Mr. SHERMAN. Mr. President, referring to the open and closed shop, there is one other subject which I think would concern the Brotherhood of Locomotive Engineers. I could probably refer my comments to the employers' side of the question, but connected with the Brotherhood of Locomotive Engineers and the other three railway brotherhoods there is another matter that ought to concern the union labor, the employees' side of the controversy. There is very great care taken by the Brotherhood of Locomotive Engineers to enforce observance of the orders issued by their authorities. On page 53, in section 92, of the constitution and statutes of the Brotherhood of Locomotive Engineers, I find a provision which anticipated by several years the provisions of the espionage act which we used during the war. I now read:

All divisions, or members of divisions, are prohibited from issuing circulars or signing any form of petition relative to brotherhood business among members of the brotherhood or others. If issued by a division, its charter shall be suspended; and the length of such suspension shall be at the discretion of the grand chief engineer. If issued or signed by a member, he shall be suspended or expelled: *Provided*, That the foregoing shall not prevent or hinder in any manner any official or division of the brotherhood in properly conducting the business of the organization as to sending out notices, reports, etc., for the purpose of securing or giving information.

Suppose that should be deemed restrictive of the right of free speech among organized labor; if the radical in the International Labor Conference should have it fall under his watchful eye, it is not a far-fetched conclusion that the radical would be dissatisfied. One of the principal privileges of the soviet and of radicals in a public body is to talk. They have all of the qualifications of a Senator in that particular. Constant use of language to them is dearer than an increase of wages or a shortening of hours. If their vigilant eyes should fall upon section 92 of the regulations I have read, it might lead to unfavorable action. They might regard that as applied to North America as requiring treatment by the conference. The brotherhood operates in Canada, Mexico, and the United States. Canada is under the influence of Great Britain's delegates, and their delegates sitting in this conference would join with those of the United Kingdom.

Let it be observed here that Great Britain has in this conference not the two delegates but she has delegates from each of her five self-governing colonial possessions. Australia, if not already represented, will be represented by delegates. Great Britain will have, in other words, six times the representation of the United States, even if we were lawfully within the conference.

It is not a violent interpretation to say that these regulations, applicable in Canada and in the United States by the brotherhood, would be a subject of action by the conference, and that a hostile resolution repealing, modifying, or wholly eliminating such a provision could be passed.

On page 93 there is another section applying to the brotherhood in Canada which reads:

Any member or division refusing to sustain the official acts or instructions of the legislative board or who circulates or signs a petition; or who by verbal or written communication to railroad officials or others that is calculated to injure or interfere with legislative matters offered by the legislative board; or at any time make suggestions to railroad officials or to dominion or provincial legislators that may be detrimental to the interest of the Brotherhood of Locomotive Engineers; or who by verbal or written communication to anyone calculated to injure or interfere with national legislative matters offered by our legislative representative at Washington, Canada, or Mexico—

The brotherhood includes all the English-speaking engineers in Mexico, which in normal times would embrace about all the engineers operating trains in that Republic—

or at any time make suggestions to anyone that may be detrimental to the interests of such legislation, shall be expelled when proven guilty, as per section 49 of statutes.

I present further sections from the same source:

SEC. 51. Any member of the B. of L. E. who takes the place of anyone engaged in a strike recognized as legal by the B. of L. E. shall be expelled when proven guilty, and shall forever be ineligible for readmittance to this brotherhood. (Statutes, p. 40.)

SEC. 34. When any member or members of a subdivision (except chairman of the local committee) take up directly with the general chairman, verbally or written, any question where other members' interest is involved or asked for a ruling upon any question, the general chairman must refuse to grant such a request or ruling until the proposition has been submitted to the subdivision for their consideration. If carried by a majority of the members present, the secretary will furnish the general chairman all the facts in the case, who will furnish the subdivision with his ruling or interpretation, as the case might be.

Any member who by verbal or written communication to railroad officials or others interferes with a grievance that is in the hands of the committee, or at any other time makes any suggestion to any official that may cause discord in any division, shall be expelled as per sections 49 and 54 of the statutes, when proven guilty, provided, however, this law shall not apply to a brother in official position when called upon to express an opinion in his official capacity.

SEC. 35. Any member of the general committee of adjustments who willfully and premeditatedly does, with malicious intent by act or word, in the presence of any railroad official, injure any matter under discussion by said committee which has for its purpose the enforcement of the standing rules of the G. I. D., shall, by a two-thirds vote of said committee, be deprived of serving on the same, the general chairman to fill such vacancy from the membership of the division to which the deposed member belonged, he serving until relieved by one appointed by the division so affected. (Standing Rules, p. 78.)

Those regulations all could be made the basis of equally hostile action in the conference.

Reading from the Washington Times of this afternoon:

The latest mystery: Where are the German and Austrian delegates to the international labor conference?

The State Department has information that they have not yet sailed from Holland, while other delegates from continental Europe believe they will show up in Washington at any time.

There seems to be some question about their passports. I was informed last night—and on that basis I made the statement I did a while ago—that the German delegates had arrived. I correct my former statement. The Japanese delegates are here and are visible in the flesh. The German delegates, according to a press report I saw not long ago, had sailed some days before that time from a European port bound for New York. Where they are at this time nobody knows, but very likely they will turn up before the conference is ended.

Because of the difficulties that might arise from the action of the conference in connection with local regulations in our own country and in other sovereign States in North America, we ought to enter into this international conference with great care, if we enter it at all. I think we are better off to stay out of it, for no good can come from it. With our great area, our industrial development, our surplus requiring export, if normal relations shall again be resumed we are abundantly able to take care of ourselves, and unless burdensome restrictions are placed upon us to take care of any surplus that may require an outlet in a foreign market.

There is another question that is very likely to be taken up, namely, the piecework problem. Many of the most expert of the artisans of this country are employed on a piecework basis. It is opposed by some of the unions because those who are competent outstrip in their earnings those less competent. It is proposed to reduce the skillful to a mediocre basis. Therefore there is an undercurrent of hostility found in many of the labor unions against the piecework plan. The less skillful—and in many instances they are the most numerous in the local unions—oppose the piecework plan. The more skillful in any occupation are apt to be in the minority, but they are potent agents of production. Still on the question of piecework the dissatisfied radical in this country may join with the radicals of other countries in an international labor conference and enforce upon us a limitation upon piecework which would interfere materially with our productive capacity. That is something wholly within the power of the conference to do. At any time a hostile measure may come from the conference and may be enforced upon us by the usual economic processes to which I have referred.

I wish to close this discussion, Mr. President, by reading the condition of the British East Indies and the conduct of the United Kingdom of Great Britain with that country. I read from "The New Map of Asia," by Herbert A. Gibbons, a recent publication by the Century Co., published in 1919. From page 41 I quote:

A maharaja told me in 1916, "We can not stand the British much longer." Economically, famines are more and more frequent, and the British authorities seem to be less able to cope with them than formerly. Trade returns show that England is taking $150,000,000 every year out of India with no commercial or material return.

In connection with the same subject, I now read from pages 54 and 55 of the same volume. These are matters that will come into this conference:

The average life of the Indian is 23 years, of the Englishman 40 years, of the New Zealander 60 years. In 1850 the average earning of an Indian was 4 cents a day. This sum fell to 3 cents in 1882 and to 1½ cents in 1900. The majority of the population of India goes through life without ever having enough to eat. This state of affairs did not exist before England started to drain India of her wealth. It exists in no other portion of the earth's surface. It does not exist in neighboring, equally densely populated countries that are not directly under British rule.

Every enemy of Great Britain in Europe and Asia in this conference will aggravate, by proper agitation, the feeling of the East Indian on this subject. During the war, Germany provoked the Afghans to an expedition across the borders of northern British India. They supposed they would meet with the demonstrations of the East Indians amounting to a revolt. It was quelled without the hoped-for disturbance, but it shows the activity of the enemy nations of Great Britain in various parts of these continents. It will break out naturally in the international peace conference, because the conditions are such as to provoke constant controversy.

On page 144, I read the following:

The record of European diplomacy in the Near East from 1815 to 1919 has no redeeming feature.

Eighteen hundred and fifteen marks the time of the close of the congress of Vienna, when there was a partition of territory, a union of powers, a balancing of the rights and wrongs and strengths and weaknesses of European nations; it was hailed as the threshold of universal peace.

From the congress of Vienna to the conference of Paris it did not change. Heartlessness and selfishness were its characteristics. The interests of the races of the Ottoman Empire, Moslem and Christian alike, were consistently sacrificed to fancied interests of the powers. Never once did European statesmen, assembled to solve Near Eastern problems, make a decision actuated by a desire to protect or to help the races whose fate was in their hands.

It is an error to believe that there has been a change of heart in the twentieth century. Before the outbreak of the Balkan War, on October 8, 1912, the six great powers notified the Balkan States that: "(1) The powers condemn energetically every measure capable of leading to rupture of peace; (2) supporting themselves on article 23 of the treaty of Berlin, the powers will take in hand, in the interest of the populations, the realization of the reforms in the administration of European Turkey on the understanding that these reforms will not diminish the sovereignty of His Imperial Majesty the Sultan and the territorial integrity of the Ottoman Empire; (3) if, in spite of this note, war does break out between the Balkan States and the Ottoman Empire, they will not admit, at the end of the conflict, any modification of the territorial status quo in European Turkey."

These countries are represented in the international conference. Great Britain is represented. The seeds of intrigue are present. The desire to promote revolution in East India and all of Great Britain's colonial possessions in Asia is present, and the instigation that could have its origin in the international peace conference is such as to endanger our own domestic peace and welfare. Instead of having this body here, I think it ought to be in the countries where the trouble began. All of these difficulties were made in Europe. No one of them was made in the United States. This war was made in Europe. It was not made here. We were at peace. We are at peace now, and the only place in the world where countries are in armed collision is in the Old World. Those places are necessarily the ones where disputes have proceeded to that extreme, growing out of the so-called league of nations and peace treaty and the new boundaries created.

There is a very excellent article in the November number of the Protectionist, under the heading of "'Labor' provisions of the treaty of peace." It analyzes the various sections to which I have alluded yesterday and to-day. It shows the representation, the jurisdiction of the conference, and how that jurisdiction may materially embroil us in the controversies of the world, as well as how it may interfere with the domestic industrial questions that are exclusively local to our country. This I should like permission to incorporate in the RECORD at length without reading, because I think it is a valuable contribution to the subject.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From the Protectionist for November, 1919, p. 398.]

"LABOR" PROVISIONS OF THE TREATY OF PEACE.

[By Edward N. Dingley.]

In the discussion of the terms of the treaty of peace between the United States and the allied nations on the one hand and Germany on the other, comparatively little notice has been taken of what is designated as Part XIII, under the title of "Labor." Yet this portion of the treaty, occupying about 10 pages of the entire 213 comprising the voluminous document, contains provisions of vital and far-reaching importance, especially to the United States. The much-discussed covenant of the league of nations, which occupies the first 9 pages of the official document following the signatures, embodies a no more serious and revolutionary program than the 10 pages of the treaty of peace which are devoted to "labor." In short, the "covenant" and "labor" sections very properly may be deemed the "explosive by-products" of a treaty designed to contain conditions of peace.

The underlying principle of the "labor" provisions, as of the "covenant," is internationalism. Its objects are set forth in the preamble:

"Whereas the league of nations has for its object the establishment of universal peace, and such a peace can be established only if it is based on social justice; and

"Whereas conditions of labor exist involving such injustice, hardship, and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperiled; and an improvement of these conditions is urgently required," etc.

[Here follows an enumeration of the alleged wrongs and the remedies proposed.]

The proposed "organization of labor" is planned to be an adjunct of the league of nations—a wheel within a wheel. Ratification of the treaty of peace by the United States will automatically make the United States a member of the International Labor Conference. The original members of the league of nations "shall be the members of the labor organization." Since there are to be 32 original members of the league of nations, there will be the same number of members of the international labor organization. The permanent organization "shall be (1) a general conference of representatives and (2) an international labor office controlled by a governing body." The general conference shall meet at least once a year and "shall be composed of four representatives of each of the members"; two shall be Government delegates and one shall be an employers' delegate and one an employees' delegate. Each delegate may be accompanied by not more than two advisers without votes.

Under this plan the general conference of representatives of the members will consist of 128 delegates, 64 representing the several Governments, 32 representing the employers, and 32 representing the work people. The 64 "non-Government delegates," as they are called, are to be chosen "in agreement with the industrial organizations which are most representative of employers or work people." There is no specific provision for the selection of the 64 Government delegates. Presumably they will be named by the heads of the respective Governments or by the persons representing the respective nations in the league of nations. The 64 "non-Government" delegates, if "chosen in agreement," must be agreeable to both employers and employees. No procedure is provided in case of a disagreement.

The following countries, self-governing colonies or dependencies, each will have four delegates in the general conference of representatives: United States; Belgium; Brazil; British Empire, Canada, Australia, New Zealand, South Africa, India; China; Cuba; Ecuador; France; Serb-Croat-Slovene State; Siam; Czecho-Slavonia; Uruguay; Greece; Guatemala; Haiti; Hedjaz; Italy; Japan; Liberia; Nicaragua; Peru; Panama; Poland; Portugal; Roumania.

It will be observed that the British Empire, together with its four "self-governing" colonies and India, which is not self-governing, will have 24 votes and the United States will have four—the same number that Japan or Haiti or Hedjaz or Liberia or Siam will have.

The general conference will meet at the seat of the league of nations, where an "international labor office" will be established "as a part of the organization of the league of nations."

Article 339 provides that "each of the members will [shall] pay the traveling and subsistence expenses of its delegates and their advisers and of its representatives attending the meetings of the conference." There is no method provided whereby this fund shall be raised or through what channel it shall be disbursed. However, the presumption is that each member [nation] agreeing to the treaty and thus becoming a party to that portion of the contract devoted to the International Labor Conference will appropriate funds to meet the expenses.

The governing body of the international labor office is to consist of 24 persons, 12 representing the Governments and 12 representing the employers and the workers—6 each. The 12 latter shall be elected by their respective groups. Of the 12 representing the Governments, 8 shall be "nominated" by the "chief industrial groups in the main conference" and 4 shall be "nominated" by the Governments' delegates. The council of the league of nations shall decide which are the groups "of chief industrial importance." Members of the governing board will hold office for three years. The governing board shall regulate its own procedure and fix its own times of meeting. There is to be a director appointed by the governing board and a staff (no number mentioned) appointed by the director.

We now have (1) a general conference of 128 delegates meeting at least once a year, (2) a governing board of 12 holding office for three years and meeting when and where it pleases, (3) a director of the international labor office with an indeterminate number on his staff. Each of the members will [shall] pay the traveling expenses of the delegates to the conference, members of the governing board, and all advisers. All other expenses of whatever nature "shall be paid to the director by the secretary general of the league of nations out of the general funds of the league."

The functions of the international labor office (controlled by the governing board of 12) shall be the distribution of information "on all subjects relating to the international adjustment of conditions of industrial life and labor and the preparation of the 'agenda' (program) for the meetings of the conference."

The subjects for discussion and consideration by the conference "shall be determined by the governing board." Objections to any subject may be made by any of the members [Governments] but such objections may be overruled by a two-thirds vote of the delegates present in the general conference. After the conference has reached a decision upon any subject a proposal either (1) for legislation or (2) for an international convention may be recommended to the members [Governments] to give it effect. A two-thirds vote is required and "due regard to climate, conditions, and imperfect development" shall be had.

Now comes the vital part of the contract. Each member "undertakes [agrees] that it will within the period of one year at most from the closing of the session of the conference or at the earliest practical moment, and in no case later than 18 months, bring the recommendation before the authority or authorities within whose competence the matter lies for the enactment of legislation or other action." In the case of Federal States, the power of which to enter into conventions on labor matters is subject to limitations, this provision of the agreement is limited to recommendations only, and "in no case shall any member be asked or required to lessen the protection afforded by its existing legislation to the workers concerned." This is good as far as it goes.

In case any member [Government] fails to comply with the recommendations of the conference, an explanation may be required by the general board. If no reply or an inadequate reply is received, the fact may be published for the information of all the members. Any member [nation] may file a complaint against any other member [nation] and the governing board, after such complaint or on its own motion, may institute a commission of inquiry. Each member [nation] agrees to nominate three persons, forming a panel from which the members of the commission of inquiry shall be drawn. The secretary-general of the league of nations shall nominate from this panel the three members of the commission of inquiry. This commission shall make a report indicating among other things "the measure, if any, of an economic character against a defaulting Government which it considers to be appropriate and which it thinks other Governments would be justified in adopting." The secretary-general of the league of nations shall communicate the report to each of the Governments concerned in the complaints. Each Government must decide either to accept the recommendations or refer [appeal] the complaint to a permanent court of international justice to be established. The decision of this court shall be final and the court shall "indicate the measure, if any, of an economic character which it considers to be appropriate." In the event of any member [nation] failing to carry out the recommendation, any other member [nation] may take against the defaulting member [nation] the measures of an economic character indicated in the report of the commission or the decision of the court. These provisions of the treaty are to apply to colonies, protectorates, and possessions "except where local conditions make it impossible or require modifications." All expenses of the first meeting of the labor conference in Washington and originally called for October, 1919, will be borne by the members [nations] "in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union."

How will this portion of the treaty of peace, providing for an international labor conference, affect America industrially and economically? It is clear that the machinery provided in the contract contemplates the internationalization of all matters "touching the problem of industry and employment," including unions, collective bargaining, strikes, wages, hours of labor, and all kindred subjects. A body of 128 delegates, 64 representing the Governments—presumably politically appointed—32 representing the employers, and 32 representing the workpeople, in session at the seat of the league of nations, will have the power to consider and "recommend" what the policy of any member [nation] concerning any problem of industry and employment shall be. In this conference the United States will have 4 votes—4 out of 128.

For example, take the five most vital questions touching industry and employment—wages, unions, closed shops, strikes, and collective bargaining. For a hundred years with a few and never-to-be-forgotten exceptions, the United States has adhered to the policy of protection. The difference between the cost of production in this country and competing countries as a rule has measured the amount of protection accorded. Wages are about 80 per cent of the cost of production, hence wages have been a matter of vital importance. The scale of wages always has been higher in this country than in any other country. Suppose the international labor conference controlled by the members from China, Japan, Brazil, Portugal, New Zealand, Belgium, and perhaps France and Italy decide that the scale of wages in the United States is too low? This might be made an excuse for increasing the cost of production in the United States, thus aiding the commercial rivals of this country in international trade. Suppose the recognition of unions be made an international policy by the labor conference, what would prevent the trades-unions from controlling the industries of the world? Thus the unions of half a dozen European and Asiatic countries might control industry and employment in the United States. Suppose the conference should decide upon the closed shop and recommend it to the different members [nations]? Where would the United States then stand as an industrial Nation? What would become of the American right to work unless all workers joined unions? Suppose the right to collective strikes should be recommended as an international policy. Is the United States ready to legalize collective strikes? Is it prepared to legalize collective bargaining?

True, the conference of 128 delegates sitting at the seat of the league of nations under the contract can only "recommend"; but what follows the failure of any member [nation] to carry out the recommendation? Failure on the part of a member [nation] to obey the recommendation of the conference is followed by (1) publication of the failure, (2) an inquiry by a commission selected by the secretary-general of the league of nations, (3) recommendations of "an economic character" against the defaulting member [nation], (4) appeal by any member [nation] to a court of international justice, followed by a decision indicating still further penalties of an economic character. Is there any doubt but what these economic penalties ultimately will be invoked against a "defaulting" member [nation]?

There appears to be no limit to the power of the proposed International Labor Conference within the broad field of industrial and labor problems. It is conceivable that the industrial supremacy of the United States, the hours of labor, the conditions of labor, the operation and management of industries, both great and small—of railroads, mines, etc.—ultimately might be controlled by the proposed International Labor Conference of 128 members (in which the United States would have only 4 votes) engineered by a governing board of 12, all of whom may be un-American, with its headquarters in Europe, probably at Geneva. It is conceivable that ultimately the control of America's domestic industries and transportation, so far as labor is concerned, might be transferred from Washington and the several State capitals to Geneva or the seat of the league of nations. The possibilities exist and the perils are apparent.

Furthermore, if the contemplated league of nations may use the "economic boycott," the International Labor Conference, an integral part of the league, may do likewise with equal effect. What is meant by an economic boycott? Refusal to trade, a blockade, cutting off supplies of raw material, food, coal, etc. Does America wish to be controlled by a labor conference of 128 men and a governing board of 12 men sitting in Europe? Is the United States prepared to surrender its industrial and economic rights to a coterie of men all but four un-American? Is the United States willing to jeopardize its fiscal and economic policy, its industrial independence, its supremacy? It is unthinkable.

It is argued that such a thing is impossible. Yet it is possible if the treaty of peace is ratified as it is with the provisions of the International Labor Conference intact. The treaty of peace is a contract. The creation of an International Labor Conference is a part of this contract, and the signing of the contract by the representatives of the United States makes binding upon the United States all the provisions, agreements, and undertakings recited therein. They can be enforced as much as any treaty can be enforced, and the United States always has lived and always will live up to its contracts. If the United States signs "on the dotted line," there is no escape from the consequences. Even the good effects of the American protective policy may be nullified.

The leading article in the April, 1919, number of the report of the United States Department of Labor, Bureau of Labor Statistics, is entitled "Control of labor conditions by international action." The article is by Leifur Magnusson, evidently a gentleman with a foreign ancestry and alien turn of mind. In this article, vouched for by the

United States Department of Labor, it is learned that the Socialist Internationale is the present organized expression of the international Socialist movement. It dates back to 1864, when Karl Marx organized the International Workingmen's Association of London. Thus the International Labor Conference, incorporated in the treaty of peace, distinctly is of Socialist origin. The organization was revived in 1889 and held its last meeting in Copenhagen in 1919, where 33 nations were represented. This movement was followed by the International Trades Secretariat, and since 1913 the International Secretariat has been the central executive organ of the International Federation of Labor. Nearly all the members come from European countries and represent collective policies—that is, State capitalism or socialism. As an adjunct to it, the International Association for Labor Legislation was formed in Paris in 1910 for the purpose of promoting treaties touching the movement of labor, emigration, equality of treatment of nationals and aliens, and uniform labor standards.

This is the organization which took advantage of the presence of the peace conference in Paris and succeeded in having attached to the treaty what is known as the "International Labor Conference" section. A program of purely European and socialistic origin was grafted upon a document designed to bring peace between the allied and associated powers on one hand and Germany on the other. To say the least, the process of the granting was novel, if not revolutionary. A commission on international labor legislation, headed by Mr. Samuel Gompers and comprising delegates from Great Britain, France, Italy, Japan, and Belgium, formulated a report and submitted a program, which was adopted by the peace conference and incorporated in the treaty of peace. Like the covenant of the league of nations, the labor conference is entirely foreign to a treaty of peace with Germany, to negotiate which the conference met at Versailles.

While the program outlined is innocent on its face, the possibilities are revealed, first, in the aims and objects of the European Internationale Socialist Organization—collectivism, destruction of capitalism and the wage system, and the public ownership of industries and utilities; second, in the language used in the labor conference section of the treaty defining the functions of the general conference and the governing board to be the consideration of "all subjects relating to the international adjustment of conditions of industrial life and labor." That is sufficiently comprehensive to meet the views of any socialist or internationalist. There is no question touching the production and distribution of wealth or the policies of nations in solving their own industrial and economic problems which can escape the consideration and "recommendation" of this "International Labor Conference" in which the United States will have 4 votes out of 128, and perhaps no vote at all in the governing board of 24.

Twenty-seven nations (or separate countries), together with four self-governing British colonies and India (not a self-governing colony), will be represented in the general conference. Ten will be European, 7 Asiatic, 7 North American, 6 South American, and 2 African. The British Empire, with her colonies and India, will be represented by 24 delegates, and the 26 other countries (including the United States) will be represented by 4 delegates each. The British Empire will have only 8 less than 25 per cent of the entire membership, while the United States, with more at stake, with a larger industrial population, and with far greater industries, will have 3½ per cent of the entire membership. In voting power the United States will be on a par with Cuba, Guatemala, Honduras, Liberia, Nicaragua, Panama, Roumania, Haiti, Siam, Uruguay, the Croat-Slovene State, Czechoslovakia, and Hejaz.

The idea is preposterous! Think of Hejaz, Siam, Liberia, India, or even China and Japan, voting to determine what the industrial or economic policy of the United States shall be! Think what the power of Great Britain, with her colonies united on an imperial commercial and preferential tariff policy, might be! Labor is a vital factor in the cost of production, and the cost of production in a large measure will control in the future commercial struggle of the world. Suppose Great Britain, France, and Italy, together with Japan, should form an anti-American commercial alliance and with their 36 votes in the international labor conference gain control and seek to force a labor program crippling the United States. With only 4 votes in the conference, what could the United States do? Nothing but submit to the consequences. Suppose the United States refused to carry out the program. An economic boycott would follow. Such possibilities are sufficient to warn patriotic Americans.

Yet it is argued that the aims of the organizations are to raise the labor standards of all other countries to the level of the American standard. Will China and Japan, or even Great Britain, France, and Italy, agree to this? By no means; for that would mean defeat of their plans for a resumption of domination in the trade of the world and the recapture of the markets of the world. In the struggle the tendency will not be to raise the low-standard countries, but to lower the high-standard countries. Water always runs down hill. No international labor conference can be sufficiently strong to embrace in its protecting scope the workmen and workwomen of the world. If American workmen and workwomen think they will improve their condition under international rather than national protection they have a serious disappointment in store for them.

Examination of the labor and industrial conditions of the 32 countries, including the colonies of Great Britain and India, faintly suggests the folly of attempting to protect labor conditions the world over by an international board and the impossibility of trying to raise and make uniform or even approximately uniform the standards of all.

Take the European countries in the proposed labor conference—even the best are low grade compared with the United States, while Greece, Poland, and Portugal are below comparison, and Roumania, the Croat-Slovene State, and Czechoslovakia are out of consideration. Take the Asiatic countries—Japan, China, Siam, India, and Hedjaz are either cheap-labor countries or slave countries. Australia and New Zealand would do Great Britain's bidding. In North America Canada would follow Great Britain's lead, while the countries south to Panama are low-wage or practically peon countries. All the countries in South America are low-wage countries, mostly agricultural, and all more or less backward. Even in Brazil, one of the most advanced countries in South America, out of a population of 17,000,000 more than 80 per cent can neither read nor write. In this international hopper the tendency will be to drag down the high-grade countries, not lift up the low-grade countries. If the dreams of the international labor conference are to be realized even partially, the burden must rest on the high-grade countries. With its 4 votes, what can the United States do toward solving this tremendous problem?

The proposed covenant of the league of nations contains no greater dangers to the United States than the proposed International Labor Conference. Amendments and reservations to the covenant intended to safeguard the sovereignty and political independence of this country will not reach the dangers nor cure the defects of the international labor conference. Giving the United States the same number of votes in the league assembly and council that Great Britain will have and explaining or altering article 10 of the covenant and the section referring to the Monroe doctrine, will have no effect on the labor conference. Great Britain will have 24 votes and the United States will have 4 in that organization. The powers, liabilities, and responsibilities of the general conference and the governing body will remain as before. To remedy defects and avoid dangers, the whole matter of representation and the powers and functions of the general labor conference should be revised.

Why should this wonderful Nation enter into a solemn agreement giving 31 other countries or colonies, all anti-American and more or less envious of America's powers and independence, an opportunity to determine her labor, industrial, or economic policy?

Why should this Republic of ours, in which a policy of protection has promoted the interests of labor and capital alike, be jeopardized by an organization whose aim is "the removal so far as possible of all economic barriers" and the employment of the economic boycott to destroy those barriers? Why should America place in the hands of those bent on undermining her institutions weapons to accomplish that purpose? Why should America, whose corner stone is independence and whose structure is founded on nationalism, surrender that independence and substitute internationalism? Such a course would be madness. Such an undertaking would be national suicide.

Mr. SHERMAN. Mr. President, this concludes for the present my comments upon the labor articles of the league.

I suggest the absence of a quorum. That is usually the proper suggestion to make at the end of an address in the Senate.

The PRESIDING OFFICER (Mr. HARDING in the chair). The absence of a quorum is suggested. The Secretary will call the roll.

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

Ball	Harding	McKellar	Smith, Ga.
Brandegee	Henderson	McNary	Smoot
Capper	Johnson, Calif.	New	Spencer
Chamberlain	Johnson, S. Dak.	Newberry	Sterling
Colt	Jones, N. Mex.	Nugent	Sutherland
Cummins	Jones, Wash.	Overman	Thomas
Curtis	Kendrick	Page	Townsend
Dial	Kenyon	Phelan	Trammell
Dillingham	Keyes	Pittman	Underwood
Elkins	King	Pomerene	Walsh, Mont.
Fernald	La Follette	Ransdell	Williams
Gay	Lenroot	Sheppard	Wolcott
Gerry	Lodge	Sherman	
Gronna	McCormick	Shields	
Hale	McCumber	Simmons	

Mr. UNDERWOOD. I desire to announce that my colleague, the senior Senator from Alabama [Mr. BANKHEAD], is detained from the Senate by illness.

The PRESIDING OFFICER. Fifty-seven Senators have answered to their names. A quorum is present. The pending question is the motion of the Senator from Wisconsin [Mr. LA FOLLETTE] to strike out Part XIII.

Mr. THOMAS. On that question I ask for the yeas and nays. The yeas and nays were ordered.

Mr. McCORMICK. Mr. President, I want to say a word in consideration of this amendment of the Senator from Wisconsin, and of the reservation offered by the Senator from Utah [Mr. KING], a word bearing upon not only that part of the treaty which the amendment seeks to eliminate, but upon the circumstances under which the so-called labor provision seems to have been prepared.

It has been asserted during the course of this debate, and, of course, without denial, that representatives of America at the conference in Paris were few, while the representatives of the European powers were many. It has been argued that in a political sense our interests were very different from those of the other great powers party to this conference; that even the development of communications, the development of industrial civilization on this Continent, had not made our interests so germane to those of Europe and Asia that we were warranted in entering into a political compact like the covenant of the league, or the treaty of peace exclusive of the covenant of the league.

I venture, Mr. President, that this is nowhere more manifest than the attempt under Part XIII of the treaty to erect an international legislature intended to deal with the problems of labor. If there had been opportunity for America to study its own interests—and even assuming that American interests could be served by the creation of such a legislature as is contemplated under Part XIII—the American delegates in Paris never would have agreed that this economic-labor legislature should not consider the greatest of American productive interests.

I have hurriedly assembled some figures bearing upon the relative production of agriculture and manufacture in America, because among the great powers, excluding Russia, America alone is still an agricultural country in the commonly accepted meaning of the term. If my memory serves me, it is now held that the number of persons enrolled in the ranks of organized labor is 4,000,000, or twice the number enrolled before the outbreak of the war. As far back as 1910, the number of persons

engaged in agricultural occupations, according to the census of the United States, was 12,500,000, and yet there is no especial provision in all the long pages of this treaty for the protection or consideration of agriculture, the most important of American industries. It was natural that the other powers, which primarily are manufacturing and secondarily are agricultural countries, should ignore agriculture, either deliberately or merely in the futherance of their more important interests; but it was not natural, nor in the interests of this country, that agriculture should have been ignored by the delegates of the United States at Paris.

The last table of agricultural production which I have been able to find was one in a recent number of the Journal of Commerce of New York, which places at twenty-four billions a year the current value of agricultural production of the United States, three times its value in 1910.

The aggregate value of exports from this country is about five times what it was in 1913, based upon the last months for which figures are available. It is impossible to believe that conditions of agricultural production and agricultural export will not be affected by conditions in the labor market. That palpably was the judgment of the farmers' conventions which sat last week and the week before in Maryland and at Kansas City, in Missouri. There is no Senator who is familiar, either through his own experience or through advices from his constituents, with conditions of production on the farm to-day who does not realize how closely interwoven they are with conditions of production in other industries and with labor conditions even remote from the farm. Yet there is no provision that agriculture shall be represented in this international legislature, which the Senator from Wisconsin [Mr. LA FOLLETTE] on the one hand by amendment and the Senator from Utah [Mr. KING] on the other hand by reservation would make inoperative upon the United States.

It is not possible that during this generation the representatives of any of the European powers east of Roumania and of Poland would have any identity of economic interest with the United States in the matter of agriculture.

Those are food-importing countries. It is to their interest to take such measures as they may to secure conditions of production, of import into Europe, and as will depreciate the value of the products to the American farmer. We have no right to quarrel with them on that score. They may seek to buy food for their operatives in the cheapest possible market of the world.

The other agricultural countries competitive with the United States in the export of foodstuffs are not industrial competitors of the United States as are the European powers which will be buying foodstuffs in the markets of the world. Russia, when she finds herself, Roumania, the Argentine, Brazil are producers and exporters of foodstuffs, but are not industrial producers in any modern sense of the word. How completely, then, the interests of these nonindustrial and exclusively agricultural countries coincide with the interests of those industrial countries of Europe which can not hope to produce foodstuffs enough for their own populations.

It has been said time and again in the course of this debate that the assembly and the council of the league would have a political rather than a judicial character. If that be true of either of those bodies, it is already manifest, from the deliberations of the international labor legislature now sitting in conference here in Washington, that the labor legislature will have a political character even more certainly than the assembly or the council. We all know from our own experience what is called logrolling by those who criticize Congress or the legislatures of the States or conventions, political or otherwise. We know that such logrolling is a union of interest between certain elements and often to the disadvantage of other elements in the convention.

I think the Senator from Utah [Mr. KING], whose proposed reservation I have before me, will remember, as I do, that during a long-drawn-out consideration and debate on a tariff bill two great areas of the country, without other economic interests in common, united in writing a wool schedule into that tariff bill. The great herdsmen whose flocks add to the wealth of his own and other States in the West joined with the mill owners whose mills are situate along the Atlantic seaboard. There was a great hue and cry on the part of the ultimate consumers, who felt that they were being assessed in the interest of the sheep owners and mill owners.

No one who has considered the composition of this supreme international labor legislature or who has read casually the newspaper accounts of its deliberations can doubt that already an instinctive union of certain economic interests is at work.

There is already before the labor legislature which is sitting in Washington a resolution to consider the problem of unemployment and a proposal to make employment compulsory. In itself such a proposal may be ominous of legislation to be submitted to the parliaments of the world to conscript or impress the workers of the world, but if we turn back to the period when the projects embodied in Part XIII of the treaty were under discussion, we can recall that among the natural means suggested to mitigate the dangers of fluctuating unemployment was a free market for labor, to be secured through the abrogation by international decree of all limitations upon emigration or immigration. The most conspicuous of the delegates in Paris who proposed this absolute abolition of all restraint upon immigration was George Nichol Barnes, minister without portfolio in the British cabinet, representing the British labor interests, the same Mr. Barnes to whom the Senator from Wisconsin [Mr. LA FOLLETTE] referred in his exhaustive analysis of Part XIII, the Mr. Barnes upon whose motion the American proposal for the abolition of slavery was voted down.

Mr. KING. Mr. President, will the Senator yield for a statement?

Mr. McCORMICK. Certainly.

Mr. KING. I do not wish to disturb the continuity of his very excellent presentation of the matter. Has it occurred to the Senator that there is nothing in the treaty that is more destructive of nationalism—if there is any part that is destructive of nationalism—than Part XIII? I have attempted to analyze Part XIII and to comprehend its full significance——

Mr. McCORMICK. If the Senator has succeeded in that regard, he has done more, perhaps, than any other Senator in the Chamber.

Mr. KING. I wish to assure the Senator that my mental capacity has its limitations, and I have not been able to understand its implications and its limitations and its far-reaching consequences; but, as I have analyzed it, it seems to me that Part XIII will tend to destroy nationalism, will tend to the promulgation and the establishment of internationalism, will be hurtful to American labor, and will not conduce to the world's peace.

Mr. McCORMICK. Mr. President, the Senator has very wisely remarked that of all the provisions calculated to break down nationalism this will go further than any other, because the powers which it proposes to delegate to the superstate through the medium of this labor congress are more penetrating in their effect than any of those which can be exercised immediately by the assembly or the council of the league, whatever powers the assembly or the council presently may draw to itself.

It is precisely on that point that Mr. Barnes, in my judgment, acted, for after all British merchant shipping, in the prosperity of which he has a great and patriotic interest, is largely manned by Lascar seamen, natives of the Indian Empire, paid an oriental wage. You may argue that the seamen's act, which we owe to the resolution and statesmanship of the Senator from Wisconsin [Mr. LA FOLLETTE], will meet that condition. It will meet that condition for any labor not oriental, but until the day when the policy of oriental exclusion in this country is broken down by international dictum the seamen's act can not meet the competition of the oriental seafaring men.

Mr. Barnes, as I said, was the most conspicuous of those who proposed the abrogation of all restraint on immigration. But he was not alone in sustaining that view. The Italian Government very naturally shared his opinion. The export of labor is one of the items upon which the Italian minister of finance always and publicly relies in the preparation of his budget. The British minister for labor and the Italian Government, since the assembly of the conference in Paris, have avowed their judgment that emigration should be without let or hindrance. At this date the Governments of the Balkan States have not spoken on the subject, but any student of immigration to America during the last few years, any student however superficial, knows that before the war it was from the Balkan States that came the growing stream of unskilled labor.

The Japanese position in this regard need not be argued here. Testimony to the intention of the Japanese Government, to the dangers to American labor implied in that intention, has been given by the Senator from California [Mr. PHELAN], who nevertheless is going to support this project to internationalize the labor of the world.

All of the countries whose populations exceed their ability to support them, either through the product of their own fields or through the organized industry which depends largely upon the importation of raw materials, must instinctively unite on a common policy to make easy the emigration of labor to fields where employment is open on terms better than those obtained at home.

How is it, then, with the other countries which receive immigrants? Is their view like ours and is their interest identical with ours? At the outset of my remarks I pointed out that they were primarily agricultural countries, either without the natural resources which make for manufacture or with those resources so little developed that it will be a generation and more before they enter the competitive field of manufacturing industry. The Argentine and Brazil are in point. Here are fine, vigorous, ambitious, growing agricultural countries seeking immigrants not for the exploitation of their industries, not to develop mines or to supply hands for factories, not to act as wage competitors in those industries where the wage cost, in the judgment of the employer, threatens economic production, but seeking immigrants for settlement on the farms. Not only have they no economic impulse to restrict or to prevent such immigration but they have every reason to encourage immigration. In past years they have maintained agencies in Europe for the purpose of encouraging the stream of immigration across the south Atlantic. Aye, in other South American countries, as well as in Brazil, there has been no objection even to oriental settlement.

See now how the interest of American labor and agriculture is going to be ringed about by the opposing interests of the other countries: First, by the community of interest between countries preponderantly industrial and exclusively agricultural as against one great country, the United States, which economically is self-contained, and which, therefore, is the competitor of the agricultural exporters on the one hand and of the exporters of manufactures on the other; in the second place, by the countries whose surplus population seeks an outlet through emigration and so are bound to these other powers not interested to restrict the volume of immigration but to encourage it.

The total number of States which will sit in this labor legislature will be 46 in all; 184 delegates will be assembled there; 24 representatives of the British Empire, 16 more representing its feudatory States, or 40 in all; and 4 for the United States. What other power will be moved by an economic interest identical with our own or so complementary to it as to join us in maintaining the position which we hold, either regarding the flow of immigration or the policy of the world toward agricultural production?

This scheme, as I have said, was devised without any due consideration of the economic position of the United States and of its great agricultural interests with reference to principal competitors, either industrial or agricultural. The scheme, Mr. President, was devised in a moment of spiritual exaltation and nebulous aspiration, eloquently voiced by a distinguished philosopher, unadvised by any economist or hard-headed business men to represent the economic interest of America. It is that very obliviousness of actualities which has brought the country into the grave economic straits in which it finds itself to-day.

Before I conclude I wish to allude to the point of view which guided our Government in facing our domestic industrial problems, for the light which that point of view throws on the want of practical foresight and judgment in dealing with our economic interests abroad. When I say that I do not profess to be a business man, although I believe I think in the terms which are common to the run of us, moved by the instinct to which Kipling alluded when he said of the American's readiness to turn "to the instant need of things" at home.

In his address of December 2 of last year the President spoke as follows:

> So far as our domestic affairs are concerned, the problem of our return to peace is a problem of economic and industrial readjustment.

That, I think, is a truism which none would deny, and which some of us would have taken more seriously than the distinguished speaker himself ever did.

> The problem of our return to peace is a problem of economic and industrial readjustment. That problem is less serious for us than it may turn out to be for the nations which have suffered the disarrangements and the losses of war longer than we.

That is to say, our economic constitution is so rugged that it may stand a siege of industrial disease without care and still survive. That means that the average well-being of the American workman is so high that we may ignore the difficulties of industrial readjustment and permit him to suffer from a long period of unemployment, knowing that he will not actually starve to death during that time.

> Our people, moreover, do not wait to be coached and led. They know their own business, are quick and resourceful at every readjustment, definite in purpose, and self-reliant in action.

That is all very true; nobody denies it; and yet it does not point the way toward the transition between the industrial condition in which the country was placed by the war and the condition to which we would return it.

> Any leading strings we might seek to put them in would speedily become hopelessly tangled, because they would pay no attention to them and go their own way.

Mr. President, the administration cut some of the leading strings and left the others drawn taut, with the confusing consequences which such unequal pressure must inevitably bring upon the industrial body of the country.

> All that we can do as their legislative and executive servants is to mediate the process of change here, there, and elsewhere as we may. I have heard much counsel as to the plans that should be formed and personally conducted to a happy consummation, but from no quarter have I seen any general scheme of "reconstruction" emerge which I thought it likely we could force our spirited business men and self-reliant laborers to accept with due pliancy and obedience.

Perhaps if the Government had been more actively concerned with industrial readjustments at home and less concerned with political readjustments in Europe, it would not have been necessary to call upon force at this time.

> The moment we knew the armistice to have been signed we took the harness off. Raw materials upon which the Government had kept its hand for fear there should not be enough for the industries that supplied the armies have been released and put into the general market again. Great industrial plants whose whole output and machinery had been taken over for the uses of the Government have been set free to return to the uses to which they were put before the war.

And now comes a very interesting sentence:

> It has not been possible to remove so readily or so quickly the control of foodstuffs and of shipping, because the world has still to be fed from our granaries and the ships are still needed to send supplies to our men overseas and to bring the men back as fast as the disturbed conditions on the other side of the water permit; but even there restraints are being relaxed as much as possible and more and more as the weeks go by.

It was a very short time before all restraint was relaxed, with the results that we now have, with the result that after the mounting cost of foodstuffs had evoked protest from every quarter of the country the moral and legal powers of the Government were belatedly and suddenly invoked, and here again the agricultural interests of America were of no concern to those in high place. After the farmer had raised his crops, had fattened his swine and his cattle, while everything that he bought was at the top of the market, a tremendous and effective effort was made to depress the value of his product, and that of no one else, so that 30 and 40 per cent of the value of some of the products of the farm was wiped out in six weeks.

The message from which I have been quoting made two recommendations, neither of which is likely to be carried out, both based on the assumption that there would continue for a long period a surplus of labor in this country; both based on the assumption that means must be found, not to increase production in the normal channels, but to find employment by abnormal methods.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER (Mr. JOHNSON of California in the chair). Does the Senator from Illinois yield to the Senator from North Dakota?

Mr. McCORMICK. I yield.

Mr. GRONNA. Before the Senator from Illinois leaves the discussion of agricultural products I want to suggest that a new policy has been instituted in our country that developed during the hearings before the Agricultural Committee the other day.

It seems that this country had from three hundred to three hundred and fifty million bushels of wheat to export, but in the face of that an embargo was placed upon those products; and when the neutral nations of the world applied to us for our products they were told that no permit would be issued to them, so they were sent to Argentina and other places. When the man in charge of this tremendous business was asked why these orders were not filled and why this product was not sold, he made the excuse that he thought the Allies were entitled to first consideration. The facts are, however, that we had at least 300,000,000 bushels to spare besides what we might furnish to the Allies.

I simply wanted to suggest to the Senator that it seems that this policy has been adopted, and we seem to have formed an association with those we call our allies, and, regardless of whether it is going to benefit the American people or is going to be detrimental to them, the policy adopted is being pursued. The Senator from Illinois said a moment ago that he was not a business man; but from his talk I do not believe that he would have pursued a policy such as I have suggested—to refuse the orders which came from the allied nations of the world, when we not only had enough for our own people but had hundreds of millions of bushels to spare. Does the Senator from Illinois think that it is wise in the interest of labor, in the interest of agriculture, and in the interest of the consuming public to carry on that policy?

Mr. McCORMICK. Mr. President, this scheme of uneconomic altruism, blind to the actualities and deaf to the facts, by which our delegation seems to have been moved, has done the American farmer some hurt in the sense of which the Senator speaks; but it will find its splendid fruition in the mandate for the Turkish Empire, which I read in the great administration organ, the New York Times, will take for its consummation 20 years' time, 50,000 American troops, and a billion dollars. I see that it is proposed by the editor of the Paris Matin that one of Mr. Morgan's partners shall be made the viceroy of Constantinople, an appropriate appointment under a mandate conceived as this one was conceived.

But, Mr. President, the disregard for the actualities arising out of the war, the ignorance of economic exigencies at home, which has found its fruit in strikes on every side, in industrial disorder everywhere, and in an unequal reduction in costs which has borne on one group of the community and on none other—this ignorance of American necessities tolerated the creation of this fantastic labor legislature of the world.

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

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

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

Ball	Hale	McCormick	Shields
Borah	Harding	McCumber	Simmons
Brandegee	Harrison	McKellar	Smith, Ariz.
Chamberlain	Henderson	McNary	Smith, Ga.
Colt	Hitchcock	Moses	Smoot
Culberson	Johnson, Calif.	New	Spencer
Curtis	Johnson, S. Dak.	Newberry	Sterling
Dial	Jones, Wash.	Nugent	Sutherland
Dillingham	Kellogg	Overman	Thomas
Elkins	Kendrick	Page	Townsend
Fernald	Kenyon	Phelan	Trammell
Fletcher	Keyes	Phipps	Walsh, Mont.
France	Kirby	Pittman	Warren
Gay	Knox	Poindexter	Watson
Gerry	La Follette	Ransdell	Williams
Gore	Lenroot	Robinson	Wolcott
Gronna	Lodge	Sheppard	

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

Mr. LODGE. Mr. President, the senior Senator from Missouri [Mr. REED] is desirous of addressing the Senate upon the question raised by the amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE] to what are known as the labor articles. He has been detained at home by illness and will be unable to go on until to-morrow. I make the request, therefore, that this amendment may go over until to-morrow, with an agreement that it shall be voted upon at 3 o'clock.

The VICE PRESIDENT. Is there objection?

Mr. HITCHCOCK. I should like to inquire of the Senator what will be done meanwhile?

Mr. LODGE. It is my intention to offer an amendment, of which I gave notice, to strike out the Shantung articles, instead of the previous amendment or series of amendments from the committee, which, as the Senator is aware, proposed to strike out the word "Japan" and insert the word "China." I shall not discuss the amendment. I simply want a vote upon it. Then there is an amendment offered by the Senator from Oklahoma [Mr. GORE]. Those are the only amendments that remain. If this agreement is entered into, we will dispose of the labor amendment to-morrow at 3 o'clock, and I shall then ask the Senate to consider the reservations.

Mr. BORAH. Mr. President, perhaps I ought to say, in view of the statement of the Senator from Massachusetts, that I think I will offer an amendment, before the amendments are finally all disposed of, to strike out article 10 of the covenant; but I am not going to detain the Senate a great while in the presentation of the amendment.

Mr. HITCHCOCK. Does the Senator from Massachusetts think that we can dispose this afternoon of the two amendments to which he refers?

Mr. LODGE. I do not think the Shantung amendment ought to take a longer time than to call the roll. The subject has been fully discussed. How much discussion will arise on the amendment offered by the Senator from Oklahoma I can not say, but I should hope to dispose of that and the amendment suggested by the Senator from Idaho this afternoon, and I hope the Senate will remain in session for that purpose.

Mr. HITCHCOCK. The unanimous-consent agreement, then, is limited to a vote upon the La Follette amendment to-morrow afternoon at 3 o'clock?

Mr. LODGE. Yes; that was my request; and I hope to dispose of the other amendments before that time.

The VICE PRESIDENT. The Senator from Massachusetts asks unanimous consent to temporarily lay aside what is known as the La Follette amendment, with an agreement that the same shall be voted upon at not later than 3 o'clock upon the calendar day of to-morrow, November 5. Is there any objection? The Chair hears none.

Mr. LODGE. Now, I move the amendment of which I gave notice. I do not desire to debate it myself; I simply desire a vote. I move to strike out articles 156, 157, and 158, the Shantung articles. The motion is simply to strike them out.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Massachusetts to strike out articles 156, 157, and 158.

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

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

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

Mr. KIRBY (when his name was called). I have a pair with the senior Senator from New Jersey [Mr. FRELINGHUYSEN], which I transfer to the junior Senator from Georgia [Mr. HARRIS], and vote "nay."

Mr. DIAL (when the name of Mr. SMITH of South Carolina was called). My colleague, Mr. SMITH of South Carolina, is detained on account of illness in his family. He is paired with the Senator from Illinois [Mr. SHERMAN]. If my colleague were here and allowed to vote, he would vote "nay."

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM], and as he is absent I withhold my vote. If permitted to vote, I would vote "yea."

Mr. WILLIAMS (when his name was called). May I inquire if the Senator from Pennsylvania [Mr. PENROSE] has voted?

The VICE PRESIDENT. He has not.

Mr. WILLIAMS. I have a pair with that Senator, and in his absence I am not at liberty to vote. If I were at liberty to vote, I should vote "nay."

The roll call was concluded.

Mr. SHERMAN (after having voted in the affirmative). I inquire if the senior Senator from South Carolina [Mr. SMITH] has voted.

The VICE PRESIDENT. He has not voted.

Mr. SHERMAN. I have a pair with that Senator, and therefore withdraw my vote. I voted inadvertently, thinking he had voted.

Mr. KENDRICK. I have a general pair with the Senator from New Mexico [Mr. FALL]. I transfer my pair to the junior Senator from Oklahoma [Mr. OWEN] and vote "nay."

Mr. OVERMAN (after having voted in the negative). I observe that my pair, the senior Senator from Wyoming [Mr. WARREN], has not voted. I therefore withdraw my vote.

Mr. BRANDEGEE. I am paired with the senior Senator from Ohio [Mr. POMERENE], and in his absence withhold my vote. If I were permitted to vote, I would vote "yea."

Mr. DILLINGHAM (after having voted in the affirmative). I have already voted, but I have discovered that the senior Senator from Maryland [Mr. SMITH] is necessarily absent from the Senate to-day, and having a general pair with that Senator, I withdraw my vote.

Mr. HARDING (after having voted in the affirmative). I have already cast a vote in the affirmative, but I note the absence of the junior Senator from Alabama [Mr. UNDERWOOD], with whom I have a general pair. I therefore withdraw my vote.

Mr. JONES of Washington (after having voted in the affirmative). I inadvertently voted, but the junior Senator from Virginia [Mr. SWANSON] is absent to-day on account of illness, and as I promised to take care of him during his absence, I withdraw my vote.

Mr. CURTIS. I desire to announce the necessary absence of the senior Senator from New York [Mr. WADSWORTH], who is paired with the Senator from Alabama [Mr. BANKHEAD], and the junior Senator from New York [Mr. CALDER], who is paired with the Senator from New Jersey [Mr. EDGE].

Mr. WILLIAMS. I transfer my pair with the Senator from Pennsylvania [Mr. PENROSE] to the Senator from Utah [Mr. KING] and vote "nay."

Mr. GERRY. The Senator from Georgia [Mr. HARRIS], the Senator from Missouri [Mr. REED], the Senator from Alabama [Mr. BANKHEAD] and the Senator from Virginia [Mr. MARTIN] are detained by illness. The junior Senator from Virginia [Mr. SWANSON], the senior Senator from Kentucky [Mr. BECKHAM], the Senator from Maryland [Mr. SMITH], the Senator from Oklahoma [Mr. OWEN], the junior Senator from Kentucky [Mr. STANLEY], and the Senator from Utah [Mr. KING] are absent on public business. I have been requested to announce that the Senator

from Missouri [Mr. REED] is paired with the Senator from Kentucky [Mr. STANLEY], both of whom are absent. If the Senator from Missouri [Mr. REED] were present and permitted to vote, he would vote "yea," and the Senator from Kentucky [Mr. STANLEY] would vote "nay."

I have also been requested to announce that the junior Senator from Massachusetts [Mr. WALSH] is in Massachusetts to vote in the State elections.

The result was announced—yeas 26, nays 41, as follows:

YEAS—26.

Ball	France	McCormick	Phipps
Borah	Gore	McLean	Poindexter
Capper	Gronna	Moses	Shields
Cummins	Kenyon	New	Thomas
Curtis	Knox	Newberry	Watson
Elkins	La Follette	Norris	
Fernald	Lodge	Page	

NAYS—41.

Ashurst	Hitchcock	Myers	Smoot
Chamberlain	Johnson, S. Dak.	Nelson	Spencer
Colt	Jones, N. Mex.	Nugent	Sterling
Culberson	Kellogg	Phelan	Townsend
Dial	Kendrick	Pittman	Trammell
Fletcher	Keyes	Ransdell	Walsh, Mont.
Gay	Kirby	Robinson	Williams
Gerry	Lenroot	Sheppard	Wolcott
Hale	McCumber	Simmons	
Harrison	McKellar	Smith, Ariz.	
Henderson	McNary	Smith, Ga.	

NOT VOTING—29.

Bankhead	Harding	Penrose	Swanson
Beckham	Harris	Pomerene	Underwood
Brandegee	Johnson, Calif.	Reed	Wadsworth
Calder	Jones, Wash.	Sherman	Walsh, Mass.
Dillingham	King	Smith, Md.	Warren
Edge	Martin	Smith, S. C.	
Fall	Overman	Stanley	
Frelinghuysen	Owen	Sutherland	

So Mr. LODGE's amendment was rejected.

Mr. LODGE. Mr. President, the amendment of the Senator from Oklahoma [Mr. GORE] has been offered, and the Senator from Idaho [Mr. BORAH] has given notice of an amendment which he desires to offer.

Mr. BORAH. I understand the Senator from Oklahoma [Mr. GORE] is not ready to proceed just now.

Mr. GORE. I prefer, if the Senator from Idaho can do so, that he shall proceed with his amendment. I do not know that I will care to discuss my proposed amendment at all, but I should like to have a little while before action upon it.

Mr. BORAH. I do not know that there is any difference as to which precedes the other in its fate.

The VICE PRESIDENT. Does the Senator from Idaho formally tender the amendment now?

Mr. BORAH. Yes; I move to strike out article 10 of the so-called covenant of the league of nations.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Idaho.

Mr. BORAH. Mr. President, article 10 of the covenant of the league reads as follows:

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

As has been stated heretofore, and it may be repeated perhaps for the purpose of recalling it to our memory, this provision has two distinct parts. The first is a primary obligation which rests upon the members of the league. The second proposition is that provision which simply has to do with the advice of the council as to the means by which the priniary obligation shall be fulfilled.

There has been reported to the Senate by the Committee on Foreign Relations a reservation on article 10, but I am impelled to offer the amendment which I do for the reason that the reservation does not, in my judgment, meet the situation; certainly not as I feel that it ought to be met. This is the proposed reservation:

The United States assumes no obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations, whether members of the league or not, under the provisions of article 10, or to employ the military or naval forces of the United States under any article of the treaty for any purpose unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States, shall by act or joint resolution so provide.

I think a close analysis will show that this reservation does not change the situation at all. It leaves intact, in my opinion, the obligation under article 10. It does not, in fact, modify the obligation. It seems to have for its purpose the transfer from the executive department to the Congress of the power of advice with reference to the manner of executing or carrying into effect the obligation in article 10. It says:

Unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States, shall by act or joint resolution so provide.

"So provide" must relate, I presume, to the employment of the military forces for the purpose of carrying into effect article 10.

Mr. LENROOT. Mr. President——

Mr. BORAH. I will yield in just a moment. If the reservation has any effect at all, its effect is that the military forces shall not be used to carry into effect the obligation until Congress acts upon it, thereby reserving to Congress apparently the power to say whether or not the military forces shall be used in a particular instance, but in no wise modifying or changing the primary obligation that we shall preserve and protect the territorial integrity of all members of the league, but consulting another body of our Government as to when and how we shall do it.

I now yield to the Senator from Wisconsin.

Mr. LENROOT. Does not the Senator concede that the reference to the employment of the military forces is merely a recital in the reservation, and that it is an obligation which is not assumed unless in a particular case Congress shall assume it?

Mr. BORAH. Is that the construction which the Senator places upon it?

Mr. LENROOT. It is.

Mr. BORAH. Let us read it and see. It is encouraging if that is the construction. I read it again:

The United States assumes no obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations—whether members of the league or not—under the provisions of article 10, or to employ the military or naval forces of the United States under any article of the treaty for any purpose, unless in any particular case the Congress, which, under the Constitution, has the sole power to declare war and authorize the employment of the military or naval forces of the United States, shall by act or joint resolution so provide.

Does the Senator understand that the words "so provide" mean that they shall protect the territorial integrity or political independence of another country?

Mr. LENROOT. Yes; that we may assume that obligation in a particular case.

Mr. BORAH. Then the language is most unfortunate in its use. The words "so provide" may relate back to the words "or to employ the military or naval forces of the United States under article 10" quite as well and far more aptly than to the question of "territorial integrity or political independence."

Mr. LENROOT. Instead of the words "so provide," had there been inserted, as originally was inserted, "shall assume such obligation," I do not believe the Senator would question its purpose.

Mr. BORAH. I think that would be better; but it is an awkward expression to say that you shall not assume this obligation with reference to protecting the territorial integrity and political independence of other nations until Congress shall "so provide." And it is all made ambiguous by the fact that there is the other proposition of the use of the military forces, united by a disjunctive, with the obligation to protect territorial integrity.

Mr. LENROOT. In a particular case?

Mr. BORAH. In a particular case. The interpolation put in between the two clauses as to when the use of the military forces may be had has no place in there at all.

Mr. LENROOT. The Senator will see that is merely a recital.

Mr. BORAH. It should be stricken out. It should read as follows:

The United States assumes no obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations—whether members of the league or not—under the provisions of article 10, unless in any particular case the Congress shall by act or joint resolution so provide.

If the reservation can be so modified as to speak unmistakably to the proposition that the obligation under article 10 shall not be assumed in any instance until in a particular case which is presented to the Congress the Congress shall indorse it or undertake to carry it out, of course, that is a different proposition entirely from what I conceive the reservation now states. As the reservation is worded, in my judgment it would be interpreted and could be interpreted to mean nothing more than the advice of Congress as to the use of the military or naval forces in a particular instance in which we were called upon to carry out the obligation.

Mr. President, the Congress can not limit the power of the Commander in Chief in the use of the Army and Navy unless there is involved in the question that of a declaration of war. In other words, if we enter into this league and become a member of the league and a party to the treaty, the President of the United States as Commander in Chief would have as much right under

the league to send 100,000 men to Silesia for the purpose of policing the situation and preserving peace as he would have a right to send them to Texas. We can refuse to raise an Army, we can refuse to provide a Navy, we can make rules and regulations for the mere government of the Army or the Navy, but we can not intrench upon the right of the Commander in Chief to command the Army and to command the Navy. We can not say that the Army or part of it shall be stationed here and another part of it shall be stationed there, or that it shall be utilized in time of peace at this particular point and at another point upon another occasion. We can not issue the orders which belong to the Commander in Chief. And if this treaty becomes a binding obligation it will be the duty of the Executive to execute in so far as execution rests upon us and as Commander in Chief of the Army.

Mr. SMITH of Georgia. Mr. President——

Mr. BORAH. In just a moment. If my construction of this is correct, and it is permitted to stand in that way, Congress would never have any authority under this treaty to act until the question of a declaration of war was involved.

I yield to the Senator from Georgia.

Mr. SMITH of Georgia. Does the Senator from Idaho think that the Commander in Chief of the Army, without a declaration of war, has the right to send the soldiers of the United States out of the United States into other countries to participate in any character of work?

Mr. BORAH. If we have the authority to make the treaty, then I would have no doubt about it, Mr. President. If the league is a body that we can enter at all, if we have the power to create the league, if it belongs to our delegated power at all to provide that we shall be a member of a council or assembly which has to do with the preservation of the peace of the world, I would have no doubt that the Commander in Chief could send the Army, or any portion, to any part of the world—for the territorial jurisdiction of this league is the world—for the purpose of preserving peace or of policing the situation.

By what authority is our Army in Russia to-day? What is it doing there? How did it get there and how is it maintained? Suppose, Mr. President, that the President should send 100,000 men to Silesia, what would we do about it as a Congress?

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

Mr. BORAH. Yes.

Mr. LENROOT. Suppose there were no treaty at all and the President should send a hundred thousand men to Silesia, what would Congress do about it?

Mr. BORAH. I do not know of anything except impeachment.

Mr. LENROOT. But could we impeach him for executing the solemn provisions of a treaty? If we have power to make it, has he not power to execute it? I think that is true. So it is immaterial, if we assume no obligation, whether it is under a treaty or without a treaty.

Mr. BORAH. But I am assuming now that we have created the league; that we have the power under the Constitution to create the league; that we are a member of the league; that the jurisdiction of the league is the world; and that its authority is to preserve peace. If we have authority to create the league, then certainly the Commander in Chief of the Army and Navy has the authority to operate anywhere within the jurisdiction of the league or under its authority.

Mr. LENROOT. Mr. President, will the Senator yield to me further?

Mr. BORAH. I yield.

Mr. LENROOT. Perhaps the Senator from Idaho and I would disagree upon that. I should say that was not so, unless there was something in the league which entailed an obligation upon us to take such action.

Mr. BORAH. Well, Mr. President, there is something in the league that entails that obligation.

Mr. LENROOT. There is now; but, of course, with the reservation there would not be.

Mr. BORAH. Oh, yes; the obligations will all be there after the reservations are adopted. We have been consoling ourselves with the idea that we were making radical changes in the covenant, but outside of the reservation which has to do with the withdrawal, in my judgment, the league will be just, in its practical workings, the same after the reservations are adopted as it was before.

Let me call your attention to the fact that when the league is organized, even if we adopt reservations, we shall be members of it. Our delegate will be sitting at Geneva; he will be the accredited representative of this Republic. The council under the league has jurisdiction of all questions coming under the league or which relate to the peace of the world. We have delegated our representative to sit and deal with those questions. Have we the authority to delegate him? Have we authority to give him that jurisdiction? If we have the authority to delegate him and have the authority to give him that jurisdiction, can not he bind the people whom he represents? What is all this about if that is not true? Is this man shorn of his power by reason of the fact that the Constitution does not authorize us to do this? If the Constitution does authorize us to do it, then certainly he has the authority to bind us; he has authority to do anything, in conjunction with his associates, which has to do with the preservation of the peace of the world. If the council decides that it is necessary to send 500,000 men to Manchuria, not for war, not to carry on war, but to prevent war, to preserve peace, to police the situation, has not the Commander in Chief the authority to take such action? He has, if we have any authority at all to create the league. I do not say the Commander in Chief would be compelled to take such action; it is not necessary to go that far, although there is where logic carries us. But I do say that if the council, of which we are a member, decides that it is necessary to preserve peace that we should send 100,000 men to Silesia, the President could do so without subjecting himself to the charge of usurpation or liability to impeachment.

Mr. SMITH of Georgia. Mr. President——

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

Mr. SMITH of Georgia. The Senator from Idaho has about answered the question I was on the point of asking. His contention is that under section 10, if the obligation is assumed, it requires no action by Congress to send troops throughout the world to comply with the obligation, but that the President can send them without waiting for action by Congress?

Mr. BORAH. Mr. President, if the President says, "I am sending these troops for the purpose of preserving peace, for the purpose of policing the situation, for the purpose of preventing war," what right has Congress to call him to account for it? We have given him the authority to appoint our representatives; we have created the league; we have given it the jurisdiction; we have given it the authority; and he is our Commander in Chief.

I said a few moments ago that if the President should send troops without the authority of the treaty and without the authority of the covenant, in my judgment he would be subject to impeachment; I have no doubt about that; but when we enter into a treaty—assuming that we have the power to do so—and when we create a league—assuming that we have the power to do so—sanctify it with legal authority, and become a party to a supergovernment which has to do with the peace of the world, what is the difference between sending 100,000 troops to Silesia and sending 50,000 troops to the coal fields in Illinois? Who shall say that the President has not the authority to do so?

Mr. President, I am debating this question now upon the theory that the proposed reservation will remain as it is. I concede that if the change which the Senator from Wisconsin [Mr. LENROOT] suggests is made it will be very much better.

Mr. LENROOT. Mr. President, I did not suggest a change; I merely suggested language that may mean the same thing, and I merely suggested that language in order to make clear my construction of it.

Mr. BORAH. Well, on the suggestion of the Senator from Wisconsin, I will suggest a change when we get to it.

Mr. Pomeroy says:

> Congress raises and supplies armies and navies and makes rules for their government, and there its power and its duty end. The additional power of the President as supreme commander is independent and absolute.

Up until the time that we propose to wage war the President has a perfect right to use the Army as Commander in Chief for the purpose of preserving peace, and after war is declared Congress can take no action which will infringe upon the right of the Commander in Chief to command. Our fathers were very careful about that when they wrote the Constitution, because they had some experience with Congress commanding, or trying to command, the forces under Gen. Washington.

> The legislative powers which relate to raising, equipping, supplying, and governing the land and naval forces have nothing in common with the separate and distinct function of commanding those forces. No particular statutes passed under the former class of attributes can interfere with the President in his exercise of the latter. Even the general clause of Article I, section 8 (par. 18), which authorizes Congress to make all laws necessary and proper to carry into execution the powers conferred upon any department of the Government, can not permit the Congress to assume the capacities and duties of Commander in Chief. * * * He commands the Army and Navy; Congress does not. He may make all disposition of troops and officers, stationing them now at this post, now at that; he may send out naval vessels to such parts of the world as he pleases—

As Col. Roosevelt did—

he may distribute the arms, ammunition, and supplies in such quantities and at such arsenals and depositories as he deems best.

Now, we are a member of the supergovernment. Article 4 provides what the authority of this supergovernment shall be with reference to this particular question:

The council may deal at its meeting with any matter within the sphere of action of the league or affecting the peace of the world.

That is a rather wide-reaching territorial jurisdiction, because it includes the whole world, regardless of membership in the league.

There is no place upon this mundane sphere where the league may not pry into conditions and put into operation its undefined and unlimited powers.

What may it do? Having for its territorial jurisdiction the world, it may do anything; it has jurisdiction of anything which affects the peace of the world. Suppose that the council is sitting in session and decides that the condition of affairs in the Far East is such as to threaten the peace of the world. War has not been begun; the council is desirous of preventing war; and suppose the council, with our member sitting with them, decides that it is necessary in order to preserve peace to send 500,000 troops to Mongolia or Manchuria; suppose that it decides that our portion of the 500,000 troops is 100,000 men, and that word comes to the Commander in Chief that this is for the purpose of policing the situation as we are policing the situation in Illinois and other places; and the President of the United States sends 100,000 troops to Manchuria; is there anything in the reservations or in the league covenant which you can point to the President and say "You have no authority to do it"? If you can point to no provision and no authority as expressed in the league prohibiting such action, upon what ground can you challenge the authority of the President for his action? Suppose you point to your reservation and say that the troops are not to be used without the authority of Congress, what will the President say? The President will say, "Under the Constitution of the United States I am the Commander in Chief of the Army and Navy; I am not carrying on war; I do not intend to carry on war; I am preventing war just the same as I am in Russia now or in Illinois." He would cite you to the Constitution, which makes him the Commander in Chief of the Army and Navy. You have raised the Army, you have equipped it, you have given him the munitions, and he can station them in Manchuria just the same as he can station them in New Mexico. Remember, my friends, that after this league is formed there is no foreign territory so far as the league is concerned. We are not then encroaching upon foreign territory so far as the league is concerned. It is all within the compass and jurisdiction of the league, whether it is the North Pole or the South Pole.

Mr. SMITH of Georgia. Mr. President——

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

Mr. BORAH. I yield.

Mr. SMITH of Georgia. Does the Senator think that even if article 10 is stricken out, and the council of the league left with authority to advise the use of troops, the President would be authorized to use the Army of the United States, so far as there was an Army, and send it to foreign countries to participate in carrying out the recommendations of the council?

In asking that question I do not mean to indicate an opinion to the contrary. I ask it because I desire to hear the Senator discuss it.

Mr. BORAH. The Senator has gone to the heart of this whole proposition, and he has touched upon a question which the reservationists have been careful to avoid.

Mr. SMITH of Georgia. I will say, for myself, that I am opposed to allowing our troops to be sent abroad except on specific action by Congress in each particular case.

Mr. BORAH. The Senator has gone to the heart of this entire controversy, and has touched a question which in my humble judgment is not touched by the reservations at all. Until you limit the jurisdiction and the authority of the council and the assembly as to what they shall be authorized to do, I do not see how you are going to be in a position to object to the action of the President in complying with the request of our member who sits in that council.

Reflect upon the situation in which we would be, and let us reflect upon our position as it would appear before the world, in case they were attempting to put into operation the powers of the council. May I go over that in part again, in view of the Senator's question?

We will assume that the council is in session at Geneva, and there sit nine men, all of them accredited representatives of their governments, and presumably accredited by legal authority and by constitutional power. A question arises in the Far East or in the Near East—we will say, for better illustration, perhaps, in the Balkans—and the council sits in judgment upon that situation.

Our member takes part with the rest of them, and finally they sign a program and announce it to the world as the method by which the league is to preserve peace. That is its primary obligation and purpose of being in existence. Remember, the representative of the United States is a duly accredited representative, and we are assuming, for the purpose of this argument, that under the Constitution we have a right to create the league and to send him, and that the council decides that the United States shall furnish 100,000 men as its proportion for the purpose of policing the situation in the Balkans and preventing war. Upon what theory would we object to sending them?

Will some man rise and say then, "Aye, but we have a peculiar form of government. One department checks another department, and the Executive can not send troops until he is authorized by Congress"?

Passing, now, the legal proposition, which I will come to later, let us see what position we would be in when we raised that question in Congress. Would we be in a position to raise that question after we had gone to the council and sat in judgment upon the question? Could we be heard before the world to say that notwithstanding our duly accredited representative decided that it was our duty to send 100,000 men we would fall back behind some provision or supposed provision of our Constitution and refuse to send them? If we did we would not only forfeit our respect at home, but we would forfeit our honor and our standing with every nation in the world.

Mind you, we have not undertaken to limit the jurisdiction of our representative. We have not undertaken to limit the jurisdiction of the league. We sign the league without anything of that kind. We have not undertaken to say that before he shall act he shall report back to Congress, and the Congress shall decide whether or not we shall be bound. We have given him authority and he has exercised it, and under every conceivable moral obligation we must carry it out.

Mr. President, if the authority of the assembly and the council is not limited, if their jurisdictions are not curtailed, if they are not restrained in power, any reservation outside of that, in my judgment, is wholly ineffective.

Mr. HITCHCOCK. Mr. President——

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

Mr. BORAH. I yield.

Mr. HITCHCOCK. It is perfectly competent for the Congress to limit the American representative on the council, to limit and restrict his powers, to require him to get authority from the Congress before voting on certain subjects. There is no difficulty about that. That is entirely a domestic question. Other nations can limit the authority of their own representatives as they please. Why does the Senator assume that our representative there is to have an unlimited and autocratic power?

Mr. BORAH. I will tell the Senator why. This covenant, which creates our relationship with the other nations of the world, says that the council may deal at its meetings with any matter within the sphere of action of the league or affecting the peace of the world—not that Congress may deal with it, not that a representative of this country shall hear the facts and report back, but that the council may deal with it; that constitutes an unrestrained authority. I take the position that if you permit this covenant to go out as your contract with the other nations of the world you must carry it out in letter and in spirit, or you will forfeit your standing with the other nations of the world. Does the Senator now say that we shall protect ourselves by passing a law here at home to the effect that our member of the council shall not deal with matters affecting the league or the peace of the world, and that Congress shall deal with those things, and send him there merely to record his vote? If he means that, that is not what is written in the covenant.

Mr. HITCHCOCK. I say that the American representative on the council is under the absolute control of the legislative authority of the United States, and that the Congress may and, in my opinion, should enact a law defining his powers; and I think it ought to define those powers so as to require him to get authority before casting his vote upon any occasion when it would require the use of the military or naval forces of the United States.

I see no difficulty about that. It is purely a domestic question. Each nation can empower its own representative as it sees fit; and I can not see why the Senator makes the point that the American representative is to be an autocrat and not

responsive to the authority of the Congress of the United States.

Mr. BORAH. He is not an autocrat. He is exercising authority which we, after six months of deliberation, have given him, and that is to deal with all matters within the sphere of action of the league or affecting the peace of the world.

Mr. HITCHCOCK. No; we have as yet given him no authority.

Mr. BORAH. I trust we never shall.

Mr. HITCHCOCK. When he is appointed the Congress can, with perfect competence and propriety, define his powers and limit his authority, and I believe it ought to do it.

Mr. BORAH. Of course, the position of the Senator from Nebraska is entirely satisfactory to me; and when a reservation is offered here to limit the power of this council to that of a mere amanuensis of the different parliaments and congresses, I trust that the Senator and I will be found together upon that proposition.

Mr. HITCHCOCK. That is a different proposition. My position is that it is a domestic question; it is for us to regulate, and not for us to make a treaty with some other country about regulating it. Let them do as they please; let them authorize their representatives to act without any authority, to have no restrictions, but on our part let us, as a republic, define the authority and the powers of our representatives.

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

Mr. BORAH. Yes, I yield.

Mr. McCORMICK. Suppose that the President of the United States were to decide to act as a member of the council, in his own name and by his own proper authority——

Mr. BORAH. Or person.

Mr. McCORMICK. What, then, would constitute the limitations to be fixed by statute, as proposed by the Senator from Nebraska?

Mr. BORAH. Yes; or suppose he should send the deputy President, Col. House? [Laughter in the galleries.]

The VICE PRESIDENT. Do not forget what the orders of the Senate are. The notice is for all time, not for one day.

Mr. HITCHCOCK. Mr. President, the situation suggested by the Senator from Illinois would be no different. Congress has heretofore defined the powers of the President of the United States; and Congress could in this case, and undoubtedly would, when it defined the powers of the member of the council, limit the powers of any man that sat upon the council, whether he was the President of the United States or a man appointed by the President.

Mr. McCORMICK. May I rejoin to that that there is a statute prohibiting the President of the United States from leaving this country to take part in a conference?

Mr. BORAH. Mr. President, I agree with both Senators. They both arrive at the same destination. The Senator from Nebraska, however, prefers to accomplish it by a statute rather than by reservations.

Mr. GORE. Mr. President——

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

Mr. BORAH. I yield.

Mr. GORE. I should like to ask the Senator from Idaho a question. If the Senator from Nebraska is correct in the assumption that the limitation of the authority of our representative in the council is a domestic question, then what? Does that imply that the Congress has original and exclusive jurisdiction over the question, assuming that it is a domestic question?

Mr. BORAH. Is the Senator addressing that question to the Senator from Idaho or to the Senator from Nebraska?

Mr. GORE. To the Senator from Idaho.

Mr. BORAH. I would prefer that the Senator should address it to the Senator from Nebraska, because I can not answer it.

Mr. GORE. The altercation seemed to turn on this point. The Senator from Nebraska was insisting that the limitation of the power of our delegate or representative would be a domestic question, and therefore would be within the province of the Congress to regulate.

As I recall, if one nation claims that a given question is a domestic question, that question itself must be remitted to the league for decision.

Mr. BORAH. And the council decides whether or not it is a domestic question.

Mr. GORE. Yes; the council decides whether or not it is a domestic question; and if this question can be referred to the council, and the council should decide that the limitation of his authority was not a domestic question, then it could not be reached by a legislative enactment.

Mr. CUMMINS. Mr. President, may I interrupt the Senator from Idaho?

Mr. BORAH. I yield.

Mr. CUMMINS. I want the Senator from Idaho to ask the Senator from Nebraska a question, because if what seems to be implied in the suggestion of the Senator from Nebraska is well founded, I would no more vote for this league of nations under any circumstances than I would vote for the annihilation of the American Government; and therefore I want a little light on that subject.

Mr. BORAH. So do I.

Mr. CUMMINS. I have not agreed with the Senator from Idaho with regard to his interpretation of certain parts of this covenant; but the Senator from Idaho has said that under article 4, under the clause which permits the council to deal with any matter affecting the peace of the world, it could direct that the United States shall send a military force into any part of the world for the purpose of maintaining peace.

Does the Senator from Nebraska agree to that interpretation of the article?

Mr. HITCHCOCK. No; I do not at all. I had not interrupted the Senator from Idaho on that question. At the time he was discussing it it seemed to me to be entirely beyond the text of the league of nations. I would like to have the Senator state a case in which that could be done.

Mr. BORAH. Mr. President, the Senator from Iowa states the case a little differently from what I stated it. What I said was this: Suppose the council, sitting in judgment upon a situation in Europe——

Mr. HITCHCOCK. Will the Senator specify a little what it is he means by "a situation" and "sitting in judgment"?

Mr. BORAH. A situation, for instance, which is supposed to imperil the peace of the world. We will assume that the situation in the Balkans has not yet been settled, conditions there have not been adjusted, and the council comes to the conclusion that there is a condition of affairs there which threatens the peace of the world, and therefore agrees upon a program. I do not say that the council of itself has authority to order these troops. I have not taken that position. What I do say is that if the council agrees upon a program, and submits that program to the world as a program which will preserve peace, and the Commander in Chief of the Army and Navy of the United States, in the discharge of his duties as Commander in Chief, sees fit to send 100,000 men to a particular portion of the Far East for the purpose of policing the situation, under this league of nations he has a perfect right to do so.

Mr. HITCHCOCK. I do not concede it at all. I think neither the council nor the President has that power.

Mr. McCUMBER. Will the Senator yield to me?

Mr. BORAH. If the Senator from Iowa is through, I will yield to the Senator from North Dakota.

Mr. CUMMINS. I simply want that point to be made just as clear as it can be made. I see no difference between the way in which the Senator from Idaho stated it and the way I stated it. What I would like to know is whether there is any reason to believe that this covenant can be construed, in the absence of article 10, to authorize the President of the United States to send an army, under any suggestion or direction of the council, to any part of the world, for the purpose of maintaining peace?

Mr. McCUMBER. That is the question I was going to ask the Senator, whether he gave it that construction. I claim that it is not subject to that construction.

Mr. BORAH. There is a peculiarity about the constructions which the advocates of the league put upon this covenant. One day they construe it to have the power to preserve the peace of the world, that on the council are nine men with sufficient authority and sufficient power, surveying the situation and seeing somewhere on the horizon a cloud of disturbance, to bring into operation such forces as will preserve the peace of the world. They say to those who want peace, "We have built a world machine of sufficient force and power to bring a warring world to peace." But the very moment you get down to the concrete proposition of how they are going to do it, to wit, with an army or a navy, they immediately tell you that they have no such power; they immediately say that there is no such authority. Now, what is the logic of the position taken by the Senator from Nebraska and the Senator from North Dakota? It is that this league can do nothing until the Congress of the United States acts. Then, why not leave the Congress of the United States to act without any combination or contract with foreign powers? If the council has no authority, no power, no reserve force until it consults the Congress, what reason have we to believe that its

authority will preserve peace any more than the action of Congress itself, without any contract binding us?

Mr. CUMMINS. Mr. President, I think it is only fair to state to the Senator from Idaho what I have supposed the article to which he refers means. If I am wrong I want to be put right very soon, because it touches the very heart of the whole covenant.

Mr. BORAH. One of the hearts.

Mr. CUMMINS. It may be that it has more than one. I hope we will be able to correct everything else I have heard suggested as wrong with the league of nations through proper reservations and proper amendments, because I have voted and intend to vote for amendments. I have supposed that the article to which the Senator refers, in declaring that the council might take account of anything that affects the peace of the world, means that it can only deal with those matters which may affect the peace of the world under the express powers that are otherwise conferred upon the council in the covenant. If that article means that without restriction and limitation the council can deal with such things in any way it pleases, it is intolerable.

Mr. BORAH. Certainly it is.

Mr. KNOX. Mr. President——

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

Mr. BORAH. I yield to the Senator.

Mr. KNOX. I wish to call the attention of the Senator from Idaho to the fact that when there was given out to the American public, through the White House, a telegram from the President that he had agreed to form a defensive alliance with France, that telegram contained the statement that it only bound us to do immediately what we would otherwise be bound to do under article 10.

Mr. BORAH. Yes; and in addition to that, Mr. President, the Senator's suggestion recalls the fact that within the last 10 days there was printed in the New York Sun a long line of extracts from the leading papers of France, in which they denounced the reservation to article 10 because, they said, it would leave it to the power of Congress to say whether article 10 should be carried out or not, and take it away from the council.

In addition to that, the President said, in his Salt Lake speech, that if this reservation had the effect of confining it to Congress, it took the heart out of the league.

Mr. LENROOT. Mr. President——

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

Mr. BORAH. I yield.

Mr. LENROOT. I do not think the President said "if." I think he said the reservation did take the heart out of the league.

Mr. BORAH. I do not see any difference between the two propositions.

Mr. LENROOT. I do not think he admitted that there was any question about the construction of the reservation.

Mr. BORAH. Very well; it must be, then, that the President understands that under article 10 the council has the power to do what the Senator from Iowa said would be intolerable, to wit, order the troops abroad.

Mr. LENROOT. No; it is the independent several obligations under article 10, irrespective of the league or council, to preserve the territorial integrity of the members of the league, of which we are relieving ourselves under the reservation.

Mr. BORAH. Then the supposition is we are relieving ourselves of it. That is what we are debating now, whether we are or not.

Mr. LENROOT. The point is that the President evidently gave it the construction that under this language we did relieve ourselves of that obligation.

Mr. BORAH. Mr. President, let us read article 4, the paragraph which I have read in connection with article 16, and I want to call the particular attention of the Senator from Iowa to this:

> The council may deal at its meetings with any matter within the sphere of action of the league or affecting the peace of the world.

There is no limitation upon that, and there is no appeal from it to any other tribunal which can question their authority. There is no tribunal to which any dissatisfied person or nation may appeal. They have the last say, and they have the authority to deal with anything and everything.

Now turn to article 16, because the covenant must be construed as a whole. That article provides:

> It shall be the duty of the council in such case—

That is, in case any one of the nations disregards the covenants under articles 12, 13, and 15——

Mr. McCUMBER. Read a little more. "Resort to war." That the Senator has left out.

Mr. BORAH. I am glad to have the Senator from North Dakota make the correction.

Mr. McCUMBER. I stated that the Senator left those words out, which give the real meaning to that clause.

Mr. BORAH. Article 16 provides:

> Should any member of the league resort to war in disregard of its covenants under articles 12, 13, and 15, it shall ipso facto be deemed to have committed an act of war against all other members of the league.

Then it says:

> It shall be the duty of the council in such case to recommend to the several Governments concerned what effective military, naval, or air force the members of the league shall severally contribute to the armed forces to be used to protect the covenants of the league.

We must admit that after the violation of covenants in articles 12, 13, and 15, then the council has authority to advise us what military authority we shall invoke or use, and certainly under that advice the President could send his troops to any part of the world that the council would advise.

Mr. CUMMINS. Mr. President, that point is not clear to me, and I am very glad the discussion has arisen, because it ought to be made as plain as it is possible to make it. The Senator from Idaho begins his discussion, if he will permit me, with the statement that the President of the United States would, under the suggestion or direction of the council, have the same right to maintain the peace in Europe, Asia, or Africa that he has to maintain it in the United States. That prompts me to ask the Senator from Idaho what authority the President has to use the Army to maintain peace in the United States? I know it is generally assumed that the power is unlimited. I am not of that opinion. I do not know of any constitutional or statutory authority that warrants the President in using the Army of the United States merely to maintain peace or preserve order. There must be some national law or some national function or some national property involved before the President can use the armed forces of the United States for the purpose of maintaining order. I am now speaking of normal times, of course. It would be necessary to show that there was the same compulsion upon him to use the Army in a foreign country to maintain peace that we must find for his authority within our own borders.

What the Senator from Idaho has said has impressed me very deeply and really has challenged my former conviction more than it has hitherto been challenged. He is of the opinion that under the general clauses of the covenant the council may deal with any matter which affects the peace of the world in any way which they may think necessary in order to accomplish the purpose. I have not so construed that article. I have taken it for granted that the article which we have mentioned bears the same relation to the powers of the council as the preamble to the Constitution bears to the powers granted in it to Congress. We can not, simply because it is for the general welfare, do anything in Congress that we may desire to do and that we believe to be for the general welfare. We must find in the Constitution some express or incidental power at least to enact the legislation which we may believe ought to be enacted.

I am very glad that the Senator from Idaho has raised the point, and I think it well deserves a reply from those who are more favorable to this instrument than I am, although I have expected to vote for the ratification of the treaty if we are able to lift ourselves out of the awful tangle into which we are being led.

This leads me to say, with regard to the amendment now pending, that I would not be able to vote for it, although I am illy satisfied with the reservation which has been presented by the committee. I do not want to prevent the other nations of the world from agreeing with each other to protect their borders if they so desire, but I do not want the United States to assume any obligation whatever under article 10. It seems to me it ought not to be stricken out, but it either ought to be amended or there ought to be a reservation that would say simply that the United States assumes absolutely no obligations under article 10.

Mr. BORAH. I have offered a reservation which stops with the word "purpose" in the present reservation, but I felt, as a matter of good faith with my colleagues, particularly those upon the Committee on Foreign Relations, that I ought to raise the question by a motion to strike out, although my colleagues understood fully that none of these amendments were at all satisfactory to me, save the first one, as a member of that committee. In other words, they do not reach the destination toward which I am slowly and inadequately traveling. I voted for them, but all understood that I regarded them as inadequate. I felt, therefore, that I should raise it, and I have offered a reservation that stops with the word "purpose," that we shall not assume any obligations to preserve the territorial integrity and political independence of any nation

under article 10, or use our Army and Navy under that article for any purpose.

I think there is a great deal in what the Senator from Iowa [Mr. CUMMINS] suggests as to the real authority of the President in using the Army for the purpose of preserving peace, but I am discussing this proposition in the light of what has been done for the last 25 or 30 years with the Army and what is being done to-day with the Army. Whatever may be the power of the President, technically speaking, with reference to the use of the Army, it has become an instrument for the execution of the laws, as it were, and for the preservation of peace in the country, and we may assume that we will not recede upon that proposition, especially under the league of nations.

The council is a political body; it is not a judicial body, although it assumes to exercise sometimes quasi judicial powers; it is not a tribunal for arbitration; it is not a legislative tribunal, although it assumes to exercise legislative powers or quasi legislative powers. In its last analysis it is merely a conclave of ambassadors, or a political gathering, accredited to that particular place by the respective Governments.

It is not a question, my friends, as to what they will have the technical right to do. It is a question of what they will be able to do under this latitudinous power which has been granted to them when there is no tribunal to which an appeal could be had and when there is no way to reject the proposal except to tear out and destroy the league.

Let us take an illustration from recent history. On the 3d day of August, 1914, Sir Edward Grey appeared before the House of Commons to advise the House of Commons of the facts concerning the impending war struggle and to take from the House of Commons its advice as to whether or not Great Britain should enter the war. Sir Edward Grey was at pains to explain to the House of Commons that Great Britain was under no legal obligation and under no binding agreement to go to the aid of France. He stated to the House that they were perfectly free to decide whether or not they would go into the war.

Technically speaking, that was true. There was no agreement in express terms that Great Britain should go to the aid of France in case she were attacked, but from the Morocco affair in 1906 down until the 2d day of August, 1914, such relationship had grown up and such conversations had been had between the representatives of Great Britain and France that the world now knows that Great Britain was under the highest moral obligation, the obligation of honor, to go to the aid of France. For instance, after the Morocco affair the French ambassador had asked Great Britain for an express agreement to the effect that in case France were attacked Great Britain would come to her aid. The representative of Great Britain, at that time I think Sir Edward Grey, said they would not enter into an express agreement, but that their naval and army experts should interchange views and conversations with reference to preparation and with reference to distribution of their armed forces.

So the representatives of these two great nations, their naval and army experts, became possessed of each other's secrets, and became possessed of each other's power with reference to any great struggle which might arise, and that relationship grew stronger, not with any express agreement, but by reason of the association which sprang up between them and the interchange of confidences.

Finally, on the 22d of November, I think it was, 1912, Sir Edward Grey wrote a letter to the French ambassador and stated to him, referring to this interchange of views between their naval and army experts, that it must be understood that that did not amount to an express agreement, but he closed his letter with the statement—and, of course, I do not undertake to quote it in exact words—that "when an emergency shall arise we engage to enter into conversations or interchange of views as to how these nations shall protect themselves." Then, on the 2d day of August, the day before he spoke in the House of Commons, he had given France the assurance that in case the German Navy were used in a certain way the English Navy would come to her rescue.

Technically there was no express agreement, but under every obligation of honor, under the highest moral obligation, England was bound to come to the aid of France. The remaining portion of Sir Edward's speech was, whether consciously or unconsciously, a powerful argument, based upon the obligation of honor, that England should go to the aid of France.

Transfer the scene to the situation which may arise when the league of nations is sitting at Geneva. Let us assume that all these technical obligations and pending agreements are put aside. Let us even assume, sir, that the Constitution of the United States would forbid us to send a man to Geneva with the power to bind 110,000,000 people without the authority of Congress in each particular instance. Let us assume the situation to be as the technical defenders of the league claim it to be. Nevertheless we sit there in council with nine men, and a question involving the peace of the world arises. The nine men decide upon a policy and a program by which our duly accredited representative, with others, determines that a certain action is necessary in order to preserve the peace of the world. Will any man rise in his place in the Congress of the United States and say to the civilized world that our representative is to be repudiated and the Congress reserve the unreserved right to decide otherwise? Suppose we have the power, and that under the Constitution it could not be delegated. We have entered into a compact which binds us in conscience and in morals and in honor to go to the program which has been decided upon.

Mr. LENROOT. Mr. President——

Mr. BORAH. Then watch the papers and the powers which control international affairs begin to lash the Congress of the United States to preserve the peace of the world by complying with the decision at Geneva. What will Congress do? Technical right or no right, it will do as it is doing now.

I yield to the Senator from Wisconsin.

Mr. LENROOT. I should like to get the Senator's position. Assuming that the treaty is ratified with the league of nations in it, and under article 10 the council recommends that an armed force of men be raised and sent to China, as I think the Senator stated, and recommends that the United States contribute 100,000 men of that force, do I understand it to be the Senator's position that he, as a Senator of the United States, would feel obligated to enact legislation sending those 100,000 men there because the council so advised?

Mr. BORAH. I am just one of that kind of men.

Mr. LENROOT. I am not.

Mr. BORAH. No. If the Senator would be as careful, however, as is the Senator from Idaho with reference to the kind of compact he enters into before he assumes the obligation, he might well criticize the Senator from Idaho for carrying it out after he assumes it.

Mr. LENROOT. I wish the Senator would follow the case I made. It was not an obligation, but a recommendation.

Mr. BORAH. Mr. President, it is an obligation. It may not be legal. It may not be constitutional. It is an obligation, nevertheless, because we have by this covenant sent our representative there, and he, with the other nine men, has agreed upon it. The President has defined it as a moral obligation, "superior to and more effective," says the President, "than a legal obligation."

I want to say that the Senator would be for it, and seven out of ten men in the Congress of the United States would vote for it, and for the same reason that they are voting for the covenant of the league of nations, to wit, that we have been told that the seven wise men of the earth sat at Versailles and that it is a matter of extreme impudence and intolerable intolerance to differ with that which they thought was for the peace and welfare of the world; and the reason why they refuse to send this treaty back for amendment is the same reason that the Senator from Wisconsin would vote for it after it is sent there.

Mr. McCORMICK. Mr. President——

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

Mr. McCORMICK. I wish to recall to the Senator what doubtless he has already noticed, that public men in France are discussing the military convention between France and the United States, which is to make possible the expeditious carrying out of the terms of the treaty pending before the Senate for military action.

Mr. BORAH. Yes; they are deciding upon our program. There is no doubt about that, and they know enough about it to know that they can decide it, and that what they decide upon we will ultimately do. Have we disappointed them at any time within the last year?

We went to Paris pledged to a renunciation of the dominancy of the sea and to a declaration in favor of the freedom of the sea. England decided before we got there that we must abandon our position, and we accommodated her. We could not help it. Having sat down at their table in their own house, and in their game, being practically their guest, we could not help accommodating them in such matters.

The next thing they decided was that all the secret treaties, however unconscionable and vicious they were, should be written into this treaty. I have no doubt at all that the representatives of the United States who sat in that conference felt just as bitter and just as thoroughly humiliated over that situation as

any of the rest of us. Does anybody doubt that the representative of the United States would have rejected the Shantung infamy if he had felt he could do so? But we were there, intermingling in their affairs, subject to their intrigue and their manipulation, and, under the threat of another World War and eternal chaos, we yielded to their suggestion. When we sit in the council at Geneva, with their power to manipulate and to control, with the things near at hand which they better understand than do we, the mere question of sending 100,000 men for the purpose of preserving peace will be but a bagatelle, indeed, compared with the sacrifice which we have already made.

Mr. President, I do not criticize the President of the United States for not withholding the rapacious power of the imperial system of Europe, for it was an impossible task; but we are entering into a conclave of nations where our representatives will do that every time that a European situation arises. The reason, sir, why I am against this league and against all leagues and combinations and conclaves is because I know that instead of Americanizing Europe, Europe will Europeanize America. That is what is being done now, and that is what will continue to happen.

You may appeal to your Constitution; you may say that technically we have not the power to take the action proposed, but if you do that and any European representative insists that we act, as a matter of moral obligation we will do so, or else tear down and destroy the league at once.

Mr. President, it has been asked here how could the President send troops? I ask again, as I asked a moment ago, why are our troops being kept in Russia? Under what authority are they there, and what Member of Congress is proposing to challenge that authority in any legal way? I have on my desk a news item of yesterday afternoon to the effect that 60,000 rifles have been sent from America to Kolchak. Who is Kolchak? What are our relations with him? Under what authority do we send him 60,000 rifles? Well, I will tell you by what authority, Mr. President.

As a matter of fact, a league of nations was formed in Versailles while the peace conference was sitting there; and this covenant is like an election in Mississippi; it is simply a ratification of the primary proceedings. Troops and rifles were sent to Russia because the five men sitting at Versailles decided to send them. They are being sent there from day to day, and munitions are sent there from day to day, not by any action of Congress, not by any authority of ours, not by constitutional authority, but because those with whom we are associated thought that a wise thing to do. So, Mr. President, it is not the technical power with which I am concerned. If we had some supreme court like that of the United States or some other supreme judicial tribunal by which we could call every act into question, by which we could ask the cancellation of orders, or by which we could test delegated authority, the men who talk of technicalities would have their day of hearing. We have, however, no such tribunal. These men are their own umpires; there is no appeal from them. The jurisdiction given them is of the world, their authority the peace of the world; and whether it is technically authorized or not we are granting it to them. What right have we to say that they shall not exercise it?

Mr. President, I do not think I shall ask for a vote upon this amendment this afternoon. If a vote be insisted upon, I shall withdraw the amendment, for the reason that I should like the amendment to be voted upon at a time when we know what the reservation is ultimately to be. If there is going to be any change in the reservation, I should like an opportunity to discuss it.

Mr. HITCHCOCK. Mr. President, has the Senator from Idaho read the series of articles by Ludendorff, not yet finished, in one of which he made the statement that the sending of troops into Siberia and the taking possession of the great highway of travel across Siberia had deprived Germany of the opportunity of bringing into the conflict possibly 100,000 German prisoners who were in Siberia and whom Germany expected to use? Does not the Senator know that those troops were sent into Siberia as a war measure during the midst of the war with Germany?

Mr. BORAH. Of course, Mr. President, I know that, although I have not read Ludendorff's articles, and I do not propose to spend any time reading them. But, Mr. President, what has the flood to do with the present wet weather? I am speaking about rifles which have been shipped to Kolchak within the last three weeks. Who decided upon that? I am speaking about our boys who have been suffering and fighting and dying in Russia since the war closed.

Mr. HITCHCOCK. Mr. President, the Senator from Idaho speaks as if we had a great army in Russia.

Mr. BORAH. I do not care, Mr. President, whether it is an army of 100,000 or whether it is one single simple boy from an American farm, it is an infamous outrage that he should be compelled to die in a cause in which we are not concerned. I protest in the name of a single American citizen. I protest against the usurpation of power which sends him there. I protest against the violation of the guaranties which forbid his being sent. The fact that it is ten thousand or a hundred thousand is wholly irrelevant. If you can send ten thousand you can send a hundred thousand.

Mr. HITCHCOCK. Does the Senator think it an infamous outrage that the United States, fighting Germany, should have sent its soldiers into Siberia in sufficient force to take possession of the Siberian Railroad and prevent a hundred thousand German prisoners of war from reentering the conflict in which we were engaged?

Mr. BORAH. No, Mr. President, so long as the war was on, so long as we were at war with Germany or her allies, or any part of them, I had no criticism to pass upon anything that might be done; I have not the ability, of course, to criticize military experts and I have never assumed to do so; but that is all a thing of the past.

Why, Mr. President, since the action of which the able Senator from Nebraska speaks, Lloyd-George sent his special representative to Lenin and Trotski for the purpose of making peace with them, and the representative reported back.

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

Mr. BORAH. Yes.

Mr. WATSON. I call the attention of the Senator to the fact that at the main door of the old Ford Theater, on Tenth Street, in this city, a sign is hung out bearing the words "Enlist here." On one side of it is the inscription "Siberia: Fifteen telegraph operators, 44 bandsmen wanted," and on the other side, "One and three year enlistments now open for Europe." I ask the Senator by whose authority those enlistments are being made for that purpose?

Mr. BORAH. I know of no one who is interested in having our Army in Russia other than the international bankers, who hold millions of Russian securities and who are also urging this league that American boys may be sent to restore order where other securities are in peril. What influence they exert on this Russian situation it would be difficult to say. I have no doubt it is very great.

Mr. LENROOT. Mr. President, the Senator from Idaho a little while ago made a statement which I think was made in the zeal of argument and to which, upon reflection, I think he will not adhere, when he said, in response to a question from me, that conceding the powers of the council under articles 4 and 11 were advisory only and could be exercised only by way of recommendation, yet he, as a Senator of the United States, would feel obligated to vote to carry their recommendations into effect. I think I state his answer fairly.

Mr. BORAH. I think the Senator has stated it fairly well; and while the Senator may be shocked at my reply, I desire to repeat what I said. If I send my agent out to accomplish a certain purpose or give him unlimited authority to advise as to a program and to advise me, I have not in any way, in my judgment, been guilty of a breach of honor if I stand by my agent. Indeed, I think in this particular kind of an agency we would be in honor bound to stand by his recommendations.

Mr. LENROOT. Oh, certainly not.

Mr. BORAH. We are sending a gentleman to Geneva as our representative. What I say is that if I were to enter into this contract—and, of course, I am safe because I never intend to enter into it; I never intend to give allegiance to it in any shape or form, I do not care how it is written; I never intend to do aught but oppose it—but if I entered into it I should feel under obligation to the other nations in honor to respect the program which my agent agreed upon with them.

Mr. LENROOT. Mr. President, it certainly is a most novel proposition that if a principal sends an agent, and the agent is given authority only to make recommendations back to the principal as to a given course to be pursued, the principal feels himself obligated to carry out the recommendations of the agent.

Mr. BORAH. Mr. President, if no one were involved except the agent and the principal that would be a very clear proposition; but when I send my agent to deal in honor with eight other men and they deal with him as my agent and agree upon a program, he being my agent, I owe something to those other eight men.

Mr. LENROOT. Very well. Then I will state the proposition under that situation: A principal sends an agent to meet with a dozen other agents representing a dozen other principals, the agents only having the power to make recommendations, and, acting jointly, they make recommendations, and the principal

feels obligated to be bound to carry out the recommendations they make, which is quite as novel as the other proposition to which I referred. I am sure the Senator upon reflection would not adhere to that.

But, Mr. President, with reference to the construction of this reservation which the Senator has criticized, I wish to call attention to the language of the reservation, because to my mind it is not possibly susceptible to the construction which he has given it:

The United States assumes no obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations—whether members of the league or not—under the provisions of article 10, or to employ the military or naval forces of the United States under any article of the treaty for any purpose, unless in any particular case the Congress—

"The Congress"—what? The Senator would read it "the Congress which"; but the Congress what?

The Congress shall by act or joint resolution so provide.

Could the English language be simpler or clearer?

Mr. BORAH. Mr. President, what is the object of having in there the words "which, under the Constitution, has the sole power to declare war or authorize the employment of the military or naval forces of the United States"?

Mr. LENROOT. That is purely and solely parenthetical. It is a recital only. I have no objection to giving my understanding why those words were put in. They were put in upon the insistence of some Senators who believed that that recital would meet with more favor from our associates than if the recital were omitted. I frankly concede that it has nothing to do with the substantial part of the reservation. It does not affect it in the slightest degree; and if I had my way about it, if I could write this reservation as I should like to see it written, the recital would be stricken out entirely.

Now, Mr. President, with reference to the argument of the Senator from Idaho that we enter into obligations under article 4 and article 11 of this treaty, he has made a very able argument; but the Senator can not read anywhere into either article 4 or article 11 any jurisdiction in this council to make a decision that will be binding upon anybody. I have insisted from the beginning, and I am as well satisfied now as when the consideration of this matter began, that the proper construction of these articles is that the members agree to meet and consider and discuss matters affecting the peace of the world, but without any power to enforce or obligate anyone else to enforce any reports that may be made out of such meetings.

Mr. BORAH. Mr. President, assuming that the Senator is correct as to the legal obligation, does the Senator now state that it is his view of the matter that neither the council nor the assembly can make any decision which has any moral obligation that we are bound to consider?

Mr. LENROOT. I do, just that.

Mr. BORAH. Then the council, as well as the assembly, is a mere debating society.

Mr. LENROOT. Under these articles, that has been my insistence from the very beginning.

Mr. BORAH. I can imagine, then, why the Senator would agree to it, because he believes that it is perfectly harmless.

Mr. LENROOT. I have stated many times, and I have no objection to stating once more, that I do believe that this debating society, as the Senator calls it, will itself be helpful in preserving the peace of the world. I believe that taking cognizance of and discussing any matter threatening the peace of the world by this council or by the assembly, without the slightest power to bind either legally or morally any of the members of the league, will itself be very beneficial.

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

Mr. LENROOT. I yield.

Mr. POINDEXTER. Does the Senator claim that the assembly of the league, in the exercise of the powers conferred on it in article 15, has no power to render a binding decision?

Mr. LENROOT. Oh, certainly not; of course not. I am speaking now of articles 4 and 11.

Mr. POINDEXTER. I beg the Senator's pardon. I thought he was speaking generally of the powers of the assembly under the covenant.

Mr. LENROOT. Oh, no; I am only referring to articles 4 and 11. Under article 10 the United States and every other member is, of course, obligated absolutely to preserve the territorial integrity and political independence of every other nation, and I am opposed to that.

Mr. BORAH. Mr. President, the Senator from Washington refers to article 15. What the Senator must understand, if I read this covenant correctly, is that the council may hurdle article 15 whenever it wants to and jump clear over it, because it may transfer the matter and transfer it on until it gets into the assembly.

Mr. LENROOT. Yes, but still under article 15. That is, a dispute must exist before they can get into either the council or assembly to make a binding decision so far as going to war is concerned; and that is the extent of their power, of course, under article 15. My point now is that neither under article 4 nor under article 11 is the council given any power to bind anybody, and yet I believe the mere discussion of matters threatening the peace of the world will be a very beneficial thing in preserving the peace of the world.

Evidently the position of some Senators is that the United States, great as it is, great as its moral influence and moral power is, should not, even to the extent of debating and discussing matters affecting the peace of the world, enter into any kind of relations with anybody. I can not agree with any such theory as that. I will go as far as anybody in protecting the United States from obligations, or compelling the United States to carry out, against the will of the Congress or the people of the United States, obligations that are sought to be imposed by this treaty; but I am not afraid of debating societies, neither am I afraid of articles 12, 13, and 15, relating to arbitration and the submission of international questions to an inquiry either by the council or by the assembly; and I am willing that the United States and every other nation should be bound by unanimous decisions where made by the council, or, if taken from the council, by the unanimous vote of all of the representatives composing the council and the majority of the other members of the league.

Those, to my mind, are the beneficial parts of this league of nations, and it is well worth entering into for those things alone; and I shall be glad to vote to ratify the league of nations portion of the treaty, as well as the whole treaty, provided we can relieve the United States from obligations in other portions of it, such as are contained in article 10, that ought not to be imposed upon the United States.

In corroboration of the construction that I have given to articles 4 and 11, the Senator from Idaho read from article 16, the second paragraph, where it is provided that—

It shall be the duty of the council in such case to recommend to the several Governments concerned what effective military, naval, or air force the members of the league shall severally contribute to the armed forces to be used to protect the covenants of the league.

This is a case where a member of the league has gone to war in violation of its covenant, and yet in that case it is expressly provided that the council can only make a recommendation as to the use of military and naval forces by other members of the league; and if there is one place in this treaty where the council is given power to make binding obligations, it certainly would be in article 16. It is not, however. It is expressly stated there that they may make recommendations; and if they are only recommendations under article 16, how can they be any stronger under articles 4 and 11, which do not consist of violations of covenants at all, so far as making war is concerned?

But, Mr. President, I rose simply to express my opinion that the reservation which the Senator from Idaho has so criticized is complete in itself and fully protects the United States not only from the obligation to preserve the political independence and territorial integrity of any other nation, but it also relieves the United States from any obligation to use the military or naval forces under any article of the league.

The Senator from Idaho, usually so easy to follow, because he is so clear in his expression, I must confess I could not follow wherein, if I understood him correctly, he stated that if we adopted this reservation with his construction and ratified the treaty the President of the United States would be authorized to use the armed forces of the United States just exactly as he is now using them in Siberia. In other words, if I understood him correctly, if we adopt this league of nations the President will have the same authority to use the armed forces of the United States that he has to use them without any league of nations. I am willing to concede that and admit it, but with this reservation: The President has no authority from this league to use the military and naval forces of the United States for any purpose; and if he has that authority it is found not in the league but in the Constitution itself, and he has that authority, if he has it at all, irrespective of this treaty of peace.

Mr. BORAH. Mr. President, before the Senator takes his seat, does the Senator concede that if it were not for the reservation of article 10 the President would have the authority to use these armed forces?

Mr. LENROOT. I do not concede that he would.

Mr. BORAH. What is the necessity of the reservation?

Mr. LENROOT. The obligation would rest upon Congress to furnish them without the reservation.

Mr. BORAH. But you say in the reservation that he shall not use the armed forces of the United States.

Mr. LENROOT. The reservation does not say that. It says that the United States shall be under no obligation to do so.

Mr. BORAH. Well, of course I am taking my own construction of it. The Senator takes another construction. The Senator contends, then, that without any reservation at all the President would have no authority upon the recommendation of the council, no justification, legal or moral, in sending forces to any foreign country for the purpose of preserving peace?

Mr. LENROOT. I should say no authority gained from this league of nations. If he had any, it would be independent of it.

Mr. BORAH. The position which the Senator takes, then, is that the covenant does not give the President any authority whatever in addition to what he has now?

Mr. LENROOT. It creates obligations upon the United States, but has nothing to do with the authority that is to be exercised by the President.

Mr. BORAH. Now, assuming that the President has the authority to distribute his troops and his men as he sees fit as Commander in Chief, if we should ratify this league without any reservation at all, what objection could be made to his sending troops to a foreign country?

Mr. LENROOT. If he has the authority to do it, and we have the obligation to do it, of course there could be no objection; but that is what I am objecting to.

The PRESIDENT pro tempore. The question is upon the amendment proposed by the Senator from Idaho [Mr. BORAH].

Mr. JONES of Washington obtained the floor.

Mr. HITCHCOCK. Mr. President, a parliamentary inquiry.

Mr. JONES of Washington. I yield to the Senator from Nebraska.

The PRESIDENT pro tempore. The Senator from Nebraska will state the inquiry.

Mr. HITCHCOCK. I understood that the Senator from Idaho had withdrawn his amendment for the present.

Mr. BORAH. I do not desire to have the amendment voted on at present, in view of the construction which has been placed upon this reservation by one of those who, I presume, helped to frame it. I should like to have an opportunity to consult about the matter and see if we can not change the language to make it speak the construction of the Senator. Therefore I desire to withdraw the amendment. At the same time I do not want to put the Senator from Oklahoma [Mr. GORE] in a position where he must go ahead this evening if he does not want to.

Mr. HITCHCOCK. It was the understanding, when the La Follette amendment was deferred until to-morrow, that the Shantung amendment and the amendment of the Senator from Oklahoma should be taken up.

Mr. BORAH. If the Senator from Oklahoma is ready, I have no objection.

Mr. HITCHCOCK. It is rather late, and I have not any desire to press it to-night if it is not convenient.

Mr. WALSH of Montana. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Montana?

Mr. WALSH of Montana. I desire to address myself to the amendment of the Senator from Idaho for a few minutes, perhaps 10 minutes.

Mr. HITCHCOCK. That is not before the Senate, Mr. President.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Idaho that the amendment be temporarily withdrawn?

Mr. JONES of Washington. Mr. President, I understood the Chair to recognize me a moment ago.

The PRESIDENT pro tempore. The Chair understood the Senator from Washington to yield to the Senator from Nebraska.

Mr. JONES of Washington. Yes; and when he is through I want to resume the floor for just a moment.

Mr. HITCHCOCK. I sought a ruling on the point whether or not the amendment of the Senator from Idaho is before the Senate.

Mr. BORAH. In order to clarify the situation, I withdraw the amendment which I offered.

The PRESIDENT pro tempore. Is there objection to the withdrawal of the amendment?

Mr. JONES of Washington. Mr. President, before the amendment is withdrawn I want to say just a word. As I understand the position of the Senator from Idaho, I think there is a great deal of force in it. It appeals to me, at any rate. It has seemed to me that in the discussion of the action by the council we have often overlooked the effect of the provision that requires unanimous consent before a decision is reached by the council. The council can make no decision on matters of importance except it agree unanimously.

The argument with reference to our position is based largely upon the proposition that the council has reached a decision. If that is the proper basis upon which to place it, then, it seems to me, after the council has made a decision, which necessarily implies that our representative has assented to that decision, there is a very binding force upon the United States to comply with that decision, whatever it may be. I propose to suggest, to meet that situation, something which will carry out the idea suggested by the Senator from Nebraska a while ago. I do not want our representative on this council to assent to any decision that involves the sending of our armed forces across the sea to any foreign country to settle any dispute there unless the Congress of the United States first gives its consent to it.

Mr. KELLOGG. Mr. President, does the Senator claim that the council could come to a decision to send our Army anywhere?

Mr. JONES of Washington. Oh, no, Mr. President. I had no such idea in my mind, and if I used any language that conveyed any such impression as that I was very unfortunate in it. What I tried to point out was that when the council has reached a decision upon a situation, and has, for instance, held that 100,000 men are necessary to take care of that situation, when our representative on the council gives his consent to that, and there can not be a decision without it, then this Nation, if it can be morally bound to do anything, is morally bound to furnish its quota of troops, and if we refuse to do it the nations of the earth can point the finger of dishonor at us. I do not want our country to be placed in that position, and I do not want the matter to rest with a single individual across the sea to put this Nation of ours in that situation.

So, Mr. President, I rose simply to give notice that unless the reservation proposed by the committee is amended to meet a situation of that sort, I propose, when it comes up for consideration, to offer this as an amendment to that reservation:

And our representative in the council shall not give his consent to any decision involving the use of the military or naval forces of the United States under any provision of this covenant until the proposal has been submitted to Congress, and it has expressly authorized him to give such consent.

Mr. LODGE. Mr. President, the point I regard as an extremely important one. If it is not guarded under the reservation numbered 7, dealing with representatives, it ought to be provided for.

Mr. WALSH of Montana. Mr. President, I was wondering why the Senator from Idaho [Mr. BORAH] desires to have the covenant amended so that article 10 shall be eliminated; for that, I understand, is the purport of his motion. If it shall prevail, our action really amounts to this, that we propose to the other nations interested in the matter that we will ratify the treaty provided article 10 is eliminated. It will then not be effective as against any party to the treaty.

Four nations have already ratified the treaty with article 10 in. They are entirely satisfied to have the article in its entirety so far as they are concerned. I do not know why the Senator from Idaho should desire to relieve them from the burdens and obligations of article 10, such as they are, if they are quite willing to assume them. In other words, I do not see why he does not make his amendment practically to this effect, simply to add a provision to the effect that the United States shall not be bound by this article. That will accomplish everything that he desires. That is not the effect of the reservation that is proposed, but a reservation to that effect might be easily proposed—that is to say, that we would ratify, on condition, however, that the United States is not bound by the obligations of article 10.

I speak of that at this time for the purpose of showing that strangely a great many people make a marked distinction, an essential distinction, apparently recognizing a very important difference between a reservation and an amendment. I can not see why it would make any difference whether you accomplish that end through an amendment such as I suggest to the Senator from Idaho, or whether you accomplish the end by attaching a condition to your article of ratification. Perhaps there may be some difference in the minds of some, but I am not able to apprehend it.

Mr. BORAH. I will say to the Senator from Montana that I have already offered a reservation along the lines which he has suggested; but we have not reached reservations yet.

Mr. WALSH of Montana. I understand; but I suggest to the Senator that he will accomplish exactly the same result by tendering it as an amendment to article 10, and without, so far as I see, affecting the situation at all.

Mr. BORAH. The Senator means to tender it as a reservation?

Mr. WALSH of Montana. No; tender it as an amendment to article 10. Why not? What is the difference? Why does not the Senator present his amendment right now and discuss the whole thing? What is the difference whether you put it in in the body of the instrument or attach it as a condition to your signature? Suppose this were a matter of private negotiation

between the Senator and myself, and he drafted a contract and sent it to me with a certain article in it. I strike out the article and send it back in that way or I leave the article in, and I sign the instrument, saying, "I am not obligated, however, by article 2 or article 3, or article 4."

Mr. BORAH. I agree with the Senator that it would accomplish the same object; but in view of the fact that these other nations have already ratified the treaty the striking of it out at this time would have the same effect, in my judgment.

Mr. WALSH of Montana. You do not strike it out. Leave it in.

Mr. BORAH. I mean if I struck it out.

Mr. WALSH of Montana. Undoubtedly; that is what I suggested to the Senator, that it would seem that he did not desire to strike the article out; but I inquired of him why he should frame his amendment in that way.

I desire to say, Mr. President, that I quite agree with the Senator from Idaho that the reservation to which we have listened does not change the situation in the slightest degree. I have not any doubt in the world, and I have never heard any argument to the contrary that seemed to me based upon reason at all, if any has been indulged in of any kind, to the effect that we would get into a state of war without a declaration of war by the Congress of the United States and in accordance with the Constitution. Indeed, Mr. President, that is the only ground upon which this covenant can be justified constitutionally at all. There is not any question about that.

But, Mr. President, I want to speak for a moment about the suggestion made by the Senator from Idaho that the President of the United States, if we ratify this covenant, would be authorized to send an army anywhere over the world without any precedent action by Congress in declaring war. I apprehend that if the President of the United States issued an order to any of the officers of the Army to go anywhere, those officers would go there. They would either go, or they would resign their offices, and others would be appointed who would go.

In other words, Mr. President, it seems almost a physical impossibility, under our system, to prevent the President of the United States from sending an army anywhere he sees fit to send it, as suggested by the Senator from Idaho. The only remedy that I know of that we have in such a case as that is to impeach the President of the United States, and of course if he sent an army, for the purpose of making war, into a country with which we are at peace, he would be subject to impeachment.

Mr. President, it is said that he is sending troops to Russia at this time, or has been sending them. But, as suggested by the junior Senator from Wisconsin [Mr. LENROOT], he is not doing so by virtue of any power that comes to him under the league of nations, because, so far as we are concerned, at least, the league of nations does not exist. If he has no legal power or authority under the Constitution to send troops into Russia, what is the remedy? Impeach the President of the United States. That is all you can do about it. Put some one in the Presidency who will call the troops home from Russia. But has any suggestion been made from any source whatever, in either House of Congress, that the President of the United States ought to be impeached by reason of the fact that he has sent troops to Russia? If so, I have not heard it.

Mr. President, the President will be in exactly the same situation when the league of nations is established, and we become a party to it, that he is in now. If he shall undertake to send troops into a foreign country, there to make war, without a previous declaration by Congress, he will be subject to impeachment, just exactly as he is now. Certainly the President of the United States gets no authority by this article. The obligation rests upon the Government of the United States. It acts through Congress in declaring war. I have not heard from any source any argument to the effect that under this the President would be invested with any authority whatever.

The Senator assumes, and that seems to be the burden of his argument, as it seems to me, not that the league of nations, and particularly the council of the league of nations, is actually clothed with these vast powers with which he assumes they may be clothed, but that they will usurp these powers.

We can not, as a matter of course, protect ourselves in advance against any usurpation of power by the council or by any other body. We never refuse to give officers power or authority on the ground that they would usurp other powers which have not been confided to them. We simply refuse, as a matter of course, to recognize any authority in the league of nations or in the council of the league of nations beyond the powers that are granted to them thereby. I fully agree with the Senator from Wisconsin when he says that wherever the league or the council or the assembly is given power only to advise, to recommend, there can not possibly be any moral obligation upon the part of the United States to follow the recommendation. Otherwise you might just as well use another word. Take article 16, for instance, where the council is called upon to recommend the forces that shall be used for any particular purpose. If the recommendation is not satisfactory to us, upon what theory can it be urged that we are bound to follow the recommendation? I can not believe that anyone will conceive that when the council is authorized only to advise or to propose, anybody is under any obligation to follow the suggestion made. For instance, take the provision of the covenant which authorizes the council to propose a plan of disarmament. If the United States is not satisfied with the plan that is proposed, can it be urged that the United States is under any moral obligation to legislate in conformity with the recommendation that has been made or the proposal that is offered for its consideration? I can not think that anybody will be deterred from giving his approval to the covenant upon any suggestion of that character, at least.

The PRESIDENT pro tempore. The question is upon the amendment proposed by the Senator from Oklahoma [Mr. GORE].

Mr. LODGE. Mr. President, the Senator from Oklahoma is anxious to take up his amendment in the morning. He thinks there will be but very brief debate and that it can be quickly disposed of, and that will allow ample time for the Senator from Missouri [Mr. REED] to make his speech before 3 o'clock, at which time the vote is to be taken upon the La Follette amendment. I therefore move that the Senate take a recess——

Mr. KING. Will the Senator withhold his motion for a moment? I understood that the Senator from Nevada [Mr. HENDERSON] or the Senator from Washington [Mr. POINDEXTER] would desire to call up a measure which has passed the House and which will only take a moment.

Mr. SMOOT. I will say to my colleague that the Senator from Washington is out of the Chamber, and I have been unable to locate the bill that was to be laid before the Senate. I do not think there will be any objection to the consideration of it to-morrow morning, provided——

Mr. LODGE. Yes; there will be objection to its consideration to-morrow morning.

Mr. SMOOT. Provided it does not lead to any debate?

Mr. LODGE. There will be objection. To-morrow morning is to be devoted to the treaty. I do not want to mislead anyone. I think we will have to put it off until we have a morning hour if it is not ready now. I will gladly yield now. I do not want to make any promises of that kind for to-morrow morning.

Mr. KING. In view of that fact, I shall not ask the Senator to withhold his motion.

RECESS.

Mr. LODGE. I move that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, November 5, 1919, at 11 o'clock a. m.

SENATE.

WEDNESDAY, *November 5, 1919.*

(Legislative day of Monday, November 3, 1919.)

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

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Ball	Harrison	McKellar	Ransdell
Brandegee	Henderson	McLean	Reed
Capper	Hitchcock	McNary	Robinson
Colt	Johnson, Calif.	Moses	Sheppard
Culberson	Johnson, S. Dak.	Myers	Smith, Ariz.
Curtis	Jones, N. Mex.	Nelson	Smith, Ga.
Dial	Jones, Wash.	Newberry	Smith, S. C.
Edge	Kellogg	Norris	Smoot
Elkins	Kendrick	Nugent	Spencer
Gay	Kenyon	Overman	Thomas
Gerry	Keyes	Owen	Trammell
Gore	King	Page	Walsh, Mass.
Gronna	Kirby	Phelan	Walsh, Mont.
Hale	La Follette	Phipps	Watson
Harding	Lodge	Poindexter	Williams

Mr. CURTIS. I wish to announce the absence, on official business, of the Senator from New York [Mr. WADSWORTH], the Senator from Indiana [Mr. NEW], the Senator from Wyoming [Mr. WARREN], the Senator from Oregon [Mr. CHAMBERLAIN], the Senator from Maine [Mr. FERNALD], the Senator from Mary-