

actment of H. R. 9753 and other Sunday bills; to the Committee on the District of Columbia.

5196. By Mr. FULLER: Petition of the Bellrose-Standard Silica Co., of Ottawa, Ill., opposing the Capper bill, S. 1150, and the Sweet bill, H. R. 6861; to the Committee on Interstate and Foreign Commerce.

5197. Also, petition of the Chicago section of the Society of American Military Engineers, favoring adequate appropriations for the Army and Navy and opposing unreasonably curtailing the personnel of the armed forces; to the Committee on Appropriations.

5198. By Mr. KIESS: Petition of citizens of Potter County, Pa., protesting against the passage of H. R. 9753; to the Committee on the District of Columbia.

5199. By Mr. KISSEL: Petition of the Central Trades and Labor Council, New York City, N. Y., urging the passage of H. R. 10084; to the Committee on the District of Columbia.

5200. By Mr. MEAD: Petition of George A. Edwards, of East Aurora, N. Y., indorsing the Morgan pension bill; to the Committee on Pensions.

5201. By Mr. MOORE of Ohio: Petition of the Presbytery of Muskingum of United Presbyterian Church at New Concord, Ohio, indorsing H. R. 9753; to the Committee on the District of Columbia.

5202. Also, petition of the Presbytery of Muskingum of United Presbyterian Church at New Concord, Ohio, indorsing Senate Joint Resolution 31; to the Committee on the Judiciary.

5203. Also, petition of the Presbytery of Muskingum of United Presbyterian Church at New Concord, Ohio, indorsing House Joint Resolution 131; to the Committee on the Judiciary.

5204. By Mr. OSBORNE: Petition of J. B. Baker, 1151 Orange Grove Avenue, Hollywood, Calif., and 113 other residents of Los Angeles County, Calif., protesting against the passage of House bill 9753 or any other Sunday bill; to the Committee on the District of Columbia.

5205. By Mr. SNYDER: Petition of Frank Grizzo and others, against observance of any religious institution as provided by the first amendment to the Constitution; to the Committee on the District of Columbia.

5206. By Mr. STEENERSON: Petition of C. M. Corliss, Augustus Lewis, and other residents of Fergus Falls, Minn., protesting against proposed compulsory Sunday observance bills for the District of Columbia; to the Committee on the District of Columbia.

5207. By Mr. TEMPLE: Petition of Mercer Presbytery, United Presbyterian Church, New Wilmington, Pa., indorsing House bill 9753, to secure Sunday as a day of rest in the District of Columbia; to the Committee on the District of Columbia.

5208. Also, petition of Mercer Presbytery, United Presbyterian Church, New Wilmington, Pa., in support of House Joint Resolution 131, proposing a constitutional amendment prohibiting polygamy and polygamous cohabitation in the United States; also Senate Joint Resolution 31, proposing a constitutional amendment authorizing Congress to enact uniform laws on the subject of marriage and divorce; to the Committee on the Judiciary.

5209. Also, petition of Beaver Valley Presbytery, United Presbyterian Church, New Brighton, Pa., indorsing House Joint Resolution 131, proposing a constitutional amendment prohibiting polygamy and polygamous cohabitation in the United States; also Senate Joint Resolution 31, proposing a constitutional amendment authorizing Congress to enact uniform laws on the subject of marriage and divorce; to the Committee on the Judiciary.

5210. Also, petition of Beaver Valley Presbytery, United Presbyterian Church, New Brighton, Pa., indorsing H. R. 9753, to secure Sunday as a day of rest in the District of Columbia; to the Committee on the District of Columbia.

5211. By Mr. TOWNER: Petition of Mr. Thomas J. Denley, of Jackson, Mich., and 82 other citizens of the State of Michigan, asking for the passage of the Towner-Sterling educational bill; to the Committee on Education.

5212. Also, petition of Mr. B. M. Ransom, of Cincinnati, Ohio, and 94 other citizens of the State of Ohio, asking for the passage of the Towner-Sterling educational bill; to the Committee on Education.

5213. Also, petition of Mrs. E. P. Deming, of Algonquin, Ill., and 132 other citizens of the State of Illinois, asking for the passage of the Towner-Sterling educational bill; to the Committee on Education.

5214. By Mr. WEBSTER: Petition of John S. Gnagy and other residents of Colville, Wash., and vicinity, requesting the passage by Congress of legislation providing for the reestablishment of the Government Grain Corporation; to the Committee on Agriculture.

## SENATE.

FRIDAY, April 21, 1922.

(*Legislative day of Thursday, April 20, 1922.*)

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

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed without amendment the bill (S. 3317) to authorize the State of Minnesota to construct a bridge across the Mississippi River between Cass Lake and Bemidji, in or about section 25, township 146 north, range 32 west, Beltrami County, Minn.

The message also announced that the House disagreed to the amendments of the Senate to the bill (H. R. 10730) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1923, and for other purposes, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ANDERSON, Mr. MAGEE, Mr. WASON, Mr. BUCHANAN, and Mr. LEE of Georgia were appointed managers on the part of the House at the conference.

The message further announced that the House disagreed to the amendments of the Senate to the bill (H. R. 11065) making appropriations for the Departments of State and Justice and for the judiciary for the fiscal year ending June 30, 1923, and for other purposes, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HUSTED, Mr. TINKHAM, and Mr. JOHNSON of Kentucky were appointed managers on the part of the House at the conference.

The message also announced that the House disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 9981) making appropriations for the Executive and for sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1923, and for other purposes; that the House receded from its disagreement to the amendment of the Senate numbered 28; that the House receded from its disagreement to the amendment of the Senate numbered 29, and concurred therein with an amendment, in which it requested the concurrence of the Senate; that the House further insisted upon its disagreement to the amendments of the Senate numbered 21, 31, and 35, requested a further conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WOOD of Indiana, Mr. WASON, and Mr. HARRISON were appointed managers on the part of the House at the further conference.

SUPPLEMENTAL ESTIMATE, DEPARTMENT OF STATE, 1922 AND 1923  
(S. DOC. NO. 189).

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of State (foreign intercourse), fiscal years 1922 and 1923, for salaries of ambassadors and ministers, \$10,600, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

### MEAT PACKERS IN UNRELATED LINES OF INDUSTRY.

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting, pursuant to Senate Resolution 211, further information relative to a proposed modification of the consent decree in the meat packers' case, which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry.

PROSECUTIONS UNDER ESPIONAGE AND OTHER WAR ACTS (S. DOC. NO. 190).

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting, pursuant to Senate Resolution 226, of January 25, 1922, a supplemental statement showing the persons indicted in the northern district of Illinois, whose cases have not been disposed of under the wartime statutes, which, with the accompanying papers, was referred to the Committee on the Judiciary and ordered to be printed.

### APPROPRIATIONS FOR DEPARTMENTS OF STATE AND JUSTICE.

Mr. CURTIS. I ask that the Chair may lay before the Senate the action of the House on House bill 11065.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives, disagreeing to the amendments of the Senate to the bill (H. R. 11065) making appropriations for the Departments of State and Justice and for the judiciary for the fiscal year ending June 30, 1923, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CURTIS. I move that the Senate insist on its amendments, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. CURTIS, Mr. WARREN, Mr. LODGE, Mr. OVERMAN, and Mr. HITCHCOCK conferees on the part of the Senate.

#### AGRICULTURAL DEPARTMENT APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 10730) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1923, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McNARY. I move that the Senate insist on its amendments, agree to the conference requested by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. McNARY, Mr. JONES of Washington, and Mr. OVERMAN conferees on the part of the Senate.

#### EXECUTIVE AND INDEPENDENT OFFICES APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 9981) making appropriations for the Executive and for sundry executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1923, and for other purposes; receding from its disagreement to the amendment of the Senate numbered 28; receding from its disagreement to the amendment of the Senate numbered 29, and concurring therein with an amendment, in which it requested the concurrence of the Senate; insisting upon its disagreement to the amendments of the Senate numbered 21, 31, and 35, and requesting a further conference with the Senate on the disagreeing votes of the two Houses.

Mr. WARREN. I ask that the action of the House on amendment numbered 29 may be laid before the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives, concurring in the amendment of the Senate numbered 29 with an amendment as follows:

In lieu of the sum proposed in said amendment insert "\$325,000."

Mr. WARREN. I move that the Senate concur in the amendment of the House of Representatives to the amendment of the Senate.

The motion was agreed to.

The VICE PRESIDENT also laid before the Senate the action of the House of Representatives insisting on its disagreement to the amendments of the Senate numbered 21, 31, and 35, and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WARREN. I move that the Senate further insist on its amendments still in disagreement, agree to the request of the House for a further conference thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. WARREN, Mr. SMOOT, Mr. JONES of Washington, Mr. OVERMAN, and Mr. GLASS conferees on the part of the Senate at the further conference.

#### PETITIONS AND MEMORIALS.

The VICE PRESIDENT laid before the Senate a resolution adopted by the Juneau (Alaska) Commercial Association favoring the enactment of legislation to regulate the salmon fisheries of Alaska, which was referred to the Committee on Territories and Insular Possessions.

Mr. JONES of Washington presented a resolution adopted by Neuwaukum Home Grange, No. 622, Patrons of Husbandry, of Enumclaw, Wash., favoring the passage of Senate bill 2604, the Ladd honest money bill, which was referred to the Committee on Banking and Currency.

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

#### REPORTS OF COMMITTEES.

Mr. SMOOT, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 889) further to assure title to lands granted the several States, in place, in aid of

public schools, reported it with amendments and submitted a report (No. 610) thereon.

Mr. WATSON of Georgia, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 910) for the relief of Frank Grygia (Rept. No. 611); and

A bill (S. 1723) for the relief of William Hensley (Rept. No. 612).

Mr. CAPPER, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 449) for the relief of the Cornwell Co., Saginaw, Mich. (Rept. No. 613);

A bill (H. R. 1009) for the relief of H. C. Mullins, his wife, and minor children (Rept. No. 614);

A bill (H. R. 3346) for the relief of the heirs of Oscar Chrysler (Rept. No. 615);

A bill (H. R. 6525) for the relief of the Cortez Oil Co. (Rept. No. 616); and

A bill (H. R. 6686) for the relief of George Ciszek and Anna Ciszek (Rept. No. 617).

Mr. CAPPER, from the Committee on Claims, to which was referred the bill (H. R. 5775) for the relief of Liberty loan subscribers of the North Penn Bank, of Philadelphia, Pa.; Santa Rosa National Bank, Santa Rosa, Calif.; Mineral City Bank, Mineral City, Ohio; Robbinsdale State Bank, Robbinsdale, Minn.; and Farmers and Merchants' State Bank, Kenmare, N. Dak., reported it with amendments and submitted a report (No. 618) thereon.

Mr. BROUSSARD, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 907) for the relief of Ellen B. Walker (Rept. No. 619);

A bill (S. 1599) for the relief of the estate of David B. Landis, deceased, and the estate of Jacob F. Sheaffer, deceased (Rept. No. 620);

A bill (S. 2584) for the relief of John H. Walker (Rept. No. 621);

A bill (H. R. 6523) for the relief of John Burke, former Treasurer of the United States, for lost bonds without the fault or negligence on the part of said former Treasurer (Rept. No. 622); and

A bill (H. R. 6524) to permit the correction of the general account of John Burke, former Treasurer of the United States (Rept. No. 623).

#### ENROLLED JOINT RESOLUTIONS PRESENTED.

Mr. SUTHERLAND, from the Committee on Enrolled Bills, reported that April 20, 1922, they presented to the President of the United States the following enrolled joint resolutions:

S. J. Res. 165. Joint resolution authorizing the erection on public grounds in the city of Washington, D. C., of a statue of Edmund Burke; and

S. J. Res. 190. Joint resolution to authorize the presentation of a tablet to the officers of the National Society of the Daughters of the American Revolution.

#### BILLS INTRODUCED.

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

By Mr. PHIPPS:

A bill (S. 3491) to continue the land office at Del Norte, in the State of Colorado, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. DIAL:

A bill (S. 3492) for the relief of Ernest Elmer Hall; to the Committee on Claims.

By Mr. STERLING:

A bill (S. 3493) to amend an act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920; to the Committee on Civil Service.

By Mr. McNARY:

A bill (S. 3494) granting a pension to Mary E. Brown; to the Committee on Pensions.

By Mr. SPENCER:

A bill (S. 3495) to provide for reopening the accounts of Harry Caden and charging of certain expenses therein to a different appropriation from the one used in payment; and

A bill (S. 3496) providing for notice to the Secretary of the Interior in cases involving the condemnation for public purposes of land included in any Indian allotment; to the Committee on Indian Affairs.

By Mr. TOWNSEND:

A bill (S. 3497) granting a pension to Sarah M. McKinnis (with accompanying papers); to the Committee on Pensions.

TARIFF BILL AMENDMENTS.

Mr. LODGE submitted two amendments and Mr. JOHNSON submitted an amendment, intended to be proposed by them to House bill 7456, the tariff bill, which were ordered to lie on the table and to be printed.

AMENDMENT OF BANKRUPTCY LAW.

Mr. SPENCER submitted an amendment intended to be proposed by him to the bill (S. 2921) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto, which was ordered to lie on the table and to be printed.

AMENDMENT OF WAR DEPARTMENT APPROPRIATION BILL.

Mr. SPENCER submitted an amendment proposing to increase the appropriation for the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation, from \$42,815,661 to \$47,815,661, intended to be proposed by him to House bill 10871, the War Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

NAVAL OIL RESERVE LEASES.

Mr. LA FOLLETTE. I submit a resolution, which I ask may be read, and I also ask to have it printed and lie on the table.

The resolution (S. Res. 282) was read, as follows:

*Resolved*, That the Secretary of the Interior is directed to send to the Senate:

(a) A list of all oil leases made by the Department of the Interior within naval oil reserve No. 1 and, separately, naval oil reserve No. 2, both in the State of California, and naval oil reserve No. 3, in the State of Wyoming, showing as to each the claim upon which the lease was based or issued; the name of the lessee; the date of the lease; the area of the leased property; the amount of the rent, royalty, bonus, and all other compensation paid and to be paid to the United States.

(b) All Executive orders and other papers in the files of the Department of the Interior and its bureaus, or copies thereof if the originals are not in the files, authorizing or regulating such leases, including correspondence or memoranda embodying or concerning all agreements, instructions, and requests by the President or the Navy Department as to the making of such leases and the terms thereof.

(c) All correspondence, papers, and files showing and concerning the applications for such leases and the action of the Department of the Interior and its bureau thereon and upon the several claims upon which such leases were based or issued, all in said naval reserves.

The VICE PRESIDENT. The resolution will be printed and lie on the table.

Mr. LA FOLLETTE. In connection with the resolution I ask to have printed in the RECORD a letter which I have just received from former Secretary of the Navy, Hon. Josephus Daniels, in response to one written to him.

There being no objection, the letter was referred to the Committee on Public Lands and Surveys and ordered to be printed in the RECORD, as follows:

RALEIGH, N. C., April 18, 1922.

DEAR SENATOR: I am in receipt of your esteemed favor of April 6, stating that the report has been given out that the proposal to receive bids for the oil land of the naval reserve was inaugurated under my administration. I am astounded that any such impression prevails. I devoted many hours while I was in office, and some of them very strenuous ones, in an effort to preserve intact the oil reserve that had been set aside for the Navy. I remember one night toward the end of a session that Mr. Roosevelt and I remained at the Capitol all night long, watching the legislation of closing hours, fearing that some act might be passed that would turn over these invaluable oil reserves to parties who made claim to them without even decent shadow of title.

I, with the Attorney General, fought, contested, and opposed the action of the Land Office in the Honolulu land question, which would have given oil lands worth many millions of dollars to a company which in my judgment had no shadow of right to them. To the very last days of my administration I opposed all the suggestions toward the leasing of these oil reserves set apart by President Taft and President Wilson. During the war there was a hard drive by those who claimed ownership to these lands and the matter was so pressed then that the Navy had to stand in the way of the exploitation of this oil reserve. Even then I opposed the proposal; I felt that this oil had been set apart for the Navy and that exploitations by those who claimed an interest was not necessary to win the war and the day would come when the Navy must depend upon its own oil reserves for a part of its supply.

Ten days before March 4, 1921, I more than once saw the Secretary of the Interior, to whom application had been made to lease the oil, and I presented the Navy's claim and opposition to any lease of these reserves. Secretary Payne refused to approve the applications for leases, and he was very wise and far-seeing in so doing. I never at any time even inferentially agreed to proposals made, but held steadfastly for the whole eight years to the protection of these reserves and holding the oil in the ground for the use of the Navy.

The legislation enacted went further than I desired, but it was impossible to stand out against it. In my judgment it would be a great wrong to lease these oil reserves. The wisest policy of conservation, as well as the Navy's efficiency in the future, depends largely upon holding these naval oil reserves intact.

If you will apply to the Navy Department, you can obtain letters written by me with reference to these oil lands, and you will see that if anybody suggested that I at any time was willing to make any concession looking toward the leasing of these lands, their statements are not borne out by facts. If you will have your secretary look over my annual reports, you will find that I have touched upon this matter many times, and in one you will find an appendix which will give you several of my references to these oil lands, showing why these reserves ought to be preserved.

You may be interested in knowing that when I first looked into this matter, when the first application was made, I found that the claims on the Navy oil reserves were asked for in the name of parties working in the stock yards in Chicago, who, upon inquiry, declared that they had never made application for the oil lands, and the applications presented bearing their names were in fact signatures that they had made in Chicago, supposing that they were signing a petition for an election. Many of these applications were grossly fraudulent and nearly all of them were made after President Taft set the reserve apart for the use of the Navy.

The hearings before the Public Land Committee of both the House and Senate will give you the story as it came out and will show the position of the Navy Department while I was Secretary of that department.

The persistent attempts to lease these lands began in 1913 and were kept up until my term of office expired. It was a battle during my entire term, and I was happy upon retirement to private life that the Navy Department, aided by Attorney General Gregory and Secretary Payne, blocked the insidious propaganda to exploit these reserves.

In 1913, after conference with the Department of the Interior, the Navy Department decided upon the policy of building all naval ships as oil burners. The experiences of the war demonstrated the wisdom of the course. In my judgment, not one acre of the naval reserve should be leased, and Congress should set a face of flint against the present exploitations.

Sincerely yours,

JOSEPHUS DANIELS.  
To Hon. ROBERT M. LA FOLLETTE,  
United States Senate, Washington, D. C.

MARIA M'ARTHUR.

Mr. CURTIS submitted the following resolution (S. Res. 283), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Secretary of the Senate be, and be hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate for the fiscal year 1921, to Maria McArthur, widow of James McArthur, late a messenger in the employ of the Senate, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

ARTICLE BY COL. ROBERT E. OLDS—EUROPE'S DEBTS.

Mr. KELLOGG. I ask unanimous consent to have printed in the RECORD an article by Col. Robert E. Olds, formerly commissioner for Europe of the American Red Cross, on the international situation. I think it will be of value to Senators.

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

[From the Philadelphia (Pa.) Public Ledger, Sunday, March 12, 1922.]

The following article, by Colonel Olds, analyzing the international debt situation, is based on first-hand observations of the economic conditions in practically every European country. These were made during his direction of the Red Cross activities covering three years up to last summer and during which he dispensed many millions of dollars. He has intimate contacts in nearly every nation and has been received as a sort of special ambassador wherever he has gone.

[By Col. Robert E. Olds, former commissioner in Europe of the American Red Cross.]

PARIS, March 1.—With the calling of the Genoa conference we may fairly say that the pendulum has nearly completed its slow but inevitable swing from the purely political to the economic view of world affairs. The change is momentous. It has taken some time to effect it. One has only to recall the memorial presented to the American Government and to the principal European Governments more than two years ago, declaring that the basic problem was essentially economic and requesting on grounds of "extreme urgency" that an international conference of experts be called to consider it. The subjects of inflation, instability of exchanges, decline of credit, production, taxation, public expenditures, and international debts were all there suggested as matters of imminent concern.

Although the memorial carried an almost unprecedented array of distinguished signatures, among others from the United States, Morgan, Root, Elliott, Warburg, Vanderlip, Hepburn, Reynolds, Hoover, and Hadley; from England, Bryce, Inchape, Cecil, Asquith, Grenfell, Clynes, McKenna, and Leaf, it made little stir. Now, for the first time, the voice of the man of affairs and the student of actual conditions is being heard.

Throughout the political phase the United States played a difficult role. It was asked to enter an alliance with France and England and to join the League of Nations. To both of these proposals it finally gave a negative answer. In the economic phase we are faced at once by the exceedingly troublesome and complex question of the allied debts. Whether we like it or not, we stand forth as the greatest creditor Nation of all time, and must admit that it is a position of grave danger to ourselves as well as to others. The future in no small degree depends upon our ability to see clearly and to act wisely on the issue now before us.

CONFUSED BY LINKING OF DEBTS.

The issue calls for accurate definition. The public on both sides of the Atlantic is manifestly being confused by the linking of the allied debts, in turn, with the questions of reparations, European militarism, taxation, public expenditures, the bonus bill, and other more or less relevant matters. Under the circumstances there is much to be said for the idea of isolating the problem of the allied debts and considering it by itself on the merits.

The European Governments owe the United States altogether (with accrued interest) about \$11,000,000,000, of which approximately \$3,500,000,000 lie against France and \$4,500,000,000 against England.

No interest is being paid, and so the staggering liability goes right on piling up. This black cloud, casting its sinister shadow over an entire continent, necessarily tends to promote pessimism and destroy hope. It is coming to be more and more recognized as the dominant fact in the minds of statesmen and in the lives of peoples. Hardly a newspaper in Europe fails to mention it in some connection every day. Statesmen are interviewed and economists are writing books about it. There is undoubtedly a growing conviction that no way out of the present difficulties can be found until the debts to America are somehow eliminated from the problem.

From the European point of view the discussion presents some curious and interesting features of which America should take note. There is, in the first place, the bold but not always profound thinker, of the Wells type, who comes forward with this simple formula: The debts are fantastic; they can not possibly be paid, so why let them block the way? Let us forget this legendary indebtedness and get on with the real business of world reconstruction. More serious writers of the economic school, who have recently reviewed the situation as a whole, find no ready solution, and can by a strange non sequitur leap to the conclusion that the world can be saved only by a cancellation of the loans outright.

Gustav Cassel, the eminent Swedish economist, in his second memorandum prepared for the League of Nations, after a pessimistic survey, suggests cancellation as almost the last hope. Mr. Keynes, the British economist, arrives by a different route at virtually the same destination. He would have the United States and England form a sort of underwriting syndicate to settle the reparations problem by canceling France's debts in return for a proportionate release of the German indemnity.

#### ADVICE AGAINST PAYMENTS.

Moreover, the bankers and economists seem to be agreed that under present conditions the United States can not afford to exact even the interest payments. It is said that if by any possibility the payments could be met, the results would be disastrous; abnormal payments of this nature would only postpone still further final recovery.

Now, it is quite impossible, in this memorandum, to follow the argument in all its involutions. It is reasonably clear, however, that if we want to work toward a restoration of trade equilibrium, the last thing we ought to do is to make a drive for the collection of these debts. They can not be paid in gold, because the gold is not there. Payment could in no event be made except in goods, and we do not want the goods. The only way we can accept commodities safely is in the normal course of trade. These conclusions appear to be well founded, but the step from them to the sweeping generalization that the allied debts should be at once completely wiped out is by no means so easily taken.

The picture of a torn and distressed Europe, weighed down by an impossible load of debt which keeps her from rising at all, is appalling, but is it quite accurate? On the face of things the load is to-day nothing but an acknowledged liability to be discharged some time in the distant future. There are no penalties to be enforced or mortgages to be foreclosed for default. America holds no security beyond the honorable engagements of the nations concerned. If Europe can not pay presently, she won't, and there will be an end of the matter for the time being. Let us be practical and face the facts. Nobody with practical sense expects the European Governments to come to us with "a pathetic light in their eyes and the cash in their hands." It is scarcely conceivable that any substantial payment, on account of principal at least, can be made within the next 25 years.

Why not look at this business as what it really is—an affair between two generations of men not yet in being. A present discharge would be like a quit claim running from a coming generation of Americans to a coming generation of Europeans. Just how that is going to reconstruct the great devastated region of international trade in the year 1922 and set the present generation in Europe on its feet perhaps some banker-economist—Ottó Kahn, for instance—will explain. If it can be made clear to the lay mind, it ought to be made without further delay.

#### GIVE EUROPE A FIGHTING CHANCE.

After all, is it not the uncertainty alone that is doing the damage? As it stands, the indebtedness is to be compared to a "call loan." Naturally a finance minister in Paris is seriously embarrassed by it, because he can not know what provision, if any, should be made on that account. If the loan is called, France would have to pay or repudiate. With an outstanding account against Germany upon which not a centime has been collected, and an enormous debit to England and America occupying this doubtful status, the situation can not fail to continue desperate.

Suppose our Government said, "We can not go so far as to tear up these obligations, but we can and will come to an understanding with you about the time of payment. We can agree definitely not to demand the principal for X years or the interest for Y years. Tell us what you think you may eventually be able to do, and let us see if we can not make an arrangement." The reply would be probably along these lines: "We appreciate your reluctance to convert a loan of this nature into a gift. If, however, you can grant us X years to work out of our present difficulties without embarrassment from the loans, we shall do the best we can; and we should like to have the privilege of discussing the subject again at the expiration of that period in the light of the facts as they may then appear, it being fully understood that the loans are regarded by both parties as subsisting obligations to be eventually met." It goes without saying that a negotiation of this general nature, approached in the right spirit on both sides, would lead to a definite agreement. To the ordinary observer trying to take a common-sense view and maintain a proper perspective, it is the only way to satisfy public opinion in the United States and at the same time give the European Governments a good fighting chance to pull through.

If the allied debts can be thus removed as a complicating factor in the problem of settling European budgets for the next 25 years, for example, the pressure will be immediately released and plans for reconstruction can go forward. It is hard to see how anything more could be accomplished by outright cancellation. What the European Governments must have is definite assurance that demands which would surely throw them into complete bankruptcy will not be made pending the critical reconstruction period.

#### ENTITLED TO UNITED STATES VIEW.

Europe is plainly entitled in this connection to a frank disclosure of the American point of view. There is much misunderstanding and some bitterness being engendered by a failure to make full explanations. Absolutely nothing is to be gained by controversial talk about militarism; there is no end to such a discussion. The urgent need is to tell these peoples who owe us so much money exactly what we propose to do, and why.

Now, it should not be hard to state the American case so as to make it understood. The allied powers were waging a war for their existence. After a time we came in with them and began to loan them money in addition to financing our own war operations. In order to get the money we swelled our national debt to a point never before dreamed of. Those familiar with the Liberty loan drives know that the funds produced were not merely loose cash which we did not know what to do with. Thousands of persons had to borrow and mortgage to subscribe. It was a virtual levy upon capital—productive capital. In the form of cash or its equivalent in goods or munitions it went out of the country and has never come back. According to John Stuart Mill, productive capital so diverted is taken from wages and operates as a tax upon the laboring classes.

However that may be, the State remains charged with the interest and must pay the principal of the Liberty bonds when they fall due. The interest charge alone calls for an annual tax of nearly \$10 for every man, woman, and child in the United States. These are familiar facts to Americans, but they are not appreciated in Europe. Nor does Europe understand how a public debt of \$25,000,000,000 looks to us as a Nation. We have never been committed to the fallacy that a large debt of this character is a blessing. In 1800 we owed \$83,000,000; in 1840 we had cut it down to \$3,500,000, or 21 cents per capita; after the Civil War it stood at \$2,300,000,000; at the beginning of the Spanish War we had paid it down to one-third of that sum; in the spring of 1917 our debt was a trifle over \$1,000,000,000; it jumped immediately to \$12,000,000,000 and later to \$25,000,000,000; last year it worked out to \$216 per capita. With this national policy behind him it is no satisfactory answer to the American taxpayer to tell him that France owes fifty billions and England thirty-seven billions. It is too much like asking a man to compare the distance from here to Uranus with that to Arcturus. He knows he doesn't want to have to walk either of those distances.

#### CHARGE ON POSTERITY.

This revolutionary rise of the national debt entails a heavy charge upon posterity. To us it is bound to appear that we have mortgaged the future beyond all precedent. Moreover, we have not the justification of having created this debt for the purpose of developing resources or making permanent improvements which would inure to the benefit of our successors; and is it not going a little too far to say that we did it to save the national existence? Public morality demands that debts passed on to a new generation shall have some solid justification. Here a distinction may be made between principal and interest. If we forego the interest for the time being that is our own affair, the money belongs to us. With the principal it is obviously quite different, and there we may well pause and ask: "Have we the right?" The future citizen who must redeem the bonds, the proceeds of which were handed over to our allies in the great war (some of these proceeds, it should be remembered, were used to "peg" exchange) can not speak, save through us. We are his trustees. If we cancel the obligations, we are giving away his money, perhaps impoverishing him in the distant future, which may not be so bright after all.

In this matter of public finance one is bound to look beyond the exigencies of the passing moment. Where is this mad career of indebtedness leading us? In 1913 the aggregate public debt of the civilized countries of the world was \$43,000,000,000. It is now \$354,000,000,000. If debt piled up by the municipalities, as many competent authorities assert, hastened the decline of the Roman Empire by a couple of centuries, may not our civilization be wrecked on this rock also? Public expenditures are, of course, in the same case. Gardiner states that in the first part of the reign of James I the expenditures of the British Government averaged £400,000 per annum. Adam Smith says that in his time (1776) the peace revenue of the country was £10,000,000, which he asserts, with proper management and without contracting a shilling of new debt, ought to be sufficient to carry on the most vigorous war. The ordinary disbursements of the United States Government last year exceeded \$5,000,000,000. Europe will surely not blame America if she pauses while there is yet time. Somebody in this topsy-turvy world must try to keep right side up. Whose interest is it that we should all go down together in universal bankruptcy?

#### PROBLEMS FOR AMERICA.

Those who summon us to save the Old World from economic ruin by an act of amazing but futile altruism should also understand that America does not enjoy any miraculous immunity. In the long run this planetary economic chaos is likely to hit America hardest of all; she has furthest to drop if the crash comes. Already our foreign trade is at the vanishing point. Forty per cent of the clerical force of the country is out of work. Great industrial sections, such as the Pittsburgh district, are said to be operating at 30 per cent of normal capacity. The farmers complain that the 1920 and 1921 crops were marketed at an actual loss. What is the advantage to us from the gold heaped up in our Treasury, when one ounce of that metal buys 201 hours of labor in Germany, 117 hours in France, 97 hours in Japan, and only 17 hours in the United States?

The demand for cancellation manifestly can not be conceded by any American Government. The demand for collection within 25 years, as contemplated by the recent act of Congress, can not be met by the European Governments. The danger is that this deadlock—and it can be nothing else so long as the two extreme views are maintained—will keep the question of the allied debts alive to plague us all for many years to come. The effect upon our trade, as well as upon international relations generally, can not be other than baneful. More than any other single factor, this uncertainty, with its attendant evils of bitter controversy and misunderstanding, is liable to precipitate the final crisis.

There are those who would like to hold the club over Europe. Do they realize what that means? Does any right-minded American citizen, on reflection, want to take on the task of dictating European policies, settling budgets, arranging boundaries, and defining military establishments? America should hesitate long before deciding to go about the world for the next 25 or 50 years carrying a club. It is rather a time for firmness, patience, sympathy, frankness, and, above all, for definite action.

#### LUTHER B. TURNLEY.

Mr. STERLING. Mr. President, on April 14, at page 5499 of the RECORD, the junior Senator from Arkansas [Mr. CARAWAY] had inserted a letter from Mr. Luther B. Turnley criticizing or making charges against the Civil Service Commission in Mr. Turnley's case. I present a letter from the Civil Service

Commission, received this morning, in answer to those charges of Mr. Turnley and in refutation of the charges made. I ask that the letter may be printed in the RECORD.

Mr. CARAWAY. Mr. President, what is the Senator asking to have printed in the RECORD?

Mr. STERLING. A letter from the Civil Service Commission, in answer to a letter of Mr. Turnley, which the Senator from Arkansas put in the RECORD the other day.

Mr. CARAWAY. Let it be read. I have three resolutions sleeping in the Civil Service Committee now, and I would like to know what the chairman of the committee is proposing to put in the RECORD on the subject.

Mr. STERLING. The statement is entirely gratuitous.

Mr. CARAWAY. And it is meant to be entirely gratuitous.

Mr. STERLING. I refer to the statement of the Senator from Arkansas in regard to the Civil Service Committee.

Mr. CARAWAY. I want to know what the Civil Service Committee is doing with the resolutions. If they do not know what they are doing, I intend to know.

The VICE PRESIDENT. Without objection, the letter will be printed in the RECORD.

Mr. KING. The Senator from Arkansas asks that the letter may be read.

Mr. CARAWAY. I ask that the letter be read. I want to know what is in the letter.

Mr. STERLING. I have no objection to having it read. I will be glad to have the letter read.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The reading clerk read as follows:

UNITED STATES CIVIL SERVICE COMMISSION,  
Washington, D. C., April 20, 1922.

Hon. THOMAS STERLING,  
United States Senate.

DEAR SENATOR STERLING: There has just come to my attention the copy of letter quoted on page 5499 of the CONGRESSIONAL RECORD for Friday, April 14, 1922, from Mr. Luther B. Turnley, in which he makes certain charges against the Civil Service Commission. The facts in his case are as follows:

Mr. Turnley, two years ago, entered the clerk examination and attained a rating of 70.40 and was granted military preference. His name was certified in due course to the Interdepartmental Social Hygiene Board, where he was appointed July 21, 1920. As that board was required last July to make a very material reduction in force, it dropped Mr. Turnley, effective June 30, 1921.

As you know, the commission recommended to the President the issuance of a special order creating the reemployment registers, on which were to be entered the names of employees dropped from the service by reason of necessary reduction of force and not for inefficiency, in order that these persons might be considered in their order for certification to vacancies in other Government establishments needing the services of persons having their qualifications. As soon as the general military preference status was passed the commission placed at the head of this reemployment register the names of persons entitled to preference and has certified their names when reached for vacancies in other departments.

It will be observed that Mr. Turnley attained a rating slightly above 70 per cent, and there are the names of a large number of ex-service men ahead of his on the reemployment register and, therefore, first entitled to certification. Mr. Turnley has expressed willingness to accept appointment at the comparatively low salary of \$900 plus the bonus, and yet to-day there are 12 preference eligibles on the reemployment register who have attained higher ratings than his who are likewise willing to accept this salary. Under the law, of course, their names must first be certified.

The commission has never advised Mr. Turnley that his name could not be certified until after he had served three years in office, nor has any employee of the commission so informed him. The fact is simply that his name is not within reach among the preference eligibles on the reemployment register because he attained so low a rating in the examination.

There is a clear distinction between being certified from an eligible register and being transferred from one department to another without reference to a person's standing on any eligible list. In a transfer case there is a law of Congress requiring three years' service, and the commission has no power to waive this.

The commission has done its utmost to accord ex-service men every possible consideration and has gone beyond the usual powers inhering in its organization for the purpose of assisting these men in finding employment.

We are addressing you in this matter because as chairman of the Committee on Civil Service, United States Senate, it seems to be a matter within your jurisdiction. We trust you will be able to secure the publication of this letter in the RECORD.

Very sincerely yours,

G. R. WALES, Commissioner.

Mr. CARAWAY. Mr. President, I want to say merely a word in regard to the letter. I put the letter of Mr. Turnley in the RECORD not as a criticism of the Civil Service Commission. If they had read it, they would know there is a law of Congress which provides that no department may drop a soldier or sailor who has been honorably discharged in the reduction of forces if his record in the department is good. It provides a penalty that if the head of the department shall disregard the law he shall be immediately removed from office, and upon conviction fined in a sum not more than \$1,000, and he may be imprisoned.

Here are the facts: This former soldier had a place; his record was good, because the letter of the chief of his bureau was put

in the RECORD also; but he was dropped in reducing the force, although the law says he should not be dropped.

That is the reason why the letter was put in the RECORD. It had nothing to do with the Civil Service Commission. If the Senator from South Dakota, in his anxiety to answer it without reporting the resolution, had read it, he would have found that the letter was put in the RECORD not to criticize the Civil Service Commission, because it had nothing to do with the dropping of a former service man from his employment, but it was put in the RECORD to show that a department was dropping ex-service men whose records were good, notwithstanding the fact that Congress had said the departments should not do so.

The resolution I introduced was intended to find out why, in disregard of law, the departments were dropping former soldiers and sailors, honorably discharged, who were entitled to keep their places. That is all.

The Civil Service Commission could not prevent, I presume, this department from dropping the man. No reference was made in the statement which I gave touching the Civil Service Commission. I have said about all I care to say about that commission, and I have nothing more to say about it. I am satisfied that the commission is very sensitive in this particular instance. I do say that the department which dropped this man in the reduction of forces did so in violation of law, and a resolution is pending before the Civil Service Committee, which I have no hopes of ever seeing reported, which would demand the reason why these things have been done.

That is all I know. I have no criticism in this particular case of the Civil Service Commission, although I presume it is amply subject to criticism on most grounds.

Mr. STERLING. Mr. President, the Senator from Arkansas [Mr. CARAWAY] may not have intended by the introduction of this letter into the RECORD to have criticized the Civil Service Commission, but the letter itself does severely criticize the Civil Service Commission, and hence the reply of the Civil Service Commission.

With reference to the resolution to which the Senator from Arkansas has more than once referred, in discussing which he has reflected somewhat upon the Civil Service Committee, all I have to say is that that resolution in regard to soldiers and sailors and marines who have been discharged or dropped from the civil service will receive due consideration and a report will be made upon the resolution. The report will probably call the attention of the Senator from Arkansas to some features of the law in regard to the case which have escaped his notice.

The VICE PRESIDENT. The letter which has been read will be referred to the Committee on Civil Service.

#### PROTECTION OF MISSISSIPPI RIVER LEVEES.

A message from the House of Representatives, by Mr. Overholt, its enrolling clerk, announced that the House had passed a joint resolution (H. J. Res. 309) appropriating \$1,000,000 for the preservation, protection, and repair of levees under the jurisdiction of the Mississippi River Commission, in which it requested the concurrence of the Senate.

Mr. WARREN. I ask the Chair to lay the joint resolution from the House before the Senate, and that it be read at length.

The joint resolution was read the first time by its title, and the second time at length, as follows:

*Be it resolved, etc.* That there be appropriated out of any money in the Treasury not otherwise appropriated the sum of \$1,000,000 to be immediately available as an emergency fund to be expended by the Mississippi River Commission during the present flood in the Mississippi River for the purpose of preserving, protecting, and repairing the levees under its jurisdiction: *Provided*, That the Secretary of the Treasury shall deduct \$1,000,000 from the appropriation that shall first hereafter be made for the use of said Mississippi River Commission under the terms of the flood control act of March 1, 1917, and said \$1,000,000 be carried to the surplus fund and covered into the Treasury: *Provided further*, That any unexpended balance of the sum hereby appropriated remaining after the present flood emergency has passed may be expended by the Mississippi River Commission under the authority and subject to the provisions of the said flood control act.

Mr. WARREN. In order to make the record straight I ask that the joint resolution be referred to the Committee on Appropriations.

The VICE PRESIDENT. It will be so referred.

Mr. WARREN. I wish to say that I have consulted with every member of the Committee on Appropriations, and I am authorized to report back the joint resolution favorably without amendment. I ask for its immediate consideration.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. ROBINSON. Mr. President, for myself and my colleague, the Senator from Arkansas [Mr. CARAWAY], and for other

Senators who represent a very large section of the country at present threatened with disaster from the overflow of the Mississippi River, I desire to express appreciation for the very prompt action taken by the two Houses of Congress to-day in making available the sum of \$1,000,000 for use in maintaining the Mississippi River levees and protecting against flood conditions.

The chairman of the Committee on Appropriations [Mr. WARREN], fully appreciating the nature of the emergency, polled the members of the Committee on Appropriations, and every member of that committee very gladly, in view of the circumstances, consented to an immediate report of the joint resolution which has just been passed. The House of Representatives had pursued a similar course. This was very prompt action and it is very gratifying.

Mr. HARRISON. Mr. President, may I add that the Secretary of War also, I understand, and the Chief of the Board of Army Engineers cooperated to the very limit in this matter.

Mr. ROBINSON. I thank the Senator from Mississippi, because I had no intention of omitting mention of the very prompt and efficient manner in which the matter has been handled by the War Department.

Mr. HARRISON. I am sure our people appreciate their efforts.

Mr. ROBINSON. The Secretary of War himself has been very prompt in the matter, and everyone charged with responsibility has been quick to act in anticipation of threatened loss of life and property.

Mr. RANSDELL. Mr. President, may I add one word? I do not wish to have General Dawes, the Director of the Bureau of the Budget, omitted. He has been doing, as everyone has been doing, his utmost in this emergency. They are all entitled to full credit, and I hope it will be given to them. As one of the Representatives from Louisiana, I am delighted at the very prompt action taken by both the House and the Senate. I believe this appropriation will avert a very great disaster and save a very much larger sum than the amount appropriated.

#### THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7456) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes.

Mr. KING. Mr. President, yesterday there was presented to the Senate the result of months of work by the Finance Committee of the Senate. The minority thought that the senior Senator from North Dakota [Mr. McCUMBER] in presenting the tariff bill would submit a detailed analysis of its provisions, would point out wherein it differed from existing law as well as from former tariff bills, would analyze the various schedules, and indicate the results claimed by the majority which would follow such changes. It was supposed that he would justify such changes and show their effect upon the industrial and economic life of our country. The Senator's speech was notable because of its omissions and the beautiful complacency which characterized its exposition of tariff and economic questions.

The Senator from North Dakota became beatific in dealing with the corporations and trusts and manufacturing interests, who are so beneficially affected by the bill. His gentle words of admonition as to how they should proceed in business will be as welcome to them as an assessment upon one's holdings and will be as quickly disregarded as the law of supply and demand have been by violators of the Sherman antitrust law. The Senator meant well; he apparently felt that the bill would permit exploitation, but hoped that the selfish interests who will benefit by it will not rob the people too much. The Senator's cure for the evils in our present economic life will be ineffective. He places too much power in the hands of special interests and should know that they will oppressively use it. I was somewhat surprised at the naive faith of the Senator in the claims of those who had appeared before his committee and whose voices no doubt were persuasive in framing the schedules found in the pending measure. I can not understand his supreme and perfect confidence in the interests which have appeared before his committee pleading for extortionate tariff rates. I hope before the bill shall have been passed that the Senator from North Dakota, with his splendid ability, will show us precisely what the bill is, what it proposes to do, and what its effects will be upon the economic and industrial life of the people if it shall become a law.

Mr. President, later on I shall have something to say upon some of the schedules, particularly the chemical and dye schedule, but this morning I propose to address myself to another subject not quite cognate to the measure under consideration.

It would seem that the Senate does not take much interest in this tariff legislation. On the Democratic side we have few Senators this morning, and upon the Republican side the number is not much greater. I wonder, Mr. President, if the Republican majority believe they are going to put the bill through by force of numbers. They have been so in the habit of employing the big stick, or having it employed, that I presume they expect the speedy passage of the bill. Moreover, we are told there has been a marriage between the two important blocs, that the agricultural bloc and the manufacturing bloc are in happy accord. Each, it is assumed, has been rewarded, and has written into the bill the demand which must be met. Thus it is thought the bill will go through the Senate without the slightest difficulty. It is dangerous to have too much power. Defeat and humiliation often follow the triumphant hosts. The Payne-Aldrich tariff bill was the product of selfish greed and unrestrained party power. Should our friends not take warning from the experiences of the past?

Mr. WATSON of Indiana. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Indiana?

Mr. KING. I yield.

Mr. WATSON of Indiana. I understand the Senator is going to talk about Mexico.

Mr. KING. Yes.

Mr. WATSON of Indiana. It is a very inconsequential matter and yet one which the Senator saw fit to dignify by a reference in his remarks. I think it worth while to call his attention to the fact that, while there are four Democratic Senators on the floor, there are 20 Republican Senators.

Mr. KING. Let me say to the Senator that four Democrats are worth, perhaps, more than 20 Republicans.

Mr. WATSON of Indiana. I am not going to discuss that intimation, although there are many things that might be said with reference to it. I should, however, like to say to the Senator, not in any controversial spirit, but purely as a statement of fact—

Mr. KING. The Senator knows that I spoke jocularly in my last observation. I appreciate the importance and the learning and the wisdom of my Republican friends, especially my friend from Indiana.

Mr. OVERMAN. Since the suggestion has been made concerning the Senators present, let us have a quorum.

Mr. WATSON of Indiana. The suggestion of the Senator from Utah is complimentary, but I want—

Mr. OVERMAN. I suggest the absence of a quorum, in view of the suggestion which has been made.

Mr. WATSON of Indiana. That is very timely and very appropriate.

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	Frelinghuysen	Lenroot	Rawson
Ball	Gerry	Lodge	Robinson
Borah	Glass	McCumber	Sheppard
Brandegee	Gooding	McNary	Shortridge
Broussard	Hale	Moses	Simmons
Bursum	Harris	Myers	Smoot
Calder	Harrison	Nelson	Spencer
Capper	Heflin	Newberry	Sterling
Caraway	Johnson	Nicholson	Sutherland
Colt	Jones, N. Mex.	Norbeck	Townsend
Culberson	Jones, Wash.	Norris	Walsh, Mass.
Cummins	Keellogg	Oddie	Warren
Curtis	Kendrick	Overman	Watson, Ga.
Dial	Keyes	Page	Watson, Ind.
Ernst	King	Phipps	Weller
Fletcher	Ladd	Poindexter	Williams
France	La Follette	Randell	

Mr. SHEPPARD. The Senator from Montana [Mr. WALSH] is unavoidably detained on official business.

Mr. HEFLIN. My colleague [Mr. UNDERWOOD] is absent on account of illness in his family. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Sixty-seven Senators have answered to their names. A quorum is present.

#### CONDITIONS IN MEXICO.

Mr. KING. Mr. President, I approach a discussion of what many call the Mexican problem with profound sympathy for most of the Mexican people. I entertain no antipathy toward Mexico or her people, although I confess to a feeling of just resentment against the military chieftains and corrupt politicians and other elements of the Mexican population who have for years conspired against the welfare of Mexico, and who have worked irreparable harm and injury not only to millions of the Mexican people, but to Americans as well as to citizens of various countries residing in or having property interests within the boundaries of Mexico.

During the eight years in which Mr. Wilson was President the Republican Party denounced his Mexican policy and insisted upon a course which would have inevitably led to war. Many fervid, and, indeed, perfervid, speeches were delivered in this Chamber and in the House of Representatives in which President Wilson was bitterly assailed and his policy of "watchful waiting" denounced in unmeasured terms. Republican orators and leaders often advocated intervention and the sending of military forces into Mexico for the purpose of protecting the lives and property of American citizens. In the presidential campaign of 1916, so aggressive and virulent were the Republican attacks upon the Democratic administration for its failure to intervene in Mexican affairs, that a sharp issue was presented to the country, and the people were called upon to choose whether they indorsed Mr. Wilson's policy of patience and forbearance or the bellicose and military plan advocated by Republicans, which would have involved the United States in a war with the Mexican people. During the campaign Democratic speakers frequently declared that Mr. Wilson had "kept our country out of war," and the Republicans, with that "bunting patriotism" which so often characterizes some Americans, condemned in bitter terms the foreign policies of the administration, and did not hesitate to denominate his Mexican policy as "pusillanimous and cowardly" in the extreme. The Republican jingoists clamored for war with Mexico when some Americans were killed and many were driven out of Mexico and their property destroyed or confiscated. Republican orators, as well as leaders in the Republican Party, insisted upon intervention, and urged that our military forces cross the Rio Grande and compel the Mexican Government to redress the wrongs committed against American citizens.

The present Secretary of the Interior, who was a distinguished and able Senator from New Mexico, upon many occasions criticized the President and denounced the policy of the Democratic administration in dealing with Mexican affairs. I supported President Wilson and opposed intervention, though I believed there was justification for the United States declaring war against Mexico, and feared that if Mexico persisted in her wayward and criminal course war would result. The attitude of the Mexican Government had not only been exasperating, but those in authority seemed to have deliberately sought to provoke the United States to embark upon an aggressive course in vindication of the rights of American citizens and, indeed, the honor of the Nation. But perhaps the great mass of the people of Mexico were not parties to the hostile and belligerent acts of the Mexican Government and the military chieftains and cabal who were in control. Indeed, many of them did not know of the acts of Mexican officials which were provocative of war. I believed that this great Republic could afford to submit to indignities at the hands of an ignorant people and of a weak and incompetent government, though the same acts, if committed by a strong nation, would be regarded as a challenge which should be instantly met. I have thought that we could not apply to Mexico the same standards that should measure the conduct of progressive and highly civilized peoples. The great mass of the people of Mexico are illiterate. They are living in the darkness of past centuries. Millions of them are Indians speaking different languages and bound together by no national spirit.

One who reads the history of Mexico will be filled with compassion for the great bulk of her people. He will feel that neither the church nor the state has done its full duty in their behalf, and that selfish and corrupt politicians and brutal and despotic military chieftains have too often controlled the Republic and have had no concern for the millions of ignorant and unresponsive peons or for the progress and welfare of their country.

The governing class, both in the States and in the Federal Government, have uniformly exploited the people and have, in the main, sacrificed the interests of their country to promote their personal ends and to perpetuate themselves in authority and power. Proclaiming patriotism and national pride and deep devotion to their country, and a high sense of personal honor, the great majority of those who have held positions in Mexico have been either corrupt and dishonest or have intrigued and plotted for place and power. They have not hesitated to plunge their country into civil and internecine war and to rob and plunder the Mexican people as well as the nations of other countries who were seeking to promote the welfare of Mexico and her people.

Ignorant and brutal military chieftains have risen to positions of power through murder, assassination, and brigandage. They have driven from their own country patriotic and enlightened men and women who desired the welfare of their country and were striving to advance it to a firm position among the enlightened and civilized nations of the earth. Even now

there are hundreds of thousands of Mexicans living in the United States and in other countries who have been driven from Mexico by the cruel and bloodthirsty officials who have exercised authority, Federal and State. Mexicans of high purpose and pure lives have been brutally murdered by military chieftains and by executive authority because they would not subscribe to revolutionary, unconstitutional, and degrading policies projected by ambitious and wholly unworthy leaders.

When I speak in criticism or condemnation of Mexico, let it be understood that I am not speaking of the great mass of the Mexican people, for whom, as I have said, I have not only sympathy but deep compassion. I grieve when I behold a class of malcontents, of intriguing politicians, of shiftless and shifty and wicked militarists, of quasi intellectuals, prostituting their powers for their own enrichment and for the exploitation of their country and who form groups and confederations warring against one another for the control of the State, with never a thought for the helpless, unfortunate, downtrodden, and oppressed masses upon whose prostrate forms must finally rest the awful consequences of their misdeeds and crimes. Such is Mexico. Such has it been for many years.

President Wilson, with that deep love for humanity which always found expression in his public utterances and in his official acts, believed that a new day was dawning for Mexico. He perceived the great gulf which separated the millions of ignorant persons from the military, professional, and trading and business classes. He perceived that there was an agrarian problem that must be solved if permanent progress was to result. I think he attributed to what have been called the higher classes in Mexico a patriotism and moral integrity which many of them did not possess. I think, perhaps, he attributed to the people generally a higher degree of intelligence and a stronger spirit of nationalism than they possessed. If he erred, it was on the side of mercy and generosity. It was because he abhorred war, particularly with a weak people. His generous and sympathetic course was misconstrued by the Mexican people, and many of them scoffed at his efforts to promote international amity and to advance the interests of the Mexican people.

Cowardly and cruel military, and, indeed, political, leaders sought to inflame the minds of the people against the Americans and our Government. They treated the forbearance and kindness and generosity of the American people and the administration as evidence of cowardice, and so we were regarded with contumely. Hundreds of American nationals who were rightfully in Mexico were murdered, their property confiscated or destroyed, and thousands compelled to flee to escape the persecutions, abuses, indignities, and in many instances death, with which the ignorant and infuriated populace in many districts, led by corrupt politicians and military chieftains, threatened them.

Perhaps Mr. Wilson was disappointed in his efforts to promote amity and peace between this Republic and the Mexican people. Perhaps he felt that the manifold evidences of his sympathy were not appreciated by the Mexican people.

Speaking for myself, I felt that Mexico did not respond to the genuine friendship which was exhibited in her behalf and the patent evidences of the desire of President Wilson and the American people to aid Mexico and her people. I believed that Carranza and his associates and the majority of the Mexican people who made pretensions to enlightenment and civilization exhibited the basest ingratitude toward the administration and the United States, and were guilty of perfidy, if not treachery, in their pro-German attitude and their bitter hostility to the United States when it and Great Britain, and Italy, and France, and other nations were fighting in the interests of civilization and world freedom.

The Republican Party, in the last presidential election, again denounced the policy of the Democratic administration in dealing with Mexico, and promised, if it came into power, to inaugurate a vigorous policy in dealing with Mexico, and, indeed, with all nations. It was declared that Americans would receive redress for the wrongs committed, for losses sustained, and that guarantees for future protection, both of life and property, would be exacted from Mexico. The Republicans have been in power for more than a year. There has been no change in the situation; indeed, conditions in Mexico perhaps are more chaotic and unsatisfactory now than before President Harding was inaugurated. Americans are still being murdered upon Mexican soil, the property of Americans is still being confiscated, and thousands of Americans who have property interests in Mexico are unable to secure redress. Americans who were driven from Mexico are afraid to return.

Many are dying in poverty, though they had large possessions in Mexico when they were expelled from that country. Notes are being written to the Mexican Government by our State

Department and protests are being lodged with the executive authorities in Mexico against the confiscatory acts of the Federal Government of Mexico or by the various States. Obregon refuses to negotiate a treaty, the terms of which, though moderate and just, have been indicated by the Secretary of State. He indicates no purpose to reimburse American nationals for the wrongs and injuries inflicted upon them and to protect them in their personal or property rights within the Republic of Mexico.

Bolshevism is lifting its ugly head in some of the States of the Mexican Republic and some of Obregon's principal advisers are followers of the odious principles of the third international. American rights have not been vindicated and we are still in the blind alley which seems to be a cul-de-sac.

Our Republican friends who were so loud in their denunciation of Mr. Wilson, so boisterous in their Americanism and in their affirmation that a vigorous and bellicose policy toward Mexico would be pursued, are saying but little nowadays, but they must perceive how unjust were their aspersions and how partisan their criticisms.

I am not calling attention to their statements for the purpose of denouncing the present administration, but rather to invite their attention to the fact that Mexico has presented, and still does present, a problem complicated and most difficult of solution.

I referred to the fact that thousands of Americans were driven out of Mexico during the closing days of Mr. Taft's administration and during the incumbency of President Wilson. Mr. Henry Lane Wilson, in testifying before the Senate committee in 1920, stated that more than 600 Americans were murdered on Mexican soil and on the border; that it had cost our Government half a billion dollars to support the Carranza government, and he further stated that a million of the best Mexicans had left their own country and taken refuge in the United States; that 300,000 Mexicans had been killed, 100,000 had died from pestilence and starvation, and that during the Presidency of Carranza approximately 30,000 Americans left Mexico, and that the aggregate Americans who had fled from Mexico during the recent revolution amounted to 55,000. Thousands of Americans who were driven out of Mexico arrived in the United States penniless. They have been unable to return to Mexico, where all their possessions were, and thousands now in want are found along the Rio Grande and in Arizona and New Mexico. Nothing is being done to enforce their rights or to secure from Mexico reparations for their great wrongs to which they have been subjected.

Four days ago I received a series of resolutions recently adopted by a large number of persons who had been driven out of Mexico or who had property interests in Mexico. I might add, in passing, that several thousand American citizens went from my State to Mexico, some to engage in mining and stock raising, others to engage in agricultural pursuits. Thousands of acres of land were purchased from the Government and from private individuals, most of which was arid and sterile. These American citizens constructed dams and canals, built homes and towns, erected churches and schoolhouses and mills, and transformed desert wastes into fruitful fields and farms. Many of them had ranches and cattle, horses and sheep, as well as other property, real and personal, in various parts of Mexico. Thousands of them were driven from their homes, their personal property was confiscated, many of their homes destroyed, and a portion of their lands seized and parceled out among Mexicans who were placed in possession of the same. Most of the Americans were driven from Mexico and deprived of their property, and have been living in penury and want since the date of their expulsion. Death has come to some, but neither they nor those who survived have been recompensed to the extent of a single penny for the wrongs and outrages inflicted upon them. Several hundred of these persons returned to Utah, and they recently met and adopted a series of resolutions, a copy of which was forwarded to me and which I present to the Senate. The resolutions are as follows:

#### Resolutions.

Whereas citizens of the State of Utah prior to 1910 were invited and encouraged by the late President, Porfirio Diaz, and his associates of the Republic of Mexico to colonize and invest capital in the lands, mines, and industries of said country, in accord with the provisions of the treaties between these two countries; and

Whereas hundreds of our citizens accepted said invitations and entered said country and invested their means in the industries thereof and were very successful under the favorable administration of President Diaz; and

Whereas during the latter part of 1910 a revolution broke out in said country, President Diaz was banished, law and order ceased to be maintained, life and property became insecure, and hate, injury, and outrages to life and property of citizens of the United States, particularly, were inaugurated and acquiesced in by Mexican State and Federal officials, who treated our citizenship with the utmost contempt and

committed affronts to us, our flag, and our country with impunity, forcing us out of Mexico with heavy losses of life and property; and

Whereas many of our citizens being thus robbed of all their earthly possessions returned to Utah destitute, discouraged, and dependent upon their former friends and charity for existence, filed claims years ago with the State Department at Washington for redress and damages thus sustained, and others are prepared to file such claims when the same will receive attention: Now, therefore, be it

*Resolved by the Association of Utah Claimants Against Mexico, assembled at Salt Lake City, Utah, this 8th day of April, A. D. 1922, That we urge and request the President of the United States, the Secretary of State, and Congress to terminate forthwith the "watchful waiting" policy of the past, and that our rights as citizens of the United States for redress and reimbursement for our said losses according to authentic claims be enforced against said Republic without further delay.*

*Resolved further, That each member of this association enlist the services of their friends and political parties and candidates in making our present and future Senators and Representatives in Congress acquainted with the outrages committed against us and our rights and property as citizens of the United States by military forces and nationals of Mexico with the knowledge, and, in many cases, the consent of the officials of said Government.*

*Resolved further, That the president and secretary of this association officially sign and forward to the President of the United States, the Secretary of State, and our Senators and Congressmen copies of these resolutions.*

I. C. THORESEN,  
President of the Association of Utah Claimants Against Mexico.  
G. M. RICHARDS,  
Secretary of said Association.

Mr. WATSON of Indiana. Will it interrupt the Senator if I ask him a question?

Mr. KING. I yield to the Senator.

Mr. WATSON of Indiana. I understand that the Senator intends to speak at some length on the tariff, via Mexico. Does the Senator expect to state later on what course this Government should pursue with reference to Mexico? Does the Senator believe in intervention? Does he believe in the recognition of Obregon? What does he believe in as a means of improving or curing the existing situation?

Mr. KING. The Senator is anticipating.

Mr. WATSON of Indiana. I am asking whether or not later on the Senator intends to address himself to that subject.

Mr. KING. Let me play the part of the Yankee and ask the Senator from Indiana, who is a seasoned statesman, one of the leaders of the Republican Party, what suggestion he made as to redress when Mr. Wilson was in power and when Americans were suffering damages? Did he advocate intervention then?

Mr. WATSON of Indiana. Yes; I did on the stump and elsewhere.

Mr. KING. Does the Senator advocate intervention now?

Mr. WATSON of Indiana. No; because I think it can be cured without it; but I am not making this speech. The Senator is making a speech on conditions in Mexico, and I am trying to find out what remedy he proposes, or whether his speech is just one of general castigation or animadversion on the policy of the present administration without suggesting a remedy for existing evils? Does the Senator believe in intervention; and if so, does he think it should be armed or peaceful? Does he believe in the recognition of Obregon, or what policy does he expect us to pursue in order to protect American lives, American rights, and American property in Mexico?

Mr. KING. My able friend from Indiana is somewhat like the impatient maiden who is unable, after reading the first chapter of a novel, to peruse the entire book, but hastily turns to the concluding chapter to learn the finale. The Senator is unwilling to permit me to develop my theme and state my views after I have presented certain facts which I regard as important, preliminary to the submission of any conclusions.

I shall not, however, as suggested by my friend, pursue the course adopted by him and other Republicans, when they were "castigating," to use his expression, Mr. Wilson and the Democratic administration; I shall not castigate the Republican Party, although the Lord knows they deserve it. Perhaps they need mercy more than they need castigation. Let me say, however, that I shall, before concluding, speak in commendation, in part at least, of the course pursued by the distinguished Secretary of State in dealing with the Mexican situation. While commanding generally his Mexican policy, I shall express regret that he has not acted with somewhat greater firmness and insisted upon a settlement of the live questions which now divide the two nations.

The Senator asked me if I favored intervention. I promptly respond that I do not. As I have indicated, I opposed intervention at a time when he favored it. As I understand it, now he is opposed to intervention. In that respect we occupy the same position.

The Senator asked me what remedy I suggest. Later in my remarks I hope to submit some observations as to what policy should now be adopted in dealing with the Mexican problem. But lest the Senator may feel that I am not meeting squarely at the moment his questions, I am willing to state that I ap-

prove of the course of the President in not according recognition to the Obregon régime, and I think that under no circumstances should there be recognition until the plan suggested by Secretary Colby and the present Secretary of State be accepted by Mexico. In other words, I think that accompanying the act of recognition there should be a treaty between the two Republics by the terms of which provision will be made to compensate the families of the more than 700 American citizens who have been killed upon Mexican soil or along the border.

The Senator knows that many of these Americans who were murdered were men of ability and character. Many were mining men—metallurgists and engineers—and others whose earnings were of such a character as to make their lives in a pecuniary sense valuable. Lawyers know that when suits are brought to recover for the death of an individual by reason of the neglect or tort of the defendant the pecuniary value to the family of the deceased is an important issue in the case. Most of these Americans who were murdered left families, who should be compensated for the loss of their husbands, fathers, and protectors.

I repeat there should be as a condition precedent to recognition full provision made for the ascertainment of the damages due to the families of these deceased persons and assurances given of payment of the awards made. There should also be reparation in behalf of the thousands of Americans who have been assaulted or injured in their persons and damages for the loss of property, for which, in international law and in harmony with well-established principles of justice, Mexico would be liable.

It is possible that the Mexican Government is not responsible for all property which was destroyed or stolen, and perhaps it should not be held liable in damages for all Americans who have been killed upon Mexican soil. My contention is, however, that many were killed under such circumstances as that, under well-established principles of international law, the Government of Mexico must be held responsible in damages; and the same is true with respect to much if not all of the property which was expropriated or destroyed.

The hearings before the Senate subcommittee conclusively establish the fact that many of the crimes committed and wrongs perpetrated were with the connivance and, indeed, in many instances, with the consent of the Mexican Government or the executive and military authorities. Moreover, there was back of the military movements in Mexico a strong anti-American spirit and a widespread propaganda conducted by the executive and military commanders against the United States and all Americans within Mexico. Officials of the Government became agitators and inflamed the people against this Republic. There was a general purpose in view by many of the constituted authorities to drive all Americans from Mexico and confiscate their property. Therefore, perhaps the Mexican Government is legally and morally responsible for the wrongs committed against the United States and its citizens.

Mr. WATSON of Indiana. Will the Senator permit another interruption?

Mr. KING. Certainly.

Mr. WATSON of Indiana. Does the Senator know whether any steps have been taken along the lines he suggests?

Mr. KING. My information is that no effective steps have been taken to bring about those results.

Mr. WATSON of Indiana. Suppose demands were made—

Mr. KING. I have not fully answered the Senator's question as to what I would suggest; but I yield.

Mr. WATSON of Indiana. Let me ask this question right on that point: Suppose we make demands on Obregon? The Senator says, and doubtless truly, that many of those outrages were committed with the assent if not with the direct connivance of the Government. Suppose they declined to accede to our demands, or to acknowledge them in any way. Then where would we be? Does the Senator propose that this Government should go on pursuing the present policy?

Mr. KING. No.

Mr. WATSON of Indiana. Then what does the Senator expect the Government to do?

Mr. KING. If the Senator will be patient I will endeavor to answer his questions. But let me complete the other statement. The Senator asked me what course I would pursue, and I attempted to reply and said that reparation should be demanded for those who were killed and for whose death Mexico is responsible. Damages should also be demanded for injuries done to Americans, to their persons and feelings, growing out of assaults and maltreatment as well as imprisonment. The records show that hundreds of American citizens were subjected to great indignities at the hands of Mexican authorities,

and under such conditions as clearly establish the responsibility of the Government itself for the torts and wrongs committed.

I suggest further that, contemporaneous with the negotiation of a treaty between the two Governments, and indeed as a part of the treaty, or a proper and necessary supplement thereto, provision should be made to compensate American citizens for the confiscation and destruction of property by them, real and personal, amounting to hundreds of millions of dollars, the responsibility for which is chargeable to the Mexican Government. In other words, I believe that our Government should take immediate steps to obtain redress for the wrongs which have been sustained by American citizens at the hands of the Mexican Government.

I do not, of course, expect Mexico to pay whatever the United States or American citizens demand shall be paid, but our Government should insist that Mexico adopt that course which civilized nations under like conditions would follow. American citizens have been outraged, and it is the duty of their Government to protect them. Mexico, not satisfied with past indignities and spoliations and outrages, is now pursuing a policy of expropriation and destruction of American property. Our Government should demand that Mexico, professing adherence to international law and that spirit of comity which exists among civilized and enlightened nations, should meet her just obligations; that where the damages or obligations are unliquidated, provision should be made by treaty for the erection of proper tribunals to pass upon the claims and demands, and to make awards consistent with justice and recognized principles of international law.

Mr. WATSON of Indiana. I entirely agree with the Senator as to that, but of what value to make demands? Why make a demand on the Mexican Government unless we intend in some way or other to back it up? Why make demands when they have been made over and over again in the years gone by?

Mr. KING. Oh, the Senator is just as impatient in this as he is to get his iniquitous tariff bill passed.

Mr. WATSON of Indiana. I am very anxious about the tariff bill, or else I would not be asking the Senator with reference to something that is about as far away from it as heaven is from the Democratic Party.

Mr. KING. When the Senator speaks of heaven and the Democratic Party in the same breath, he puts them together. They are in the same category because Democracy leads to justice and justice leads to heaven, and if my friend will join the Democratic Party and help it establish the principles of justice, I can assure him of celestial rewards in the great hereafter.

But the Senator will not let me conclude my answer, so I will stop here and attempt to answer that point. The Senator says, "What would you do; would you continue to make demands?"

No. I think our Government would be not only justified, but that it would be its duty to proceed further. It should submit to the Mexican Government such claims and demands as would meet the conscience of civilized nations and be sanctioned by enlightened people everywhere. It should, among other things, ask for the appointment of an international tribunal to pass upon all claims which the nationals of the respective Governments might make, as well as claims which either Government might submit against the other. When such tribunal makes its awards a demand should be made that Mexico meet the same. Our Government should also demand that Mexico cease its confiscatory policy and its assaults upon and assassination of American citizens. If Mexico refused to accede to these requests or demands, then the President should submit the entire matter to Congress. Congress should then authorize the President to appoint an international tribunal, if jurists of ability and character would consent to act, and, if not, then Americans of ability and integrity, to whom would be submitted all claims by the United States and American citizens against Mexico, with authority to make such findings as the facts warrant. If awards are made by such tribunal and it finds that there is liability upon the part of Mexico, then our Government should notify Mexico of such findings and demand that payment be made or steps taken to compensate the claimants conformable to such awards.

If Mexico then refused to make payment or exhibited unwillingness to make any adjustment and stubbornly refused to discharge her international obligations, then it would appear that the only alternative remaining would be for the United States to seize one or more ports and collect import duties, applying the same pro rata upon the liquidation of the awards. If this course were taken, the United States would doubtless hold the ports until Mexico was brought to her senses and was willing to make rectification for her wrongs and meet the just and righteous demands of this Nation.

In my opinion, if our Government announced that it intended pursuing this policy, it would bring about improved conditions and prepare the way for the negotiation of a fair and just treaty, containing full provisions necessary to amicably adjust all controversies existing between the two Governments and their nationals.

I have hastily and imperfectly submitted these statements in reply to my friend, who tells me, *sotto voce*, that he is compelled to immediately leave the Chamber. Of course, I have only sketched, and that imperfectly, the plan which I think should be pursued, and doubtless I have omitted important conditions and qualifications, or unduly stressed some points which, upon examination of my statements, as they will appear in cold type, I might feel constrained to modify.

Mr. WATSON of Indiana. In other words, in the last analysis—a much abused expression—the Senator favors war on Mexico if he can not get what he wants in any other way.

Mr. KING. I do not want the Senator to put those words into my mouth.

Mr. WATSON of Indiana. Does not that mean war?

Mr. KING. No; I do not think it means war.

Mr. WATSON of Indiana. When we blockade the ports of a nation, and when we scatter our troops along the border of that nation for the purpose of enforcing the collection of revenues, which we intend to keep, is not that war?

Mr. KING. It may or may not be war; that would be for Mexico to determine; but as I said a moment ago, and I am sure the Senator remembers that part of my sentence—

Mr. WATSON of Indiana. Certainly.

Mr. KING. In which I stated that in my opinion if the administration would announce the policy which I indicated there would be improved conditions in Mexico. I believe there would be a reversal of the present policy of confiscation under article 27 of the new constitution, and under the numerous acts of confiscation, passed by Sonora, Chihuahua, Tabasco, Yucatan, and other Mexican States.

Let me say to the Senator that such a policy would receive the indorsement of tens of thousands of Mexicans who are patriotic and loyal to their country and who have been driven from Mexico by the revolutionary governments and by the military dictators and cruel executives who have controlled Mexico since the Diaz régime. These Mexicans of whom I speak desire that the most cordial relations should exist between the United States and their country. They are opposed to the Bolshevik schemes which were adopted by Carranza and which are being enforced by Obregon. They have been opposed to the murder of Americans and to the expropriation of their property. They long for the day to come when Mexicans and Americans and other nationals can live in peace in Mexico and devote their energies to the development of the resources of their country. They believe that wrongs have been done to Americans and to this Republic.

In my opinion the great mass of the Mexican people do not sympathize with the narrow, intolerant, and destructive policy which has guided those who have controlled the destinies of Mexico for a number of years. They and thousands of intellectuals, both in Mexico and beyond her borders, are not in sympathy with the political and economic policy which Obregon's government is executing. We all know that Obregon has not been an unwilling disciple of De la Huerta, who is a member of his cabinet—an important one, I may add—and who was a follower of the Rand school, in New York, and attempted upon his return to Mexico to establish a Bolshevik State in Sonora. Anyone who reads his proclamations and decrees when in authority in Sonora will recognize his Bolshevik propensities. I may add in passing that Obregon placed in his cabinet Calles, who is confessedly a Bolshevik and a follower of Lenin and Trotsky.

Another prominent Bolshevik was in Obregon's cabinet, and only recently retired. It is difficult to believe that Mexico will be regenerated if controlled by men of this character. Mexico's regeneration is retarded because so many of her most illustrious citizens, men of merit and ability, have been driven from Mexico. In addition to the tens of thousands of intellectuals who have taken refuge in the United States there are over 475,000 Mexicans living in the United States, many of whom will never return. Within the boundaries of this great Republic they enjoy peace and prosperity and liberty. They have expatriated themselves, and perhaps in time many of them will take upon themselves the responsibilities of American citizenship.

I repeat that it is most unfortunate that so many men of high character and of great ability, lawyers, professors, writers, bankers, statesmen, and men whose learning and scholarship would give them a high place among the most advanced people of the world, have been driven from Mexico by the military

chieftains, the cruel and merciless leaders of revolutions, the bigoted, intolerant, and tyrannous executives, who have and still control the Federal and State governments of Mexico. Mexico needs in this great crisis men whose wisdom and statesmanship, if accepted by the people, would place her upon the path of progress and sure advancement. These men of whom I speak, and who have been banished from Mexico, learned in the law, in international questions, in economic and industrial matters, are in France, Spain, South America, and in our land. What a glorious thing it would be for Mexico if an enlightened constitutional government were inaugurated. But it seems as though that is impossible and that petty military chieftains rise to power and men of honor and ability and patriotism are outlawed and driven from their native land.

Mr. President, if we are to judge the future by the past, it may be safely affirmed that Mexico will present for an indefinite period a most serious problem. For nearly 100 years she has taxed the patience and forbearance of this Republic and has been a diplomatic plague which still persists. By the forbearance of the United States Mexico has been given ample opportunity to put her house in order and to assume among the free States of the world that station of equality and independence generally accorded to civilized States. But looking back with the perspective of nearly 100 years, we witness to-day a recurrence of the same old symptoms of anarchy, brigandage, and disregard of municipal and international law which has almost universally characterized Mexican administration, except during the Diaz administration.

Professor Jones, in his work called "Mexico and Its Reconstruction," declares that—

for more than a half century Mexico has been a country in which civil dissension was seldom absent.

He refers to the—

contrasts and conflicts arising out of the native elements of the population—

And—

the lack of communication between the various districts of the country. As a result, from a cultural standpoint, the Republic has been a collection of units rather than a single State; a situation, obviously, which makes a satisfactory solution of Mexican relations difficult in the extreme.

He declares that—

there must be created within the Republic a government that can establish order, that will respect individual rights, put the great resources of the nation again at the service of those living within its borders, and enable it to contribute its due share to the maintenance of the family of nations.

The true friends of Mexico will wish that a government may be established in Mexico which recognizes the rights of its own nationals as well as the rights of the nationals of other countries, and a government which will respect its treaties and the international usages of civilized and enlightened nations.

I stated that Mexico presented no new problem. Let me invite attention to some historical facts which demonstrate how serious has been that problem to the United States and how patient our Government has been in dealing with the same.

The independence of Mexico was recognized by the United States on January 1, 1825. At that time there was already an accumulation of claims against the Mexican Government for injuries inflicted upon the persons and property of American citizens, for which redress had been sought in vain. Under date of March 20, 1826, Henry Clay, who was then Secretary of State, in a letter addressed to Poinsett, the American minister, instructed him to demand redress for the forcible seizure of the schooner *Fair America*, in the course of which the Secretary said:

Respect for the authorities of the United States alone forbids my characterizing it by the epithet which belongs to the transaction. I can not doubt that upon a representation which you are now requested to make to the Government of Mexico on behalf of Mr. Wilson, it will promptly order the restoration of his property with a just indemnity for its iniquitous seizure and detention.

The Mexican authorities in those days as to-day were adepts at delays and in the intervention of verbal excuse and circumlocution to avoid responsible consideration of the business in hand.

Thus the American chargé d'affaires, August 5, 1833, reported:

When a delayed and apparently reluctant answer is wrung from the secretary we are merely told that the disorganized state of the political system precludes the General Government from exercising those powers with which they have been invested by the constitution, and we are admonished to forbear complaints and remonstrances until the restoration of order may enable the executive to discharge its functions and enforce the law; in the meanwhile, however, the interests of foreigners, their persons and property, are exposed to daily violation and outrage by every petty officer either of the general or of the State governments, and often without even a plausible pretext to excuse the delinquency.

The situation described finds a parallel in the relations between the two Republics during the past 25 years, except during the régime of Porfirio Diaz.

In a private letter to President Jackson, under date of September 14, 1827, the American chargé d'affaires said:

Since the present party (Santa Anna and Gomez Farias) came into power I have been able to do nothing. During the last two months I have not even received a reply to the many official notes addressed to the department of foreign affairs on affairs previously before it, as well as on many new cases that are daily occurring; the British minister informed me that he was similarly situated.

Senators will perceive the similarity of conditions then and now. The same difficulties existed in the days of President Jackson. Outrages were committed then; Americans were murdered; property was destroyed; diplomatic notes were written not only by the representatives of America but by representatives of Great Britain and other countries to the Mexican authorities, which dealt with the evils and wrongs then as they have dealt with them during the past 12 years.

During the following year, on June 24, 1834, the Secretary of State addressed the American chargé d'affaires as follows:

The President, dissatisfied with the continual delays which have taken place in adjusting the points at issue between the two governments, directs that you will take an early occasion, after the receipt of this communication, to bring them again before the Mexican Government and to obtain a prompt and definite answer.

The language of this note is somewhat reminiscent of the communications by our State Department addressed to the Mexican authorities during the past 10 or 15 years. Many communications were forwarded to the Mexican Government protesting against the injustices suffered by American citizens and the apparent disinclination of the Mexican Government to afford that protection to life and property which is due from a civilized state. Generally speaking, these communications were answered in diplomatic language, but with evasion and indirection. No sincere desire was exhibited upon the part of the Mexican officials to remove the causes which led our Government to make complaint or to pursue a course which the standards of international usage required of the Mexican Government.

Recurring to the note which I was reading, it proceeds:

You will state that the United States holds the Federal Government of Mexico alone accountable for such injuries to their citizens as merit national interposition; and that the requirement of the minister of foreign affairs in his note to you of the 24th of October last, that the claimants should present their demands in person at the Mexican treasury, is too unreasonable to be submitted to. Indeed, taken in connection with the refusal to examine any of the claims until all shall be submitted, it is tantamount to a denial of justice.

On December 17, 1835, Mr. Powhatan Ellis, the new chargé d'affaires, was appointed by President Jackson. The instructions given him, under date of January 29, 1836, referring to the pending claims, used this language:

Provision for their payment is pertinaciously withheld, and the justice of most of them has not been acknowledged. \* \* \* Though the President is willing to look with indulgent consideration upon the almost incessant commotions in Mexico which, by weakening the authority of the federal government, may have encouraged the perpetration of the acts complained of, and by exhausting its resources have perhaps made it impossible to grant immediate relief to the injured, he thinks that they afford no sufficient apology for refusing or declining thus long to examine the claims.

Mr. President, the situation depicted in these notes must have been a severe trial to the stern and implacable Andrew Jackson, but even he pleaded and appealed to the Mexican people to right the wrongs which they had done and to pursue a course of honor and justice. There is a striking similarity between conditions then and those which still prevail in Mexico, and if one were not optimistic he would declare that it will be a long and tragic course which Mexico must pursue before she can assume an honorable station among the civilized States of the world.

Under date of April 30, 1836, Mr. Ellis, referring to the attitude of the Mexican Government, reported:

They look upon us as either too imbecile or afraid to vindicate our just rights, and hence the continual injuries inflicted upon the persons and property of citizens of the United States. So long, then, as these impressions prevail here I am deprived of the power of rendering but little service to my countrymen \* \* \* I would respectfully suggest the propriety of pursuing a different policy in our intercourse with the Mexican States. They ought to be made to understand that the seizure and condemnation of the property and the imprisonment of the American citizens, without in some instances even the color of law to warrant it, will be arrested by a Government whose uniform policy has been to resist violence and aggression from all foreign power.

Under date of July 20, 1836, the Secretary of State sent another communication to the American chargé d'affaires in regard to an American schooner stranded near Tabasco, in which he said:

If, contrary to the present hope, no satisfactory answer shall be given to this just and reasonable demand within three weeks, you will inform the Mexican Government that unless redress is afforded without unnecessary delay your further residence in Mexico will be useless. If this state of things shall continue longer, you will give formal notice to the Mexican Government that unless a satisfactory answer shall be given within a fortnight you are instructed to ask for your passports;

and, at the end of that time, if you do not receive such answer, it is the President's direction that you demand your passports and return to the United States, bringing with you the archives of the legation.

Pursuant to these instructions, Ellis presented the American demands in this language:

The undersigned, therefore, in compliance with instructions from the President of the United States, demands that full reparation be made to all persons who have sustained injury from the several cases now set forth; that all private claims of citizens of the United States on this Government be promptly and properly examined and suitable redress afforded; and that due satisfaction be given for the numerous insults offered to the officers and flag of the United States as heretofore represented.

After the usual delay the Mexican foreign office sent back a meaningless and evasive response. After several weeks waiting, Ellis advised the Mexican foreign office that his longer residence as representative of the Government of the United States in Mexico would be useless. After further vacillation and asking for more time for the examination of claims which had been pending for many years, the Mexican foreign office replied that the Mexican courts were open for the claimants and that the grievances complained of were the subject of diplomatic action.

Senators will perceive that American citizens were subjected to the same indignities in those days as they have been during the administrations of Madero, Carranza, and Obregon. They were imprisoned and despoiled of their property then as they have been during the past 12 years. Protests made by our Government against the wanton and willful conduct of the Mexicans toward American citizens brought no relief and failed to change the policy of the Mexican Government.

Returning to the historical matters which I am presenting, Mr. Ellis, failing to accomplish his object, left the City of Mexico on December 27, 1836, and returned to Washington, where he reported personally to President Jackson.

President Jackson, in his message of December 7, 1835, had taken rather a temperate view of the difficulties in Mexico. He said:

Revolution succeeds revolution. Injuries are committed upon foreigners engaged in lawful pursuits, much time elapses before a government sufficiently stable is erected to justify expectation of redress, ministers are sent and received, and before the discussions of past injuries are fairly begun, fresh troubles arise; but too frequently new injuries are added to the old, to be discussed together with the existing Government after it has proved its ability to sustain the assaults made upon it, or with its successor, if overthrown. If this unhappy condition of things continues much longer, other nations will be under the painful necessity of deciding whether justice to their suffering citizens does not require a prompt redress of injuries by their own power, without waiting for the establishment of a government competent and enduring enough to discuss and make satisfaction for them.

In his next annual message of December 5, 1836, before the return of Ellis, President Jackson, referring again to the Mexican claims, used this language:

The just and long-standing claims of our citizens \* \* \* are yet sources of dissatisfaction and complaint. No danger is apprehended, however, that they will not be peacefully, though tardily, acknowledged and paid \* \* \* unless the irritating effect of her struggle with Texas should unfortunately make her immediate neighbor Mexico an exception. \* \* \* The ancient complaints of injustice made on behalf of our citizens are disregarded, and new causes of dissatisfaction had arisen, some of them of a character requiring prompt remonstrance and ample and immediate redress. I trust, however, by tempering firmness with courtesy and acting with great forbearance upon every incident that has occurred or that may happen, to do and to obtain justice, and thus avoid the necessity of again bringing this subject to the view of Congress.

The patient and friendly efforts of President Jackson, to induce Mexico to change her course, were of no avail.

In the following February, as I have already stated, Mr. Ellis returned to the United States and reported the status of our affairs with Mexico to President Jackson, who, on February 6, made it the subject of a special message to Congress, in which he said:

At the beginning of this session Congress was informed that our claims upon Mexico had not been adjusted, but that notwithstanding the irritating effect upon her councils of the movements in Texas I hoped, by great forbearance, to avoid the necessity of again bringing the subject of them to your notice. That hope has been disappointed. Having in vain urged upon that Government the justice of those claims and my indispensable obligation to insist that there should be "no further delay in the acknowledgment, if not the redress, of the injuries complained of," my duty requires that the whole subject should be presented, as it is now, for the action of Congress, whose exclusive right it is to decide on the further measures of redress to be employed. The length of time since some of the injuries have been committed, the repeated and unavailing applications for redress, the wanton character of some of the outrages upon the property and persons of our citizens, upon the officers and flag of the United States, independent of recent insults to this Government and people by the late extraordinary Mexican minister, would justify in the eyes of all nations immediate war. That remedy, however, should not be used by just and generous nations, confiding in their strength, for injuries committed, if it can be honorably avoided; and it has occurred to me that, considering the present embarrassed condition of that country, we should act with both wisdom and moderation by giving to Mexico one more opportunity to atone for the past before we take redress into our own hands. To avoid all misconception on the part of Mexico, as well as to protect our own national char-

acter from reproach, this opportunity should be given with the avowed design and full preparation to take immediate satisfaction if it should not be obtained on a repetition of the demand for it. To this end I recommend that an act be passed authorizing reprisals, and the use of the naval force of the United States by the Executive against Mexico to enforce them, in the event of a refusal by the Mexican Government to come to an amicable adjustment of the matters in controversy between us upon another demand thereof made from on board one of our vessels of war on the coast of Mexico.

The documents herewith transmitted, with those accompanying my message in answer to a call of the House of Representatives of the 17th ultimo, will enable Congress to judge of the propriety of the course heretofore pursued and to decide upon the necessity of that now recommended.

If these views should fail to meet the concurrence of Congress, and that body be able to find in the condition of the affairs between the two countries, as disclosed by the accompanying documents, with those referred to, any well-grounded reasons to hope that an adjustment of the controversy between them can be effected without a resort to the measures I have felt it my duty to recommend, they may be assured of my cooperation in any other course that shall be deemed honorable and proper.

President Jackson was unable to secure redress for the wrongs committed against American citizens. Mexico continued her acts of spoliation and treated with the utmost disdain and contempt the pacific and pleading efforts of our Government to maintain friendly relations.

On May 27, 1837, Martin Van Buren in the meantime having become President of the United States, and it being deemed advisable to resume regular diplomatic relations with Mexico, the Secretary of State dispatched a special messenger, Robert Greenhow, to Mexico with instructions to deliver to the minister of foreign affairs a diplomatic package containing a letter from the Secretary and a categorical statement of pending American claims, and to obtain a written acknowledgment of its receipt. In his letter to the minister of foreign affairs of Mexico the Secretary of State said:

The direction of the President of the United States has made it the duty of the undersigned, the Secretary of State of the United States, to address the minister of foreign affairs of the Mexican Republic for the purpose of inviting for the last time the serious attention of the Government of that country to the numerous, various, and long-standing complaints of injuries to the citizens and insults to the officers, flag, and Government of the United States by Mexican authorities, and to make a solemn and final demand of satisfaction for them.

I pause to direct the attention of Senators to the indictment contained in the foregoing communication against the Mexican Government. This strong State paper points out the continued misconduct of the Mexican Government and its insults to the flag and to the Government of the United States. But then, as now, the protests of our Government were unheeded and the outrages and indignities continued.

Recurring again to this subject, in his annual message of December 5, 1837, President Van Buren said:

A sincere believer in the wisdom of the pacific policy by which the United States has always been governed in their intercourse with foreign nations, it was my particular desire, from the proximity of the Mexican Republic and well-known occurrences on our frontier, to be instrumental in obviating all existing difficulties with that Government and in restoring to the intercourse between the two Republics that liberal and friendly character by which they should always be distinguished. I regret, therefore, the more deeply to have found in the recent communications of that Government so little reason to hope that any future reference of mine for the accomplishment of these ends would be successful, although the larger number, and many of them aggravated cases of personal wrongs, have been now for years before the Mexican Government, and some of the causes of national complaint, and those of the most offensive character, admitted of immediate, simple, and satisfactory replies, it is only within a few days past that any specific communication in answer to our last demand, made five months ago, had been received from the Mexican minister. \* \* \* On a careful and deliberate examination of their contents, as considering the spirit manifested by the Mexican Government, it has become my painful duty to return the subject as it now stands to Congress, to whom it belongs, to decide upon the time, the mode, and the measure of redress.

It was the view of Congress that any affirmative action by our Government would have to be that of war. Facing this eventuality, a convention was finally signed on September 11, 1838, to settle the American claims by arbitration. Mexico, however, true to her dilatory character, did not ratify this convention and it was necessary to make a new convention in 1840 before the arbitration could proceed. The commissioners of Mexico and the United States could only agree on the amount of \$450,000, but the umpire, appointed by the King of Prussia, awarded \$2,026,149.68, and it must be remembered that these claims had accrued within the first 10 years after the recognition of the independence of Mexico by the United States.

Senators will note that the award made by the umpire appointed by the King of Prussia embraced but a few claims which had arisen during the first 10 years following the independence of Mexico. The numerous claims arising during nearly two decades, following this 10-year period, were not considered, and Mexico refused to meet these claims or to compensate for the wrongs done by her to American nationals and to the American Government during this period of nearly 20 years.

But the mere liquidation of these claims did not assure their payment by Mexico. It seemed that the only way by which payment could or would be obtained was by the cession of territory. To this effect Mr. Thompson, the American minister to Mexico, wrote Webster, Secretary of State, under date of April 29, 1842:

I believe that this Government would cede to us Texas and the California, and I am thoroughly satisfied that that is all we shall ever get for the claims of our merchants on this country. As to Texas, I regard it of very little value compared to California, the richest, the most beautiful, and the most healthy country in the world. Our Atlantic border secures us a commercial ascendancy there, with the acquisition of upper California we should have the same ascendancy on the Pacific. \* \* \* It is a country in which slavery is not necessary, and therefore, if that is made an objection, let there be another compromise. France and England both have their eyes upon it.

Great Britain was approached on this subject, and Lord Ashburton replied that England would make no objection to it. In 1845 John Slidell was appointed minister to Mexico, and in his instructions from Buchanan, Secretary of State, is the following:

Under these circumstances it is the desire of the President that you shall use your best efforts to obtain a cession of that Province from Mexico to the United States. Should you accomplish this object you will render immense service to your country and establish an enviable reputation for yourself. \* \* \* Should you, after consulting the Mexican authorities on the subject, discover a prospect of success the President would not hesitate to give, in addition to the assumption of the just claims of our citizens on Mexico, \$25,000,000 for the cession.

In his first annual message to Congress on December 2, 1845, the President reviewed the situation as to Mexican claims and said:

The independence of Texas is a fact conceded by Mexico herself, and she had no right or authority to prescribe restrictions as to the form of government which Texas might afterwards choose to assume. But though Mexico can not complain of the United States on account of the annexation of Texas, it is to be regretted that serious causes of misunderstanding between the two countries continue to exist, growing out of unredressed injuries inflicted by the Mexican authorities and people on the persons and property of citizens of the United States through a long series of years. Mexico has admitted these injuries but has neglected and refused to repair them. Such was the character of the wrongs and such the insults repeatedly offered to American citizens and the American flag by Mexico, in palpable violation of the laws of nations and the treaty between the two countries of the 5th of April, 1831, that they have been repeatedly brought to the notice of Congress by my predecessors. As early as the 6th day of February, 1837, the President of the United States in a message to Congress declared that "the length of time since some of the injuries have been committed, the repeated and unavailing application for redress, the wanton character of some of the outrages upon the property and persons of our citizens, upon the officers and flag of the United States, independent of recent insults to this Government and people by the late extraordinary minister of Mexico, would justify in the eyes of all nations immediate war." \* \* \* Since these proceedings, more than eight years have elapsed, during which, in addition to the wrongs then complained of, others of an aggravated character have been committed on the persons and property of our citizens.

A special agent was sent to Mexico in the summer of 1838 with full authority to make another and final demand for redress. The demand was made; the Mexican Government promised to repair the wrongs of which we complained, and after much delay a treaty of indemnity with that view was concluded between the two powers on the 11th of April, 1839, and was duly ratified by both Governments. By this treaty a joint commission was created to adjudicate and decide on the claims of American citizens on the Government of Mexico. The commission was organized at Washington on the 25th day of August, 1840. Their time was limited to 18 months, at the expiration of which they had adjudicated and decided claims amounting to \$2,026,139.68 in favor of citizens of the United States against the Mexican Government, leaving a large amount of claims undecided. Of the latter the American commissioners had decided in favor of our citizens claims amounting to \$928,627.88, which were left unacted on by the umpire authorized by the treaty. Still further claims, amounting to between three and four millions of dollars, were submitted to the board too late to be considered and were left undisposed of. The sum of \$2,026,139.68 decided by the board was a liquidated and ascertained debt due by Mexico to the claimants and there was no justifiable reason for delaying its payment according to the terms of the treaty. It was not, however, paid. Mexico applied for further indulgence, and, in that spirit of liberality and forbearance which has ever marked the policy of the United States toward that Republic, the request was granted, and on the 30th of January, 1843, a new treaty was concluded. By this treaty it was provided that the interest due on the awards in favor of claimants under the convention of the 11th of April, 1839, should be paid on the 30th of April, 1843, and that—

"The principal of the said awards and the interest accruing thereon shall be paid in five years, in equal installments every three months, the said term of five years to commence on the 30th day of April, 1843, aforesaid."

It was postponed practically five years.

The interest due to the 30th day of April, 1843, and the first three of the twenty installments have been paid. Seventeen of these installments remain unpaid, seven of which are now due.

The claims which were left undecided by the joint commission, amounting to more than \$3,000,000, together with other claims for spoliations on the property of our citizens, were subsequently presented to the Mexican Government for payment, and were so far recognized that a treaty providing for their examination and settlement by a joint commission was concluded and signed at Mexico on the 20th day of November, 1843. This treaty was ratified by the United States with certain amendments to which no just exception could have been taken, but it has not yet received the ratification of the Mexican Government. In the meantime, our citizens, who suffered great losses—and some of whom have been reduced from affluence to bankruptcy—are without remedy unless their rights be enforced by their Government. Such a continued and unprovoked series of wrongs could never

have been tolerated by the United States had they been committed by one of the principal nations of Europe. \* \* \* We have, therefore, borne the repeated wrongs she has committed with great patience, in the hope that a returning sense of justice would ultimately guide our councils and that we might, if possible, honorably avoid any hostile collision with her. Without the previous authority of Congress the Executive possessed no power to adopt or enforce adequate remedies for the injuries we had suffered, or to do more than to be prepared to repel the threatened aggression on the part of Mexico.

Not only did the succeeding months not bring any adjustment of our difficulties with Mexico, but on May 11, 1846, President Polk in a special message advised Congress that a state of war existed with Mexico because of the aggression of Mexican forces upon American territory and the shedding of American blood in Texas. The President referred to "the long-continued and unredressed wrongs and injuries committed by the Mexican Government on citizens of the United States in their persons and property," as briefly set forth in his annual message of the preceding December.

The President further said:

In communicating to Congress a succinct statement of the injuries which we have suffered from Mexico, and which have been accumulating during a period of more than 20 years, every expression that could tend to inflame the people of Mexico or defeat or delay a pacific result was carefully avoided. An envoy of the United States repaired to Mexico with full powers to adjust every existing difference. But though present on the Mexican soil, by agreement between the two Governments, invested with full powers, and bearing evidence of the most friendly dispositions, his mission has been unavailing. The Mexican Government not only refused to receive him or listen to his propositions but after a long-continued series of menaces have at last invaded our territory and shed the blood of our fellow citizens on our own soil. \* \* \* Thus the Government of Mexico, though solemnly pledged by official acts in October last, to receive and accredit an American envoy, violated their plighted faith and refused the offer of a peaceful adjustment of our difficulties. Not only was the offer rejected but the indignity of its rejection was enhanced by the manifest breach of faith in refusing to admit the envoy who came, because they had bound themselves to receive him, nor can it be said that the offer was fruitless from the want of opportunity of discussing it; our envoy was present on their own soil. Nor can it be ascribed to a want of sufficient powers; our envoy had full powers to adjust every question of difference. Nor was there room for complaint that our propositions for settlement were unreasonable; permission was not even given to our envoy to make any proposition whatever. Nor can it be objected that we, on our part, would not listen to any reasonable terms of their suggestion; the Mexican Government refused all negotiations and had made no proposition of any kind. \* \* \* The grievous wrongs perpetrated by Mexico upon our citizens throughout a long period of years remain unredressed, the solemn treaties pledging her good faith for redress have been disregarded. A government either unable or unwilling to enforce the execution of such treaties fails to perform one of its plainest duties. \* \* \* Our commerce with Mexico has been almost annihilated.

It was formerly highly beneficial to both nations, but our merchants have been deterred from prosecuting it by a system of outrage and extortion which the Mexican authorities have pursued against them, whilst their appeals through their own Government for indemnity have been made in vain. Our forbearance has gone to such an extreme as to be mistaken in its character. Had we acted with vigor in repelling the insults and redressing the injuries inflicted by Mexico at the commencement, we should doubtless have escaped all the difficulties in which we are now involved. \* \* \* In the meantime we have tried every effort at reconciliation. The cup of forbearance had been exhausted even before the recent information from the frontier of the Del Norte. But now, after reiterated menaces, Mexico has passed the boundary of the United States, has invaded our territory and shed American blood upon American soil. She has proclaimed that hostilities have commenced and that the two nations are now at war. As war exists, and notwithstanding all our efforts to avoid it, exists by the act of Mexico herself, we are called upon by every consideration of duty and patriotism to vindicate with decision the honor, the rights, and the interests of our country. \* \* \* The most energetic and prompt measures and the immediate appearance in arms of a large overpowering force are recommended to Congress as the most certain and efficient means of bringing the existing collision with Mexico to a speedy and successful termination. In making these recommendations I deem it proper to declare that it is my anxious desire not only to terminate hostilities speedily but to bring all matters in dispute between this Government and Mexico to an early and amicable adjustment; and in this view I shall be prepared to renew negotiations whenever Mexico shall be ready to receive propositions or to make propositions of her own.

At that time there were outstanding against Mexico liquidated claims in the sum of \$2,026,139.68 and unliquidated claims in the sum of \$8,491,603, making a total of outstanding claims of \$10,517,742.68, together with the interest thereon. These claims had accumulated in the 20 years succeeding the recognition of the independence of Mexico by the United States. The result is well known. Santa Anna, the Mexican President, who had provoked the war, was decisively defeated at Buena Vista by the forces of Gen. Zachary Taylor on February 22 and 23, 1847.

Later General Scott captured the city of Mexico, and the war ended. A treaty of peace was signed at Guadalupe Hidalgo on February 2, 1848, and subsequently ratified by the two Governments. The independence of Texas had been achieved in 1836, and the outstanding dispute as to the Texas boundary was definitely fixed at the Rio Grande. California, independent of the American occupation, had declared its independence of Mexico, and its separation from that country was inevitable without any intervention on the part of the United States. The new boundary of Mexico followed the Rio Grande to the southern boundary of New Mexico near El Paso, thence by the

line of the south boundary of New Mexico and the Gila River to its junction with the Colorado and thence westward to the Pacific Ocean. For the cession of New Mexico, barren and unoccupied as it was, and of California, which would have been independent of Mexico without the United States, the United States paid Mexico \$15,000,000 in gold—a greater sum than was paid France for the cession of the imperial domain of Louisiana. No money indemnity was exacted from Mexico covering the American cost and losses in the war and as part of the settlement the United States assumed and paid in addition thereto outstanding claims of its own citizens against Mexico for illegal outrages and spoliations in the sum of more than \$11,000,000.

The result was that American honor received a tardy vindication by a last resort to force that the principles of American liberty and law, of order and progress, were extended over the Territories of New Mexico and California for the assurance of the wealth of these territories and the welfare of their inhabitants, whether of Mexican or American antecedents. California was admitted into the Union in 1850 and Arizona and New Mexico were admitted into the Union in 1912. It goes without saying that the good people of Mexican antecedents within these States are infinitely better off with respect to their lives, the enjoyment of liberty, and the occupation and use of their lawful possessions than they would be under the present Mexican régime, and that the States of Arizona and New Mexico have a much more satisfactory status from every standpoint as members of the American Union than they could possibly have as members of the Mexican confederation.

Mr. President, in referring to the benefits derived by the inhabitants of those States, now a part of the Union, but which at one time constituted a part of Mexico, I have no intention of conveying the thought that the United States should annex a single foot of Mexico's territory. I have merely stated a fact which is easily demonstrable if one looks at the growth and progress of that great domain now a part of the United States, and which was ceded by Mexico under the terms of the treaty of Guadalupe Hidalgo. In the very nature of things this last domain could not have remained a part of Mexico unless the latter kept pace with the civilization, development, and liberal thought of the nineteenth and twentieth centuries. That great territory was destined to be inhabited by a progressive and civilized people. California has more wealth than all Mexico. Notwithstanding Mexico's failure to discharge her duties as a civilized State and despite the wrongs which she has committed in respect to American citizens, I am opposed to any policy which contemplates the annexation of any Mexican territory. Our Government has no lust for territory. It seeks no conquest. It has no imperialistic ambitions. We will soon withdraw from the Philippine Islands, and that archipelago will be governed by the people who inhabit it and to whom it belongs. And we will not retain control over Santo Domingo or Haiti, but our military occupation will soon terminate, as it should, and the people of those States will be permitted to establish such governments as they desire.

This Republic, more than any other nation, must be the outstanding figure demanding justice for weak peoples and for all races. Because of the wealth and power of the United States, it must scrupulously regard the rights of all peoples and respect the sovereignty and integrity of the lowliest of nations. This Republic must help by sympathy and in every proper way the oppressed in all lands.

It must exhibit the most disinterested friendship in behalf of all people and regard with genuine sympathy the efforts and aspirations of peoples who are struggling for freedom and advancement, nor must we with smug complacency and with contempt and disdain look upon the culture and racial characteristics of other peoples.

I have sometimes thought we have been intolerant of racial differences and have ascribed to ourselves virtues which we may not claim. Mexico has no reason to fear this Republic. All that we desire is that Mexico shall do her duty to her own people and to other nations. We have no desire to interfere with her internal affairs or to superimpose upon her a form of government not desired by the Mexican people. We have a right to demand that she shall pursue a course of justice toward American citizens who have interests in Mexico. We ask no greater rights for American citizens in Mexico than we accord to Mexican citizens who have interests within the United States.

I have no disposition to exploit the distress of Mexico in the 30 years following the Mexican peace until the advent of Porfirio Diaz in 1877. These years were but a recurrence of the revolutions and disorders which had characterized the history of Mexico from the beginning. Dictator after dictator seized political power by violence and in turn himself came to a vio-

lent end, so that the history of Mexico from 1810 until 1877 was a history of successions of revolution, disorders, and dictatorships following each other as year succeeded year.

With the accession of Diaz to political power a new era opened for that country. There was continued peace with the United States and all the world. Commerce flourished and expanded. Americans entered the country and built thousands of miles of railroads, opened the forests and the mines, constructed great smelters, built public works, redeemed great plantations from jungle and desert, and by their efforts increased the wealth of Mexico a thousandfold and the welfare of the Mexican people to an unprecedented degree. The mines of Mexico developed by Americans had in many instances been properties that had been abandoned by Spaniards and Mexicans as incapable of profitable operation. They were in all cases private properties, the legal titles of which were obtained from the legal owners and were not dependent since upon concessions or favors from the Mexican Government.

The same is true of the forest and the oil lands upon which Americans developed the great oil production of Mexico. These were all private lands purchased by Americans from the legal owners and with the legitimate use, occupation, development, and exploitation of which the Mexican Government had no right to interfere. The rents, issues, and profits of these lands belonged to their American owners without concession or favor from the Mexican Government. The lands had for centuries been in the possession of Mexican citizens who were unable, because of lack of knowledge, lack of enterprise, and lack of capital, to exploit or develop their potential uses and productiveness. The passing of these lands into the hands of Americans and their consequent development and improvement was a great benefit to Mexico and to the Mexican people. There was nothing illegal or impolitic or detrimental about it. The whole history of Americans in Mexico has been one of benefit to that country. Americans have not impoverished Mexico. There is no Mexican who is the poorer because of the presence or property of Americans in that country.

I call attention later to the fact that thousands of Americans have small landed interests in Mexico. They have converted barren deserts into fruitful fields and thus added to the wealth of Mexico. Thousands of Mexicans have received profitable employment at the hands of Americans at wages much in excess of those formerly paid, or paid by Mexican employers, and it may be truthfully said that where Mexicans have been employed by Americans they have been treated better by their American employers than they were by their Mexican taskmasters. The wages paid in Mexico have steadily risen since the advent of Americans, and particularly since they have become interested in the development of mines, railroads, and other important enterprises. It is quite likely that lands have been acquired from the Government or from Mexican citizens at relatively small prices, but no American has acquired lands that might not have been obtained by others, including Mexicans themselves, under the same conditions and at the same values.

I have referred to the fact that thousands of Mexicans have taken up their residence in the United States, and many have become naturalized citizens. There have been no obstacles interposed to the acquisition by Mexicans of property in the United States. In the States of California, Arizona, New Mexico, and Texas, as well as other Western States, thousands of Mexicans own real estate and other property, and are protected in their enjoyment of the same to the same extent as are Americans. Their rights are vindicated as quickly by the courts as are the rights of American citizens. They rejoice in the blessings of peace and liberty under the flag of this Republic. American citizens desire only the same protection upon Mexican soil as is granted to Mexicans upon American soil.

It was suggested to me this morning, when I remarked that I expected during the day to speak upon conditions in Mexico, that Americans should remain at home and not make investments in other lands.

Well, Mr. President, that would seem to be the policy of our Republican friends, because the tariff bill reported by them and which is now before us seeks to cut off our trade with all nations. The Fordney-McCumber bill is calculated to bring about economic isolation and to commit the American people to the greed and avarice of domestic producers and manufacturers. While boasting of the greatness of America and its importance as a world power, they seek to cripple its influence and to drive its commerce from the seas. The schedules found in the bill range from 150 per cent to 1,000 per cent above the rates found in the Payne-Aldrich law, and Republican orators shudder with fear when the suggestion is made that

there is a possibility of the products of other lands being brought to our shores for consumption by the American people.

But let me analyze for a moment this suggestion that Americans should stay at home. If that be a sound principle, it is equally applicable to foreigners and they should not come to the United States or make investments in our country, and if that view is to prevail, then each country should withdraw from all intercourse with all other lands and erect impassable barriers so that there may be no migration or immigration, no imports of commodities, and no exports of surplus products. That would lead to a condition of Nirvana, sought by East Indians—rest, stagnation, inanimateness. But the world is vibrant with a broad and generous spirit of internationalism. We send our thoughts and our intellectual wealth to other lands and receive in return the intellectual riches produced beyond the seas. We more and more appreciate that we belong to a glorious cosmogony which is bound together by ethical and moral and spiritual ties which in their development bring us closer together industrially and economically and confirm the thought of great teachers and philosophers that humanity is governed by the same laws and united by indestructible ties.

Millions of American citizens were born in other lands, but are now a part of this Republic and have made contributions to the progress and development of our country. Hundreds of millions of foreign capital found investment in the United States, in mines and smelters and railroads and mills and factories and great enterprises which added to the wealth of the Nation and the prosperity of the people. There may be investment without robbery and exploitation. Who shall say that Holland and Belgium and other nations who invested millions in the United States robbed and oppressed the American people?

Americans have invested in Europe more than \$7,000,000,000, and European nations owe our Government eleven billions. We therefore are interested in other nations. It ought not to be said that our interest is only that of creditors. Is it to be the policy that Americans may not invest in other lands? Is it morally wrong to trade with China and Japan and the nations of Europe? Is it in contravention of the principles of justice and righteousness that our overflowing wealth should not in part be used to aid in the development of other countries? Is it to be the future policy of this Republic that we will make no investments of capital beyond the limits of the United States?

I concede that there have been many instances in the history of the world where capital has sought undue advantages when invested in impoverished countries. I have no doubt hard bargains have been driven between capitalists and bankrupt Governments, and undoubtedly there are instances where foreigners have sought to interfere with the governments in which they had investments and to instigate internal strife, if not revolution. These things, of course, are to be condemned. They should not be tolerated. They are not in harmony with that true and genuine international spirit which should bind peoples and nations together in amity. There are buccaneers and profiteers within every land, and there are international buccaneers and pirates who attempt to prey upon weak and defenseless peoples. But these odious instances, which are exceptions, must not be regarded as the rule nor the basis for future relations among peoples and nations.

Americans are investing in Canada. They have invested hundreds of millions in Mexico and have holdings in many other countries. If we are to become a great factor in international trade and commerce, we must make capital investments in other countries. Germany's phenomenal growth is due in part to her large investments in other countries. Great Britain has sent her sons into every land and clime, and they have been advance agents of British goods and products.

I am not prepared to indorse a policy that forbids Americans from making investments in other countries, nor am I willing to approve a policy which prohibits foreign investments being made in the United States. Indeed, I would like to see reciprocal investments and treaties entered into which would guarantee private property of nationals from seizure in the event of war between nations. Our country has always contended for the immunity of private property from seizure or confiscation when international conflicts arose. One may be truly nationalistic and devoted to country and yet promote the intimate relations which do and must exist between races and peoples. Devotion to one's family broadens one's sympathies and increases affection and love for humanity. We can be Americans in all that the term implies, loving our country with a devotion that leads to the sacrifice of life itself, and yet feel the spirit of world union and international concord and amity.

Of course, our Government can warn Americans against going to other lands or acquiring property therein, although we might deny its power and authority so to do, and it can refuse to protect them or to vindicate their rights against wanton attacks by other nations. Such a course, however, would be universally regarded as cowardly and unworthy of a self-respecting and independent nation.

The question, may I add at this point, will soon be presented to the Government, and it will have to determine it, whether Americans will be protected in their persons and in their property against wanton and malicious assaults and the expropriating policies of nations in which such Americans have investments or may temporarily reside.

If it is to be the policy not to protect citizens of the United States when they are beyond its shores, and if they are to visit other lands or make investments therein at their peril, then announcement of that policy should be made.

Mr. FLETCHER. Mr. President—

The PRESIDING OFFICER (Mr. NORRIS in the chair). Does the Senator from Utah yield to the Senator from Florida?

Mr. KING. I yield.

Mr. FLETCHER. Before the Senator proceeds along that line of thought, I wish to ask him with reference to the situation in Mexico. He spoke about the rights of our nationals, and so forth. What is the situation to-day? Can the Senator tell me whether or not there are prospects of recognizing the Government of Mexico and how far proceedings have progressed in that direction? What have we to look forward to in that connection? Without violating any confidences or any State secrets or anything of that sort, if the Senator can enlighten us on the subject, I would like for him to do so.

Mr. KING. I was diverted by the suggestion of Americans remaining at home, and I return to a discussion of the Mexican situation. I intended before concluding my remarks to refer to some of the matters involved in the questions propounded by the Senator from Florida.

Replying briefly to his questions, I think I am accurate in my statement when I say that the situation in Mexico to-day is wholly unsatisfactory, not only to the Mexican people but to all foreigners, and particularly those who have interests in Mexico. As I view the situation, conditions have improved, if at all, but little since Obregon seized the reins of power. On the surface at times there seems to be some improvement, but fundamentally conditions are bad, and in my opinion there is no promise of any immediate reforms. There is still brigandage, rapine, and murder and the confiscation of property, both that of Mexicans as well as of foreigners. As I have already said, thousands of the best people of Mexico have sought refuge in the United States and in other countries and dare not return to their homes. Brutal and ignorant soldiers and venal and corrupt politicians control many of the States as well as the Federal Government.

Communists control a number of the States and their influence is powerful in the affairs of the Mexican Government. Poverty and distress exist among the great mass of the people. Disease and pestilence have carried hundreds of thousands to an untimely death. Indeed, it seems as if there is a dark and deadly pall over the entire land. The property of Americans is still being stolen and confiscated. Nothing is being done by the Mexican Government to right the wrongs committed in the past or to make reparations for the hideous crimes and the confiscations which have taken place.

I receive many letters from American citizens inviting attention to the anarchy and brigandage existing in Mexico and to their inability to obtain any redress for the outrages to which they have been subjected. Our own Government seems to be powerless to protect Americans or to secure for them any compensation for the property of which they have been despoiled. Valuable plantations which have been developed by Americans and upon which they have expended large sums have been destroyed, houses and mills have been burned, peaceful Mexican employees have been driven from homes which were built by their American employers, and lands that have been developed have grown up to weeds and underbrush.

A friend of mine advised me by letter, which I received this morning, that he desired to return to Mexico to try and save his real estate, but dared not do so. He spent 18 years in developing this property, and he and his father expended thereon perhaps hundreds of thousands of dollars.

They took wild and sterile lands and converted them into cane fields and producing farms and plantations. They built commodious houses and erected suitable structures for hundreds of employees. They built a schoolhouse and mills and other extensive improvements. They were driven from their lands a number of years ago. Their buildings were burned, their cattle

and horses and all personal property were stolen or destroyed, and their fine fields and farms and plantations have reverted to their original state. He was notified by the Government that he must pay immediately \$58,000 or the real estate would be confiscated. He was driven out by the Carranza government and he has been afforded no protection by the Obregon government.

Mr. WATSON of Georgia. Mr. President—

Mr. KING. I yield to the Senator from Georgia.

Mr. WATSON of Georgia. I remind the Senator in that connection that because the Greeks in a certain riot attacked the dwelling of one English subject and ransacked the house, destroying the furniture, the British Government compelled the Greek Government to pay that man fourfold, sent warships into the Greek harbor, and would have gone to war if the money had not been paid.

Mr. KING. And the Senator will remember what happened to China. Various nations combined and imposed upon China indemnities and conditions which I think were unjust and too oppressive.

Recently my attention was called to the action of the Mexican Government in ordering the confiscation of 100,000 acres of land upon which Americans had lived and upon which they had placed valuable improvements. Many of the Americans had been driven out of Mexico, but some had returned, and, as I understand, were endeavoring to rebuild their homes and restore the cultivated land to its former productivity. The act of confiscation was an executive order and made no provision for compensation to the owners. The State Department, at my request, made representations to the Mexican Government, and it was finally restored to the owners; but within the past few weeks, I have been advised, another order has been issued which results in the confiscation of a portion of this tract of land.

The hearings conducted by the Senate committee in 1920 show that Americans have sustained damages to their properties in Mexico amounting to at least \$500,000,000. Real estate is now being taken under the form of law, but no compensation is awarded to the owners. Industrially perhaps Mexico is in as serious a situation now as ever before, and the illegal and confiscatory decrees, both of States and the Federal Government, are obstacles to the rehabilitation of the country.

Mr. WATSON of Georgia. Mr. President—

Mr. KING. I yield to the Senator from Georgia.

Mr. WATSON of Georgia. If what the Senator from Utah says is true—and I have no doubt in the world that it is—have we not now at least as strong a cause for war against Mexico as we had against Germany?

Mr. KING. Mr. President, Germany wronged American citizens, but Germany did not do the damage to American property that Mexico has done, nor did she kill as many American citizens as has Mexico. So if the standard be life and property, and those be put in the scale as determining whether there is cause for war, then I am inclined to the view that we have as great cause for war against Mexico as we had against Germany.

Mr. WATSON of Georgia. Mr. President—

Mr. KING. I yield to the Senator from Georgia.

Mr. WATSON of Georgia. I ask the Senator from Utah whether he remembers the "olive-branch" speech which our ambassador, Mr. Gerard, made to the Kaiser's ministers in Berlin on the night of January 28, 1917; and I will also ask him to state, if he can, what causes of war arose after that speech was made?

Mr. KING. Mr. President, I esteem my friend from Georgia, and pay tribute to his historical knowledge. I have some recollection of the speech referred to; but my good friend, I am sure, will pardon me if I do not digress too far from the subject which I am attempting to discuss. Already I have been led into digressions, so that there will be no continuity in my remarks and no concise or logical presentation of matters under discussion.

Mr. FLETCHER. Mr. President, if I may, I desire to ask the Senator from Utah a question. He has referred to certain destruction of property and life in Mexico and he has also referred to the Obregon government. I desire to ask whether or not that destruction has taken place through the operations of irresponsible groups of people here and there—

Mr. KING. No—

Mr. FLETCHER. Or whether all of the destruction to which he refers may be attributed to the Government of Mexico as it exists—in other words, the Obregon government—and whether or not that government is responsible for these things which have happened?

Mr. KING. In 1917, when Carranza was in power, a constitution was adopted which contained provisions authorizing

the expropriation of private property. The constitution has been declared by many to be communistic, or at least to evidence a spirit of Bolshevism upon the part of those who drafted it. Under this constitution, and particularly since Obregon became President, hundreds of thousands of acres of land have been confiscated, not alone by the Federal Government but by a number of the States constituting the Mexican Republic.

As I have heretofore stated, many Mexicans have suffered through the application of this constitution, and their property has been taken from them, as the property of Americans and other aliens have been taken. These acts of spoliation can not be denominated judicial. Indeed, they are forcible seizures and confiscations of privately owned property. Obregon's government has confiscated large areas, and State governments have also seized and disposed of vast tracts of land, the title to which no one could question. Let me say to the Senator that under this constitution Americans and, for that matter, foreigners are denied the right to acquire any property; that is, land, streams, mines, and so forth, within a hundred kilometers of the northern and southern boundaries of Mexico, and within 50 kilometers of the seashore.

It is within these prohibited areas that most of the real property owned by Americans is situated. If the Senator from Florida had acquired by his toil and efforts a tract of land within 62½ miles of the northern boundary of Mexico, or within 31½ miles of the Gulf of Mexico, or the Gulf of California, he could not, under the provisions of this constitution, transmit it to his children or dispose of it to a citizen of the United States. Indeed, if permitted to sell at all, the sale could be made to a Mexican only.

Mr. FLETCHER. Mr. President, has the Mexican Government manifested no disposition to get away from that harsh and absurd provision of the Mexican constitution?

Mr. KING. As I interpret the actions of the Obregon government, I am compelled to answer in the negative.

Mr. FLETCHER. I had understood that they would probably change that provision of the constitution.

Mr. KING. I think the Senator refers to the interpretation placed upon article 27 of the constitution, which is construed to be retroactive and which deprives persons of property which they lawfully own and the title to which can not be challenged. The Senator will recall that Carranza attempted, under the retroactive provisions of this constitution, to seize the oil lands owned by Americans and others. These lands were acquired in good faith many years ago, and under laws and a constitution which recognized private ownership in lands and a complete and indefeasible title thereto. Our Government has insisted that the constitution should not be given a retroactive interpretation. What will finally be done by the Mexican Government, no one can determine. The courts have held that the constitution was retroactive, but in the Texas case it was decided in favor of the private owner of the property. However, that decision is not final, or at least it constitutes no precedent and may not be relied upon by any owner of property or regarded as any assurance that the validity of his title may not at any moment be assailed.

I repeat, the Mexican Government is constantly seizing private property. In some instances it pretends to divide it among the peons. However, as I am advised, in most instances where they have been placed in possession they have not been satisfied and have evinced no great interest in retaining or holding the lands parceled out to them.

The Senator asked me what the prospects were of recognizing the Government of Mexico and what progress had been made in that direction. I do not think I can give any satisfactory answer to the Senator, but he will recall that Secretary Colby and Secretary Hughes have indicated to Mexico upon what conditions recognition would be accorded the Obregon régime. The suggestions contained in the notes referred to were such as any fair and honest government should promptly accede to. Indeed, many think the conditions named did not sufficiently provide for the protection of Americans or require sufficient assurance that citizens of the United States would be recompensed for the injuries sustained and for which the Mexican Government, upon principles of justice, should be held accountable.

Mr. President, when interrupted by the Senator from Florida I was speaking, by way of digression, of the policy of the Republicans to cut off our trade with other nations. I was combating the thought that Americans should not make investments abroad and that a policy of national isolation should be adopted by this Republic. That view belongs to the Dark Ages and the days of the troglodytes. Our prosperity has resulted from trade and commerce. Great Britain's supremacy for so many centuries grew out of her world commerce, and Germany,

when she began to trade with all nations, became a powerful factor in the industrial and financial world.

We have built a mighty fleet that our products may be carried to all lands. Our ships will rot while tied to our wharves if we follow the reactionary policies of those who now control the Republican Party. President Harding is demanding an enormous ship subsidy and we will be asked to appropriate tens of millions of dollars annually from the Treasury to meet the expenses of our merchant marine.

Why build ships and why retain them if we have no commerce? The world is moving forward not backward. Antediluvian policies do not meet the present-day situation, and fossilized leaders in the political arena must give place to men of vision and enterprise, who properly visualize the world's problems and the responsibilities of great nations. We must send argosies to all lands and bring back the treasures of those beyond the seas. Young men of genius and courage will go into other lands. They will seek the oil fields of South America, of Asia, and of far-off lands. They will find markets for our surplus products and be messengers of the American agriculturists and business men and the great industries whose success largely depends upon foreign markets.

Recently we passed a bill permitting the formation of corporations to engage in business in far-off China. It was defended by the able Senator from Iowa [Mr. CUMMINS], as well as other Senators, and the avowed purpose was to enable American business men to secure a fair share of China's trade. It was contended that we were not obtaining our share of the oriental trade and would be unable to unless corporations were formed in which the Chinese could participate.

We must have an outlet for our surplus products. With our inexhaustible resources, particularly those comprising the primary and fundamental products, our prosperity will be arrested unless we can secure a large share of the world's commerce. Shall we penalize Americans who are endeavoring to carry the American flag to the ports of the world? Shall we announce that neither they nor their property will receive governmental protection in foreign lands or upon the high seas? Shall we say to Americans, "You did wrong in building railroads and smelters, mills, and electric plants, and waterworks in Mexico and in turning the streams out upon the deserts and causing the latter to blossom as the rose"? Shall we say to the more than 475,000 Mexicans who are living in the United States, not to speak of the several hundred thousand who are refugees, that they have no right upon American soil and must return to Mexico? Shall we say to Americans who had real and personal property in Mexico of the value of more than \$1,000,000,000, as found by the Senate committee, that they must abandon Mexico and their property? Shall we say to the widows and children whose husbands and fathers have been ruthlessly murdered in Mexico that the dead were trespassers and that no reparation can be exacted for their foul and cowardly assassination? These questions, sooner or later, this Government must determine.

Mr. President, I do not want my position misunderstood. I am not advocating or defending the exploitation of any country or the adoption of any imperialistic policy, but I am contending in favor of a broad and liberal international policy which encourages international trade and commerce, which brings the peoples of all nations into closer relations, which not only justifies but approves of legitimate and proper investments being made by the nationals of all countries outside the boundaries of their own States. An American is no less a patriotic American because he builds an electric light plant in Canada or in Mexico, nor does a Mexican lose his citizenship or his right to protection from his Government because he acquires property in the United States or in Guatemala.

I am told that a former Secretary of State declared that Americans should keep out of Mexico and should make no investments therein. If he did, I do not approve of his position. I repeat that the narrow and provincial spirit of the past, which locked persons within their own country, is not the spirit which should guide the nations to-day. Knowledge is bringing the people together; ignorance divides. Our great philosophers and teachers recognized the unity and solidarity of the human race, and the efforts of great statesmen and prophets and leaders should be directed toward world peace and fellowship.

The United States clings to the Monroe doctrine as a national policy. Without discussing the reason for this doctrine or its limits and implications, I most earnestly submit that, in any aspect of the case, it is the duty of the United States to seek the most cordial and friendly relations in dealing with the Latin American Republics. Our Nation should pursue a course that will secure their confidence, respect, and, indeed, affection in all our dealings with them; diplomatic, official, or otherwise. It

should not be forgotten that by reason of propinquity, as well as other reasons, this Nation feels a special interest in the Republics to the south of it.

While this is not germane to the subject under consideration, permit me to say that I have felt that American business men have not cultivated as they might have done the peoples of Latin America, nor have they adopted the wisest course to secure a larger and more enduring trade. Inquiry will confirm the statement so often made by our ministers and consular agents that European business houses have pursued a course in their dealings with South and Central America which has resulted in giving to them much of the trade and commerce arising therein which the United States might have secured.

European business houses, in the development of their foreign trade, have sent representatives to various countries, where they resided for limited or indefinite periods. They thus came into contact with the people and constituted a binding link between them and their own countries. Germans and Britishers and representatives of European countries before the war could be found in large numbers in practically all the Latin-American Republics. They pushed the trade and commerce of their respective countries. They identified themselves to a greater or less degree with the communities to which they went and thus secured for the business enterprises which they represented much of the commerce to which we were entitled and which we could have obtained if we had sought it in a proper and effective manner.

I return to the matter which I was discussing before the last interruption, namely, the interests of Americans in Mexico. At the overthrow of the Diaz government in May, 1911, there were 75,000 Americans resident in that country, not including transients and visitors. There were 2,000 Americans engaged in the railway, 5,000 engaged in mining, 8,000 engaged in other lines of business or residing in the country for reasons of health or diversion. There were 4,000 Americans engaged in agriculture in the American colonies of Chihuahua alone, and perhaps 15,000 more in other parts of Mexico.

There have always been more Mexicans in the United States than Americans in Mexico, but the relatively few Americans in Mexico have exercised an interest in the commerce, industry, and economy of the country of much greater proportions than would be indicated by their numbers. Those who may be interested in the activities of Americans in Mexico and who desire to learn the conditions which have existed in Mexico for a number of years past should acquaint themselves with the report of the subcommittee of the Foreign Relations Committee appointed to investigate conditions in Mexico.

Pursuant to a resolution which I had the honor of offering in the Sixty-sixth Congress, second session, this subcommittee, consisting of Senators Albert B. Fall, of New Mexico, Frank B. Brandegee, of Connecticut, and Marcus A. Smith, of Arizona, was named. The resolution is as follows:

*Resolved*, That the Committee on Foreign Relations, or any subcommittee thereof, is authorized and directed to investigate the matter of damages and outrages suffered by citizens of the United States in the Republic of Mexico, including the number of citizens of the United States who have been killed or have suffered personal outrages in Mexico at the time Porfirio Diaz retired from the Presidency of Mexico, outrages, the quantity of damages suffered on account of the destruction, confiscation, and larceny of personal property and the confiscation and deprivation of the use of lands and the destruction of improvements thereon; the number of citizens of the United States residing in Mexico at the time Porfirio Diaz retired from the presidency of Mexico, and the number of citizens of the United States at present residing in Mexico, and the nature and amount of their present holdings and properties in said country; and in general any and all acts of the Government of Mexico and its citizens in derogation of the rights of the United States or of its citizens; and for this purpose to sit at any time or place during the sessions of Congress or during recess and with authority to subpoena such witnesses and documents as may be necessary, and to make a report of its findings in the premises to the Senate; and the said committee shall further investigate and report to the Senate what, if any, measures should be taken to prevent a recurrence of such outrages.

The subcommittee conducted a most thorough and searching examination extending over a number of months. Scores of witnesses, both Mexicans and Americans, were examined, and many documents of importance obtained and made a part of the record. The record consists of more than 3,200 pages of closely printed matter, and was submitted to the Senate, accompanied by the report of the subcommittee, in May, 1920. The facts presented to the committee conclusively establish that Mexico failed in the discharge of her international obligations and robbed and pillaged and murdered American citizens. These pages constitute a strong indictment of Mexico and the Mexican Government.

The testimony established, and the committee so find, that between 1910 and 1920, 461 Americans were killed in Mexico, and 126 along the border but within the United States. In addition, a large number were wounded and subjected to cruel and

brutal treatment. Since that time a number of Americans have been murdered in Mexico. Perhaps the number of Americans who were killed in Mexico during the past 15 years will never be accurately known.

The committee report that the value of all property in Mexico at the outbreak of the Madero revolution exceeded the amount reported by Marion Letcher, American consul at Chihuahua, and which was filed with the State Department. That statement is as follows:

*Valuations.*

Class.	American.	English.	French.	Mexican.	All other.
Railway stocks.....	\$235,464,000	\$81,237,800		\$125,440,000	\$75,000
Railway bonds.....	408,926,000	\$7,689,000	\$17,000,000	12,275,000	38,535,380
Bank stocks.....	7,850,000	5,000,003	31,000,000	31,950,000	3,250,000
Bank deposits.....	22,700,000			161,963,042	18,560,000
Mines.....	223,000,000	43,600,000	5,000,000	7,500,000	7,830,000
Smelters.....	26,500,000			7,200,000	3,000,000
National bonds.....	52,000,000	67,000,000	60,000,000	21,000,000	
Timberlands.....	8,100,000	10,300,000		5,600,000	750,000
Ranches.....	3,150,000	2,700,000		14,000,000	
Farms.....	950,000	780,000		47,000,000	1,250,000
Live stock.....	9,000,000			47,450,000	3,800,000
Houses and personal.....	4,500,000	680,000		127,020,000	2,760,000
Cotton mills.....		450,000	19,000,000	6,000,000	4,750,000
Soap factories.....	1,200,000			2,780,000	3,600,000
Tobacco factories.....			3,238,000	4,712,000	895,000
Breweries.....	600,000		178,000	2,822,000	1,250,000
Factories.....	9,600,000	2,780,000		3,270,200	3,000,000
Public utilities.....	760,000	8,000,000		5,153,000	275,000
Stores:					
Wholesale.....	2,700,000	110,000	7,000,000	2,800,000	14,270,000
Retail.....	1,780,000	30,000	680,000	71,235,000	2,175,000
Oil business.....	15,000,000	10,000,000		650,000	
Rubber industry.....	15,000,000			4,500,000	2,500,000
Professional.....	3,600,000	\$30,000		1,560,000	1,100,000
Insurance.....	4,000,000			2,000,000	3,500,000
Theaters.....	20,000			1,575,000	500,000
Hotels.....	260,000			1,730,000	710,000
Institutions.....	1,200,000	125,000	350,000	74,000,000	200,000
Total.....	1,057,770,000	321,302,800	143,446,000	792,187,242	118,535,380

*Note.*—From the testimony taken and other evidence in the possession of the committee, the committee reports that the total amount of American investments in Mexico in 1911 were more nearly \$1,500,000,000 than the total set forth in the column above, \$1,057,770,000.

The committee report that from the testimony taken, and other evidence which came to them, they find that the total amount of American investments in Mexico in 1911 was approximately \$1,500,000,000. However, referring to the above report, the committee state:

The total wealth of Mexico, as it appears in this table, was \$2,434,241,422, of which Americans owned \$1,057,770,000; English, \$321,302,800; and the Mexicans, \$793,187,242. The figures given in the table as to British ownership should, from the best information in my possession, be increased from \$321,000,000 to at least \$800,000,000. The figures for American investment in mines should be increased very largely.

The committee further state that the American investments are in tax-paying and labor-employing operations. An examination of the report will show that millions have been invested in railroads, mines, factories, oil, rubber-producing property, and so forth. Seventy-eight per cent of the mines were owned by the Americans and 72 per cent of the smelters. There were 16,000 miles of railroads (national), in which American and English capital was invested to the extent of about 88 per cent.

The committee further state that that part of Mr. Letcher's report dealing with the American investments in ranches, timberlands, farms, houses, lots, and personal property is incorrect, and say that the testimony before their committee shows that more than 3,000 American families, of an average of five members each, owned their own homes either in colonies or in separate locations and were engaged in agriculture.

They further find that the actual average loss to such families has been \$30,000,000, not taking into consideration the value of the land or the houses and other improvements which have not been destroyed.

The committee also find that in addition to the thirty millions lost by the smaller agriculturists who have been driven out of Mexico, and but few of whom have been able to return, the losses to the railroads have been eighty millions through the destruction of rolling stock and injury to the actual corpus of the property.

In addition, the committee find that the nonnational railroads have suffered damage to the extent of \$60,000,000, so that it would require one hundred and forty millions to place the 24,000 kilometers of railways in Mexico in the condition in which they were found in 1911.

From the evidence taken by the committee it is apparent that the amount of damages sustained by Americans, which I have said was at least \$500,000,000, has greatly increased since

then. It is difficult, and, indeed, impossible at this time, to determine the aggregate, because many of the owners have been unable to return to Mexico and have not been advised of the status of their property.

As I have indicated, many of the great properties of Americans in Mexico have been abandoned under the compulsion of brigands masquerading in the uniform of soldiers of the country and of the various governments, *de facto* and *de jure*, which have controlled the Republic. These properties have been overrun by military leaders and their armies, and everything which could be carried away has been appropriated by the Government or its military forces or marauding and thieving Mexicans. A categorical narration of the outrages to which Americans have been subjected would make no impression upon the political authorities of Mexico.

Unfortunately, because of the venality and corruption of many public men, their ears are closed to any appeals for relief, and their sense of morality or justice is so unresponsive that there would seem to be no hope of a favorable response to the appeals for a rectification of these wrongs. Many of the Mexican courts are corrupt and impotent, and afford no protection either to Mexicans or to aliens. Proof of assassination of Mexican officials, or of aliens, excites no indignation and brings no punishment.

Senators are familiar with the callous indifference exhibited by Huerta when it was incontrovertibly established that he caused the assassination of Madero and Suarez, the vice president. It has been repeatedly charged that Carranza was assassinated, pursuant to orders of Obregon. I recall reading some time ago in the *La Tribuna*, an illustrated Spanish weekly, published in New York, a charge by Emeterio de La Garza that Carranza was assassinated. His letter is almost equivalent to an indictment of Obregon himself. Carranza's daughter charged openly that Obregon was responsible for the murder of her father, and the officer in command of the troops has in effect declared that he was obeying the orders of Obregon. And yet this situation, which should scourge from place and power any person so charged, is regarded indifferently by those in control in Mexico and the groups to which they belong.

Ybanez, who visited Mexico within a recent period, describes Obregon. He is not a lovely figure, and in but a few countries in the world could such a person rule, even for a day.

Secretary Lansing, in a remarkable note dated June 20, 1916, addressed to the Secretary of Foreign Relations of the *de facto* Government of Mexico, submits an indictment of the then Government of Mexico which shows how little progress had been made from the days when Andrew Jackson and other American Presidents were endeavoring to protect Americans from outrages by Mexican authorities. Mr. Lansing in his note declares that the lives of citizens of the United States have been—

barbarously taken, and the murderers have neither been apprehended nor brought to justice. It would be difficult to find in the annals of the history of Mexico conditions more deplorable than those which have existed there during these recent years of civil war.

He refers to American garrisons which have been attacked at night, and the killing of American soldiers, the robbing of American ranches, the wrecking of trains, and the plundering of American citizens. He refers to the attacks on Brownsville and to other places on American soil, and declares that these attacks on American territory were—

participated in by the supporters of Carranza and that his soldiers took part in looting, burning, and killing.

Secretary Lansing declares that notwithstanding representations made and the promise by the Mexican Government to prevent further wanton attacks, a passenger train was wrecked and persons killed, and that—

the Mexican Government was so far indifferent to the atrocities that the leaders were not only received but protected and encouraged by the Government.

Reference is made to the—

barbarous slaughter of inoffensive Americans, and that the Government of Mexico made no effectual attempt to frustrate hostile designs against Americans.

Reference is also made to the recognition by the United States of the Carranza government, but that, notwithstanding this evidence of its desire for friendly relations—

the Government of the United States has waited in vain for protection for American citizens and for the Mexican Government to discharge international obligations toward citizens of the United States.

The efforts of Mr. Wilson to secure protection for citizens of the United States, who were interested in Mexico, were unavailing. Helpless men and women were killed and American citizens suffered unspeakable indignities. We know the names of more than 600 Americans who have been the victims of murder

and hundreds who have been subjected to personal outrages in Mexico by the Mexican authorities or Mexican nationals, besides thousands who were exiled from their homes and possessions and who have suffered poverty and distress untold. Many have gone to their graves without a shroud to cover them, having been robbed of their possessions by the Mexican Government, or as a result of its indifference to its international obligations.

Claims on behalf of individual American citizens for debts, personal outrages, and spoliation in the sum of \$65,000,000 have been filed with the State Department, and besides this the damage suffered by railroad, mining, and oil corporations, by stock ranches, coffee, sugar, and rubber plantations, factories, banks, power plants, irrigation systems, and so forth, are estimated at more than \$500,000,000.

The Senate committee above referred to reported that the railroads of Mexico had suffered a loss conservatively estimated at \$80,000,000 through destruction of railroad stock, the burning of bridges and railroad stations, and the tearing up of sidings and track. The committee states:

Power lines have been cut; power plants destroyed; irrigation works dynamited; canals cut; factories burned; railroad and mining contractors and subcontractors' supplies, tools, stock, and equipment destroyed; banks, trust companies, investment companies, money exchanges, etc., looted of cash and put out of business; brokers, commission men, general agents, wholesale and retail merchants have lost their investments and as well their books of trade, implements of their profession, and their stocks of merchandise, etc. Those who have tended to continue business by going back to their locations when temporary peace appeared to justify their return have been held up and compelled to pay blackmail to every new bandit and tribute to every old one in their community.

An eyewitness, describing the condition in the agricultural colonies in Chihuahua, said:

The stores were broken into and looted of hundreds of thousands of dollars' worth of merchandise. Private homes were treated in the same manner. Live stock was appropriated until almost every available thing was carried away or destroyed. At Colonia Diaz the better part of the residences and public buildings were burned.

Senators will recall that in the closing days of Mr. Taft's administration it was suggested that the threatening condition in Mexico justified, if it did not demand, that citizens of the United States depart from Mexico. Following this suggestion, many Americans returned to the United States. They were compelled to abandon their possessions, and upon reaching American soil were wholly without means of support. Appropriations were made by Congress to grant temporary relief and to feed for a limited period many of those who had been driven from Mexico. All personal belongings of those who were compelled to leave were appropriated by Mexican military authorities, or in some instances by guerrilla bands. Houses were burned and destroyed by Mexicans and a determination manifest to not only drive Americans from Mexico but to deprive them of all their property and possessions found therein.

If time permitted I would show the connection between those who committed crimes and offenses against citizens of the United States and the Mexican Government and examine the authorities and the writers in international law in support of the proposition that the Mexican Government is responsible for such offenses and outrages and must respond in damages therefor.

Theodore Roosevelt, in a speech made at Detroit on May 19, 1916, spoke of the indignities suffered by our people in Mexico in these words:

We have tamely submitted to the murder of our men and the rape of our women. We have permitted foreigners to be plundered in Mexico and our own people to be plundered in Mexico; and murder has been added to plunder. Many of our troops have been shot. While we have been nominally at peace with Mexico, the Mexicans have killed more American citizens than the Spaniards have killed in the entire Spanish War. Moreover, when the Spanish War was through, it was through; and Cuba, Porto Rico, and the Philippines were started on a career of peace and prosperity such as had never been known in all their history. But in Mexico, after all the bloodshed, the trouble has only begun, and we are no nearer a solution than we were three years and a quarter ago.

On the 18th of September, 1912, a Mexican general, in threatening death to a small party of Americans at San Jose, declared:

Your President Howard Taft is a vile dog, a low-down coward. Your Nation is rotten. \* \* \* We are going to run all the Americans out of Mexico. We will kill those who do not run before us. The plan of our revolution is simply to run the American dogs out of this country, confiscate their property, and divide it among Mexicans. \* \* \*

Mexico is for the Mexicans, and the United States for the gringos. \* \* \* Now, we are going to kill them or run them out of the country. We have executed their men, we have ravished their women, we have insulted their men and their women in every possible way to force them to take up arms and fight us. They do not fight because they are cowards and afraid of us. Their own Government despises them and abandons them and dares not protect them and orders them to run away and to escape. In Colonia Dublan and all the other American colonies in Chihuahua we have taken all the homes of Americans, killing some of them, and we have outraged their women, seized their

lands and their houses, and all of their other property, and we force them to flee from the country with nothing but the clothes they had on. But they do not wish to fight and run like dogs. We will not let them return. We will kill all who try to return to their lands. We divided their lands and their property among Mexicans and now they have nothing to return to Mexico for. We are going to do the same in Colonia Morelos, Colonia San Jose, and Colonia Oaxaca. We are going to divide all their property among the Mexicans, among those who will swear to kill every gringo that returns here.

And the soldiers shouted in response—

Muera los gringos (murder the gringos) and "Chinga."

We have in these words a reflex of the animus of the so-called Mexican revolution, and vile and cowardly and contemptible as these declarations are, they were spoken without shame in Mexico and were blinked and indeed condoned and connived at by those in authority in that country. It has been said that one of the purposes of the revolutionary leaders was to drive Americans from Mexico and to confiscate their property. The protection of American property in Mexico was not of the slightest concern to any of the 101 generals who were operating in that country. Plunder and brigandage was their principal passion and occupation, and the incapacity of the country to sustain progressive and unlimited brigandage is the one thing that diminished this wicked business. But the field of the brigands has only been transferred from that of the country to that of the Mexican courts and the chambers of legislation and the offices of executives, and we now have confiscation under the guise of law, as distinguished from the spoliation under the guise of the uniform of the Mexican "generals." It is vain for the Government of Mexico to attempt to evade the responsibility for the damages done by their marauding military commands, because not only did the Government wink at and directly connive at and condone, not to say encourage, such unlawful outrages and larcenies, but the Government, in the so-called constitution of Queretaro, January 31, 1917, has confirmed and attempted to legalize the anti-American program which, as many believe, has been the motive and the mainspring of the murders, arsons, larcenies, spoliations, and outrages to which Americans have been subjected in that country for the last 10 years. The Queretaro constitution was designed to make Carranza dictator of Mexico. He was given power to expel any American from Mexico by his arbitrary order, without hearing and without recourse to law.

Under the Queretaro constitution the Government of Mexico was given the right to expropriate private property without indemnification for reasons which the Government regarded as of public utility. And among these reasons was the division of large landed estates. There is hardly any land owned by Americans in Mexico that is not for sale in whole or in part at reasonable prices and which can not be obtained by honest men without the arbitrary and confiscatory intervention of the Mexican Government. The Queretaro constitution seeks to invest in the Government all metalliferous minerals, mineral deposits, petroleum, coal, and natural gas, as well as of rivers, lakes, and streams. These provisions, I concede, may legally be applied to lands within the public domain of Mexico and may well operate to interdict the alienation by the Government of such species of property within its domain. The mining and oil lands owned by Americans in Mexico, however, have not been acquired from the Government, and it is not believed that any considerable area of mining or oil lands are within the public domain of Mexico. The purpose of this provision was to confiscate the oil measures and the mines which had been discovered and developed by Americans upon their own private lands, and was a part of the anti-American program. The Queretaro constitution provides that only Mexicans may acquire ownership in lands, waters, or their appurtenances or obtain concessions to develop mines or mineral fuel. This also is a parcel of the shortsighted and spiteful anti-American program. It need not be said that there will not be any notable exploitation and development of oil or mining properties if no concessions are to be granted to Americans, especially if it were the rule that no mines or oil properties could be developed without a concession from the Government. In our own country we have been so anxious to have the metalliferous minerals extracted from the veins, lodes, and deposits that we have freely given such minerals to any person who, on the public domain, might discover, locate, and extract them. But metalliferous minerals and deposits of whatsoever nature within the lands of a private owner are an intrinsic part of his property and not subject to any restrictions as to their extraction, separation, use, and sale by the owner.

The foolish policy announced by the Mexican Government of impeding the extraction of minerals from private lands is not only confiscatory and illegal but is contrary to every dictate of sound policy. The Queretaro constitution undertakes to enact

that no American shall under any conditions acquire the lands within a hundred kilometers of the American frontier and within 50 kilometers of the seacoast. This is also part of the vindictive anti-American program. The interdicted area comprises the great part of the American-owned lands in Mexico. It is a part of this scheme that Americans shall not be permitted to sell their lands to other Americans and that such lands shall not pass by inheritance or devise to their American heirs.

This is but another example of the anti-American malice which found expression in this impossible socialistic constitution. And this seems to be the only result of the Mexican revolution—the enactment of futile, nugatory, and impolitic decrees against foreigners and the inauguration of impossible and destructive socialistic schemes; and for this we have borne and suffered upon the theory that revolution was the way of liberty and that there was no other way for a democratic readjustment of Mexican affairs and politics.

But we may have expected as much in view of the fact that Madero was a socialistic zealot, that Carranza was only a captious casuist dominated by anti-American malice and Mexican vanity, and that the other leaders of the revolution were all to a greater or lesser extent affected with the virus and fallacies of a European socialism and bolshevism.

Salvador Alvarado became governor of Yucatan during the days of Carranza. Yucatan at that time was a rich State and her people were prosperous and giving evidence of cultural development. He attempted to convert their State into a soviet government and imposed upon the people a cruel and relentless despotism, such as Lenin and Trotzki imposed upon Russia four years ago. Bolshevism has invaded the States of Tabasco, San Luis Potosi, as well as other political subdivisions of Mexico, with most disastrous consequences. Alvarado, Villareal, De la Huerta, Calles, and other communists influence, if they do not control, Obregon and are spreading the poison of their pernicious economic policies throughout the entire Republic. The fallacies and pernicious policies adopted by Obregon and the rulers of Mexico have not only brought Mexico, but great States like Yucatan, Campeche, Pueblo, and Sonora, to the verge of economic ruin and poverty.

If time permitted, I would call attention to statements made by Obregon indicating his communistic views and his hatred of America and Americans. He shared with Carranza the latter's pro-German views and his antipathy toward the United States. Senators will remember that Carranza hoped to unite the Central American States and to become an ally, secret or open, of Germany. Testimony offered before the subcommittee of the Senate furnishes interesting information in regard to this conspiracy as well as the uncompromising attitude of Obregon toward the United States.

It has been said by some that Obregon has seen a new light and that he is intent upon leading Mexico back into the comity of civilized States and is resolved that Mexico shall keep her international obligations and progress with firm step and upon sound principles into a position of stability and national self-reliance. I wish that were true. However this may be, we must face the facts that the Obregon government has inherited all the liabilities and responsibilities which had been fastened upon Mexico by the imprudent, improvident, and illegal acts and neglects of his predecessors in the government of that country.

Our business with the Mexican Government is of a great deal more importance than the mere resumption of diplomatic relations. Our Government refrains from the use of force for the protection and vindication of American life and American rights on the theory that Mexico should have liberty of action and responsibility for the events which adversely affect American rights and interests.

And we expect that Mexico shall make indemnification for the damages which have been visited upon our people and their property in that country. It has been said that the United States might easily have occupied Chihuahua and all of northern Mexico down to the latitude of the mouth of the Rio Grande and thus have avoided untold suffering and unspeakable outrages which have been perpetrated almost within sight and in many cases within one or two days' marches of the frontier. And the claim has been made that the United States could thus have protected many thousands of Americans in their lives and peace and in the possession, use, and occupation of their lands, and relieved them of insufferable outrages as well as have vindicated its dignity and commanded the respect of the Mexican people.

However, as I have indicated, I did not advocate such a policy, nor do I now. But Mexico's treatment of citizens of

the United States has not only resulted in the injuries and wrongs to which I have referred but it has imposed upon the United States a very heavy financial burden.

Yesterday I telephoned to the War Department and asked for information as to the cost of maintaining American troops on the Mexican border and in Mexico since 1911. I am in receipt of a communication from Robert C. Davis, Acting Adjutant General, in which he states that—

There are no exact figures available as to these costs, but it is believed that the nearest approximation to such costs can be made by assuming that that part of the expenditures under "Military Establishment, support of the Army and National Guard" for each year, which was devoted to troops on the border, was proportional to the strength of the troops on the border. These figures are as follows:

Then follows a table which I ask to insert in the RECORD.

The VICE PRESIDENT. Without objection, it will be so ordered.

The table is as follows:

Fiscal year.	Active Army, <sup>1</sup> June 30.	Troops on border on June 30.	Per cent of troops on border.	Expenditures for "Support of the Army and Na- tional Guard."	Per cent for troops on border.	Amount for troops on border.
1911.....	80,300	<sup>4</sup> 19,000	23.7	\$100,251,142.44	23.7	\$23,759,520
1912.....	88,000	7,000	8.0	98,677,086.82	8.0	7,734,230
1913.....	92,000	<sup>5</sup> 16,000	17.4	98,641,559.12	17.4	17,163,630
1914.....	98,000	<sup>6</sup> 25,000	25.5	105,686,730.94	25.5	26,950,120
1915.....	106,000	<sup>7</sup> 24,000	22.6	106,732,218.30	22.6	24,121,480
1916.....	<sup>2</sup> 260,000	<sup>8</sup> 150,000	57.7	116,222,492.49	57.7	67,066,150
1917.....	<sup>3</sup> 418,000	<sup>9</sup> 125,000	29.9	1,882,691,868.08	29.9	562,924,890
1918.....				4,209,611,619.35		
1919.....				5,926,201,274.62		
1920.....				620,648,766.51		
1921.....	227,000	15,800	7.0	501,120,687.17	7.0	35,073,450

<sup>1</sup> Includes Regular Army, Philippine Scouts, National Guard in Federal service, reserves on active duty, and emergency officers.

<sup>2</sup> Includes National Guard in Federal service.

<sup>3</sup> Includes National Guard in Federal service and Reserve Corps.

<sup>4</sup> Includes Maneuver Division.

<sup>5</sup> Includes Second Division at Texas City.

<sup>6</sup> Includes Second Division and troops at Vera Cruz, except marines.

Mr. KING. Briefly, the table shows this:

In 1911 we had 19,000 troops on the border, or we had to maintain on the Mexican border 23.7 per cent of all of our Army. The cost was \$23,759,520.

In 1912 only 8 per cent of our troops were on the border, and the cost that year, under these figures, was nearly \$8,000,000.

In 1913, 17.4 per cent of our troops were on the border, at a cost of more than \$17,000,000.

In 1914, 25.5 per cent of all the American troops were on the border, at a cost of \$26,950,120.

In 1915, 22.6 per cent of the Army was maintained on the border, at a cost of more than \$24,000,000.

In 1916, 57.7 per cent of all the Army of the United States were on the Mexican border, at a cost of \$67,066,150.

In 1917, 29.9 per cent of our troops were upon the border, at a cost of \$562,924,890.

I have not the figures for 1918, 1919, and 1920; but during 1921, 7 per cent of our Army, or 15,800 troops, were upon the Mexican border, at a cost of \$35,078,450. It is somewhat paradoxical that during that period, when we were presumed to be at peace with Mexico, we were compelled to keep 15,800 troops along the international boundary for the protection of the lives and property of Americans. In 1916 we had 150,000 troops on the border. In 1917 we had 125,000 troops on the border. Aside from the years 1918, 1919, and 1920—and I have not the costs for those years—we have expended for the maintenance of military forces along the border \$762,798,470.

Mr. President, there is another interesting item here:

No amounts are given for the fiscal years 1918, 1919, and 1920, due to the fact that there are no reliable figures as to what troops were regarded as on border duty. For example, one division which was organized with a view to its use on the border was later diverted to France.

The Acting Adjutant General further states:

The total cost of the expeditionary forces engaged in the punitive expedition under General Pershing was approximately \$59,000,000, including regular maintenance, cost of subsistence, and equipment of the troops involved.

The total, as shown in the table above, as the cost for maintenance of troops on the border, not including the years 1918, 1919, and 1920, amounts to \$762,798,470. It is quite apparent, if we were furnished the costs for those years the aggregate amount would approximate \$1,000,000,000. Thus it appears that to protect our territory from Mexican invasion and to protect American citizens and their property within the confines of the United States our Government has been compelled to maintain thousands of military forces along its southern border, at

a cost of approximately \$1,000,000,000, for the years 1911 to 1921, inclusive. But there was no protection for citizens of the United States in Mexico, nor was their property therein immune from seizure and confiscation.

Recurring to the Mexican constitution of 1917 and its confiscatory provisions I have been asked upon a number of occasions whether I denied the right of the Mexican people to adopt that or any other constitution which they desired. I have uniformly replied that I believed in the right of peoples to determine the form of government under which they live. It is for them to determine whether they shall have a monarchy, an oligarchy, a communistic form of government, or an enlightened and progressive republic. I concede the right of the Mexican people to frame such organic law as they desire, even though it may be reactionary or communistic, nor has the United States or any other government the right to superimpose upon the Mexican people a government which they do not approve.

The Mexican people, if they wish, may deny the rights of aliens to enter Mexico or to acquire property therein. In my opinion, however, the Mexican people have not legally adopted the 1917 constitution nor do they approve of many of its provisions. Undoubtedly the Bolshevik element of which Carranza and Obregon and De la Huerta and Calles were the representatives approved of the terms of the constitution and hoped thereunder to despoil Americans and other foreigners of their possessions in Mexico.

The intellectuals and the patriotic Mexicans have disapproved of the communistic provisions of the Queretaro constitution, and perhaps millions of the people of Mexico are either unfamiliar with its terms or are so apathetic as a result of years of revolution and oppression that they are indifferent to their situation or the political forms under which they are forced to exist.

I desire to insert into the RECORD at this point an excerpt from an "Essay on the reconstruction of Mexico," which, as I understand, was written by a number of distinguished Mexicans in collaboration, among them being Mr. Manuel Calero, who was secretary of foreign affairs and at one time ambassador to the United States; Mr. Francisco S. Caravajal, who was at one time chief justice of the Federal supreme court; and Mr. Jorge Vera Estanol, at one time secretary of public instruction. The excerpt is from chapter 4 on "The naturalization and civil status of aliens," and is as follows:

Article 27 of the Queretaro constitution embodies the principle that aliens may not own real estate, nor be granted concessions covering waters, mines, and the like, except by the grace of executive authority, after the interested party has made formal waiver of the right to invoke the protection of his government.

While it is true that certain countries do not grant aliens the right to acquire real estate, we are, nevertheless, of the opinion that Mexico should return to the liberal system that prevailed under the constitution of 1857. Having due regard for the cultural and economic situation of our native population, coupled with the facts of its sparseness, it appears advisable to encourage the establishment of foreigners in Mexico. Experience has shown them to be elements of moral progress and factors in the development of public and private wealth.

Provisions fixing the civil capacity of aliens have no place in the political constitution of the Republic. They belong in general statutes, in special laws on naturalization, and in international treaties. In the absence of express treaty stipulations, Mexico must accept, in general terms, the principle of equality of civil capacity of Mexicans and aliens, excepting limitations required by the principle of reciprocity, and such other limitations as arise out of the needs of domestic safety or of insurance against international complications.

With regard to foreign corporations, we believe that the incapacities placed on them by the Queretaro constitution, in provisions similarly incongruous in a constitution, reveal in the framers a mistaken appreciation of the present-day needs of the country. We are not opposed in principle to the establishment of the incapacities in so far as they are confined to the ownership of real property, but at the same time we believe that the legislator should mitigate the severity of his theories when the great interests of the nation so demand. The position in which Mexico now finds herself as the result of the internecine strife and the condition of the world money market caused by the European war compel the Mexican statesmen to adopt a generous policy which shall attract to the country capital to develop our resources and contribute to the moral and economic betterment of our downtrodden people. In harmony with this policy, it is necessary to return to the former system and to permit foreign companies to enjoy the same rights they enjoyed before the Queretaro constitution as the most practical method of inducing foreign capital to engage in Mexican enterprises. At a later date, when the political equilibrium has been restored, when the methods of government admit of no question as to their probity, when, in a word, we have conquered the confidence abroad which we once enjoyed, the time will have come slowly to force foreign capital to operate in Mexico within the forms of association prescribed by Mexican law; but everything which at the present moment is done in this regard will affect adversely the economic progress of Mexico.

There is no doubt but what the constitution of 1917 never received the approval of but an insignificant fraction of the Mexican people. Carranza before he was controlled by his anti-American animus and by his Bolshevik associates, and before he became military dictator, declared that he intended to restore the constitution of 1857, which, I may add, was a reasonably progressive and liberal organic act. Under it, as well

as by the provisions of laws enacted by the Mexican Federal Congress, real property had been acquired, including all forms of mineral lands, by Mexicans, Americans, and citizens of various countries, and the titles held by the owners were recognized as valid and as granting indefeasible rights to the same.

Senators know that during Diaz's régime the Federal Government of Mexico and the courts recognized the fee simple title under which not only Mexicans but aliens had acquired land, agricultural and mineral.

Foreigners were invited by Diaz to make investments in Mexico and to acquire lands and engage in mining operations. They were guaranteed protection by the constitution and by the law, as well as by proclamations of the President of the Republic. Carranza, in order to secure adherence to his revolutionary movement, contended that the constitution of 1857 had been abrogated and he purposed restoring it. However, when success was achieved he renounced his intention to restore the constitution and the rights of the people and forced upon Mexico the constitution of 1917. By decree of December 12, 1914, he provided that those only could vote upon the question of its adoption who had demonstrated their adhesion to the constitutionalists' cause, meaning, of course, his revolutionary cause.

Speaking of the animus of Carranza and the purpose of his Bolshevik confederates to confiscate the property of Americans, I desire to briefly refer to the testimony of Mr. W. W. Canada, former American consul at Vera Cruz. His statements will be found in the committee's hearings. In substance Mr. Canada stated that at a banquet given to Carranza in October, 1914, Mr. Luis Cabrera, who held a cabinet position under Carranza, stated that they, speaking of the Carranza régime, "were going to drive Americans out and take their property and not allow them to buy any more." The evidence, in my opinion, is conclusive that the communistic element in Mexico prepared and forced upon Mexico the 1917 constitution. Many of its objectionable features are denounced by the patriotic and enlightened elements in Mexico, as well as by thousands of the intelligent Mexicans who had been banished from their country, and its enforcement is condemned by many honorable and patriotic Mexicans who dare to express their views.

In the issue of May 21, 1921, of the *El Informador*, of Guadalajara, the following statement is made editorially:

Right at this moment, when the Government, as well as the working-men, should dedicate all their efforts to reconstruction of what has been destroyed, to repair the damages of the past, and to better general conditions, the Government is trying to disorganize the agricultural industry of the country, dividing the farms in common amongst the villages, which will result in the destruction of cultivation and abandonment of the lands, leaving the real farmers with only an absurdly small plot of land to cultivate in order to allot the lands to those who have never been and never will be farmers. The result of this ridiculous policy is beginning to show its effects in the increased prices of cereals, cattle, etc., and the people are leaving the farms on account of the suspension of work and the paralysis of agriculture. Nobody will lend money on mortgage on these properties, and all of the disillusioned ranchers are preparing to reduce, and in some cases entirely stop, planting for the coming season.

But, as though this did not signify in itself the complete ruin of the country, the tendency to deposit savings in banks of other countries, principally in the United States, is well known, and when they sell their interests or make money, this also goes to American banks. And our ablest men are taking this precaution in order to be able to leave the country where everything is against them and where they have no guarantees.

One of the leading newspapers published in the city of Mexico is the *El Universal*. Its editor, Mr. Palavicini, has frequently criticized the Obregon government and the Mexican Congress—as incompetent, divided against itself, and wasting its time in personalities and petty matters, forgetful of the needs of the nation.

Referring to the radical constitution of 1917, he states:

The right to property has disappeared in Mexico, and no landowner considers his titles valid. Land is now of no value in Mexico and there is no agricultural credit. If there is no guaranty for the possession of land, what hope is there for any citizen of fair legislation and justice? What incentive is there to work and save? If this is a communist State, then we should amend our laws to conform. The department of agriculture is Mexico's greatest deterrent to amicable foreign relations, and the department of commerce and industry is of the same type.

It is known to everyone that this statement of this distinguished Mexican editor is true; that private property is being confiscated, either under direct constitutional sanction or by taxation, and, indeed, by direct seizure. Many of the States of Mexico have under executive decree or legislative enactments entered upon the seizure and confiscation of private property. Measures have been enacted in an adroit and subtle way intended to facilitate, under the guise of law, the expropriation of private property. Estates of Mexicans are being taken from them and no compensation awarded. Worthless State bonds have been promised in some instances for valuable properties forcibly taken from their owners.

As stated, I concede the right of the Mexican people to adopt such constitution as they may desire, but they have no right to rob, under the guise of law or otherwise, citizens of the United States or nationals of other countries of property which they had lawfully acquired in Mexico. It would be as immoral and illegal to take the property of aliens by force as it would be to take it under the guise of a federal constitution or legislative enactments. Undoubtedly, Mexico has the right to provide that the title to all mineral deposits within lands belonging to the Government shall be reserved and that purchasers shall acquire no right to such deposits. But I deny the right of Mexico, by constitutional provision, legislative enactment, or executive decree, to deprive either Mexicans or aliens of property, either real or personal, which they own. I admit that the Mexican Government would have the right to condemn private property, either of Mexicans or aliens, for public use upon giving just compensation therefor.

Nations may adopt many policies with respect to the acquisition and ownership of property by aliens which are inexpedient and unwise, but upon the question of expediency such nations are to be the exclusive judges. But among civilized peoples governments have no right to confiscate the property of aliens who have acquired the same under treaty rights or under the sanction of international law. Neither the United States nor any State of the Union would have the right to seize or confiscate property owned by Mexicans within the United States, nor would the Federal Government or any State have the right to enact retroactive laws for the purpose of depriving Mexicans of their property rights in this country.

Undoubtedly a nation has the technical right to forbid aliens from entering or residing therein. I am assuming, of course, that no treaty obligation is violated. Such law might be inexpedient and unwise; and a Government has the technical right to expel, in the absence of treaty, any alien from its borders without cause or hearing. But such a course would be not only impolitic but inconsistent with the liberal and enlightened spirit which is obtaining in the world to-day.

Article 33 of the Mexican constitution of 1917 gives to the executive exclusive right to expel forthwith, and without judicial process, any foreigner whose presence he may deem inexpedient. Of course, this is a despotic power to confer upon the chief executive and can not be defended in morals. Under this same constitution only Mexicans by birth or naturalization and Mexican companies have the right to acquire ownership in lands, waters, and other appurtenances, or to obtain concessions to develop mines, waters, or mineral fuels in the Republic of Mexico. It is provided, however, that the nation may grant this right to foreigners provided they agree before the department of foreign affairs to be considered Mexicans in respect to such property and not to invoke the protection of their Governments in respect to the same, under penalty of forfeiture. The same article of the constitution contains the provision which I have referred to which prohibits, within a zone of 100 kilometers from the frontiers and 50 kilometers from the seacoast, any foreigner, under any conditions whatever, from acquiring direct ownership of lands and waters. I have conceded the right of Mexico to adopt a constitution containing these oppressive and impolitic provisions, but I have denied her right to give retroactivity to the same.

Much could be said in condemnation of the provision requiring an alien to waive protection at the hands of his own government in order to avail himself of the right to acquire property. Of course, it is obvious that the provisions of the constitution constitute a cloud upon the title of properties owned by Americans. Carranza and other officials have attempted to deprive the owners of oil lands of their holdings, and have insisted that under the provisions of article 27 of the constitution the petroleum deposits belonged to the State. Americans are forbidden to sell their farms or their real estate holdings to any persons other than Mexicans, and the latter have no need to purchase from the owners, because the Federal Government or the States are rapidly confiscating the same. As a matter of fact, the federal constitution and the organic law of the States of the Mexican union are deliberately framed to effectuate the confiscation of foreign investments by taxation or direct seizure or under constitutional sanction or the forms of law.

If time permitted, I should call attention in detail to the provisions of the constitution of 1917, as well as to executive decrees and to State enactments and decrees which fully sustain the statements which I have made. So oppressive has become the conduct of the political authorities of Mexico that not only are aliens being robbed and plundered but, as I have stated, Mexicans as well.

The following protest to the National Congress and to the President of Mexico was sent on April 7, 1921, by a number of Mexican landowners who resided in Jalisco:

AN APPEAL TO PUBLIC OPINION.

It is not our desire to write at length with regard to the prejudicial effect which this nefarious national agrarian commission is causing to the Nation and to the landowners. Such commissions are nothing more than partisan centers where laws, reason, and justice are mocked.

This atrocious work will be judged by public opinion as soon as the deep and serious damage which has been done is known, and history will in time establish the responsibility. Suffice it to say that in every case it has been a work of destruction and never of construction.

It is useless to contend that the agrarian law at least be correctly applied. Not even this can be obtained, and obstinate authorities, blinded by prejudice, have threatened the social order by attacking it at its foundation and seemingly with a desire to destroy it for their own personal benefit and pleasure.

The local agrarian commission are inventing fantastic plans of taxation, confiscating large and small properties, and sugar, mescal, and orange plantations, which have cost their legitimate owners years of toil and the investment of considerable capital. The Federal tribunals, deaf to all appeals, follow an invariable line of conduct in every case against the landowners. Should the landowner invoke in his behalf the same doctrines which have been applied to the benefit of others, he finds out that these same doctrines are never interpreted in his favor. The authorities only favor those they wish to favor, and to accomplish this end they do not hesitate to override justice and reason.

AGRICULTURAL ASSOCIATION OF JALISCO,  
By A. G. ARCE, Director.

Obregon is making frantic efforts to obtain recognition at the hands of this Government. Various persons in the employ of the Mexican Government have been extensively canvassing the United States to develop sentiment favorable to a *de jure* recognition of the Obregon régime. A former State Senator from Arizona has visited the legislatures of a number of our States and secured the adoption of resolutions asking for recognition. Notwithstanding the character of Obregon, his hatred of our Government and the American people, and his communistic views, it might perhaps be wise to accord recognition to the present Mexican Government, provided certain conditions were complied with.

Secretary Hughes, on the 7th of June last, declared that—the fundamental question confronting the United States is the safeguarding of property rights against confiscation.

He stated that—

Mexico was free to adopt any policy which she pleases with respect to her public lands—

But was—

not free to destroy, without compensation, valid titles obtained by American citizens under Mexican laws.

The Secretary further declared:

A confiscatory policy strikes not only at the interests of particular individuals but at the foundations of international intercourse, for it is only on the basis of the security of property validly possessed under the laws existing at the time of its acquisition that commercial transactions between the peoples of two countries and the conduct of activities in helpful cooperation are possible.

This question should not be confused with any matter of personalities or of the recognition of any particular administration. Whenever Mexico is ready to give assurances that she will perform her fundamental obligation in the protection both of persons and of rights of property validly acquired, there will be no obstacles to the most advantageous relations between the two peoples.

This question is vital because of the provisions inserted in the Mexican constitution promulgated in 1917. If these provisions are to be put into effect retroactively the properties of American citizens will be confiscated on a great scale. This would constitute an international wrong of the gravest character and this Government could not submit to its accomplishment. If it be said that this wrong is not intended, and that the constitution of Mexico of 1917 will not be construed to permit, or enforced so as to effect, confiscation, then it is important that this should be made clear by guarantees in proper form. The provisions of the constitution and the executive decrees which have been formulated with confiscatory purposes make it obviously necessary that the purposes of Mexico should be definitely set forth.

Accordingly this Government has proposed a treaty of amity and commerce with Mexico, in which Mexico will agree to safeguard the rights of property which attached before the constitution of 1917 was promulgated. The question, it will be observed, is not one of a particular administration but of the agreement of the nation in proper form, which has become necessary as an international matter because of the provisions of its domestic legislation. If Mexico does not contemplate a confiscatory policy, the Government of the United States can conceive of no possible objection to the treaty.

The proposed treaty also contains the conventional stipulations as to commerce and reciprocal rights in both countries. It also provides for the conclusion of a convention for the settlement of claims for losses of life and property, which, of course, means the prompt establishment of a suitable claims commission in which both countries would be represented, in order to effect a just settlement. There is also a provision for a just settlement of boundary matters.

The question of recognition is a subordinate one; but there will be no difficulty as to this, for if General Obregon is ready to negotiate a proper treaty, it is drawn so as to be negotiated with him, and the making of the treaty in proper form will accomplish the recognition of the Government that makes it. In short, when it appears that there is a government in Mexico willing to bind itself to the discharge of primary international obligations, concurrently with that act its recognition will take place. This Government desires immediate and cordial relations of mutual helpfulness, and simply wishes that the basis of international intercourse should be properly maintained.

Accordingly, on the 27th of May last, Mr. Summerlin, American chargé d'affaires at Mexico City, presented to General Obregon a proposed treaty covering the matters to which reference has been made. The matter is now in the course of negotiations, and it is to be hoped that when the nature of the precise question is fully appreciated the obstacles which have stood in the way of a satisfactory settlement will disappear.

It will be observed that no conditions are suggested by the able Secretary of State which should not be promptly complied with by Obregon if he were animated by a proper spirit and with a desire to observe the principles that should govern nations desiring justice.

Carranza sought recognition, and finally obtained it. We had the right to believe that the generous treatment accorded Mexico by Mr. Wilson would inspire Carranza and those in authority to adopt a policy of justice and fair treatment to American citizens. His course, however, following recognition was reprehensible in the highest degree. He persisted in his bigoted and intolerant and dishonest course and executed his oppressive and confiscatory policies. He was unworthy his high position, and did not deserve either *de facto* or *de jure* recognition at the hands of the United States. He treated with scorn and contumely the pacific efforts of our Government to establish cordial relations and to promote international fellowship and good will. There is no assurance that Obregon, if recognition were accorded to his Government, would pursue a different course or make reparations for the wrongs done to citizens of the United States.

There is no promise that American rights will be respected or that protection will be accorded to American citizens. At the present time neither the lives nor the property of citizens of the United States are safe in Mexico, nor is the Obregon government willing, if we are to judge by its refusal to enter into the treaty suggested by Secretary Hughes, to give any guarantees that Mexico will shape its course in harmony with those policies which govern enlightened and civilized nations.

An important question suggests itself in considering the question of recognition of the Obregon government. Senators will remember that several months ago a trade agreement was entered into between Great Britain and the soviet régime at Moscow. Some timbers were sold by the Russian owners before the soviet government was formed, but later a decree of confiscation was entered by the soviet régime and the timber was exported and sold by it in Great Britain. Thereupon the owner instituted proper proceedings to recover the property, and the question arose in the English courts as to whether the trade agreement constituted recognition, and if so, whether the owner could maintain his action. The lower court found for the plaintiff, holding that the soviet régime had not been recognized, and that the owner of the property could therefore recover. Upon appeal the judgment of the lower court was reversed. The appellate court held that the trade agreement was tantamount to a recognition of the soviet régime, and its acts were therefore validated, and its seizure of the property and subsequent sale could not be questioned, and that therefore the vendee obtained a valid title.

The same principle was announced in the case of *Oetjen v. Central Leather Co.* (246 U. S. 297), wherein it was held that the recognition by the United States of the Carranza government validated the confiscatory acts of Villa when acting as a military commander under the orders of Carranza. Villa had seized the property in question in the State of Coahuila, and upon its being brought into the United States the Mexican owner brought an action in replevin upon the ground that the property had been unlawfully seized and confiscated. The Supreme Court of the United States, in view of the recognition of the Carranza government, felt compelled to deny the plaintiff relief, holding that—

Recognition by the political department of the United States of a government which originates in revolution or revolt as being the *de jure* government of the country in which it is established is retroactive in effect, and validates all the actions and conduct of the government so recognized from the commencement of its existence.

Before the United States recognizes the Obregon régime it should canvass the results of such recognition and be entirely satisfied as to the effect of such act upon the confiscatory decrees and proceedings of the Mexican Government. Can this Government afford to ratify these illegal seizures and the countless acts of robbery and spoliation committed by State and National authorities in Mexico? I can not comprehend how we could justify before the bar of public opinion a course which would involve the recognition of Obregon without effective safeguards and conditions which would protect American citizens. In my opinion it would be highly improper for President Harding to give recognition to Obregon until the controversies between the two Governments are adjusted and until

American citizens are fully protected and their rights guaranteed and assured.

We can not afford to be put in the attitude of legalizing the robberies and the acts of pillage committed by the Mexican Government. American citizens, if the Obregon régime were recognized without adequate steps being taken for the protection of their persons and property rights, could with much justice demand that the United States make good to them the losses which they had sustained by reason of the trespasses and robberies committed by the Mexican Government or the political subdivisions of the Mexican Republic.

Under our form of government the States have no right to enter into diplomatic relations with Mexico or seek reparation for the wrongs committed against Americans residing within their borders. It is the duty of the National Government to throw around citizens of the United States its shield of protection and power. American citizenship is not a mere shadow, a tenuous, intangible thing. Citizens owe allegiance to the Government, but the Government owes a duty to protect its citizens. A Roman citizen did not appeal in vain to the Caesars. Shall the appeals of American citizens to their President and the constituted authorities of their National Government fall upon deaf ears?

I submit that before the Obregon régime or any other government in Mexico is recognized, not only assurances but unequivocal and satisfactory guarantees be given that such government is willing to fulfill its international obligations and is competent to maintain law and order within its own borders.

Writers upon international law point out with great clearness the conditions which may be exacted precedent to either a *de facto* or *de jure* recognition of a government.

Mr. Seward, writing to Mr. Foster in 1877, stated that in view of the difficulties on the Rio Grande he should—

wait before recognizing General Diaz as President of Mexico until it shall be assured that his election is approved by the Mexican people and that his administration is possessed of stability to endure and of disposition to comply with the rules of international comity and the obligations of treaties.

As I stated a few moments ago, recognition of Carranza was accorded, and subsequent events demonstrated that perhaps such a course was unwise. Carranza by proclamation declared that the—

constitutionalist government shall afford to foreigners residing in Mexico all the guarantees to which they are entitled by our laws and shall amply protect their lives, their freedom, and the enjoyment of their rights of property.

And his representative, Arredondo, in his note to Secretary Lansing, gave assurances that the Carranza government would afford guarantees to foreigners and would observe its international obligations and protect the lives and property, in accordance with the practice established by civilized nations, of all aliens.

Following these protestations the Carranza government was recognized, but in no respect did it observe its solemn assurances. It failed to pay its international debts or to protect its own citizens or the lives and property of foreigners.

Mr. President, the time is come when there should be a reckoning with Mexico and when Mexico and the Mexican people must be made to understand that restitution and reparation must be made for the murder of Americans and the citizens of other lands, for the ransoms that have been exacted and the kidnaping, torture, and imprisonment of innocent men, for the outrages committed upon women and children, for the arsons and larceny and destruction of property, and for the vicious anti-American policy pursued by the Government.

The fact that the demand that Mexico pay her debts and make restitution and reparation for her offenses and the offenses of her people may be offensive to the Mexican Government and the vanity of those Mexicans who assume to speak for the country, does not invalidate the claim for the rendition of that which is due or afford any reason why our demands may be denied or ignored. Offenses are not to be paid in offenses but by reparation and restitution.

And this is the business that we have presently to settle with Mexico, and it must have precedence over any question of the resumption of diplomatic relations with the Government of that country. We do not question the legality of the present Mexican Government. Prudence, indeed, might dictate that we wait a seemly time until the stability of the Government should be firmly demonstrated, but that is not the reason that we are waiting. We are waiting for an adjustment of American grievances against that country, the confirmation of American rights in that country, a proper indemnification for the damages our people have suffered, and a settlement of all outstanding controversies so that we may look forward to a day of better relations of amity and of peace.

The Republic of Mexico has recently celebrated the hundredth anniversary of its political independence. As I have shown, the United States recognized the new Republic January 1, 1825, and ever since has recognized the existence of Mexico as an independent nation. The real situation is therefore not the failure on the part of the United States to recognize the present Government of Mexico but rather the withholding by the United States of diplomatic relations with the present Obregon government. We all know perfectly well that Obregon is President of Mexico and there will never by any disposition on the part of the United States to question the legality of the Obregon government or interfere with its jurisdiction or powers in Mexico. That is not the question.

The question is one of the resumption of diplomatic relations and for reasons which are to the Government of the United States sufficient, we have not seen fit, or have not regarded it as advantageous or politic, to enter into regular diplomatic relations with the present Government of Mexico. There have been, however, informal exchanges and correspondence which are perhaps tantamount to a *de facto* recognition of the existence of the present Obregon government and of its authority in Mexico. The impediment to the resumption of diplomatic relations consists of outstanding differences and unsatisfactory conditions which this Government desires to have rectified both as to indemnification for past wrongs and assurances as to the future which this Government regards as imperative to any just resumption of relations and of the continuance of amity and peace with Mexico. There is no desire to impose upon Mexico humiliating conditions or to make unreasonable exactions, but only to apply to the outstanding controversies the principles of international obligation and morality which Mexico herself professes to recognize and respect.

We had ample evidence of the tenacity of Mexico as to the technical forms and niceties of diplomatic correspondence, all of which has been accompanied by a profound disdain of the substantial duties and moral precepts of international law and custom. We have grown tired of deference to diplomatic forms and discussion, and the necessities of the case now require that we get behind these formalities at the substance of the facts and the essence of Mexico's national duty and responsibility under the facts of the existing situation.

The ratification of a treaty of amity with Mexico and including the settlement of all outstanding controversies will constitute a resumption of diplomatic relations and a formal recognition of the Obregon government. This treaty, which is really necessary to the amity and good relations of the United States and Mexico, should as primary and irreducible conditions—

First. Stipulate that the native or natural-born citizens of the respective parties shall enjoy within the territories of the other party the right to acquire and hold without reservation or limitation estates in lands, tenements, and hereditaments, including the natural resources and appurtenances that go with the free tenure of land, with full rights of occupation, use, and enjoyment, together with the rent issues and profits thereof, and including the inalienable rights of inheritance, testamentary devolution, and contractual disposition.

Second. That the title and possession of lands in Mexico which at the resignation of the Diaz government on May 10, 1911, was vested in citizens of the United States, shall be recognized and confirmed notwithstanding any facts in court or in pais which have intervened in the meantime; that in all cases American citizens shall be restored to the possession, use, and occupation of such lands and protected in such rights.

Third. That in cases where lands, tenements, or hereditaments were actually occupied and subjected to profitable use by citizens of the United States at the fall of the Diaz government, or subsequent thereto, and such citizens of the United States had been constrained to leave Mexico or their tenants had abandoned or been expelled from such lands, that the annual use, value, or proper rent for such lands shall be ascertained and that Mexico shall indemnify such citizens of the United States in an amount equal to the use value of the same during the period of dispossession and disuse.

Fourth. That in all cases where buildings, appurtenances, fixtures, or other improvements have been destroyed or damaged the cost of the restoration or reparation for such damages at the present time shall be ascertained and that Mexico shall indemnify such citizens on account of such restorations and reparations.

Fifth. That in all cases where chattels or personal property have been appropriated, carried away, destroyed, or damaged the value of such property or the damages thereto shall be ascertained and that Mexico shall indemnify the owners of the same accordingly.

Sixth. That in all cases where American citizens have suffered death or have been subjected to detention, imprisonment, insult, abuse, batteries, wounds, suffering, or other outrages of a personal nature that Mexico shall make proper and adequate indemnification as well as apology and regret for such wrongs.

Seventh. That citizens of the United States shall be confirmed in all rights, easements, franchises, concessions, liberties, privileges, or other rights of an incorporeal nature with which they were invested at the fall of the Diaz government.

Eighth. That the Government of Mexico shall make expression of its intention of taking adequate measures in the future to prevent a recurrence of the wrongs for which indemnification is provided to be made in the treaty.

Mr. President, I would not have undertaken to discuss this vexed and vexatious question except for the fact that the efforts to secure recognition for Obregon are so persistent, and so many statements are made which I regard as inaccurate, attributing to the Obregon régime a willingness to do justice to our Government and to those who have been wronged at the hands of the Mexican Government. I repeat what I stated at the outset, that Mexico presents a problem—one which is serious and difficult of solution. To speak dogmatically of what should be done may be highly imprudent and unwise. That conditions, as they exist, should continue indefinitely can not be tolerated. If Mexico refuses to make reparation to citizens of the United States and persists in her policy of spoliation and robbery, and denies to Americans protection of their persons, then the United States, by every principle of national honor, must take the necessary steps to protect the lives of its citizens as well as their rights. This is necessary in vindication of its rights and honor as a nation. Undoubtedly there is a sentiment in Mexico that the United States will resent no affront, nor will it interpose to protect its citizens. Mexico must be taught that it may go too far; indeed, that the time has now arrived when it must adopt a course toward the United States and its citizens that is demanded of civilized nations and those States which claim a standing among the enlightened nations of the world.

I am not here to denounce the present administration or to embarrass it in any way in dealing with a question which presents perplexing and difficult angles.

But we have a practical question to deal with, and the time has come to deal with it in a practical way. In my opinion, there should be no recognition of Obregon or any government in Mexico until assurances and guarantees such as I have indicated have been given. I am sure those upon this side of the Chamber will support the administration in any policy that will conform to the standards of international justice and comity and vindicate the rights of American citizens and the honor of this Republic.

#### ADDRESS OF SENATOR MOSES IN NEW YORK CITY.

Mr. HARRISON. Mr. President, on last evening in the city of New York the distinguished Senator from New Hampshire [Mr. Moses] made a very important address. I notice from the New York Times of this morning that in introducing the Senator from New Hampshire, George Henry Payne referred to him "as a man whom the country would like to see in the White House." Because of that introduction, and because of the remarks made on that occasion, I think the article appearing in the New York Times of this morning should be read into the RECORD, and I ask that it may be read at the Secretary's desk.

The PRESIDING OFFICER (Mr. LADD in the chair). Without objection, the Secretary will read as requested.

The Assistant Secretary read as follows:

MOSES DENOUNCES CONGRESS COWARDS—APPEALS TO WOMEN TO "THROW A SCARE" INTO THEM TO AID TAX REFORM—ATTACKS THE FARM BLOC—CALLS THE BONUS "AN OUTRAGE" AND SAYS "NOISY MINORITIES" CONTROL OUR DESTINY—WANTS STATES LET ALONE—ONCE "THE LAND OF THE FREE," AMERICA NOW "THE REGION OF THE REGULATED."

Nothing short of a thorough revision of our system of taxation will enable this country to return to "normalcy" and American business to prosper anew. United States Senator GEORGE H. MOSES, of New Hampshire, told some 300 women who assembled yesterday afternoon at the residence of Mr. and Mrs. Otto H. Kahn, 1100 Fifth Avenue. They had come at the invitation of the committee of American business men. Senator MOSES, a follower of the late Colonel Roosevelt, urged his feminine audience to throw a big scare into Congress in the interest of necessary reform.

Senator MOSES denounced Congress as cowardly. He insisted that far too large a proportion kept their eyes constantly on the ballot box. As a result, Senator MOSES said, this country was now ruled by well-organized, aggressive, and noisy minorities, of which he singled out as the noisiest and consequently most powerful the so-called "farm bloc."

"That bloc, composed of 19 lawyers, 1 editor, 1 well driver, and 1 manufacturer of sewer pipes," Senator MOSES said, "is now, through sheer terrorization of cowardly Members of Congress, able to control the economic destiny of the United States."

#### CALLS BONUS "AN OUTRAGE."

In pointing his object lesson, Senator MOSES made passing reference to the Republican Senate caucus held in Washington yesterday.

"Every Senator who comes up for reelection this year and attended that caucus voted in favor of the bonus bill, which will saddle more than \$4,000,000,000 in taxes on the already overburdened taxpayer," he said. "I was one of the nine Republican Senators voting against that outrage. All these things take place because of the cowardice of men in public life in America at this moment." He then appealed to his women hearers to "throw a scare into as many cowardly Congressmen as have been terrorized by any other group. And I implore you to go out and try it for the good of your country."

The women applauded this appeal with unwonted vigor. Then one woman arose and asked a little timidly:

"Will a frightened Congressman be better than a Congressman who is not frightened?"

"On the contrary," Senator MOSES said in flashing back his answer. "I prefer the other kind. But if we must have the kind we now have in Congress, I would rather have them scared into doing the right than into doing the wrong thing."

Senator MOSES admitted that while he personally had benefited by direct primaries and the election of United States Senators by popular vote, he had reached the conclusion that they did not make for good government.

"It has been said," he remarked, "that a country deserves the sort of government it gets. But when I look on the performances of some of my colleagues and listen to their ravings, I can not help but wonder why my country should have had visited upon it such an awful election."

"As a result of the sort of government we have, our statute books are cluttered up with legislation wholly socialistic, and, in my opinion, entirely mischievous in deference to the desires of minorities aggressive enough to make themselves felt and become the masters of legislative bodies.

#### THE LAND OF THE REGULATED.

"There was a time when this was the land of the free; now it is the region of the regulated," said Senator MOSES. "With Congress meddling in the business of the States more and more, the House of Representatives has become as parochial as the House of Commons ever was. Nothing is left to the initiative or the determination of the individual any longer."

"A man goes to work. The fare he pays on the trolley car is fixed by a commission. When he gets to the factory his hours are fixed by the statute and his wages and the amount of work he is permitted to produce by the even more dictatorial rules of a labor union. If he goes to the movies in the evening, the picture he sees has been censored by a commission whose good taste generally is in doubt. And the chances are he sleeps in a bed made up according to directions in a pamphlet issued by some department of the Federal Government."

Senator MOSES criticized "the so-called dollar-for-dollar system under which the Federal Government contributes one dollar for some State purpose, such as road building, for every dollar raised by the State itself."

"For the building of roads," he continued, "the Federal Government had already spent under this plan some \$350,000,000, and \$1,250,000,000 more will be spent. This will work special hardships on the taxpayers of New York."

In introducing Senator MOSES, Secretary George Henry Payne had referred to him as a man whom the country would like to see in the White House.

"In regard to that flattering allusion to the future, I must enter a disclaimer," said Senator MOSES in beginning his speech. "I have no hopes and no ambitions. There are too many candidates now. In the Senate alone there are not less than 95 of them. The nomination of Mr. Harding while a Member of the United States Senate has played irreparable havoc with the morale of that body."

Mr. HARRISON. I ask that that article be dedicated to the next Republican campaign textbook.

#### MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION SIGNED.

A message from the House of Representatives, by Mr. Overhule, its enrolling clerk, announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 309) appropriating \$1,000,000 for the preservation, protection, and repair of levees under the jurisdiction of the Mississippi River Commission, and it was subsequently signed by the Vice President.

#### THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7456) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes.

The PRESIDING OFFICER. The Secretary will proceed with the reading of the tariff bill.

The ASSISTANT SECRETARY. The first amendment of the Committee on Finance—

Mr. KING. Does the Senator from North Dakota wish to proceed with the consideration of the bill at this time? If so, I shall have to make a speech upon another subject.

Mr. HARRISON. Mr. President, the Senator from North Dakota, I am sure, realizes the situation confronting us. The pending tariff bill was reported out of the Committee on Finance only a few days ago, and the minority members of that committee have since been working day and night in order to prepare themselves for the consideration of the bill. The minority members of the committee were not permitted to be in conference with the majority members. There is no desire on the part of any Senator on this side of the aisle unnecessarily to delay the consideration of the bill at all. On the contrary, it is the desire on this side of the Chamber to cooperate with Senators

on the other side of the aisle and to get the bill out of the way as soon as we can, of course, after full and free discussion. The ranking member of the minority of the committee, the Senator from North Carolina [Mr. SIMMONS], is now in his office working with experts and other minority members of the Committee on Finance, as the Senator from North Dakota knows, in order to prepare for the discussion of the bill. Under those circumstances I was wondering if the Senator from North Dakota would not consent to the Senate adjourning over until Monday, in order to give minority Senators further time to prepare for the consideration of the bill? I am sure time will be saved in the consideration of the tariff bill if my suggestion is followed, and that the consideration of the measure will thereby be expedited.

Mr. McCUMBER. Mr. President, I certainly join with the Senator from Mississippi in the desire to facilitate the passage of this bill. I do not wish to do anything or to say anything that would delay discussion. My expectation was that we should proceed with the discussion of the bill to-day and perhaps dispose of some of the committee amendments. If I felt that an adjournment over until Monday would facilitate the passage of the bill, I should gladly agree to that. However, while the able speech made by the Senator from Utah [Mr. KING] was most interesting—and I think he was nearly four and a half hours in delivering that enlightening address—somehow I failed to connect it with the pending tariff bill.

Mr. KING. If the Senator from North Dakota will permit me to interrupt him, I desire to say that if the Senator had been here he would have discovered that about an hour of my address was devoted to a discussion of the effects of the high tariff bill which has been reported to the Senate. I commented upon the purpose of the Republicans to become troglodytes and to cut off all trade with other nations. I called attention to the manifest effects of the bill. I am sorry the Senator was not present, because had he been here he would have found that I was discussing the tariff bill a part of the time.

Mr. McCUMBER. After listening for about two and a half hours to the Senator, I concluded that he was not coming back to the tariff bill at all, and consequently I must have missed the hour's discussion upon the tariff bill to which he refers; but I shall read with pleasure what the Senator said, if I find it in the RECORD to-morrow.

Mr. KING. The Senator will later find it in the RECORD; but, perhaps, not to-morrow morning.

Mr. HARRISON. Of course, if it is desired to consider other business to-morrow—for instance, the calendar—we might take it up for consideration; but will not the Senator from North Dakota withhold the discussion of the tariff bill until Monday? I am informed by the Senators on the subcommittee that in all probability they will be ready on Monday to begin the discussion of the tariff bill.

Mr. McCUMBER. Does the Senator from Mississippi think that, should we adjourn over, we would have a continuous discussion of the tariff bill then until disposed of, or would we spend a great deal of time in the discussion of many questions outside of the tariff?

Mr. HARRISON. There are many questions outside of the tariff which probably would be discussed, but there will be a disposition on this side to try to facilitate the consideration of the tariff bill.

Mr. WILLIAMS. Mr. President, will the Senator from North Dakota pardon me for a moment?

Mr. McCUMBER. Certainly.

Mr. WILLIAMS. If either one of the two theories which seem to rest within the Senator's mind be true it would still follow that we should make time by doing what my colleague [Mr. HARRISON] suggests. If, as the Senator seems to think, some of the Senators on this side are trying to consume time, he must know that they are trying to do so in order that Democratic Senators on the Finance Committee, who are studying and trying to analyze the bill, may be prepared to proceed with the discussion, so that it may be carried on in a continuous manner. If, upon the other hand, it is merely one of those chronic habits of the Senate which has been illustrated of some Senator talking about something which is not before the Senate at the time, that can not be helped either; but if the object is to give minority Senators the time to study and analyze the bill—and frankly I am partially of that opinion myself—it would not be at all helped by other Senators speaking upon something else to-morrow. I am satisfied that by Monday morning it will be possible for the Senators on this side of the Chamber to proceed with the discussion of the bill.

It will be remembered that I requested the senior Democratic Senator upon the committee not to place me upon the subcommittee which is carrying forward this work, because I did not

feel well enough to assume the immense amount of intense and quick labor that I saw would be necessary in order to be ready within a reasonable time; and so my place was taken by another Senator, who is now cooperating with the Senator from North Carolina [Mr. SIMMONS].

In all candor, I really think that it would be better all around and less time would be wasted and less time misconsumed, and discussion would begin under better auspices and would proceed upon the bill more continuously, if my colleague's request be acceded to, than if we get into a sort of a bad disposition with one another at the very beginning.

Mr. CURTIS. Mr. President, I hope the Senator from Mississippi will not ask for an adjournment over to-morrow. I promised the other day, in open session, that we would devote some time to the calendar. If the Senator wants to let the matter of the tariff go over until Monday we could take up the calendar under Rule VIII to-morrow by unanimous consent, and probably finish it.

Mr. WILLIAMS. Why could we not take up the calendar for an hour now, and then adjourn immediately after that?

Mr. CURTIS. It is half-past 4 now.

Mr. SMOOT. We shall have to meet to-morrow anyway.

Mr. McCUMBER. Mr. President, I am very much impressed with the expressions of good faith and good purpose to hurry the discussion and final passage of this bill through the Senate. We have been engaged on it in committee for a long time, I will admit; but it required very long and careful consideration. Conditions were so abnormal that we had nothing of the past to guide us to any great extent, and every schedule and every item was fought most bitterly by those having opposing views upon it.

When the Senator from North Carolina made a suggestion for further time the other day, when we reported the bill, his first suggestion was for 10 days. Afterwards some of his colleagues thought that was too short a time, but we accepted that finally as the basis for the time which would be necessary. The Senate committee has had at its disposal two of probably the most thoroughly equipped experts in the country upon tariff matters, and I had hoped very much that we could go on with the bill to-day, but I will accept the suggestion of the Senator from Kansas to dispose of other matters to-morrow and let us all get ready to go right on with the tariff bill on Monday.

Mr. SMOOT. Mr. President, let me suggest to the Senator from North Dakota that I think myself we ought to run through the calendar and clear the calendar of the bills to which there is no objection. I think the calendar ought to be disposed of, as far as possible, before we begin the daily discussion of the tariff bill. Why not have it understood, then, that we will recess to-day until to-morrow, and take up the calendar at that time, and go through with it, and consider bills to which there is no objection?

Mr. LODGE. Do not limit it to that.

Mr. SMOOT. Then, of course, we will not get very far with the consideration of unobjection bills, because if one bill to which there is objection is taken up that will settle it for the day. I do not know whether it is best to limit it or not, but I really think that there are so many bills here to which there is no objection that they ought to be gotten off the calendar.

Mr. KING. May I say that I understand that there will be an effort to take up certain pension bills to-morrow. If that is the desire, they will have to be discussed, and I shall have to be here and discuss them. I prefer that we should take up just the unobjection bills. I want to say further that I expect to discuss the chemical schedule. That is the first schedule, and I am ready to go on this afternoon, but I could not go very far; and if I shall have to be here to-morrow to discuss the pension bills it will not give me the opportunity which I should like to examine the chemical schedule. The Senators of the majority have had the advantage of weeks of study, and have had the assistance of experts. Some of us have had neither.

Mr. CURTIS. Mr. President, I suggest that we agree by unanimous consent to take up the calendar to-morrow, beginning at the first of it and go through the calendar, and dispose of unobjection bills. Then, if there is any time left, I suggest that it be devoted to the consideration of other bills which may be taken up on motion.

Mr. KING. That is all right.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kansas? The Chair hears none, and it is so ordered.

Mr. SIMMONS. Mr. President, I wish to say to the Senator from North Dakota that while his statement made a few moments ago was technically correct—I did consent to the 10

days—before that I had asked for a longer time, and it became evident that I could not get it when I said I would try to content myself with 10 days and do the best I could to get ready.

Mr. McCUMBER. The Senator is correct.

Mr. SIMMONS. And I have been doing that. I do not know what may have been said by the junior Senator from Utah before I came into the Chamber, but I judge from what the Senator from North Dakota has stated that something was said about the facilitation of the consideration of this bill. I want to say again—I said it, I think, yesterday—that I think, so far as this side of the Chamber is concerned—I am sure so far as the minority of the committee is concerned—we have not the slightest disposition to resort to any dilatory tactics whatever in connection with the consideration of this bill. We are anxious that it shall be considered and disposed of as soon and as speedily as possible consistent with a proper discussion of the important questions which it involves. I assure the Senator from North Dakota that I shall cooperate with him fully within those limitations.

Mr. McCUMBER. I thank the Senator. I think we shall have no trouble in speeding up as rapidly as possible.

EXECUTIVE SESSION.

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. CURTIS. I move that the Senate take a recess until to-morrow at 12 o'clock.

The motion was agreed to; and (at 4 o'clock and 42 minutes p. m.) the Senate took a recess until to-morrow, Saturday, April 22, 1922, at 12 o'clock meridian.

NOMINATIONS.

*Executive nominations received by the Senate April 21 (legislative day of April 20), 1922.*

COLLECTOR OF CUSTOMS.

A. R. Noble, of Anniston, Ala., to be collector of customs for customs collection district No. 19, with headquarters at Mobile, Ala., in place of Joseph H. Lyons.

APPOINTMENT IN THE COAST AND GEODETIC SURVEY.

Wilbur Oscar Manchester, of New York, to be aid, with the relative rank of ensign in the Navy, in the Coast and Geodetic Survey, vice A. G. Katz, promoted.

APPOINTMENT IN THE REGULAR ARMY.

GENERAL OFFICER.

Col. Paul Bernard Malone, Infantry, to be brigadier general from April 27, 1922, vice Brig. Gen. Charles Gould Treat, who is to be retired from active service April 26, 1922.

PROMOTIONS IN THE REGULAR ARMY.

*To be captains.*

First Lieut. Ernest Andrew Thompson, Signal Corps, from February 22, 1922.

First Lieut. William Andrew Gray, Air Service, from February 22, 1922.

First Lieut. Franz Joseph Jonitz, Quartermaster Corps, from February 24, 1922.

First Lieut. William Valery Andrews, Air Service, from February 24, 1922.

First Lieut. George Stetekluh, Quartermaster Corps, from February 25, 1922.

First Lieut. Frank Marion Barrell, Quartermaster Corps, from February 28, 1922.

First Lieut. Stanton Higgins, Cavalry, from February 28, 1922.

First Lieut. Holden Spear, Quartermaster Corps, from February 28, 1922.

First Lieut. Frank Merrill Bartlett, Air Service, from March 2, 1922.

First Lieut. Benson Glenwood Scott, Field Artillery, from March 2, 1922.

First Lieut. Redding Francis Perry, Cavalry, from March 2, 1922.

First Lieut. Walter Arthur Metts, Jr., Field Artillery, from March 5, 1922.

First Lieut. Frank Camm, Field Artillery, from March 6, 1922.

First Lieut. Robert Morgan Burrowes, Infantry, from March 7, 1922.

First Lieut. Richard Oscar Bassett, Jr., Infantry, from March 9, 1922, subject to examination required by law.

First Lieut. Percy Stuart Lowe, Coast Artillery Corps, from March 12, 1922.

First Lieut. Lewis Alonzo Murray, Corps of Engineers, from March 14, 1922.

First Lieut. Rene Edward deRussy, Coast Artillery Corps, from March 23, 1922.

First Lieut. Marion Gardner Putnam, Air Service, from March 27, 1922.

First Lieut. Clyde Grady, Infantry, from March 29, 1922.

First Lieut. Walter Drake Williams, Air Service, from March 29, 1922.

First Lieut. William Henry Payne, Quartermaster Corps, from April 1, 1922.

First Lieut. Thomas Tilson Conway, Infantry, from April 2, 1922.

First Lieut. Edgar Ambrose Jarman, Infantry, from April 4, 1922.

First Lieut. Regeon Victor Love, Coast Artillery Corps, from April 5, 1922.

First Lieut. Svening Johannes Bang, Cavalry, from April 6, 1922.

First Lieut. Allan Sheldon Willis, Infantry, from April 6, 1922.

POSTMASTERS.

ALABAMA.

Charles E. Brooks to be postmaster at Fort Deposit, Ala., in place of C. E. Brooks. Incumbent's commission expired January 24, 1922.

ARKANSAS.

Carl J. Lauderdale to be postmaster at Stamps, Ark., in place of A. P. Massey, resigned.

CALIFORNIA.

George A. Weishar to be postmaster at Hanford, Calif., in place of F. V. Dewey, resigned.

COLORADO.

Pearle L. Gabbett to be postmaster at Orchard, Colo. Office became presidential January 1, 1921.

CONNECTICUT.

Mary H. Newton to be postmaster at Uncasville, Conn., in place of M. E. Tooker, resigned.

GEORGIA.

Awtrey C. Moore to be postmaster at Powder Springs, Ga. Office became presidential October 1, 1920.

Stevens R. Owen to be postmaster at Gordon, Ga., in place of J. A. Stokes. Incumbent's commission expired February 5, 1922.

Charles H. Travis to be postmaster at Senoia, Ga., in place of B. A. Nolan. Incumbent's commission expired May 2, 1921.

ILLINOIS.

Charles H. Collins to be postmaster at Casey, Ill., in place of Ross Lee. Incumbent's commission expired February 4, 1922.

Charles E. Van Buren to be postmaster at Victoria, Ill., in place of M. B. Sloan. Incumbent's commission expired January 31, 1921.

IOWA.

James V. Frew to be postmaster at Hiteman, Iowa, in place of W. H. Frew. Incumbent's commission expired January 24, 1922.

KANSAS.

John L. Lee to be postmaster at Atlanta, Kans. Office became presidential January 1, 1921.

Francis B. Brungardt to be postmaster at Victoria, Kans. Office became presidential April 1, 1921.

KENTUCKY.

Melvin C. Bray to be postmaster at Hindman, Ky. Office became presidential January 1, 1921.

Grant North to be postmaster at Hustonville, Ky. Office became presidential April 1, 1920.

Allen E. Bell to be postmaster at Moreland, Ky. Office became presidential January 1, 1921.

Phoebe Howard to be postmaster at Salyersville, Ky. Office became presidential January 1, 1921.

Harvey B. Ogden to be postmaster at Worthville, Ky. Office became presidential January 1, 1922.

Maryn L. Whitnell to be postmaster at Murray, Ky., in place of E. C. K. Robertson, removed.

Samuel C. Hedden to be postmaster at Shelbyville, Ky., in place of O. D. Todd. Incumbent's commission expired July 21, 1921.

Henry Hall to be postmaster at Waynesburg, Ky., in place of Cora Singleton, resigned.

MARYLAND.

Charles R. Day to be postmaster at Marion Station, Md., in place of E. A. Lankford, removed.

MASSACHUSETTS.

Helen K. Hoxie to be postmaster at Sunderland, Mass. Office became presidential July 1, 1921.

William F. Searle to be postmaster at Peabody, Mass., in place of D. J. Dullea. Incumbent's commission expired January 24, 1922.

MICHIGAN.

John H. Boehm to be postmaster at Fountain, Mich. Office became presidential April 1, 1921.

MISSOURI.

Jessie F. Huff to be postmaster at Des Arc, Mo. Office became presidential April 1, 1921.

NEW MEXICO.

Ernest A. Hannah to be postmaster at Artesia, N. Mex., in place of G. U. McCrary, resigned.

NEW YORK.

John A. Rapelye to be postmaster at Flushing, N. Y., in place of A. J. Kennedy. Incumbent's commission expired July 21, 1921.

Henry C. Windeknecht to be postmaster at Rensselaer, N. Y., in place of W. I. Williams. Incumbent's commission expired March 22, 1920.

Joseph W. Kratoville to be postmaster at Riverhead, N. Y., in place of O. E. Griswold, resigned.

NORTH DAKOTA.

Martin H. Weber to be postmaster at New Leipzig, N. Dak., in place of A. E. Briggs, resigned.

OHIO.

George S. Laskey to be postmaster at Custar, Ohio. Office became presidential October 1, 1921.

Ruth G. McWilliams to be postmaster at Grand Rapids, Ohio, in place of W. J. Connolly. Incumbent's commission expired March 16, 1921.

Everett F. Funk to be postmaster at Warsaw, Ohio, in place of R. E. Clark, resigned.

OKLAHOMA.

Cosmo Falconer to be postmaster at Cheyenne, Okla., in place of W. P. Madden. Incumbent's commission expired February 4, 1922.

Robert R. Sutton to be postmaster at Claremore, Okla., in place of A. L. Kates. Incumbent's commission expired February 4, 1922.

Hiram H. Snow to be postmaster at Sand Springs, Okla., in place of V. A. Schiefelbusch, resigned.

OREGON.

Ora S. Banister to be postmaster at Paisley, Oreg. Office became presidential January 1, 1922.

PENNSYLVANIA.

Ralph V. Parthemore to be postmaster at High Spire, Pa. Office became presidential October 1, 1920.

William B. Baker to be postmaster at Claysburg, Pa., in place of C. E. Burkett. Incumbent's commission expired March 16, 1921.

Zola K. Rodkey to be postmaster at Spangler, Pa., in place of J. B. Esch. Incumbent's commission expired February 5, 1922.

SOUTH DAKOTA.

Susan E. Endicott to be postmaster at Hill City, S. Dak., in place of E. E. Blight; appointee failed to qualify.

TENNESSEE.

Clyde A. Jamison to be postmaster at Millington, Tenn., in place of V. E. Williams, resigned.

Claris E. Akin to be postmaster at Rutherford, Tenn., in place of L. W. Davidson. Incumbent's commission expired August 26, 1920.

TEXAS.

Velma Scott to be postmaster at Grafton, Tex. Office became presidential April 1, 1921.

John C. Beever to be postmaster at Perryton, Tex. Office became presidential January 1, 1921.

Herman C. Feist to be postmaster at Rowena, Tex. Office became presidential October 1, 1920.

Joseph D. Powell to be postmaster at Archer City, Tex., in place of H. L. Robertson, deceased.

Wyatt O. Selkirk to be postmaster at Blessing, Tex., in place of J. H. Logan, resigned.

Roy B. Nichols to be postmaster at Houston, Tex., in place of T. W. House. Incumbent's commission expired January 24, 1922.

Thomas B. White to be postmaster at Rogers, Tex., in place of B. T. Gardner. Incumbent's commission expired July 21, 1921.

UTAH.

Claude C. McGee to be postmaster at Lewiston, Utah, in place of J. M. Anderson, deceased.

VERMONT.

William H. Startup to be postmaster at Proctor, Vt., in place of J. L. Welsh, resigned.

VIRGINIA.

Mary P. Moon to be postmaster at Cartersville, Va. Office became presidential October 1, 1920.

WASHINGTON.

Amy E. Ide to be postmaster at Outlook, Wash. Office became presidential October 1, 1920.

WEST VIRGINIA.

Daniel M. Shakley to be postmaster at Hollidays Cove, W. Va. Office became presidential July 1, 1920.

Winnie O. Law to be postmaster at Mount Clare, W. Va. Office became presidential October 1, 1920.

WISCONSIN.

Leslie H. Thayer to be postmaster at Birchwood, Wis. Office became presidential July 1, 1920.

John A. Mathys to be postmaster at Casco, Wis. Office became presidential January 1, 1921.

Oliver R. Weinandy to be postmaster at Cochrane, Wis. Office became presidential July 1, 1920.

CONFIRMATIONS.

*Executive nominations confirmed by the Senate April 21 (legislative day of April 20), 1922.*

POSTMASTERS.

ALABAMA.

James D. Segars, Carbon Hill.

ILLINOIS.

May S. Williams, Hanover.

Herman W. Behrens, Kampsville.

Paul P. Shutt, Paris.

Walter A. Foster, Steward.

John J. Barton, Sublette.

KANSAS.

Robert B. Slavens, Lecompton.

MICHIGAN.

Wynne C. Garvin, Millington.

MINNESOTA.

Alton E. Martin, Woodlake.

NEBRASKA.

Henry J. Steinhausen, Creighton.

Ray H. Surber, Davenport.

Earl R. Lewis, Humphrey.

James E. Scott, Osmond.

James D. Finley, Sargent.

NEW YORK.

May M. Ferry, Edwards.

Arthur H. Wyatt, Hulett Landing.

Raymond C. Green, Sanquoit.

OKLAHOMA.

Guy E. Reece, Braggs.

PENNSYLVANIA.

Elwood S. Rothermel, Fleetwood.

Elwood M. Stover, Kulpville.

Mabel M. Myer, Ronks.

WASHINGTON.

John L. Harris, Kelso.

William R. Wells, Mount Vernon.