cial Code and other provisions of law relating to the judiciary; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to authorize the board of control to negotiate with the Federal Government for the transfer of the former Indian school at Tomah; to the Committee on Indian Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. FAY:

H. R. 7565. A bill for the relief of Caterina Migliore and Anthony and Rose Migliore; to the Committee on Immigration and Naturalization.

By Mr. KNUTSON:

H. R. 7566. A bill granting a pension to Eugenie Gilsoul; to the Committee on Invalid Pensions.

By Mr. TABER:

H. R. 7567. A bill granting a pension to Lillian R. Seward; to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

5641. By Mr. HARTER of New York: Petition of officers of the Steel Workers' Organizing Committee in the Buffalo, Batavia, and Rochester, N. Y., district, representing 30 lodges and a membership of some 30,000 persons, to curb the profiteering that is taking place in the United States at the present time; to the Committee on the Judiciary.

5642. By Mr. JARRETT: Petition of J. W. Wickett and other citizens of St. Marys, Pa., asking Congress to defend the present Neutrality Act; to the Committee on Foreign Affairs.

5643. By Mr. JOHNS: Petition of E. R. Morton and 47 others, of Madison, Wis., to use all legal means to keep the present neutrality law and keep this country out of war; to the Committee on Foreign Affairs.

5644. Also, petition of Mrs. Walter F. Hart and 29 others, of Milwaukee, Wis., to resist any attempt to modify the present Arms and Embargo Act incorporated in the present neutrality law; to the Committee on Foreign Affairs.

5645. Also, petition of Mildred Huxhall and 18 others, to repeal the cash-and-carry bill and urge enforcing the Neutrality Act; to the Committee on Foreign Affairs.

5646. Also, petition of Francis Goodwin and 20 others, to retain the present Neutrality Act and oppose changes in same; to the Committee on Foreign Affairs.

5647. By Mr. LAMBERTSON: Petition of Mrs. E. C. Shaw and 32 other members of the Glenwood Farm Bureau Club, Bonner Springs, Kans., the oldest of its kind in the United States, urging Congress to maintain the arms embargo and keep the United States out of the European war; to the Committee on Foreign Affairs.

5648. By Mr. VREELAND: Concurrent resolution adopted by the New Jersey State Senate, memorializing the Congress of the United States to enact appropriate legislation to prevent profiteering in foodstuffs and commodities; to the Committee on Ways and Means.

5649. Also, resolution adopted by the Young Republicans of New Jersey, Inc., the chairman of which is J. Branton Wallace, concerning neutrality legislation; to the Committee on Foreign Affairs.

5650. By Mr. HART: Memorial of the New Jersey State Legislature, requesting the enactment of appropriate legislation designed to prevent profiteering in foodstuffs and commodities to the end that such irregular practices shall be abated; to the Committee on Ways and Means.

5651. By Mr. GILLIE: Petition of Edward J. Bowers, of New Haven, and sundry citizens of New Haven and Monroeville, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5652. Also, petition of approximately 4,000 residents of Fort Wayne, Ind., headed by Al J. Hoffman, H. J. Gerhardstein, and Mrs. Bernadette Kaade, urging Congress to retain the embargo on arms and munitions and maintain strict neutrality; to the Committee on Foreign Affairs.

5653. Also, petition of Mr. and Mrs. W. G. Pitkin and 30 other citizens of Howe, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5654. Also, petition of Mr. and Mrs. Herman Yeager and 35 members and friends of the Methodist Church, Topeka, Ind., urging a policy of strict neutrality; to the Committee on Foreign Affairs.

5655. Also, petition of Edwin R. Garrison and 482 residents of Bluffton, Ind., opposing repeal of the arms embargo; to the Committee on Foreign Affairs.

5656. By Mr. HALLECK: Petition of citizens of Inwood and Bethel communities, Marshall County, Ind., opposing the proposed repeal of the arms-embargo clause of the Neutrality Act; to the Committee on Foreign Affairs.

5657. By Mr. MUNDT: Petition of the South Dakota Federation of Women's Clubs in convention assembled in Sioux Falls, S. Dak., opposing any form of participation in foreign wars; to the Committee on Foreign Affairs.

SENATE

FRIDAY, OCTOBER 6, 1939

(Legislative day of Wednesday, October 4, 1939)

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

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, Eternal Source of Being, whose wondrous name is Love, whose worship is Truth, and whose Sanctuary is the heart of man: Look with pity, we beseech Thee, upon Thy world, tempest-tossed and worn with strife; without is tumult and confusion; within is weariness and deep dispeace; and we long for rest. Yet we ask, not the rest of those who sit with idle hands, nor the rest of those who cease from mental strife, but the inward rest which comes to those who share the easy yoke of Christ. We long for Thy forgiveness; yet we crave no easy word of pardon, nor the hiding of Thine eyes, but the cleansing of our hearts; the transforming of our being; the weaving of a robe of righteousness from strands of penitence and high resolve.

So shall we be able to look out upon life with new vision and strength for all realities and, though the tempest still is high, we shall know that the Eternal God is our Refuge, and that underneath are the Everlasting Arms. In our Saviour's name we ask it. Amen.

APPEARANCE OF A SENATOR

BURTON K. WHEELER, a Senator from the State of Montana, appeared in his seat today.

THE JOURNAL

On request of Mr. BYRNES, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day, Thursday, October 5, 1939, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. BYRNES. I make the point of no quorum.

The VICE PRESIDENT. The clerk will call the roll.

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

Adams	Bulow	Clark, Idaho	Ellender
Andrews	Burke	Clark, Mo.	Frazier
Bailey	Byrd	Connally	George
Bilbo	Byrnes	Danaher	Gerry
Borah	Capper	Davis	Gibson
Bridges	Caraway	Donahey	Gillette
Brown	Chavez	Downey	Green

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Guffey	Lodge	Nye	Smathers
Gurney	Lucas	O'Mahoney	Stewart
Hale	Lundeen	Overton	Thomas, Utah
Hayden	McCarran	Pepper	Tydings
Herring	McKellar	Pittman	Vandenberg
Hill	McNary	Radcliffe	Van Nuys
Holt	Maloney	Reed	Wagner
Johnson, Calif.	Mead	Reynolds	Walsh
Johnson, Colo.	Miller	Schwartz	Wheeler
King	Murray	Schwellenbach	White
La Follette	Neely	Sheppard	Wiley
Lee	Norris	Shipstead	

Mr. HILL. I announce that the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], the Senator from Mississippi [Mr. HARRISON], and the Senator from Delaware [Mr. HUGHES] are detained from the Senate because of illness.

The Senator from Arizona [Mr. ASHURST] is absent because of illness in his family.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Kentucky [Mr. BARKLEY], the Senator from New Mexico [Mr. HATCH], the Senator from Indiana [Mr. MINTON], the Senator from Georgia [Mr. RUSSELL], the Senator from Illinois [Mr. SLATTERY], the Senator from South Carolina [Mr. SMITH], and the Senator from Missouri [Mr. TRUMAN] are unavoidably detained.

Mr. MCNARY. I announce that the Senator from Vermont [Mr. AUSTIN], the Senator from New Jersey [Mr. BARBOUR], the Senator from Oregon [Mr. HOLMAN], the Senator from Ohio [Mr. TAFT], and the Senator from Delaware [Mr. TOWNSEND] are necessarily absent.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, transmitted to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. M. M. Logan, late a Senator from the State of Kentucky.

The message announced that pursuant to resolution of the House the Speaker pro tempore had appointed Mr. MAY, Mr. SPENCE, Mr. CHAPMAN, Mr. CREAL, Mr. O'NEAL, Mr. ROBSION of Kentucky, Mr. BATES of Kentucky, Mr. GREGORY, and Mr. VINCENT of Kentucky, members of a committee on the part of the House to join the committee appointed on the part of the Senate to attend the funeral of the deceased Senator.

PETITIONS

Mr. GURNEY presented petitions of sundry citizens of the State of South Dakota, praying that the United States may keep out of war and that the existing neutrality law be retained, which were ordered to lie on the table.

He also presented numerous petitions of sundry citizens of the State of South Dakota, praying for the enactment of legislation providing a Nation-wide vote before the United States shall send troops overseas to engage in war in foreign countries, which were referred to the Committee on the Judiciary.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. HAYDEN:

S. 2979. A bill for the relief of the San Francisco Mountain Scenic Boulevard Co.; to the Committee on Claims.

S. 2980. A bill providing for the sale of certain lands to the Arizona State Elks Association Hospital; and

S. 2981. A bill to return a portion of the Grand Canyon National Monument to the public domain; to the Committee on Public Lands and Surveys.

By Mr. PEPPER:

S. J. Res. 187. Joint resolution relating to the improvement of economic, commercial, and cultural relations among American republics; to the Committee on Foreign Relations.

ARTICLE BY SENATOR DAVIS ON PENDING NEUTRALITY LEGISLATION

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an article by himself published in the Philadelphia Inquirer of September 20, 1939, on the pending neutrality legislation, which appears in the Appendix.]

LETTER BY SENATOR BAILEY ON PENDING NEUTRALITY LEGISLATION

[Mr. BYRNES asked and obtained leave to have printed in the RECORD a letter addressed by Senator BAILEY to the people of North Carolina on the subject of neutrality legislation, which appears in the Appendix.]

ADDRESS BY SENATOR SCHWELLENBACH BEFORE SEATTLE BAR ASSOCIATION

[Mr. SCHWELLENBACH asked and obtained leave to have printed in the RECORD an address delivered by himself before the Seattle Bar Association on September 13, 1939, on the topic What Shall We Do Now? which appears in the Appendix.]

ADDRESS BY SENATOR BROWN ON PENDING NEUTRALITY LEGISLATION

[Mr. HERRING asked and obtained leave to have printed in the RECORD a radio address on the pending neutrality legislation delivered by Senator BROWN, of Michigan, on October 5, 1939, which appears in the Appendix.]

ADDRESS BY FORMER GOVERNOR LA FOLLETTE, OF WISCONSIN, ON PENDING NEUTRALITY LEGISLATION

[Mr. JOHNSON of California asked and obtained leave to have printed in the RECORD a radio address delivered by Hon. Philip F. La Follette, former Governor of Wisconsin, on Tuesday, October 3, 1939, which appears in the Appendix.]

ADDRESS BY JOHN HAMILTON BEFORE NEW YORK COUNTY REPUBLICAN COMMITTEE

[Mr. CAPPER asked and obtained leave to have printed in the RECORD excerpts from remarks of John Hamilton, chairman of the Republican National Committee, before a meeting of the New York County Republican Committee and workers of the Manhattan Center in New York City, September 28, 1939, which appears in the Appendix.]

LETTER BY COL. HENRY BRECKINRIDGE ON APPEAL OF ARMS EMBARGO

[Mr. BYRD asked and obtained leave to have printed in the RECORD a letter on the subject of the repeal of the arms embargo written by Colonel Breckinridge and published in the New York Times of October 1, 1939, which appears in the Appendix.]

NEUTRALITY AND PEACE OF THE UNITED STATES

The Senate resumed the consideration of the joint resolution (H. J. Res. 306), Neutrality Act of 1939.

Mr. MCNARY. Mr. President, I rise to propound a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. MCNARY. On Wednesday, shortly before the Senate took a recess, the able Senator from Missouri [Mr. CLARK] offered an amendment to the pending joint resolution. Later the able Senator from New Hampshire [Mr. TOBEY] proposed a motion to recommit the joint resolution to the Committee on Foreign Relations. Of course, I appreciate that the motion to recommit takes precedence over the motion made by the Senator from Missouri; so I am directing my inquiry particularly to the motion of the Senator from New Hampshire to recommit with specific instructions to report two separate measures in lieu of the pending joint resolution.

The point of my inquiry is whether the Senate will vote upon this motion on Monday or whether it may be voted upon on some other date and who may call up the motion.

On page 107 of the RECORD of October 4, this week, in a colloquy, our distinguished leader the able Senator from Kentucky [Mr. BARKLEY] said, referring to the motion made by the Senator from New Hampshire:

> I think it would be advisable to let the matter go over until Monday.

On page 108 of the same RECORD I observe the following statement by the distinguished leader:

> Mr. President, am I to understand from the Senator from New Hampshire that, regardless of whether or not he holds the floor to conclude his remarks tomorrow, the motion which he has made will go over until Monday?
>
> Mr. TOBEY. That is correct.

It was agreed between the majority leader and the Senator from New Hampshire that his motion would go over until Monday. The question is, Will that motion automatically come up on Monday, or must it be called up, or must we await the decision of some Member who desires to speak on the pending question?

I make that inquiry because a number of Senators have asked when the motion of the Senator from New Hampshire will come before the Senate.

The VICE PRESIDENT. No unanimous agreement was made by the Senate to take up the motion of the Senator from New Hampshire on Monday; but, according to the Chair's understanding of the RECORD, there was a gentlemen's agreement that the motion would go over until Monday, and it seems to the Chair the logical deduction is that it would come up on Monday.

Mr. McNARY. If that is the ruling of the Chair, it will automatically come up on Monday without any Senator calling it up for consideration?

The VICE PRESIDENT. The Chair will say to the Senator from Oregon that the Chair does not see it exactly that way.

Mr. McNARY. That is a part of my question.

The VICE PRESIDENT. There is no direction by the Senate to take up the motion on Monday. There is simply a gentleman's agreement that it shall go over until Monday. If, on Monday, any Senator should desire to call up the motion, it seems that whoever might occupy the chair would recognize that gentlemen's agreement and recognize the Senator for the purpose of calling up the motion of the Senator from New Hampshire. There is no direction of the Senate in the RECORD, so far as the Chair can ascertain, as to what shall happen on Monday, but a mere kind of gentlemen's agreement that the motion shall go over until Monday.

Mr. McNARY. Mr. President, I am in sympathy with the statement of the Chair that there was an agreement between the Senator from Kentucky and the Senator from New Hampshire that the motion would not come up before Monday.

The VICE PRESIDENT. That is correct.

Mr. McNARY. But there is nothing in the RECORD to indicate that it must come up on Monday.

The VICE PRESIDENT. That is correct.

Mr. McNARY. In conversation with the Parliamentarian yesterday, however, I gained from his view that he thought the motion automatically would come up on Monday, to which I disagree. That is the reason why I have propounded the parliamentary inquiry. I am satisfied.

The VICE PRESIDENT. The Chair agrees with the Senator from Oregon that the motion will not come up automatically.

Mr. THOMAS of Utah. Mr. President, when the most honored and respected dean of our body, the senior Senator from Idaho [Mr. BORAH], concluded his remarks, he summed up his arguments by stating briefly his seven points.

The Senator's first point was stated as follows:

> That this Government had the right and authority without any invasion whatever of the principles of international law to pass a law providing for an embargo on arms, munitions, and implements of war.

While the report of the Foreign Relations Committee held otherwise in reporting the present proposal onto the calendar, I can respect the opinion of the Senator from Idaho, and leave the question moot whether or not we had the right to pass such an embargo. One point is clear. We are considering today domestic law. The proposal is one of adding restraints to American citizens and American property and American ships. The Senator refutes his own argument by emphasizing the point that the embargo is not contrary to international law, for, if this is true, lifting the embargo cannot be contrary to international law. Therefore, all that has been said about international law and its application to repeal of the embargo provision is beside the point. The Senator from Idaho will, I am sure, share my feeling that we are discussing domestic legislation.

The Senator's second point was stated in the following words:

> That there are ample precedents wherein other nations have passed such laws and wherein no question was ever raised to the effect that they interfered with the principles of international law.

This is granted, but, since precedents are cited, probably it would not be unfair to consider the very precedents noted. Surely the Senator gave us his strongest points when he mentioned the Belgian, Swedish, Swiss, and Netherlands embargoes. But was not there a reason for each one of these embargoes, aside from the fact of a right in international law? Belgian and Swiss neutrality is a forced neutrality, guaranteed by the great powers, and always has been. It was not self-imposed. The Netherlands, too, is a small state. Sweden's nonshipment of arms during the Russian-Japanese War was in no sense an incident to be compared with America's embargoes since 1935. To assume that Sweden placed an embargo during the Russian-Japanese War because she wanted to be neutral in that war in the sense that America is a neutral now would be a flight of the imagination. To assume that Belgium and Switzerland placed embargoes during the Franco-Prussian War for anything but to meet an actual necessity for self-preservation would also be a flight of the imagination.

No one, I trust, will ever assume that the United States in 1935, 1936, or 1937, or now in 1939, is considering the question of an arms embargo because the United States is forced from pressure on the outside to do so. I know that those who are anti-British say England wants the embargo lifted. I know those who are anti-German say that Germany wants the embargo retained. But no one can possibly accuse a protagonist in the United States Senate, or a Senator who is opposed to the arms embargo, of acting because of any pressure outside the United States.

That, sad to relate, could not be said of Switzerland or of Belgium during the Franco-Prussian War or of Sweden during the Russian-Japanese War. When, except in our own case, has a major nation ever created an embargo for the same purpose we did? We must always remember that the purposes of our three neutrality acts were identical. That the present suggested modification has the same purpose we must also always remember. Each prohibition imposed is a restraint of a right and an emphasis upon a duty. Each law has and will mark a retreat from a privilege recognized as proper. This has and will be done for a national purpose where experience has shown a necessity in order to better protect the general welfare of the American people and promote peace in the world. Many nations have embargoed arms for purposes of conservation and other reasons, and this is recognized properly as being in accordance with international law.

In 1925, when some 40 nations drafted an international agreement concerning traffic in arms, freedom of action for the individual states parties to the agreement was provided for during periods of war by allowing each state to act in accordance with its own individual laws when dealing with belligerents in arms trade, all, of course, to be done under international law of neutrality.

Yesterday, when the junior Senator from Washington [Mr. SCHWELLENBACH] was considering the point which we have discussed here, I wanted to call his attention to this arms-traffic treaty ratified by the Senate of the United States in 1935. It emphasizes what the Senator from Washington was pointing out, that an arms embargo during peacetimes is one thing; an arms embargo during times of war is definitely another thing.

The theory behind the traffic-in-arms treaty is that the situation changes so completely under international law and under facts when nations enter into war that the nations must be relieved individually of the restraints put upon them by an international treaty the minute war comes into the world.

The reasons for that are evident, and the Senator from Washington yesterday made them plain in quoting the theory

of international law as propounded by the great John Bassett Moore.

The third point the Senator from Idaho stated was worded as follows:

That the leading authorities on international law sustain this principle.

I believe this point has been cleared up in my previous remarks. It still is quite beside the point whether we had a right to pass the Embargo Act in the beginning. The question of its desirability in this case is stronger than the question of its right. I shall leave it to others to press for citations, if they care to, in behalf of the contention that we never enjoyed such a right under international law, and that its passage, and notably its retention, are contrary to international law, or an abridgment of international law.

The Senator from Idaho made his fourth summation in the following language:

That at the time this law was passed it met with practically universal support from the Government and from the people of the United States.

This is true, I grant. The law, though, was deemed unwise by many. The President of the United States has publicly repented his signature to the law, and, unless my memory fails me, when he signed the first neutrality law he made a statement wherein he questioned the wisdom of the act. Honest repentance is good for the soul and should be condemned by no one. We all know the history of our three neutrality acts. We all know the various stimuli which brought them forth. Suggestion for repeal signifies a changed mind and a changed purpose and results from experience. Government should be commended, not criticized, for righting what is considered inadequate.

The fifth point of the Senator from Idaho is the serious one. Therefore I shall pass on to the sixth and seventh and return later to the fifth. The sixth point is stated as follows:

That it is my belief repeal is urged with the purpose of favoring the Allies and with the intent of rendering service to them in this present war.

And the seventh:

That to repeal the law at this time and under these circumstances will not aid in the cause of peace, but contribute greatly to our participation in the war.

In the first of these last two points the Senator deals with a belief; in the latter he ventures an opinion. I will not argue about beliefs and opinions; but, as my beliefs and opinions differ from the learned Senator's, I shall offer my beliefs and opinions as such at the proper time in this debate.

Now let me return to the fifth point. The Senator concluded—

That to repeal the law after war has been begun and under the circumstances which now prevail, and the intent accompanying the repeal, will be a violation of international law and a distinct affirmative act of intervention.

This is the most serious of all of the Senator's arguments. Neither one of his two conclusions—namely, that repeal is a violation of international law, and, secondly, that it would constitute an affirmative act of intervention—may be granted. Those two arguments I deny. I do not wish to challenge the eminence of the authorities whom the Senator from Idaho has quoted; but I want to emphasize that there are just as strong authorities on the other side. International lawyers, international text writers, and statesmen who quote international law are no more all on one side than are the Members of the United States Senate in regard to any theory in any of the great branches of law. Each of the gentlemen whom the Senator from Idaho quoted, when he is teaching his subject, each when he is writing objective texts, faces his students and his readers impartially and treats his subject honestly. The men whom the Senator from Idaho has quoted are my friends, as they are his. They are great scholars, and I honor them beyond words. But they, like all of us, are advocates when they become partisans for a given cause.

In answering this important point I, too, may quote great international lawyers.

Article 13 of the Draft Convention on the Rights and Duties of Neutral States in Naval and Aerial War reads:

A neutral state, for the purpose of better safeguarding its rights and interests as a neutral or of better fulfilling its duties as a neutral may, during the course of a war, adopt new measures or alter the measures which it has previously adopted; provided, however, that the new measures adopted do not violate any provision of this convention.

The Thirteenth Hague Convention of 1907 reads:

PREAMBLE

Seeing that, in this category of ideas, these rules should not in principle be altered, in the course of the war, by a neutral power, except in a case where experience has shown the necessity for such change for the protection of the rights of that power * * *.

Article 26. The exercise by a neutral power of the rights laid down in the present convention can, under no circumstances, be considered as an unfriendly act by one or other belligerent who has accepted the articles relating thereto.

In the comment on article 13 of the draft convention, to which more than a score of great international law authorities gave their advice and contributed their wisdom and learning, there is found general concurrence in the rule. There also appears a quotation in the comment from the legal adviser of the Department of State, delivered before the Senate Committee on Foreign Relations in 1936, which reads as follows:

It is not reasonable to say that a neutral cannot change its position after the war starts because we know that belligerents change theirs from time to time as the war progresses. * * * Why is it not reasonable to suppose that neutrals may change theirs, but not at the instance of one of the belligerents. * * * Whether we change our policy at the instance of a belligerent or whether we change it as a matter of domestic policy is the important consideration.

The summary of the argument of the comment is stated as follows:

The practice of states does not indicate the existence of a belief in any general legal principle which would require a neutral state to adopt all its neutrality regulations before war breaks out and to maintain them without modification during the course of the war. Indeed, most of the progress in the development of the law of neutrality from the end of the eighteenth century to the present time has resulted from changes introduced while a war was in progress. Some of these changes have been made and justified on the theory that they were designed merely to make more effective the discharge of a preexisting legal duty; but as in the case of the laws and regulations adopted by the United States in 1793, there was in reality a progression beyond the point then established in international law. From the point of view of the principle embodied in this article, it is immaterial whether the new rule is thus intended to perfect the performance of a neutral duty or whether it is intended to exercise a neutral privilege for the sake of further protecting neutral rights and interests.

My point is that the argument is valid as argument if we stay in the realm of quoting what someone has said about the subject from either standpoint, but I am going to argue this case myself by repeating and reiterating that what we are today considering is domestic legislation. We are considering this legislation with but a single objective, and that is to keep the United States out of war. We are retreating from what international law grants us as being our rights. With the single exception of the arms embargo, we are in this measure making restrictions on American citizens greater than under present law, emphasizing more strongly than ever the duties rather than the rights of an American citizen in times of foreign war. A retreat from a right well within the realms of actual rights could never be deemed changing the rules of the game after the game has started. Some 10 years ago, when a young man who became confused ran a football to his own goal line instead of to that of his opponents, expecting to make a touchdown, did anyone ever suggest that that boy was breaking any of the rules of the game? A change by retreat is never an enlargement of one's rights.

The assertion of the Senator from Idaho that a repeal of the law is a distinct affirmative act of intervention is a most serious charge. If his contention is assumed, and if it should be proved true, then I would be hesitant in proceeding without making explanations to the world. But, I repeat, I cannot see how an act which affects only the citizens of the United States can ever be assumed to be an act of intervention. When a nation intervenes, it moves against another,

not against itself. In international relations a nation cannot be charged with intervention when the action which is taken operates against its own people, when the restraint is put upon its own citizens. While it is true that the embargo on arms will be lifted, still no American citizen may ship arms to a belligerent, and still no American boat may carry arms to a belligerent. The effect of the whole law must be taken into consideration, not just the effect of a single section.

How can a nation become an intervenor by restraining itself? How can a nation become an intervenor by insisting that its citizens do not use the rights and privileges which other neutral nations enjoy? How, in short, could America become an intervenor by relying on the international law, accepted universally for neutral nations, and even that restricted and limited by the proposed restrictions of this projected domestic law? How can we become an intervenor when we do not violate international law in the least degree?

The President has asked that we consider international law as at least being sufficient. If the pending joint resolution recognizes the paramount position of international law and in no way breaches it, it would be paradoxical to say that by applying it we would be "intervening." In short, how can a law-abiding neutral become a participant or intervenor without any breach whatever? And further, is there a nation that would not protest our action should we move in the least toward intervention? Nations are touchy upon these subjects. Germany even protested to Rumania the resignation of the President of Poland within Rumanian borders as being a breach of an international obligation. I would leave suggestions such as a charge of intervention to someone outside of the United States. We may rest assured that if the United States ever does an act contrary to the customs and practices of nations which actually affects another nation's rights we shall hear from it.

But let us see what intervention is. Intervention is the attempt by a state or several states, even with the use of force, to coerce another state in regard to a purely state action. When a state directly interferes with the exercise of the lawful authority of another state that constitutes intervention. Thus there can never be a right to intervention under international law, because it would breach the outstanding fundamental principles of international law, the complete independence and sovereignty of states. Intervention, therefore, if it is indulged in, must be an action which is justifiable within itself. Surely no one even in the loosest manner can assume that a modification of an American domestic law is an act against the sovereignty or the authority of another state.

It is not the Senator from Idaho alone with whom I disagree in regard to a loose use—colloquial adaption of a technical legal concept—of the word "intervention." One of the eminent authorities the Senator has quoted, in speaking about section 4 of the Neutrality Act of 1937, says:

> This committed the United States to an avowed policy of unneutrality in a war between a non-American and an American country. This new policy goes far beyond the Monroe Doctrine and amounts to the promise of an alliance of the United States with any Latin American country which for any reason might find itself at war with a non-American country. It seems particularly unfortunate to introduce a gratuitous promise to intervene—

Mind you, Mr. President, the man who wrote this was cited by the Senator from Idaho as being a great international lawyer, and is perhaps as great an international lawyer as I know of. But here he was writing a book for a special purpose. He was not writing a textbook on international law, but was writing a book dealing with the points involved, and he does what everyone else does, he reaches over into the realm of law and takes a technical legal idea and brings it into a colloquial discussion.

> It seems particularly unfortunate—

He says—

> to introduce a gratuitous promise to intervene in foreign wars that might not concern the United States in a bill designed to preserve American neutrality. (Borchard, Edwin, and Lage, William Potter, Neutrality for the United States, p. 329.)

That is his understanding of an American law which has now been on the statute books since 1936.

There is no suggestion of intervention in section 4. In fact, it would be so grossly out of harmony with everything that has been done, especially by this country under the leadership of the present President in regard to relations with Latin American states, with states in this hemisphere, it would be so completely out of harmony with the whole spirit of the law and with the theory of what has been done in the last 3 or 4 years, that for anyone to assume that we were attempting to give notice that we would intervene in an unneutral way would be to indulge in probably the grossest type of a flight of the imagination.

I repeat the quotation.

> It seems particularly unfortunate to introduce a gratuitous promise to intervene in foreign wars that might not concern the United States in a bill designed to preserve American neutrality.

I suggest, Mr. President, that if you go through the whole discussion of the Neutrality Act of 1936, and particularly through the explanation of section 4 made in 1936 and in 1937, you will find that not a single Senator questioned that provision on the score that it was an unneutral act, that it constituted intervention against a Latin American state or a state that was molesting a Latin American state.

There is no suggestion of intervention in section 4. Of course, the Neutrality Act of 1937 does openly declare to the world that America will be neutral in one way to her neighbor on the north and neutral in another way to a neighbor on the south. This is called unneutrality by some; but everyone must recognize the fact that any principle of international relations and of international law, even a principle which is supposed to be as impartial as a law of neutrality, must be tempered by actualities, facts, national conditions, and physical relations.

Mr. PITTMAN and Mr. DOWNEY rose.

Mr. PITTMAN. Mr. President, before the Senator sits down may I ask him a few questions?

Mr. THOMAS of Utah. I shall be glad to yield to the Senator for that purpose.

The PRESIDING OFFICER (Mr. KING in the chair). The Chair will recognize the Senator from California when the interrogatories about to be propounded by the Senator from Nevada shall have been concluded.

Mr. PITTMAN. Mr. President, I desire to ask the Senator from Utah some questions touching international law, knowing that he has been a teacher of international law and also a teacher of history.

The distinguished senior Senator from Michigan [Mr. VANDENBERG], in his address in the Senate on the fourth day of this month, quoted some excerpts from distinguished writers on international law for the purpose of showing that to change our Embargo Act at this time—that is, to repeal it—would be a violation of our neutrality on the theory that it would be changing one of our domestic laws after a state of war existed between two countries. The Senator from Michigan said:

> For example, the famous Roscoe Pound, former dean of the Harvard Law School, is quoted in the Detroit Free Press of September 23 as warning that America, if it changes its Neutrality Act so as to assist one belligerent will, in effect, be in the war.

He quotes further:

> Again an Associated Press dispatch from Syracuse, September 21, quotes Henry S. Fraser, who was technical expert to the League of Nations committee for codification of international law:
> "There is an established principle of international law that a neutral may not, after the outbreak of war, change its legislation for the purpose of assisting one of the belligerents."

I observe that in the first quotation the qualifying condition on changing a domestic law is, "so as to assist one belligerent"; and in the other quotation the qualifying statement is, "changes its legislation for the purpose of assisting one of the belligerents."

Are not those last statements, with respect to changing the law so that it will aid one belligerent and not the other, qualifications to the whole suggestion of international law?

Mr. THOMAS of Utah. Mr. President, that is the point which I have been trying to make. In each modification one must, of course, go back of the reason for the modification. If a nation deliberately decides to help one side—that is, where the deliberation is outright—that, of course, is not neutrality; it is not impartiality; it is not among the actions which are related to the idea of not taking part in the war on either side.

If, on the other hand, a nation discovers that, for its own reasons and to take care of its own interests, and acting entirely in the domestic realm, a change is essential to its own welfare—and that means all the ideas which a nation may have in mind with relation to its welfare, including the one which we have in mind, and which has been stated so many times, namely, the idea of keeping our country out of war—if those are the reasons a nation gives, and they are true reasons, a nation may change its provisions in regard to its neutrality at any time without doing injury to either of the belligerents by that act, and without in any way affecting its neutrality.

If I may go a little further, let me say that the law of neutrality is not an absolute law. It never can be; it never was supposed to be. In modern times, especially since the time of Grotius, there developed the concept that merely because certain nations may be at war all nations need not be at war. But even Grotius, in his philosophy of neutrality, was afraid to stand upon the right of a nation to remain aloof from war if war was in the world, and nations were not sufficiently strong, or not in a physical position to assert that they had a right to stay out of war. So Grotius explained that the first duty of a nonwarring nation is to discover the more just side and take sides with the more just cause. The moral notions of law during the whole of the Middle Ages in Europe, during the time either of the Petrine control or the control of the Holy Roman Empire, were such that neutrality had no chance to develop. It had no place in the scheme. However, when nations began expressing and explaining their own individual national entities, neutrality came into being. In modern times the nation which has contributed most to the development of the law of neutrality, the nation which has made it a fact in international law which must be respected, is the United States of America. It is the law of neutrality in the United States which has become the guide of all those who wish to see the neutral idea developed in this complex world of ours.

It was the physical position of America which made that possible. The concept of neutrality of George Washington and concept of neutrality of Thomas Jefferson grew just as logically out of the Declaration of Independence as did the Constitution of the United States and our Federal system.

"Neutrality" means that we are to be independent. In the mind of Thomas Jefferson, just because two great nations in the world tried to make wolves of themselves was no reason why this Nation should enter into the strife they created. We have a right to stand alone. That is the basic notion on which American neutrality rests. It is not the basic notion upon which Swiss neutrality rests. It is not the basic notion upon which Belgian neutrality rests. It was not the basic notion upon which Swedish neutrality rested during the Russo-Japanese War. Then Russia extended to the ocean, and Sweden was a neighbor of Russia. Because of her situation Sweden's neutrality was just as much a forced neutrality as it could be. Wherever we go in the world we discover that the law of neutrality, as interpreted by the individual state, always reflects the physical situation, the obligations, and the position of that state.

My reply has been too long. I beg the Senator's pardon.

Mr. PITTMAN. I thank the Senator, because I think it is well that some of these legal questions should be cleared up.

Of course, we had a legal right to place an embargo upon arms and ammunition to all belligerent countries, because the embargo was supposed to be equal. We had the legal right to place the embargo, did we not?

Mr. THOMAS of Utah. I think so. I think there is no question about that.

Mr. PITTMAN. Yet at the time we placed the embargo we knew, from our knowledge of history and geography, that it was going to deprive Great Britain of the opportunity, which she enjoyed before the passage of that act by reason of her control of the seas, to obtain arms and ammunition from us. That is a fact, is it not?

Mr. THOMAS of Utah. I think that is a fact. I should like to go a little further, Mr. President, if I may, in regard to that question.

Those who have thought only of one thing, the lifting of the embargo, on the assumption that England and France are in need of airplanes, and that that is the whole issue, fail to see through the act which we are proposing to pass as a unit. The proposed act can in no sense be deemed pro-German and anti-British. It can in no sense be deemed pro-British and anti-German. However, if we take the physical facts into consideration, if we take the condition of those lands into consideration, if we realize what the position of England was during the last war and the things which England needs most, and if we then undertake, as I will not do and as I do not believe the pending measure does, to be friendly or unfriendly to one of the belligerents, we shall become sunk, not only in our logic but also in our facts, because the restraints put upon American citizens and American shipping with respect to nonmunition products would hit more vitally at Great Britain than the lifting of the arms embargo would help Great Britain.

Everyone knows that there is one country on earth above all other countries which is dependent upon the outside world for its food supply. There is no country quite so dependent as is Great Britain. If England were not so dependent upon the streams of commerce to take care of her lifeblood, there would be no excuse for the British Navy and the British theory that that Navy must be greater than all other navies. There is no other nation so weak so far as the ordinary essentials of life are concerned. In fact, in regard to food England stands in about the same position in which New York would stand in case all communications from the outside were cut off. If there is an unfriendly act or an unfriendly thought in the restrictions we are putting upon ourselves, it is that the ordinary channels of commerce are to be stopped so far as American bottoms are concerned, and that there must be a change of title and ownership of American products to the foreign purchasers.

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

Mr. THOMAS of Utah. In a moment I will yield.

Yesterday the Senator from Wisconsin [Mr. WILEY] brought out the point of our trade with the belligerents during the World War, and he emphasized the fact that about 30 percent of that trade was in arms and ammunition.

Mr. WILEY. Thirteen percent previous to the war.

Mr. THOMAS of Utah. Thirteen percent. I thank the Senator. We all know that was the fact. Those who were trying to provide for our armies ordinary muskets, if I may call them by that name, during the beginning of the World War, know that we were not even able to supply our own men on the other side who were ready to go over the top. We realized that they had to be trained, because they did not have American munitions and they did not have American arms to use. They had to learn to use the arms which were supplied by the warring nations.

Mr. PITTMAN. Mr. President, will the Senator please let me finish the line of legal questions I should like to ask him, and then go on with the other matters?

Mr. SCHWELLENBACH. Mr. President, I should like to ask a question on the point just suggested, if the Senator will permit me.

Mr. THOMAS of Utah. I am glad to yield.

Mr. SCHWELLENBACH. The Senator is familiar with the statement which was made during 1915 that all the munitions shipped from this country to England during that year were not more than equal to the amount of munitions which England used up in one week during that war.

Mr. THOMAS of Utah. I should be surprised if, in actual experience, the amount were that large. I did not know that, however, and I thank the Senator for the information.

Mr. PITTMAN. Mr. President, I inquire if the Senator has finished answering the last question?

Mr. THOMAS of Utah. Yes; but I promised to yield to the Senator from California [Mr. DOWNEY], and then I will yield to the Senator from Nevada.

Mr. DOWNEY. If the Senator from Nevada would rather I should wait, I will defer.

Mr. PITTMAN. I merely wished to ask the Senator from Utah some legal questions, and I should like to finish them. I have four or five in order.

The PRESIDING OFFICER. To whom does the Senator from Utah yield?

Mr. THOMAS of Utah. I yield first to the Senator from Nevada.

Mr. PITTMAN. Mr. President, we had arrived at the last question I asked, I think, as to whether or not we did not know at the time we placed the Embargo Act on our statute books that we were depriving Great Britain, which is an island, of certain natural rights by reason of her control of the seas. I take it that the Senator admitted that to be the fact. We did that notwithstanding; while we denied Great Britain certain natural rights to the seas we realized that land powers had certain natural rights which an insular power, such as Great Britain, did not have. Is not that true?

Mr. THOMAS of Utah. That, of course, is true.

Mr. PITTMAN. But we did that because we felt that it was in the interest of the United States to attempt to remove a cause for the destruction of American vessels and the lives of our seamen. Notwithstanding that, we believed, did we not, that it would prevent arms and ammunition going not only to Great Britain but to every belligerent power on the mainland? Is not that true?

Mr. THOMAS of Utah. That is the way the law is written; and, of course, it is the only way the law can be interpreted.

Mr. PITTMAN. But, as a matter of fact, the peculiar situation which has developed in Europe absolutely negatives our intent. Is not that true?

Mr. THOMAS of Utah. It is.

Mr. PITTMAN. In other words, we have the inconceivable situation of Germany, a belligerent, being denied our arms and ammunition because it is at war, while its ally, Italy, not being at war, not coming within the scope of our Embargo Act, can receive all the ammunition it wants, and at the same time there is an alliance between those two nations to help each other. Is not that true?

Mr. THOMAS of Utah. That is true under the present arrangement.

Mr. PITTMAN. It is perfectly evident that we never intended such a situation as that to exist.

We find another most peculiar situation, namely, that Russia, an enormous country, is not at war today, apparently, with any other nation. It is true that it is acquiring land by persuasion, or it may be by the threat of force; I do not know; but under the law now on our statute books, cannot Russia legally import from the United States all the arms, ammunition, and implements of war she desires?

Mr. THOMAS of Utah. Not only can she, but she is doing so right now in regard to some of the most essential products in America for which we are dependent on the outside world.

If the Senator would like me to make a point there, I should be glad to state an actual situation, because it is in keeping with what is taking place with regard to our strategic materials, and shows how a nation, if it is going to preserve its people and primarily take care of its own interests, must legislate from time to time during war in such a way as to affect tremendously trade with the outside world.

As the Senator knows, for 3½ years we made studies in regard to the strategic material bill which is now on the statute books. The fact was emphasized that great as is the United States, strong as she is, there are certain commodities for which the United States is dependent upon the outside world. One of those products vital to American industry and to American life is rubber. In fact, so vital is it, in connection with another product, that phrasemakers who can describe a condition by the use of a phrase tell us that "the American people live on rubber and out of tin cans." We do not produce a pound of rubber and we do not mine any tin. We are so dependent upon these two commodities to satisfy our peaceful needs, let alone our warlike needs, that we have actually put an embargo on the exportation of tin, on the theory that that which comes in should not go out again.

Now, what has happened in regard to rubber? Every Senator no doubt is conscious of the fact that rubber has been internationally controlled for some time, just as diamonds have been internationally controlled. A world consortium has taken care of all the output. We are entitled to so much rubber. This international control has worked quite to the satisfaction of the American people and American industry, because we have had all that we needed and the price of rubber has been comparatively cheap. But the moment the war broke out in Europe agencies for foreign countries started buying our supply of rubber, and the price jumped up many points. Now, the question arises, Is the American Government entitled—and this is a neutrality question and that is why I am bringing it in here—is the American Government, when it imports for its own use a product upon which its people are dependent and to which they have a right both for industrial purposes and for the comforts of life, entitled to embargo such a product? Of course it is; and should it not do so as a matter of taking care of its own people? Who would suggest, if we should enact an amendment to the strategic materials law providing that the American Government, in taking care of the interests of its own people, should embargo rubber, that we would be doing an unneutral act? Yet who will say that in this day of mechanized warfare, in this day of swift war, anything is more essential than rubber? No airplane dare go in the air, unless it is to land on the water, without having a rubber cushion with which to return. Rubber is essential to the movement of all mechanized units used in warfare.

I do not know of a better illustration, Mr. President, to show what our rights are. No one would suggest that an embargo on rubber at this time would be an unneutral act. Why can we not use the illustration in regard to other products?

Mr. PITTMAN. Mr. President, I have one other question I desire to ask with regard to international law. Probably for 400 years it has been known in international law that a belligerent has certain rights on the high seas and that neutrals have certain rights. I think a belligerent has a right to visit and search and seize what it designates as contraband going to its enemies. Is not that true?

Mr. THOMAS of Utah. That is absolutely true. It grows out of necessity.

Mr. PITTMAN. And even during the World War Germany attempted to justify the legality of its sinking of merchantmen without carrying out the formality of visit and search on the ground that it was impossible for a submarine safely to carry out visit and search. Is not that true?

Mr. THOMAS of Utah. That is true. Under the rules of war it is a commander's duty first of all to take care of the lives of his own people, and, secondly, to take care of the property on which those lives depend. Under that rule of war no submarine dared put itself in front of or near one of our ordinary steamers that could go faster than the submarine. It could not any more conduct it than it could fly.

Mr. PITTMAN. And yet Germany was asserting its attempt to comply with international law at that time, was it not?

Mr. THOMAS of Utah. And, technically, it was complying with an international law worked out at a time when no one dreamed of anyone's going under the sea or over the sea, and when no one thought of anything else but the right of conduct under equal physical conditions.

Mr. PITTMAN. Is not the principle of international law with regard to blockade about as universally accepted as any other principle of international law?

Mr. THOMAS of Utah. The law of blockade during war grows out of absolute necessity on the part of the belligerents to take care of their own interests. Therefore, it is a fact of international law; it is even stronger than a principle.

Mr. PITTMAN. But it was more closely connected with ports of countries that could be physically surrounded by an enemy's fleet, so that it would be practically impossible for any vessel to pass through that fleet to the port or out of it. Is not that true?

Mr. THOMAS of Utah. That is true; but the same rule held on land.

Mr. PITTMAN. Yes; on land.

Such things as paper blockades were mentioned by writers on international law; were they not?

Mr. THOMAS of Utah. There were paper blockades in the last war; yes, sir.

Mr. PITTMAN. I am still stating that Germany was contending for the legality of all of its acts under international law. It justified its submarine zone of 1917 in the Atlantic Ocean on the ground, if I remember correctly, that it was an essential retaliatory act against Great Britain for establishing the whole of the North Sea as a danger area.

What I am getting at is this: Germany and the other belligerents were asserting that they were following international law, even though we did not believe they were. Is not that true?

Mr. THOMAS of Utah. I think that is true. I think the Senator should make the picture of a paper blockade a little bit more simple than he has done in his question, if I may make the suggestion.

Mr. PITTMAN. Yes, sir; that is what I wanted to find out.

Mr. THOMAS of Utah. International law is law which operates by common consent of the nations. There is no sovereign power which brings it into being. The last great world-wide international law which restrained powers by superior authority was probably the bull of the Pope dividing the world into two parts, giving half of the newly discovered land to Portugal and half of it to Spain. That was a consistently legal idea, because almost every one respected the supreme authority; but certain nations did not respect it, and history shows what happened.

If a paper blockade is agreed to by all belligerents, when there is an understanding about it, we have one proposition; but when one belligerent does as was done in the World War, and says, for example, that all the northern Atlantic shall be a war zone, and that blockade is properly challenged by the other belligerents, we have another proposition.

Mr. PITTMAN. Now, let me ask the Senator a further question. Is there anything in international law which justifies a belligerent in bombing a munitions plant in a neutral country so as to prevent goods from that munitions plant going to its enemy?

Mr. THOMAS of Utah. Certainly not. It is an unfriendly act.

Mr. PITTMAN. Has anyone under the precepts of international law ever suggested that a belligerent could go that far?

Mr. THOMAS of Utah. Not that I know of. I have never read international law that far.

Mr. PITTMAN. The reason why I ask the question is because the distinguished Senator from Idaho [Mr. BORAH] is here, and that is one of the dangers he saw in repealing the present act. He stated:

> The matter does not seem to me quite so simple. If a manufacturing plant, engaged in manufacturing and shipping munitions to Great Britain, were located, we will say, at Wilmington, Del., would the antagonist belligerents wait until the title had passed before destroying the goods?
>
> * * * * * * *
>
> Why should it not * * * bomb the plant, and destroy not merely a cargo on the sea but the entire establishment which is furnishing the means by which the cargo is supplied?

Mr. THOMAS of Utah. Mr. President, of course, I did not understand that the Senator from Idaho was defending his proposition as a right under international law. I think he was arguing that international law was not strong enough to restrain what he stated, and that he was merely asking a question which was a proper question in the light of what actually happened before we got into the World War.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. THOMAS of Utah. I do.

Mr. PITTMAN. The Senator from Idaho is present. That is the reason why I asked the question.

Mr. BORAH. The Senator from Nevada did not understand that I was presenting that example as one which would come under international law, did he?

Mr. PITTMAN. No; I could not conceive that the Senator would do so; but I was afraid that some others might conceive that the Senator was arguing that as a right of a belligerent under international law.

Mr. BORAH. I am pleased that the Senator rescued me from that imputation of stupidity.

Mr. PITTMAN. I know the Senator is not stupid, and I should not like to use that term with regard to anyone; yet we sometimes have to deal in realities.

The PRESIDING OFFICER. The Senator from Utah has the floor.

Mr. PITTMAN. Just one other question. During the World War there was no embargo under the laws of the United States against shipping anything, was there?

Mr. THOMAS of Utah. Not in ordinary commerce. I do not know whether or not there was such a law as our tin act, or something of that kind.

Mr. PITTMAN. There was no embargo act so far as the Senator knows?

Mr. THOMAS of Utah. Our ideal has always been freedom of exports, of course. That is the theory of our Constitution.

Mr. PITTMAN. Under international law, our citizens had a right not only to sell but to transport any commodity of the United States to any belligerent, subject to the risks under international law, did they not?

Mr. THOMAS of Utah. Certainly.

Mr. PITTMAN. And our citizens did so, did they not, or tried to do so?

Mr. THOMAS of Utah. They must have done so.

Mr. PITTMAN. Then, although the German Government submarined our merchant vessels without notice, is there any history, so far as the Senator knows, of the German Government attempting to bomb any of our industrial plants in this country during the war?

Mr. THOMAS of Utah. I think the Senator will find that industrial plants within America were bombed before we got into the war; that the United States actually tried to place the responsibility for the bombing; and that question was placed before properly constituted courts and commissions; and that the responsibility was placed upon the German Government for paying damages.

Mr. PITTMAN. It was sabotage, was it not? It was not bombing from the air by military forces.

Mr. THOMAS of Utah. There was no airplane bombing in any of that, so far as I know.

Mr. PITTMAN. It was sabotage?

Mr. THOMAS of Utah. Yes, sir.

Mr. PITTMAN. And, of course, the German Government denied responsibility for all of that. Any belligerent might do that now with regard to automobile factories manufacturing trucks, might it not?

Mr. THOMAS of Utah. Sabotage?

Mr. PITTMAN. Yes.

Mr. THOMAS of Utah. We are all praying that no belligerent government will do it.

Mr. PITTMAN. However, such things may happen.

Mr. THOMAS of Utah. Yes, sir.

Mr. PITTMAN. The belligerents would probably be just as desirous of sabotaging plants that are making great trucks to carry army materials as of destroying some of the materials themselves, would they not?

Mr. THOMAS of Utah. Certainly.

Mr. PITTMAN. As a matter of fact, they did try to sabotage some of our motor plants, as I recollect. Not only that, but if they are going to sabotage would they not have the same incentive to sabotage oil supplies in this country—oil wells, oil fields, oil reserves, gasoline factories—as they would to sabotage some other things?

Mr. THOMAS of Utah. More, because the damage would be greater.

Mr. PITTMAN. In other words, the things that they designate as contraband, not included in our small list of arms and ammunition, would be just as much an incentive to sabotage as the other things, would they not?

Mr. THOMAS of Utah. Certainly.

Mr. PITTMAN. Undoubtedly. It seems that we are treating rifles and cartridges as peculiar things. Now, there is just one other question I wish to ask.

The PRESIDING OFFICER (Mr. KING in the chair). If the Senator will permit, the Chair would like to call his attention to the fact that the Black Tom case might be pertinent to the inquiry the Senator was just making as to sabotage during the war by the Germans.

Mr. PITTMAN. I thank the Chair. I now desire to ask one more question of the junior Senator from Utah. The distinguished senior Senator from Michigan [Mr. VANDENBERG], in his speech on Wednesday, seemed to indicate that he had tremendous fear that some of the belligerents might come just outside our 3-mile limit and search our vessels to see whether they were carrying contraband. That is really legal under international law, is it not, if they have reason to believe the vessels are carrying contraband?

Mr. THOMAS of Utah. Certainly.

Mr. PITTMAN. They did that during the World War, did they not?

Mr. THOMAS of Utah. Yes.

Mr. PITTMAN. Would they be deterred in the slightest from taking that course of action because they suspected that a ship had on it copper, lead, zinc, gasoline, oil, any of those things which they call contraband of war, but not arms and ammunition?

Mr. THOMAS of Utah. Not at all.

Mr. PITTMAN. Does it not seem to the Senator, then, that there is no foundation for such fear as is stirred up on those grounds?

Mr. THOMAS of Utah. Mr. President, I do not like to get into any kind of discussion which involves a deduction made upon some pretty statement, for example, "If you become an arsenal to one side you become a target to the other"—"A stitch in time saves nine," which holds good only when one is repairing something with needle and thread, and does not apply to international relationships. Someone once made the wise-cracking statement that it is always the first drink that leads to drunkenness, which may be correct as to one man, but it hardly holds for 130,000,000 people. Anyone who bases his knowledge of history upon some slogan, or bases his knowledge of law upon some statement which sounds well, can never, of course, meet the facts of history, nor can he meet the facts of law.

It is interesting to note, when one reads, for example, arguments before the Supreme Court of the United States, that the men making them do not resort to wisecracking, and they do not argue from slogans. It is interesting to note, too, when one reads the speeches of politicians, that they invariably do what every movie director directs and every actor does, "play down," because it is assumed in the movies that you cannot take anything for granted, and you have to please the man who is willing to come and pay his money.

Mr. President, can anyone conceive of a nation, fighting as hard as it knows how to fight, busy as it can be with its enemy, having on its hands all it can possibly handle, deliberately trying to turn neutrals into allies for the other side? There is no general trained in military science, no admiral the master of naval tactics, who would be so foolish.

The last war turned on the decision, as related yesterday by the Senator from Washington, on the part of those in charge of the Navy in Germany, that their only hope rested upon completely obliterating England's supply of food and essentials, and they reached the conclusion that unrestricted submarine warfare would accomplish that result. It was suggested that it might bring neutrals into the war against them, and they took that risk; but they did not deliberately go out and sink ships in order to bring the United States into the war against them.

Mr. President, there is no instance in ancient history, medieval history, or modern history, of which I know, of such a course being taken. Even in ordinary street brawls, I have never known of a man who was fighting with another man doing something to make a person who was a bystander become a belligerent against him, though he may do something to cause the bystander to become a belligerent on his side.

Mr. PITTMAN and Mr. DOWNEY rose.

Mr. PITTMAN. Let me ask the Senator a personal question. To whom does the Senator yield?

Mr. THOMAS of Utah. I yield to the Senator from Nevada until he finishes.

Mr. PITTMAN. I wish to ask the Senator a personal question, and when I say that, I mean a question searching his own personal action and his intended action. I do this because a number of speeches broadcast over the radio, and some intimations in speeches here, indicate that Senators, even those who are supporting and intend to vote for this very stringent restrictive legislation, will, in the course of time, yield to persuasion, and first throw down the restrictions on credit, which are now so strong, so as to help Great Britain, and later on, as the debts to Great Britain mount, they will waive all security and let the debts mount and mount; and when that is not sufficient to save Great Britain, will vote to send our young men over there to die in Europe to save that money. Is there anything on earth that would induce the Senator from Utah to so yield? That is the question I ask him.

Mr. THOMAS of Utah. Mr. President, in a way I wish the fate of the world rested upon my decision. Then, beyond a doubt, we could make the world right. [Laughter.] But the facts of history are that since the United States has been a nation there have been 30 or 40 wars in the world. During most of those wars we had the right to lend money, and we did lend money; we had the right to trade, and we did trade. Under our rules of neutrality, we took advantage of every right we had. Thirty or forty wars, let us say, were fought—of course, I cannot remember exactly the number of wars—but never once, with the exception of 1812 and 1917, did we contend with a European country. Only once did we send men to the other side of the Atlantic to fight on land—only once in 150 years. We sent troops over the Pacific to the Philippines and we sent them to other places in America.

If the Senator wants to take illustrations from history, I am sure he will find, if he will consider the causes which led us into the World War, that the things to which we are referring now as first steps were the least important of all the reasons why we got into the World War. If I may take just a moment, let me recite what actually happened. I do not know whether or not I can remember all the details, but we all lived through those times.

After the sinking of the *Sussex* the President of the United States got from the German Government a promise which implied a reformation of the way in which the war was being waged in regard to the torpedoing by submarines of ships on the high seas.

On January 31, 1917, the German Government changed its policy. It was in the last part of the month of January 1917 that President Wilson and the German Ambassador to the United States were carrying on correspondence wherein it looked as if peace were going to be possible. In fact, if one will read the notes of the German Ambassador, he will discover that he had high hopes of the coming of peace. He protested to his own Government the return to unrestricted submarine warfare, and he received a reply which said in so many words that, while they probably agreed with his protest, it was too late, because the decision had already been made and the unrestricted submarine warfare would proceed.

Mr. President, that is when we got into the World War. Those were the first steps, and the only steps which can be

taken into consideration. What happened? In the unrestricted warfare the German submarines sank in the month of February 200 vessels, about 8 a day. What about the categories of those vessels? What were they? Were they American vessels? Yes; 2 were. One percent of the total sunk were American.

What about the others? One hundred and fifty of the two hundred, or three-quarters of the two hundred, were neutral ships. It was on that very point that President Wilson had based every one of his notes, wherein he declared American rights and the right of the freedom of the seas. It was then that the President of the United States asked the German Ambassador to go home. It was then that the first step was taken toward getting us into the World War. And what was the reason? Was it the sinking of those two ships? Certainly not. We went into the World War for exactly the same reason that nations that have been imposed upon go into all wars. It is a rule almost as old as the world. A promise had been given, a solemn promise had been made, and that promise was broken. There was a complete loss of faith on the part of our Government in the government that it had considered a friend and with which it had negotiated.

Who in the Senate, who schooled, for example, as President Wilson was schooled, in the theories of the American Government, in the theories of international law, as it grew out of the rights of states to sovereignty in the international regime, is so simple as to imagine that when the very vitals, the very foundation upon which such law and such a scheme of government rests were being wiped out action would not be taken? Of course we had to do something, and we did it.

Mr. PITTMAN. Mr. President——

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

Mr. THOMAS of Utah. I am glad to yield.

Mr. PITTMAN. I will ask the Senator whether he believes, knowing history as intimately as he does, that Woodrow Wilson asked for a declaration of war or that anyone in the United States Senate at that time voted for war for the purpose of collecting debts?

Mr. THOMAS of Utah. Mr. President, if I may, I will say what I believe the real reason was. Our entry into the war came about because of a sense of outraged justice; not for the purpose of collecting debts. When did we ever go to war to collect debts? What would have been the stand of Grover Cleveland during the Venezuela affair if, for instance, England had said, "We have a right to collect debts"? Do Senators imagine that the American people, with their sensibilities, their notions of fair play, with their ideas built up around the idea of the Monroe Doctrine, the Federal system, their democratic notions, would stand for such a thing?

Mr. PITTMAN. Mr. President, I wish to say a word or two more and then I am through. I know that every Senator who sat on the informal committee constituting a majority of the Foreign Relations Committee was actuated solely by one purpose, and that was to eliminate, so far as possible, every cause that might lead us into controversy, that might lead us into a foreign war. I say that those men whom I know personally voted for stringent regulations with regard to credit. We think we have strengthened the credit provisions. Others do not. No persuasion by any foreign government, by any lobbyist, or by anyone else on earth would cause me to throw down those bars now or hereafter, and I do not believe there is a member of that group that ever would.

If a majority in Congress should throw down the bars against the will of those Senators, and credits granted by our citizens to some foreign belligerent should mount up, and such citizens should come to Congress and ask for a declaration of war so as to collect the debts, there is not a single solitary Senator who participated in framing this measure who would ever vote for such action.

I say to you, Mr. President, that I think the charge that Members of this body, men who have been through the test of politics for many years, who have met the test of statesmanship in this body, who have seen the futility of war and the death and destruction resulting from war, would vote for war on any such grounds is a reflection on the intelligence of those who make it. Such a charge is utterly preposterous. Those men—and I know them—as Members of the Congress that the Constitution vests with the power of declaring war, would never declare war on any such grounds. They would never appropriate the money to send a soldier abroad on any such grounds.

I regret that a practical question such as the Senate is considering should turn on fear which is sought to be stimulated in the hearts and minds of the mothers and the fathers of the United States when we are here striving to remove every practical cause that might draw our country into war. Should any other nation bomb our industrial plants, as has been suggested, it would mean a war against us, and we would resist that war. But even that would not cause us to resort to the foolish strategy of 1917 in sending 2,000,000 boys to a foreign country. That would be utterly unnecessary. With our economic and our financial power and our dominating Navy, we could eventually defeat any foreign power that was so foolish as to attack our country.

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

Mr. THOMAS of Utah. I am glad to yield.

Mr. CONNALLY. I wish to say that I have greatly enjoyed the address of the Senator from Utah, with the wealth of information and learning that he brings to the discussion.

A point has been made by those who are opposing repeal that to change the rules of the game, as they call it, after the game starts would make us unneutral. In other words, that since we have the embargo law, if we change one jot or tittle of it we become unneutral.

I have here a statement that has been issued from the high command of the opposition. It seems that the opponents of repeal—and I speak very respectfully of them—had a meeting, and after they concluded their meeting they handed out this pronouncement:

> We reached an agreement on this statement:
> "We are still willing, as has been our position from the first, to accept the administration bill if the administration will leave in the law the embargo on arms, ammunition, and implements of war, and provide for cash instead of credit on other commodities; but we refuse to yield to the repeal of the arms embargo, and it is not necessary if neutrality is the sole objective."

I wish to inquire of the Senator from Utah why it is wrong to change the embargo section on the ground that it would be unneutral, and yet it is perfectly proper to change the shipping provisions of the law? Under the present embargo act American citizens can send to the warring nations anything except arms and ammunition. They can send it on credit, in American ships, right into the warring nations' ports; is that not true?

Mr. THOMAS of Utah. Yes.

Mr. CONNALLY. But Senators say, "We must not touch the arms embargo. If we touch that while the war is going on, we become unneutral." Yet now they want to change the shipping laws. They want to restrict our shipping. They want to cut that down. Why cannot England and France complain and say with just as much justice, "You must not restrict the commerce coming to us. The war has begun now, and you must not change the rules during the game or after the game starts. After the umpire throws out the ball you must not change the rules of the game." We cannot repeal the embargo on arms because Germany wants no arms to go to England and France; therefore, the opponents say that that would be unneutral. England wants the food we are sending under the embargo law. She wants supplies. She wants raw materials. She wants American ships to continue to sail the seas and bring them over to France and England. But the opponents say with great consistency, "You must not touch one part of the embargo act, but you can repeal all the rest of it and put limitations and restrictions upon American shipping, and all the supplies that would go otherwise to aid England and France. You must not do anything toward letting them have any arms and ammunition. That would be a violation of neutrality. But you must do something more than you are doing now to England

and France. You must injure them, you must strike them by cutting off our commerce with England and France on general commodities." Would it not be just as wrong to restrict the advantages which France and England now enjoy as it would be to change the arms embargo?

Mr. THOMAS of Utah. I am sure the Senator has answered his own question.

I apologize to the Senator from California [Mr. DOWNEY]. My prepared talk was merely 10 minutes, and that is as long as I expected to speak. It may be discovered that something out of a textbook will be found to disagree with what I have said. In attempting to answer the seven points of the great Senator from Idaho I discovered a sufficiently hard task.

Mr. DOWNEY obtained the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

Adams	Donahey	La Follette	Radcliffe
Andrews	Downey	Lee	Reed
Bailey	Ellender	Lodge	Reynolds
Bilbo	Frazier	Lucas	Schwartz
Borah	George	Lundeen	Schwellenbach
Bridges	Gerry	McCarran	Sheppard
Brown	Gibson	McKellar	Shipstead
Bulow	Gillette	McNary	Smathers
Burke	Green	Maloney	Stewart
Byrd	Guffey	Mead	Thomas, Utah
Byrnes	Gurney	Miller	Tydings
Capper	Hale	Murray	Vandenberg
Caraway	Hayden	Neely	Van Nuys
Chavez	Herring	Norris	Wagner
Clark, Idaho	Hill	Nye	Walsh
Clark, Mo.	Holt	O'Mahoney	Wheeler
Connally	Johnson, Calif.	Overton	White
Danaher	Johnson, Colo.	Pepper	Wiley
Davis	King	Pittman	

The PRESIDING OFFICER (Mr. DAVIS in the chair). Seventy-five Senators have answered to their names. A quorum is present.

Mr. DOWNEY. Mr. President, I have been here in the Senate for the past several days listening to the able arguments that have been made on both sides of this important issue. The question has repeatedly come to my mind if there is a single Senator present who would vote to impose, voluntarily, upon the American people a tax that would take away from them 25 to 50 percent of their incomes to help support the war causes of the British and French Empires. I may say in this connection that the British is the greatest empire of the ancient or the modern world, containing more than a quarter of the population of the globe and one-fifth of the land area. It has, with France, incomparably greater land, power, resources, wealth, and armament than has Germany. The question I put is whether the Congress of the United States would be willing to impose a heavy tax burden upon the American people to assist the British Empire as we did during the World War. Some Senators may be saying to themselves, "Of course not; certainly we would not place a heavy additional load upon our economy already weakened, already threatened by a rapidly expanding debt. Of course we would not vote to take away from 50,000,000 of our own people, now almost destitute, from 25 to 50 percent of their scanty incomes."

Mr. President, I hope that is the reaction of Senators. I notice today that one distinguished gentleman, a friend of mine, is even amused at the idea that any Senator would inaugurate a policy under the pending measure which would lay a crushing tax burden upon the American people. But I say to you, Mr. President, the passage of this joint resolution may do exactly that thing, because, in all likelihood, it will inaugurate a large war trade and war boom which will almost certainly be followed by an inflation of prices, resulting in the taking away of a substantial part of the income of the masses of our people.

In order that I may not be improperly quoted, I want to make clear that I do not prophesy dogmatically that the passage of the resolution will inaugurate a war boom. What I am saying is this: That if a war boom comes we may be certain that the American people, many of them already tied by the galling chains of poverty, will be called upon for a great portion of their incomes to help finance the allied empires.

For several reasons such a boom may not come under the pending legislation if it shall be passed. The first may be that the Allies, when they find they have to pay the American producers cash, may not condescend to take our goods. During the World War, of course, ultimately we gave most of the war goods to them for their I O U's, and they, Mr. President, I feel sure, now believe we will in the end be equally generous.

If that shall prove to be incorrect when Britain and France find they must pay the Americans for their supplies they may not desire to purchase the billions of dollars' worth of materials we might produce for them. But let us assume that they do want to buy. We can then say that they can secure, from their gold and other resources—mainly American stocks and bonds owned by their citizens—within 12 months, at least $5,000,000,000 to pay to our people for war supplies.

It may likewise be that the German submarines will cut off the transport of American goods; but most military authorities seem to agree that the English, by their powerful navy, will be able to keep open the sea lanes from America to the European seaboard.

Senators will recall that during the last war the price of goods more than doubled; the cost of living more than doubled. During that war period the general index of wholesale prices increased from about 70 to 170, and, assuming that the war trade to which I have referred would be carried on for 2 or 3 years, we may be certain that the cost of the commodities of life would double in price.

The distinguished Senator from the Lone Star State of Texas [Mr. CONNALLY], for whom I have a deep affection, has indicated that I should restrict my remarks to economics, and I am glad, indeed, to discuss the economics of this proposal, and I should like to make it plain to the Senator from Texas just why, as a matter of mathematical fact, if we ship war materials to the sum of four or five billion dollars in 1 year to the European battlefields, we will thereby impose a tax upon the American people, of from 25 to 50 percent of their entire income. Let me make it plain, a substantial part of this income thus taken from our population, generally, will flow to our American profiteers.

Mr. President, we should go back continuously in our economic discussion to an understanding of the capitalistic mechanism under which we live and under which we want to continue to live. In the production of wealth our farmers and businessmen pay out the purchasing power of the Nation, and that purchasing power is then balanced against the physical wealth that is produced by the disbursement of those incomes. Suppose, Mr. President, in producing commodity goods such as are subject to export, we disburse $40,000,000,000 of income and produce $40,000,000,000 of wealth, and we then ship abroad $5,000,000,000 of those commodities; we then will have left in the United States $35,000,000,000 of actual products, with $40,000,000,000 of purchasing power to equate against it. And as certainly as the sun rises, and the tides swing upon their courses, the $35,000,000,000 of commodity goods will increase in price to equal the Nation's purchasing power of $40,000,000,000. So an increase of prices of 12 or 13 or 14 percent becomes inevitable. That is not only proven by mathematical theory; it has been demonstrated by every great war that has been fought in this world and which has inflated the cost of the necessities of life.

In addition to that, there is another important factor. Very probably if this war shall last 2 or 3 years the American manufacturers will pay out to American workmen two or three or four billion dollars in building or improving factories for the production of war supplies. The payment of that money will not produce commodity wealth; it will prepare factories for the use of Great Britain and France; but it will release additional purchasing power in the United States to prorate against the commodity goods that remain here after we shall have made our shipments abroad. Consequently, I say to you, Mr. President, in calculating the effect of what we are attempting to do, we must realize that when once a war trade or a war boom starts, we shall

be in totally abnormal conditions and we may be almost certain if the war boom comes that we are going to have a twenty-five, a fifty, or a hundred percent increase in the cost of living.

Of course, Mr. President, when we disburse forty or fifty billion dollars of purchasing power and that purchasing power is allowed to be pro rated against only $30,000,000,000 or $35,000,000,000 of wealth, we are immediately thrown into what we know as a seller's market, and, far beyond the necessary mathematical raise we have already discussed the profiteer then enters the picture, and he may add whatever percent he can to commodity costs. As certainly as we are debating this measure here upon the floor, those who vote for it, if this war boom develops, as Wall Street is betting it will, will have placed upon our people a tax equal to 25 or 50 percent of their incomes. Theory proves this, the last and other wars affirm it.

I should not care if the Senate of the United States taxed its own salaries two or three or four thousand dollars a year to help Great Britain or France or someone else fight their battles abroad; but, Mr. President, I am here speaking for millions of pensioners, for millions of persons on the W. P. A., whole families of them by the tens of millions living on 25, 50, and 75 dollars per month per family. The inauguration of a war boom is going to cut squarely in two the scanty purchasing power they now have—a purchasing power at present so small that it should shock our sensibilities—a purchasing power that will not be increased by any fictitious war boom.

Mr. President, when the war first came, navy beans overnight jumped from $3 a hundred pounds to $6 a hundred. When the war speculators realized that here in the Senate of the United States would be made a bitter battle to prevent this war trade, and when it was realized that we had an immense carry-over of beans and a big crop this year, they dropped back to $4 a hundred leaving a present increase of 33⅓ percent over the price that existed when war was declared. But we may know as certainly as we sit here that if we become engaged in large war trade with European nations, by this time next year the price of navy beans will be doubled. That will not mean very much to some of you; but to men whose families are living on $25 and $50 a month, and existing on bread and bacon and beans, that is a plain tragedy, and I speak not lightly when I say that. I should think that not one Senator would deem that he had done his duty to this Nation if, with its people already existing upon almost a starvation diet, he should risk cutting their meager fare in half.

Are we willing to do it? Are we willing to do that, Mr. President, to help the greatest and the most powerful and the richest empires that have existed throughout the centuries? That is what Great Britain and France are today, with resources far beyond our own. Yet, for some strange reason, many people of the United States consider that we should become not only their spiritual guides and guardians but likewise their producers and bankers—I might almost add their money mints.

Mr. President, I know there are Senators here who feel so deeply our obligation to the Allies that they would be willing to involve the American people in a costly inflation, and thereby to take away from the unfortunate classes in America a quarter or half of their incomes to help the English and French fight their battles. I do not say they are not highly intelligent men, and devoted to the public welfare as they see it; but let us carry this argument a little further and see the end we may finally reach. I take it that every economist in the United States who is honest and able will admit that if this war boom comes, it must have the most tragic and disastrous consequences for the American people. Now, Senators, let us not only see what may happen, but let us consider very calmly what is almost sure to happen if the factitious and demoralizing trade boom eventuates.

As I have already said, there is little doubt that the empires could produce $5,000,000,000 of cash resources in 1 year and spend that amount in the United States for war materials. There is just as little doubt that they could not go much beyond that figure. Let us assume that what is apt to happen, and what happened before, will happen again. Assume, if you please, Mr. President, that 1 year from now we shall have four or five or six million men engaged in producing war materials for the Allies. Assume, then, that the cash resources of those belligerent nations will be exhausted. What will we do? Will we have the courage then, after we have voluntarily developed a Frankenstein monster, to kill it with some dagger thrust of credit refusal, or will the same weak conduct and the same hypnotic attachments to France and Great Britain that actuates you now actuate you then in permitting credit expansion for the warring European empires?

I am not pretending to predict what the proponents of this measure will then do; but I am saying that almost certainly the Senators who favor this policy will have led themselves and the American people into a trap from which we can be extricated only with the greatest danger and only with the sternest resolution. I cannot speak for others; but, as for me, my voice shall ever be lifted not only against any war participation but against ever granting credit to belligerent nations for the purpose of battle and destruction.

Right here, Mr. President, let me review what has already been said much more ably than I can say it, but it bears repetition.

What did our last intervention in Europe cost us? Did we gain the gratitude of the people whose benefactors we were? We did not. The ink upon the armistice was not dry before American soldiers in London and Paris were held in contempt and scorn. Our military assistance was minimized, and even before we asked the payment of our debts we were denominated "Uncle Shylock" and ridiculed by the very persons we had assisted at heavy price to ourselves.

No, Senators; you may rest assured of this—you are starting out, as I see it, upon a policy to favor the Allies; and what will it bring us at the end?

However much we may do, whatever we may seek to accomplish, at the end we shall have the bitter dissatisfaction of the people we have sought to help. Such is universal history, Mr. President. Rarely in dealings between nations has there been any gratitude or honor. At the end of this road we shall have not only the hate and the fury of Germany and her allies, but we shall have the contempt and the scorn and the dislike of Great Britain and France. You who do not know that that is human nature, you do not know your history. You who expect constant gratitude and loyal friendship from these nations are expecting something history has not yet revealed.

All right. Likewise in the last war we gained not only the contempt of our allies; we accumulated a crushing public debt that we have not yet begun to liquidate; we were afflicted with serious economic injuries not yet cured; and here we are again attempting another European venture. Again I must reply to the Senators who claim that we are acting here neutrally by making this observation: The whole world knows we would not be here attempting to work out a method to supply Great Britain and France with arms and ammunition unless we wanted to assist those nations. And, in this connection, may I also comment that I am unhappy over the unfortunate position in which I placed the Senator from Texas [Mr. CONNALLY] by asking him the simple question, If Germany were to be the beneficiary of this repeal, would he vote for it? And though he talked for several minutes in answer to the question, he has yet to answer the question. [Laughter in the galleries.]

The PRESIDING OFFICER (Mr. LODGE in the chair). There must be order in the galleries. It is against the rules of the Senate for occupants of the galleries to express either approval or disapproval of what is being said on the floor of the Senate.

Mr. DOWNEY. Mr. President, assume that a year from today, before the next election, we place a 25- or 50-percent tax upon our incomes, that we reach the height of some war boom, and the cash of the European empires is exhausted. We will have then, as I have said, the choice of one of two

alternatives. We can precipitate a catastrophe, with probably a greater depression than we had in 1929, or by the fury of public opinion or the necessity of politicians we may be driven to maintain a demoralizing prosperity a short time longer by involving ourselves and our credit in the war.

Suppose in the madness of that war boom we are led to the granting of credits to the Allies, and assume that this time, as before, the skillful, realistic statesmen of Great Britain manipulate the trusting, confiding, and naive statesmen of America into increasing credit involvements—and that is very likely, for, as the great Will Rogers said, we have never lost a war and never won a conference; and I do not believe we ever will lose a war or ever will win a conference. Suppose, then, our Government leaders are beguiled again into granting billions of credit; where will we end?

Mr. President, during the course of my argument, however short or however brief, the Federal indebtedness will increase several hundred thousand, yes, perhaps millions of dollars, while I am speaking. Not a day passes but that with inexorable certainty the debt is mounting. For 10 years it has grown almost as though by decree of some natural force. Do any of my colleagues think that we can, by grants of credit to the empires, add ten billion or fifteen billion or twenty-five billion to the debt and still remain solvent? Well, I do not think so, and I say let us beware, that the end of a frenzied war boom does not coincide with the end of governmental solvency.

I know there are already able young men here in Washington who are working out apparently innocent means of granting billions upon billions of war credits to the empires. I know their philosophy well, because I have talked with them. They are confident, by some magic which I cannot understand, that we can endlessly and forever place pressure upon the credit of the Government, that we can forever, without any punishment at the end, increase our already staggering total of debt. This delusive philosophy has many devotees here. I pray it will never be accepted as our governmental policy.

Mr. President, if we should be prevailed upon for new loans, we should then be facing a catastrophe almost as great as that which now engulfs the European continents, perhaps greater. Why do I say that? Suppose we are led at some point in this intervention to grant war credits. Suppose we are then sucked in, in the same way in which we were before, in assuming greater and greater Federal debt. Suppose our banks and insurance companies and the people will at some point no longer accept the bonds of a Government already tremendously obligated. What will happen then?

Mr. President, we may not realize it, but the most destructive blow any government can take, next to actual physical dispossession, is the insolvency of that government. Almost every revolution that has devastated and crashed governments has come because of the financial failure of the government in that particular country.

Let us assume that, at the end of 2 or 3 or 4 years, our governmental credit should fail, assume there are thirty or forty, or even fifty million people to be fed because of unemployment, and assume, if you please, that there is no credit or money from the Federal Government with which to buy the food necessary to keep them from starving because the Government's credit has collapsed under the weight of an accumulating indebtedness. What will happen? I think we may reasonably anticipate that the Federal Government would say, "There is a great emergency existing," as there would be. "People will no longer take our bonds and lend us money because they do not trust our stability. Therefore we must declare an emergency and go out and seize the factories and the farms, and the food with which to feed the millions who would otherwise starve."

Mr. President, it is difficult, indeed, to understand how the minds of some of our citizens work at this time. Many of the proponents of the pending measure are honestly of the opinion that we may catch some disease by germs from Hitler or Stalin, the disease of "dictatoritis," we might call it. Do Senators think we have shown any likelihood of contracting that disease, when I can say with certainty that 85 or 90 percent of the American people hate and despise dictators and dictatorships?

No, Mr. President, we will never contract a dictatorship from germs from abroad. But starve thirty or forty, or fifty million people for 2 days, or 4 days, and overnight there will be that many Communists, or that many revolutionists of some kind. Then let our clumpsy Federal bureaucracy, not adapted at all for the task, totally unable to perform it, attempt to seize the productive instruments of this Nation for 30 days, and almost every farmer and businessman and middle-class citizen will be a Fascist, beyond any question.

Mr. President, we need not fear any germs of tyranny from abroad, but our own internal difficulties are many, many indeed, and the steady continuation of those difficulties will bring us into a position of extreme hazard.

Let me point this out to my colleagues, and I pray that we may all be honest and realistically willing to face the truth. For 10 years American leaders and the American people have honestly given their best to work out economic problems accruing over the last generation, and we have not succeeded at all. What is the test of that? Simply this: If our Government would now stop spending three or four billion dollars of borrowed money every year, unemployment in the United States would spring to an all-time high, and we could not feed our starving people.

The truth is that we have problems of incalculable difficulty here in the United States which we have to face and work out. I pray that we will release ourselves from the present hysteria and concern over battles and affairs thousands of miles away, and concentrate upon the relief of our own people, almost one-half of whom now lead dreary and pauperized lives in a land of imperial wealth.

Mr. President, I am willing to admit that there might be causes so imperative that the Government of the United States could say "Yes, we must risk another involvement in Europe; yes, we must support certain belligerents; yes, we must become their arsenal; yes, we must grant them credit."

There might conceivably even be situations in which we would be justified in again hurling our money and our boys on to foreign battlefields. But I proclaim with confidence that there is no basis for such a theory at this time and we will probably never be brought into a position where we should be guided by it.

First, Mr. President, I want to do this: I want to endeavor to lay—and in laying I want to challenge interrogation and interpellation and contradiction—I want to lay the idea that the American people are so weak that we need the help of any navy of any foreign power, or any European support in the defense of the Western Hemisphere and the Monroe Doctrine. The necessity of such support, Mr. President, is something which is believed by many intelligent people. Indeed, for many years, the most persistent propaganda has been disseminated in this Nation to make our leaders and our people believe that we should support Great Britain because we may be dependent upon the British Navy for the support of our safety and our Monroe Doctrine. I say that there never was so delusive, so erroneous an idea, and I want to show why that is true.

First, Mr. President, we are a Nation of great population, and that population is best adapted to fighting a modern war of all peoples because we are the most mechanically minded and trained of any people in the world. And today an army's worth is largely measured by its mechanical equipment and its mechanical ability. We have the factory capacity and the manpower, over the course of a few years, to raise, train, equip, and maintain seven, eight, yes, ten million soldiers, if we have to do it. Indeed, in the great war we actually mobilized 4,000,000 of our sons, of the finest physical and mental specimens in the world, and actually transported more than 2,000,000 of them to European battlefields.

We have as much of resources here as has all of the limitless British Empire with five times our population. We have more manufacturing resources and more materials than the 27 nations of the European continent combined. No possible

assault could successfully be made upon us by any combination of powers in the world.

Mr. President, we do not have to dread Japanese soldiers 10,000 miles away, or German or French soldiers three or four or five thousand miles away. We would not have to stand in dread of any army until it approached our shores. Military experts say that any ruler abroad would be insane if he were to try to overcome our poulation and our resources with less than two or three million trained troops, with all of their equipment. How would any nation get 3,000,000 or 2,000,000 or 1,000,000 or 500,000 or even 300,000 troops over here to assault us? Mr. President, it cannot be done. Not only do we know this from a theoretical standpoint, but we know it from our experience in the Great War. In that war under the greatest emergency possible the United States of America was transporting troops to the Allies in July 1918. We had the benefit of practically 80 percent of the navies of the world, and we had all the cargo space that could be made available from 80 or 90 percent of the ownership of ships. We even had the *Leviathan*, the greatest transport afloat, which had been taken from Germany with other ships. Indeed, Mr. President, it is unlikely that ever again in the history of the world will there be such seapower and armadas available to transport troops between the two continents as existed in July 1918.

I do not want Senators to take my word upon this important point, Mr. President. I wish to read from the report of General March, who was in charge of transportation of those troops. Let us see what he said:

> Within 18 months after the declaration of war 2,000,000 men were transported to France. The greatest number of men transported in 1 month to France was 306,000 during the month of July 1918. Between July 1, 1918, and June 30, 1919, five-million-odd tons of Army cargo were shipped to the American Expeditionary Forces, including shipments to the French. With all the shipping that the Allies could muster during the emergency in the spring and summer of 1918 it was possible to transport only a little over 306,000 American troops in any one month, or at the rate of 10,000 a day.

Mr. President, I ask, Would any foreign ruler embark upon the crazy adventure of conquering this hemisphere even if he could land 300,000 troops here at one time? And let us even assume that foreign rulers by building cargo space for 10 or 15 years could bring here an army, if you please, of a million men in one great armada. Assume that we have no navy at all, while, indeed, we have one of the most powerful and efficient of all. But what would happen even though we had none? Mr. President, you cannot land troops, with 5 tons of cargo for each soldier, upon any remote beach. You have to have dock machines of great power to lift off your great guns, gasoline, your rubber, your explosives, your food. Every military authority that I know says that no army could be landed in the Western Hemisphere except at one of its great ports. And what do you think would be happening to an armada when it got within four or five hundred miles from our shores? We in America are now preparing one of the finest airplane forces in the world, with 5,500 airplanes. We will have them completed within a year or two if we do not stop our manufacture to help Great Britain and France. We are training our boys to pilot those airplanes. Any vast armada that tried to land troops upon our shores would first be destroyed by our powerful port guns, which can fire 10 miles farther than can naval guns. It would be destroyed by our submarines. It would certainly be destroyed by our airplanes. And doubt it not.

Let me read another quotation, which is verified by every military authority, I take it, in the world. I read from Eliot's book, The Ramparts We Watch. Mr. President, I quote now from pages 122 and 123 of that book:

> Nor can troops land on a hostile shore against resistance save with a powerful air force sufficient to establish temporary superiority at the point and time of landing, since transports at anchor and troops crowded in small boats or scattered in detachments along a beach are the most attractive targets imaginable for the defender's aviation. A sufficiently powerful air force for this purpose cannot be attained by carrier-borne aircraft, which must necessarily be inferior in numbers to aircraft based on the infinitely more numerous and larger airdromes afforded by the wide expanse of the land and less efficient in the details of their operation.

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

Mr. DOWNEY. I yield.

Mr. LUNDEEN. Will the Senator permit me to recall the statement of the world's greatest expert in aviation, Col. Charles A. Lindbergh? He used these words:

> An ocean is a formidable barrier, even for modern aircraft.

The expert opinion of Col. Charles A. Lindbergh bears out the statement of the able Senator from California.

Mr. DOWNEY. I appreciate the contribution by the distinguished Senator from Minnesota.

Mr. President, I cannot conceive that any Mikado or Hitler or Stalin, or Great Britain and France, if they once again resume the imperialistic expansion in the Western Hemisphere which they carried on for centuries, would embark upon the extremely idiotic venture of bringing 1,000,000 or 2,000,000 or 3,000,000 men over here to try to assault our continent, for, in my opinion, not a single ship, soldier, or sailor would return to the Old World or Asia. I have enough confidence in the bravery and military spirit of the American people to think that in the most impregnable position of any people that ever lived we can still defend ourselves. Our past military achievements would so indicate.

Letters coming to me from California from hundreds of Protestant and Catholic churches, from members of almost all the veterans' groups, and from many mothers' associations urge that the United States Senate shall not permit us to manufacture war supplies for belligerent nations. I believe that not more than one-fifth of the messages coming to me urge lifting the embargo. I do not care what any columnist or editor or public official says; the letters and telegrams in my files do not show any indication of having come as a result of propaganda methods. Apparently they are appeals from the hearts of the mothers of California, from the veteran who suffered in a great war, from Christian people, that we should keep out of this dirty, unholy, dangerous business of arming nations in Europe for destruction there.

But, Mr. President, I suppose I have had letters from 25 or 50 persons who are concerned about our need of the British Navy for the defense of the Monroe Doctrine. Their ideas—formed, of course, by the most delusive propaganda—show a total lack of realism or understanding of this problem. I have had letters suggesting that a great Asiatic army might be ferried across the Bering Straits and come down through Alaska and the Yukon and Canada to invade our country. I have had letters suggesting that the Mikado and Stalin might unite in that venture, and that Asiatic hordes of millions might descend upon us through the Arctic wilderness.

Mr. President, that idea is so extremely fantastic it would not be worth discussion, except that it does prevail and is widely used for propaganda purposes. Millions of men could not be brought through the Alaskan and Yukon wilderness of great towering mountains, snow, glaciers, cold, and frost in a hundred years. In the last thousand miles at least 100 men would be required to bring up the supplies from Russia and Japan for every man in that mighty horde. The trip that destroyed Napoleon would be a child's stroll compared to such a weird march. Yet citizens of California have written me that we must stand with Great Britain and France, otherwise the Japanese and the Russians will descend upon us.

Mr. President, while I am on this point, which I consider of vital importance to our future foreign policy, let me say that every military authority I know says that the United States could never hope, even after 10 to 20 years of struggle, to conquer the Japanese people. Why is that true? It is true because the Japanese, operating out of their own bases with submarines, airplanes, and armies, could readily destroy any army which could be brought from a distance of four or five thousand miles. When we finally reached a point within 800 miles of the Japanese nation, for every soldier we had there we would require several men to bring over his food and implements of war.

As a matter of fact, Mr. President, the American Nation is in an infinitely better position to assault the Japanese people than are the Japanese to attack us. I do not know

why the people of either nation should be so idiotic as even to talk about it; and I cannot conceive that the Japanese nation would ever want to come over here, 4,000 miles away, to assault us when, according to the best information, they have greater burdens in Asia than they can now safely carry. But let us meet this argument fully and fairly.

Mr. NYE. Mr. President, will the Senator yield at that point?

Mr. DOWNEY. I gladly yield.

Mr. NYE. On the score that we need to concern ourselves little or not at all with the possibility of attack by Japan, and bearing in mind the Senator's point that our task would be rather a hopeless one were we to attack Japan, will the Senator permit me to read a single paragraph for which a very, very responsible authority is sponsor?

Mr. DOWNEY. I shall be very happy to have the Senator do so.

Mr. NYE. I am sure the Senate will be glad to accept him as perhaps the first authority on that subject. This authority, anticipating and contemplating the possibility of a war with Japan, said this:

> Nobody, presumably, after all the prophets of 1914 have been proved without honor in any country, would attempt to say what would happen at the end of a military deadlock between Japan and the United States. After the first year or two of hostilities economic causes would become the determining factor. Tableau: Japan and the United States, four or five thousand miles apart, making faces at one another across a no-man's water as broad as the Pacific. Some genius might then arise to ask what it was all about and what the use was of the atrophy of national life and development. Or, to take a pessimistic view, jingo counsels might prevail in both nations until one or the other, or both, had bled to death through the pocketbook. If then it were realized by the people of this country and of Japan that a war would be a futile gesture, attended by no sufficiently compensating results, each nation might be in a fair way to change its apprehensive habit of mind.

Without waiting to be asked who the authority is, I will say that he is none other than a former Assistant Secretary of the Navy and now President of the United States.

Mr. DOWNEY. Mr. President, I deeply appreciate the contribution from the Senator, who has so long and ably fought for the cause of peace and sanity in America. Likewise I am grateful for the words of our own President, who, according to his own declaration, is now engaged in the same great crusade of keeping the American people at peace.

It may be of interest to Senators—and I hope I shall be pardoned if I go too far in this discussion—to have a somewhat clearer understanding of the exact military situation in the Pacific.

It does not seem to be generally known that in the Hawaiian Islands, 2,100 miles from San Francisco, we have the greatest military outpost and maritime fortress in the whole world. It is conceded by military men to be impregnable. Centered there are some of the finest bombers in the world, submarines, cruisers, great battleships, and well-trained soldiers. Our military men who amuse themselves by showing how we could not conquer Japan in 10 or 15 years start with the assumption that we could make our base of supplies for operations against Japan 2,000 miles distant from our seacoast. On the contrary, Japan has no such fortified point in the Pacific, even 800 miles out from her seacoast, let alone 2,100 miles.

Our military authorities say that if we should regiment the whole American people and create, if you please, a dictatorship here, and enlist millions upon millions of our boys in the struggle and millions and millions of our workers in producing goods for them, we might start from the Hawaiian Islands as a base and in 3 or 4 years of bloody conflict conquer and occupy small intervening islands to the west of Hawaii up to within 800 miles of the Japanese Islands. Every mile we proceeded out from Hawaii would require more and more men to maintain our communications, and by the time we were within 800 miles of Japan, on the last islands going westward toward Japan, we would probably need four or five men to maintain our lines of communication for every one required for warfare.

When our military men, after shedding oceans of blood and millions of lives and regimenting the American people and carrying on this war theoretically for 4 or 5 years, get up within 800 miles of the Japanese Islands, do they then say we could sail on from there and assault the Japanese successfully? Oh, no. They say that, due to the infinite difficulty of maintaining our lines of communication at that distance, we would have to stop there; but we could then begin to use our Navy in a blockade of Japan, 800 miles distant, and in 3 or 4 years we might starve out the Japanese and prevent them from carrying on war.

I do not know why any American should want to engage in such an idiotic military venture. I am not criticizing military men for considering such a military program or plan; not by the slightest imputation am I indulging in any invective against our Army and Navy. On the contrary, I have great admiration for the officers graduated from West Point and Annapolis and for all our Regular Army officers. I am not trying to intrude as an expert into their field. I am merely reciting data which they themselves have set before the Military Affairs Committee and which appear in other military reports.

Mr. President, if Japan attempted our conquest, instead of being able to start from a base, which is the greatest maritime fortress in the world, such as we have at Hawaii, it would have to start out from desolate, bare islands in the Pacific only 800 miles from the Japanese coast; and there is no possibility, no matter how many other nations they had acting in concert with them, that they could ever assault America from that point.

Mr. President, I have also had letters, which, I take it, are likewise the result of propaganda, indicating a fear that an armada of airplane carriers may sweep down upon us and destroy our great seacoast cities, such as New York and Philadelphia. Let us analyze that suggestion for a moment. All the powers of the world have been building aircraft carriers for several years. It takes 3 or 4 years to build a great naval vessel, and there are certainly not sufficient shipbuilding places in the world to build them very fast. The United States stands preeminent in the quality and number of its aircraft carriers. I have just secured the figures from our War Department and will state to the Senate what those figures show. The United States now has five aircraft carriers with a capacity of 400 airplanes. I may say it is generally conceded that our aircraft carriers, the airplanes, and the men officering them, are superior to those of any other nation. But we could amass against any nation only 400 airplanes by aircraft carriers.

Great Britain, since the sinking of the *Courageous*, has only 177 as against our 400. France has only 40; Germany none. Russia or Stalin, as you please, has only 22; and Japan has 240. We are now building carriers with capacity for 240 more airplanes, while Japan has under construction carriers of only 80-airplane capacity; Russia the same number; Germany 100; France 100; Great Britain 300. Mr. President, today we have practically one-half the aircraft carriers of the world. When the present program shall have been completed we will have two-thirds as many as all the other nations of the world put together and, so far as quality and personnel are concerned, ours are the best of any of them.

Mr. President, I should not intrude upon the Senate with these figures, but this delusive foreign propaganda, which is causing some of our people to lose sleep at night because of fear of Hitler and Stalin, is actually believed by many of our intelligent people. I say I should not have gone into these figures, except to point out that, as has already been recited, we are building one of the finest airplane forces in the world; we could demolish 10 times over all the airplanes that could be brought here upon existing aircraft carriers; and foreign nations could not double them, Mr. President, in the next 5 or 10 years, because the shipbuilding space is simply not available. It should be remembered that here in the United States we have a general factory capacity exceeding that of all the countries of Europe combined. Our resources are greater and our technical skill cannot be surpassed by the

people of any other nation. I say, let any nation beware if it contemplates assaulting the western continent by means of airplanes or armies, because it would be not only the maddest military venture in history but it would result in the destruction of the assaulting forces.

Mr. President, there is a wide difference of opinion among military experts themselves as to how efficient our Army is. The Senator from Texas [Mr. SHEPPARD], after long experience as chairman of the Military Affairs Committee, has assured me that he believes within 6 months we will be able to mobilize and have properly equipped from four to five hundred thousand first-class troops. Most of them could be assembled within 30 or 60 days. Many of the military men point out—and I think correctly—that we lack certain arms, certain ammunition, certain mobile artillery, and certain other implements of war for the greatest efficiency. So far as I am concerned, as a Member of the Senate, let me say to the military men of America: Make us safe against any foreign aggression without weakly counting upon the support of any other nation that well may fail us when we vitally need help. Whatever we ought to do by way of preparation we should do. And Congress, of course, must be guided by its military advisers. How idiotic we would be if, like the statesmen of European empires, we should allow ourselves to be overbuilt so that we could truly be said to be the prey of reasonable apprehension and fear. Whatever amount we have to spend for the protection of our people against foreign aggression should be cheerfully spent. Of course, I hate to say it, but I must say that such expenditures should come ahead of every other expenditure, even expenditures for the unhappy submerged half of the population, because, after all, national defense is the supreme necessity of all.

Colonel Lindbergh and our great war ace, Eddie Rickenbacker, have suggested that if we had 25,000 more military airplanes, then even the most timid and hysterical citizen in America would know that we were absolutely safe, because the first submarine, the first war vessel, the first soldier that came in a belligerent way within 500 miles of the Western Hemisphere would be destroyed overnight by our many airplanes. Some Senators may ask, "But what would be the cost of 25,000 airplanes?" I say to you it would be negligible.

I have secured from one of the great airplane companies—I must keep the name in confidence, because the information was so given to me, but I take it that any company would verify these figures—that with an expenditure of $250,000,000 we could build factories which would produce 3,000 first-class planes every month. I do not know whether or not Mr. Rickenbacker is right that we ought actually to build 25,000 planes, of which we are already building 5,500; but, in any event, I think the Government should undertake the financing of private airplane companies to build those factories, and let them stand as notice to the world that the first hostile vessel, the first submarine, the first soldier that dares to undertake aggressions in the Western Hemisphere will start the operation of those factories at full capacity.

One can easily see the immense value of an air force of twenty-five or fifty thousand planes. It could fly 25,000 or 50,000 soldiers to any point in the Western Hemisphere almost within a day. They could strike at any submarine bases. They could mobilize overnight to protect the whole Western Hemisphere. Who is so deluded as to suggest that we should fight battles in Europe to protect our western safety, with the loss of millions of lives and billions upon billions of dollars, when we can make ourselves invulnerable in the Western Hemisphere for a comparatively small amount, and be thereby assured no one will attack us?

I know the wild and lurid suggestions that some secret expedition from the Mikado or from Hitler or Russia may come over and stealthily equip an airplane base and then bomb our great cities. I suppose that if some ruler in Europe should go stark, raving mad, he might try to send over a few hundred airplanes to bomb our great cities. I cannot conceive what could be gained by it. The aggressors would certainly lose almost every airplane; and their cities, too, are open to bombing in retaliation. Indeed, I cannot understand how anyone can be so hysterical and concerned about our own safety when every military expert in the world declares that never before in all history have a people been able to sleep so safely and securely as we.

Mr. President, in my opinion, this fear of military assault upon the Western Hemisphere is not only foolish, as far as military possibility is concerned; it is also foolish upon a historical basis. Is there anybody here who believes that, contrary to all historical experience, Stalin and Hitler are going to become blood brothers? Why, even in our own country, if political allies of the most exalted nature stay friends for a few years, that is a happy tribute to them. How can anyone believe that there will be some military combination between alien peoples that have a deep antagonism to each other, with leaders lusting for power and glory?

While I am on that point, Mr. President, let me say this: It is true that internal difficulties and commercial rivalries in the 27 states of Europe have been the fuel upon which the crimson flames of war have fed; but the lust for power among European leaders has been the torch that ignited the flames and spread them to the four corners of Europe. I pray God that here in America no leader shall ever appear who will be able to light again any smoldering domestic difficulties into some insane war venture. We may be almost certain that conflicts among European and Asiatic people will absorb their energies and that struggles for power among their leaders will prevent any permanent alliances to threaten our safety.

Mr. President, the American Nation is not innocent of wrongdoing in the past. We have upon our national conscience many things to which I shall not advert; but I am thankful that right now, apparently, we are moving forward decently and justly and fairly among the nations of the Western Hemisphere, limiting our lust for power and our imperial ambitions to friendly, honest, and decent cooperation. If with sadness we may look back at our Civil War and our Indian massacres and other unhappy tragic occurrences in our own history, at least we in America may take some pride and consolation that while the French Revolution produced a Napoleon to loot almost every capital in Europe, thank God the American Revolution produced a Washington not lusting for power, though a mighty fighter; not seeking the kingship he might have had, but renouncing it. Yes; we may be thankful that out of our traditions and our people in our hour of revolution came a great, enlightened, spiritually noble leader. Also, Mr. President, I may say that while the civil war of England produced a Cromwell who helped to behead the king and spread desolating war into Scotland and Ireland, our Civil War, praise God, produced as the greatest leaders in the North and South alike two men of nobility, kindliness, and statesmanship. I refer, of course, to Lincoln in the North, and to that gallant soldier of kind and humble heart, Robert E. Lee, in the South. I hope the day will not be far distant when we in Washington, in a more generous and enlightened era, will erect to that Confederate leader just as noble a monument as we have erected to Washington, Lincoln, and now to Jefferson.

Mr. President, in the message recently delivered by our Chief Executive upon the pending legislation there was made what seemed to me to be an extraordinary statement. That statement has been analyzed with the greatest ability by Senators who have spoken before me, who have made a great contribution to our public life, and I shall not at any length repeat what they have said, except to comment upon one thing.

Our Chief Executive declared in his message that in his opinion the best way to stay out of war is to begin to ship war materials to belligerent nations. As far as I am concerned, that statement is so shocking to common sense and logic that I cannot take it seriously. But our Chief Executive, while not supporting his proposition by any syllogism of reasoning, called to his aid a historical illustration; and

while I do not think that this example adds to or proves his case, I do think it furnishes some valuable philosophy for us in this our hour of need.

It was stated that in 1808 we levied an embargo against the shipment of goods from America to France and England, and then it was said that 4 years later we were precipitated into war, and therefore it is taken for granted that the embargo resulted in the war. I believe we may fairly term this statement what the lawyers term a nonsequitus.

What are the facts? The Senator from Utah [Mr. THOMAS] this morning said that never in all history had any nation endeavored to provoke another nation to war without cause, and he challenged anyone to name an example. Well, the history books are full of them, or imperial nations provoking inferior nations to battle, and the record of Great Britain is filled with just that kind of thing. One of the most glaring examples of British policy in that respect is the period from 1790 to 1812. British military men, statesmen and leaders, as they have done continuously through a thousand years with other nations, went out of their way then to treat us insultingly, brutally, and unfairly. They refused, in the first place, to live up to the treaty of 1783, declining to give up trading posts and military stations as they had agreed. They incited the Indians against us. They endeavored to foment hatred and disagreement among the new Colonies, and, more than that, when the French revolutionary wars came on, and then the Napoleonic wars, they not only seized the shipments off our ships, they literally stole those ships and stole the cargoes. I am speaking now only of what every textbook and encyclopedia says.

The great Washington—great in peace and great in war—while President had to submit to it, and he allowed Great Britain to insult and injure the New American Nation almost beyond endurance. The people were so aroused against him and against Great Britain that when Washington left office he was excoriated and hated by 90 percent of the American people because he had not declared war against Great Britain for many and just causes. But Washington knew, Mr. President, that our unity, our solidarity, hung in the balance; that our solvency was not established, our troops and ships were not strong enough to fight a war and at the same time maintain unity among 13 or 14 or 15 colonies, as the case was, who were all ready to break away upon any slight excuse. Consequently Washington, the fighter, the statesman with great vision, submitted and forced through a peace humiliating and injurious to the American people.

When Washington left office the depredations and the injuries continued under Adams, and under Jefferson likewise. In 1808 our ships were being destroyed and their cargoes confiscated by the British Government, and likewise by Napoleon and the French, and in order to save our ships, to save our seamen, to save our commerce, the Embargo Act was passed, and historians now claim it was a wise and rational act.

Read Beveridge, with his bias against Jefferson, and Bowers, with his bias for Jefferson; read any historian, and it will be found that the embargo was a wise and proper act. It prevented war for 4 years. It allowed the Colonies to grow stronger. We were better prepared for the war when it did come. And it did come, because the conduct of Great Britain toward us became so tyrannical and provoking that it could no longer be endured, and we went forth again to fight that great Empire; again we won, a miracle perhaps, for we are almost the only nation which ever came out of any struggle with Great Britain with victory, independence, and pride.

If you doubt me, read what happened to the Boers, what happened down in the Sudan. Everywhere in Asia and Africa peoples have had to submit in battle to the British Empire. The powerful, again and again, like the weak nations, have bowed to England—Spain, France, and all the rest. But under our colonial statesmen, the most intelligent group probably the world has ever known, we finally emerged unified, strong, militant, holding this continent against the incomparably stronger British Government.

Mr. President, the point the Chief Executive made in his message to this body that the embargo brought the War of 1812, while not, in my opinion, supporting his argument, does direct our attention to an example which very happily illustrates, at least for me, what I think our foreign policy should be. I desire now to read from Beveridge's Life of John Marshall the author's opinion of the ultimate result upon the American Colonies of the Embargo Act and the British blockade. I read from Beveridge, Mr. President, because his bias was not for but was against Jefferson. Otherwise I could read even stronger language, but I wish to take the authority and the language most against us, as some of our very able elder statesmen always do, and thereby make a stronger case.

This is what Beveridge says in the third volume of his great Life of John Marshall, at page 56:

> Our second war with Great Britain accomplished none of the tangible and immediate objects for which it was fought. The British refused to abandon "the right" of impressment, or to disclaim the British sovereignty of the oceans whenever they chose to assert it, or to pay a farthing for their spoliation of American commerce. On the other hand, the British did not secure one of their demands. The peace treaty did little more than to end hostilities.
>
> But the war achieved an inestimable good—it de-Europeanized America. It put an end to our thinking and feeling only in European terms and emotions. It developed the spirit of the new America, born since our political independence had been achieved, and now for the first time emancipated from the intellectual and spiritual sovereignty of the Old World. It had revealed to this purely American generation a consciousness of its own strength; it could exult in the fact that at last America had dared to fight.
>
> The American Navy, ship for ship, officer for officer, man for man, had proved itself superior to the British Navy, the very name of which had hitherto been mentioned only in terror or admiration of its unconquerable might. In the end, raw and untrained American troops had beaten British regulars. American riflemen of the West and South had overwhelmed the flower of all the armies of Europe. An American frontier officer, Andrew Jackson, had easily outwitted some of Great Britain's ablest and most experienced professional generals. In short, on land and sea America had stood up to, had really beaten, the tremendous power that had overthrown the mighty Napoleon.
>
> Such were the feelings and thoughts of that young America which had come into being since John Marshall had put aside his Revolutionary uniform and arms. And in terms very much like those of the foregoing paragraph the American people generally expressed their sentiments.

Mr. President, I wish particularly to direct the attention of this body to the paragraph I shall now read. I am still reading from Beveridge's John Marshall:

> Moreover, the embargo, the nonintercourse and nonimportation acts, the British blockades, the war itself, had revolutionized the country economically and socially. American manufacturing was firmly established. Land travel and land traffic grew to proportions never before imagined, never before desired. The people of distant sections became acquainted.

I use that illustration in this way; while our foreign program for the Old World is foggy and uncertain and our people bewildered by its terms, at least 90 percent of us are agreed upon a crystal-clear policy for the Western Hemisphere based upon the Monroe Doctrine. Let us therefore strive to build in the western world an economy self-sufficient for the people of this hemisphere at the same time as rapidly as possible reducing our Old World trade.

Mr. President, I will not attempt to trace the inconsistent, wavering, vacillating foreign policy that has brought us to our present ambiguous and unhappy position in foreign affairs. But I say we now have the opportunity to create and announce for the American people a doctrine which, judging from the letters I receive, 90 percent of the American people will want to follow in our policy as applied to the Old World.

The question could be asked, Where would we find a policy for the Old World as simple, precise, and popular as that we now have for the new? And I say that that policy can be found by advancing the Monroe Doctrine as a two-sided shield, one side for keeping the Old World out of the new, the other side for keeping the New World out of the old.

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

Mr. DOWNEY. I yield.

Mr. LUNDEEN. One is a perfect complement of the other, is it not? They dovetail together. Without the two sides

of the shield we are not logically in the position of maintaining the Monroe Doctrine.

Mr. DOWNEY. I agree exactly with what the Senator from Minnesota has said. One side of that shield is as important as the other. One supports the other. Each is vital to our interest.

Mr. President, since the Senator from Minnesota has brought it to my mind, I advert to the thought that in some ways our conduct in diplomatic matters is so obtuse and illogical that I wonder we do not laugh at ourselves. For affrontery and inconsistency our doctrine in dealing with nations outside and inside the Western Hemisphere has never been equalled. While we announce that foreign nations must stay out of the Western Hemisphere, we reserve the right to lecture them, to produce arms and ammunition to support one side, to loan money for war purposes—yes, to send over 2,000,000 men to help settle arguments taking place over there outside our own country.

Mr. President, this cross-eyed, illogical policy of ours is so absurd that I hope our Secretary of State will never confuse the two pigeonholes in which he keeps the different documents pronouncing our Old and New World policies, one pigeonhole containing instructions to nations of the Old World to stay out, and another pigeonhole containing instructions telling them what we are going to do over on the other side.

Mr. President, suppose that at some time our Secretary of State inadvertently was handed the wrong document and published it. How foolish we would feel.

Mr. President, how we would rail at Japan, how we would condemn that country, if it served notice upon non-Asiatic nations that they must stay out of that continent, and at the same time said, "But we are going to meddle as we please over in the Western Hemisphere." If we want, we will even send great armies over there to help decide its destiny on the battlefields.

Mr. President, let us be consistent. Let us become logical. If we want to play the dangerous game of power politics let us enter into it all over the world, and let our European or Asiatic allies come over here and help exploit and defend this hemisphere, and let us, as many of our leaders seem to want, engulf ourselves in the convulsion of contending European countries. Let me hasten to say, Mr. President, that I speak only in irony; thank God, the masses of our people have a different policy for the Western Hemisphere, and woe betide any foreign power that tries to violate the Monroe Doctrine. And we may thankfully say that the people, though not all the leaders, the citizens of North and South America alike, as if by common inspiration, are severing the ties of intellectual servitude that have bound them to the hates and the horrors of the Old World. As if by a common inspiration they, like us, are beginning to envisage here in this western world—one-half the globe, if you please—the dawning of a new and a finer day; the inauguration of a unique and splendid destiny under the western stars.

Mr. President, I pray God that never again will the people of this western world be lured by foreign propaganda to exchange the golden coin of isolation for that miserable leaden counterfeit of intervention in the Old World.

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

Mr. DOWNEY. I yield.

Mr. LUNDEEN. In the issue of the Washington Evening Star of Friday, October 6, 1939, under the title "Washington Observations," we find an article entitled "Excellent Opportunity Goes Begging for Great Speech on Real Reasons for Arms Ban Repeal." The article is written by Frederick William Wile is as follows:

There have now been half a dozen eloquent Senate speeches on the neutrality bill—by PITTMAN, CONNALLY, and SCHWELLENBACH, for; and BORAH, VANDENBERG, and NYE, against—but there seems to be a conspiracy of silence, except for occasional innuendoes from the opposition as to what all the shooting is really about. What's the use of mincing words—

Says Mr. Wile—

dodging issues or pussyfooting at such an hour? Why doesn't some Senator, preferably a supporter of embargo repeal, rise in his place and boldly utter the underlying, unadulterated truth? What is that truth? So far as I know, it has never been so frankly, fearlessly, or fully told in any quarter as it was by my gifted colleague, Arthur Krock, Washington correspondent of the New York Times. Writing on September 6, Krock said that the object of embargo repeal is to help the Allies, that the actual reason why the administration wants the embargo removed is because it deprives, in this instance, Great Britain and France, of 10 percent of the war-making materials which would help them defeat Germany. Krock added that "there has been little official concealment that this is the real reason for the unsuccessful attempt in Congress in July to eliminate the arms ban. It is the actual, rather than the technical, reason which animates the opposition."

OPPORTUNITY FOR GREAT SPEECH

There is waiting in the United States Senate, at this hour, an opportunity for a speech that will ring down the ages, perhaps like Edmund Burke's address on the American Colonies in the British Parliament, or, to go modern, like William Jennings Bryan's cross-of-gold epic at Chicago. I mean a speech that will not use language as a vehicle for concealing thought, but which will tell the plain truth about this neutrality business, as Arthur Krock did, strip it of its irrational and irrelevant technicalities, and put it to the American people in terms of burning simplicity. The Senate anti-embargo group contains several men who oratorically have what it takes. SHERMAN MINTON, of Indiana, and JOSH LEE, of Oklahoma, both won their Demosthenean spurs in college days. BURKE, of Nebraska, has the eloquence, which Speaker Tom Reed once defined as "logic on fire," requisite for the task. BAILEY, of North Carolina, would be impressive, too. If CARTER GLASS' health permits, that hard-hitting statesman, of course, could shake the dome with the sort of argument he's capable of making on high political occasions. On the Republican side, BOB TAFT ought to do a good job, despite the jinx that's attached to his speaking reputation ever since his Gridiron Club flop last winter.

HERE'S A TEXT

If some embryonic Patrick Henry wants a text for the kind of neutrality speech herein urged, I commend to him the matriculation sermon just preached to undergraduates at Yale by President Charles Seymour. Remember, moreover, that he was talking to a group of "our boys," probably 90 percent of whom would be fighting if we went to war. Taking as his text, King Solomon's prayer for wisdom, Dr. Seymour insisted that issues were being fought in Europe to which we could not close our eyes, and upon the result of which we dared not turn our backs. A defeat for the western democracies would necessarily be regarded as a disaster of the first water, he stated.

PERIL IN NAZI VICTORY

"Purely in the political field," President Seymour continued, "we could not view with any comfort a situation characterized by the predominance in western Europe of a victorious Nazi government which has opened the eastern gates of the continent to the Russian flood of Communistic imperialism.

"Our Nation will not sacrifice its peace because this or that legislative enactment is maintained or repealed, or by reason of any alleged group interest in a commercial boom, or through haphazard hysteria. We are not governed by a fatalistic onrush of circumstance. We can maintain free decision as our interests dictate."

There you have it—the brazen boldness of the pro-British elements in America—I have never yet heard an American of German descent—I have never read of a German citizen or heard anyone of those so freely denominated pro-German in the World War and since, ever exhibit the gall or the nerve to demand that we help Germany in her battles against her foes. The pro-British elements take it for granted that all men, white or black, red, or brown, or yellow must die for Britain and her empire. There must be an end to this. Even old fighting Ireland, brave and courageous Ireland, now serves notice of her neutrality. The day may soon be here—it may be here now—when Britain must learn to fight her own battles with her own men and abide by the results.

The article I have just read states that there is an opportunity for a great speech; and may some Senator stand forth to speak—a Webster, a Henry Clay, or a Calhoun—on this Senate floor, eloquently pleading for help for Great Britain and France, the world's two greatest empires. The tremendous expansion of Britain we all know and the empire of France contains more than a million square miles of territory than we have in our own great country. We went to her rescue once and now that nation charges rent for the very graves in which our hero dead rest on Flanders fields.

Mr. DOWNEY. Mr. President, I am deeply grateful to the Senator from Minnesota for his contribution. However, may I make this addition to his statement: Opposing the repeal of the arms embargo we have already had arguments of highest power and intellect, which will appeal most persuasively to 90 percent of the American people when they

are thoroughly understood; they have been most realistic, penetrating to the very heart of the issue presented.

I am compelled to make my next statement reluctantly; and, moreover, I regret to say it because many of the Senators about whom I am speaking are not present. I do not blame them for staying away. If I were one of them I should not want to listen to those arguments either. The arguments of the proponents of repeal certainly have not been notable for any realism or candor. I suppose, Mr. President, that 75 percent of such arguments have been to establish the fact that the advocates are acting neutrally, and are not trying to help anybody by lifting the embargo from war waterials.

Perhaps the masses of the American people may be so uninformed; they may not read the newspapers and do not know what this is all about; but I believe otherwise, for I have had tens of thousands of letters and telegrams flooding into my office, and those messages indicate that the writers know, as does every press representative, every editor, and every columnist, that we are called here to pass a law so that we may supply war materials to the British and French Empires to help them through such sales.

I wonder, Mr. President, if there is one Senator who believes that we would have been called here to engage in the unholy and dangerous business of permitting the export of arms, ammunition, and explosives if it were for the benefit of Germany and Hitler. I will say to the Senator from Minnesota that the arguments by the proponents of the joint resolution are failing of their target because of misdirected aim, for they are afraid of realism. They are afraid to meet the issue. Let me briefly state why this is so, and then I will return to the question of embargo. It is plain indeed whence springs the lack of logic and the lack of consistency in the message of our Chief Executive and in the senatorial arguments. The instincts of the proponents of repeal are at war with their intellects; and whenever that happens we are bound to have a defective reasoning power and an inconsistent man. Freud, one of the greatest geniuses of all time, who recently died, in explaining the effect of the subconscious upon the conscious, described many cases typical of Senators who are gathered here for no other purpose than to lift the war materials embargo because they think the empires may need our supplies, but who, nevertheless, try to convince us and the American people that that is not the truth—that they are here as neutrals only, to help keep America out of the war. I sympathized with the able Senator from Utah [Mr. THOMAS]. The Senator from Nevada [Mr. PITTMAN] said in substance to the Senator from Utah: "Will you pledge yourself that you will never go beyond this act, and that you will never again be lured into granting credits abroad and sending American soldiers to the European battlefields?"

I am glad the Senator from Utah is now entering the Chamber, because, though he talked for at least 10 minutes in answer to that question, he never answered it. Nor did the Senator from the great Lone Star State of Texas [Mr. CONNALLY] answer the question which I tried courteously and fairly to put to him. I said to the Senator: "If Germany were to be the beneficiary of this repeal, would you vote for it?" His only reply was that I was guilty of misconduct and unfairness in thus interrogating him.

I wish to read the question asked the Senator from Utah by the Senator from Nevada [Mr. PITTMAN], and I am glad the Senator from Utah is present in the Chamber. I asked him to return, because I wanted to discuss this issue in his presence. He is only about 30 minutes late, but happily he is here. If he desires to make any statement, I shall readily yield to him. In the 10 or 12 minutes in which he discussed Senator PITTMAN's query he said many things but never answered the interrogation. It was as follows. I now quote:

Mr. PITTMAN. I wish to ask the Senator a personal question, and when I say that I mean a question searching his own personal action and his intended action. I do this because a number of speeches broadcast over the radio, and some intimations in speeches here, indicate that Senators, even those who are supporting and intend to vote for this very stringent restrictive legislation, will in the course of time yield to persuasion and first throw down the restrictions on credit which are now so strong, so as to help Great Britain, and later on, as the debts to Great Britain amount, they will waive all security and let the debts mount and mount and, when that is not sufficient to save Great Britain, will vote to send our young men over there to die in Europe to save that money. Is there anything on earth that would induce the Senator from Utah to so yield? That is the question I ask him.

That is the question asked by the Senator from Nevada. Before I yield to the Senator from Utah I should like to ask one further question. For almost 20 minutes the Senator sought to convince the American people and this body that the passage of the joint resolution would be more to the benefit of Germany than of Great Britain. I do not know whether he meant that, but that is what he said, and I ask him this question: Does the Senator really mean that? Does he want the Senate, the American people, the British Government, and the German Government to think that the passage of the resolution would be more to the benefit of Germany than of Great Britain?

I yield to the Senator.

Mr. THOMAS of Utah. Mr. President, the question asked is rather involved and lengthy. If I did not answer the Senator from Nevada, it was not because I did not intend to answer his question. It was because I could not remember all the factors that went to make up the question. The Senator from California has now made the question even more involved than it was. However, if I may summarize what I think he wants me to answer, it is whether or not I would vote to take our country into war to collect debts. Is that what the Senator means?

Mr. DOWNEY. No; I do not mean that. I mean, would the Senator extend credit to the Allies to help them obtain goods from the United States; and if necessary to help them defeat the German people, would the Senator again extend military aid?

Mr. THOMAS of Utah. Mr. President, if I had been in favor of extending credit to any country which wanted to buy under the provisions of the law I should never have supported in committee the limitation put into the bill, the simple definition of what constitutes cash business. In the financial provision of the present law we have no definition of cash business. If I know anything about cash business, by cash business is meant terms cash, 30 days, 60 days, or 90 days. Business with South America is deemed today to be a cash business. Our trouble with trading with South America is that they need a very much longer time than that. If I understand the law, and if I understood what we were doing, we were attempting to make the definition of cash business so strong that no man could misunderstand it. We have it so strong that the 90-day limit is the simplest and surest definition for cash business that I think can be found in ordinary commercial trading. It is not a credit business in any sense whatever, and is not deemed a credit business by those who conduct international business.

Mr. DOWNEY. If the Senator will pardon me, I do not think he has yet met the issue. I should like to have him place himself on record, if he is willing to do so. If he does not wish to do so, I shall not importune him. The question which was propounded by the Senator from Nevada, and which the American people want answered, is, If this joint resolution should be enacted and should prove insufficient to provide war materials for Great Britain and France because they have not the money with which to buy them, later on when, that fact should develop, would the Senator then be willing to grant them such credits as they may need?

Mr. THOMAS of Utah. A question of that kind cannot be answered categorically. In the first place, we would have to repeal the Johnson Act so far as England and France are concerned. Does the Senator want me to say whether I am in favor of repealing the Johnson Act?

Mr. DOWNEY. No.

Mr. THOMAS of Utah. So far as I am concerned, I stand exactly where I think the pending joint resolution stands. I am opposed to giving credit to any country on earth for war purposes. Is that plain?

Mr. DOWNEY. Is that a declaration?

Mr. THOMAS of Utah. That is my stand, and I think it is perfectly understandable. The United States of America

should not extend credit; should not allow foreign nations to obtain credit; should not allow foreign nations to sell bonds in our country. In other words, the wars of foreign nations should be financed by foreign nations.

Mr. DOWNEY. I am happy to have provoked that declaration, which, I take it, is a commitment to the American people. If I understand the Senator from Utah, he now means—and if I am in error I should like to be corrected—that if conditions should develop under which the allies still needed war supplies from us and could not pay for them, he would refuse to grant them credit with which to buy. Is that what I am to understand?

Mr. THOMAS of Utah. Certainly. I stand upon the primary thesis that the United States should not finance the wars of other nations. We have quite a task of our own.

Mr. DOWNEY. I repeat: I am very happy, Mr. President, to have evoked that commitment from the Senator from Utah, and I would say if every other Senator who is a proponent of this measure would commit himself to the American people as agreeing that the pending measure shall not be a first step leading to grants of credit and ultimately to war, I think we would all sleep happier tonight.

Now I should like to intervene with one further question. Does the Senator from Utah want the Senate and the American people to understand that he actually believes—I understood him so to say, but perhaps I was mistaken—that he is solemnly of the opinion that the repeal of the present Embargo Act would, on the whole, be beneficial to Germany and disadvantageous to the British Empire?

Mr. THOMAS of Utah. I think the Senator has put the question a little bit differently from the form in which it was put this morning. The point I was making was that, so far as general trade was concerned, so far as the things which England needed were concerned—and we were talking only about England and not Germany—assuming the correctness of the statement which has been made so many times that repeal is going to enable France and England to secure airplanes from this country, if we take the joint resolution as a unit and consider it in relation to the present law, the restrictions which are proposed to be put upon American trade are of such a nature that England will find herself very much more at a disadvantage, as a result of the passage of the law, than at an advantage. In the first place, all traffic in Americn ships would be cut off; and, in the second place, England would have to pay cash for everything that should go to England. Those two things are probably the greatest hindrances to the ordinary, normal relations between the nations that could possibly be brought about by law.

Mr. DOWNEY. If it were any other Senator except one for whom I have the very highest admiration, not only for his integrity but for his intelligence—for the Senator from Utah has those two qualities in the highest degree—I should think that by a process of rationalization he is deluding himself. The Senator from Utah must know what the British and German Governments know, and what, I take it, every citizen in America knows, that repeal of the embargo, taken as a whole, will work to the advantage of the Allies and against Germany. I suggest that the passage of the joint resolution will undoubtedly provoke hate and fear from the German people against us. In the last war almost a million Germans were starved because of the British blockade. I am not blaming the English Government for that; war is the ultimate atrocity; people must suffer and starve when they war; but I point out that, beyond doubt, in Germany our action will be taken symbolically and otherwise as a desire to turn the greatest factories in the world over to Great Britain to produce war materials to blow the German people to pieces.

If that is not true, if this proposed law is for the advantage of Germany, on the whole, and against Great Britain, it would be well to make that plain to the German people, so that we shall invoke upon us only the dislike and hate of Great Britain by doing this, for, if the Senator is right, if this proposal is more to the disadvantage of Great Britain than it is to the disadvantage of Germany, we will bring upon us the immediate condemnation of the British and French leaders.

Mr. THOMAS of Utah and Mr. PITTMAN addressed the Chair.

Mr. DOWNEY. I am not through yet. Neither of the Senators would yield to me during an hour and a half when it had been agreed that I should be entitled to speak——

The PRESIDING OFFICER. The Senator from California declines to yield.

Mr. SCHWELLENBACH. Mr. President, I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SCHWELLENBACH. Under the rules of the Senate is it possible for a Senator to advert to another Senator and interrogate him, and then, after he has interrogated him and commented upon the answer of the Senator fail to give the other Senator an opportunity to be heard at that point?

I appreciate the fact that there is no intention on the part of the Senator from California to be unfair to the Senator from Utah.

Mr. DOWNEY. Mr. President, may I make a statement?

The PRESIDING OFFICER. The Chair will answer the parliamentary inquiry by saying that it is not his understanding that a Senator who has the floor has a right to interrogate a Senator who has not the floor.

Mr. DOWNEY. In order that the distinguished Senator from Washington may thoroughly understand the situation, and for the sake of the RECORD, let me say that I did not at all send for the Senator from Utah, nor am I in any way precluding him from taking all the time he wants right now. I did want the right to finish a sentence or a paragraph I was in the midst of. I merely notified the Senator from Utah—and he will bear me out—that I had secured from the Official Reporter a copy of the question asked by the Senator from Nevada [Mr. PITTMAN] of the Senator from Utah and told the Senator from Utah if he wanted to be present to defend his own position when I discussed it I would be happy to yield the floor to him and let him do so. Let me say that I am not in any controversy with the Senator from Nevada in any way; and if I was impatient, if I was vehement or petulant or rude or impolite or inconsiderate, I certainly apologize to the Senate and to the Senators whom I have affronted; and if the Senator from Utah wants any further time, I very cheerfully and gladly yield to him.

Mr. SCHWELLENBACH. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Washington?

Mr. DOWNEY. I yield.

Mr. SCHWELLENBACH. I know, as we all know, the Senator from California is uniformly courteous and polite and considerate of the other Members of this body. When the Senator from Utah came in, the Senator from California remarked that he was half an hour late. I think, if I may say so to the Senator from California, that he has been a little unfair to the Senator from Utah; and when, in response to a criticism of the answer which the Senator from Utah gave, the Senator from Utah then wanted to reply and the opportunity was denied him by the Senator from California, I think the Senator from California was going just a little further than he himself would want to go. I am sure that there was no intention on the part of anyone on either side to be impolite, but when the Senator from California thinks it over I imagine he will not feel that he has been fair to the Senator from Utah by refusing to let him reply to the criticisms of the answer which he made.

Mr. DOWNEY. Mr. President, if I may reply very briefly to the Senator from Washington, the facts are these: I had a certain outline for my argument, and in about 40 minutes from the time I began I was going to reach the point where I expected to discuss the answer of the Senator from Utah to the question propounded by the Senator from Nevada. I so notified the Senator from Utah, and he assured me that he would endeavor to be back at that time. For perfectly

good reasons, of course, he was delayed an extra 40 minutes, and in my remarks—possibly improperly under the senatorial code, which the Senator from Washington refers to—I facetiously said to him that he was 40 minutes late. If I have hurt the feelings of the Senator from Utah by that humorous comment, I ask his pardon; and if there are any other suggestions the Senator from Washington would like to make, I should be happy to listen to them.

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Utah?

Mr. DOWNEY. I yield.

Mr. THOMAS of Utah. I have forgotten what the questions were. [Laughter.] I rose to answer the questions and was anxious to do so. So I am perfectly happy if the Senator is.

Mr. DOWNEY. Mr. President, I do not desire to indulge in further repartee that might bring me any censure, but I may say that not only was the Senator from Utah 40 minutes late in getting here, but, likewise, the Senator from Washington was 40 minutes late in admonishing me for my remarks, for it was just that long ago I made them, and meanwhile the Senator from Utah has forgotten what it was all about.

Mr. President, some time ago I was discussing the effect of the embargo of 1808 upon American commerce; and I read the declaration of Albert J. Beveridge that that embargo had resulted in great benefit to American commerce, because it turned us to our own manufacturing and our own resources. I have contended over many years that a wise American policy would steadily delimit our commerce with Europe and foster it in the New World. What is the basis for that argument? First, because 90 percent of what we ship over to Europe our own people could utilize. We now send to Europe about $1,300,000,000 of exports, which, I may say, is an abnormally large amount. I should say that 90 percent of what we are shipping to Europe the American people, who are in great distress, could use right here in the United States of America. Our people could reasonably produce and enjoy at least forty or fifty billion dollars' worth of goods more than we do produce. To me it has seemed an unsound foreign policy to attempt to force European commerce to the extent of something over a billion dollars annually when thirty or forty billion dollars' worth of those commodities are needed and could be used by the American people. Our only problem is to perfect a distribution of the goods we can produce in almost unlimited quantities and that our people could use for reasonable needs in far greater amounts than they now enjoy.

Take the case of cotton, if you please. I have consulted with some of the Southern Senators, and they tell me that if the American people were given a buying power of one hundred or one hundred and ten billion dollars, which is reasonably within our immediate power to attain, we ourselves would utilize for our own people far more additional cotton than we ship to Europe. It has seemed to me a short-sighted statecraft to try to build a trade in surpluses, that must periodically be demoralized by foreign wars and must periodically thus involve us in foreign difficulties of a most dangerous nature, when here in the United States is an unlimited market for those same goods. Had we employed the same energy in finding means to distribute our wealth to our own people that we have wasted in promoting a meager and transient European commerce our national health would be much better.

Mr. President, let us reflect upon another fact:

After the Great War, which cost us $40,000,000,000, our beneficiaries called us "Uncle Shylock." They can now, with much more justice, call us "Uncle Stupid," and I will tell you why.

There is in the whole world between twenty-six and twenty-seven billion dollars' worth of gold at the price we now pay for it here in the United States. In the United States we now have between sixteen and seventeen billion dollars of that gold. Right now it is coming in at about the rate of $2,000,000,000 a year. Looking ahead 5 years, if present conditions continue, we are going to have 95 or 99 percent of it. The British Empire alone is producing $750,000,000 in gold each year, largely out of South Africa and Canada. Russia and other nations are producing something more than $250,000,000 a year. Those nations know that under present conditions gold would be worthless except for our acceptance of it, as all should see, and they are foisting it on us as rapidly as they can.

Last calendar year we had $1,900,000,000 of gold imports. This year the amount will probably run more. In other words, Great Britain and Canada and Russia are dumping upon us at a tremendous profit all the gold they can produce, and, in addition to current production, our credit balance of trade of about $1,000,000,000 is being paid in gold. What do I mean by that? I mean that while we are sending abroad to Europe every year $1,300,000,000 worth of products produced by American workmen that we ought to be using here, Europe sends back to us only $500,000,000 worth of goods, and pays the other $800,000,000 in this worthless gold which is now being buried in the hills of Kentucky. I am speaking only in round and approximate figures.

Do not Senators realize that all Europe is going into dictatorship? Indeed, it is already there; and under a dictatorship the only purpose of gold is to give it to some democratic and credulous nation for real wealth. Great Britain and France now have left about six or seven billion dollars in gold. If we embark on a great war trade, I have no doubt that within 2 years, if a war boom develops, we shall own 90 or 95 or 99 percent of the gold of the world; and what will it then be worth?

Gold now is of value to a nation only to settle its obligations to other nations. It is no longer, and never will, I think, again be used for internal exchange. Do not think that any nations are ever going to grant us any credit that we can repay in gold. Do not think that the $12,000,000,000 due from the Allies will ever be paid. We no longer use gold for a medium of exchange. Under a modern commercial system we use what we term "checkbook money." We transfer from one individual to another credits in the bank and thereby transact 90 percent of our business. Only 10 percent of our business is done with silver dollars and paper dollars and larger bills, and not one dollar with gold. Is the credit of the United States, to whom almost every great nation in the world is in debt, made any stronger abroad by our ownership of almost all the gold in the world? No, Mr. President. The truth is that Russia and Great Britain and France are wisely getting rid of this gold that nobody could eat or wear; and when Uncle Sam has it all safely buried away no one will ever want it again except to make bridge fillings for teeth, or wedding rings, or perhaps monuments of some kind to American statesmen who helped to collect and bury it.

Mr. McCARRAN. Mr. President, will the Senator yield at that point?

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

Mr. DOWNEY. Yes; I yield.

Mr. McCARRAN. I am very much interested in the last expression or two of the able Senator from California. I think all monetary base should be silver. I would even make wedding rings out of silver, because I come from a great silver-producing State. [Laughter.]

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

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

Mr. DOWNEY. Gladly.

Mr. PITTMAN. When I sought to interrupt the Senator a while ago, but was called from the Chamber, all I wanted to say was this:

The Senator from Utah [Mr. THOMAS], as I understood him, said that under no consideration would he ever vote for war or to send soldiers to collect debts. I desire to assure the Senator, as one of those who reported the pending joint resolution, that I hold exactly the same view. Under no consideration on earth, no matter how large the debt, would I ever vote for it. I think the Senator possibly can draw the same

thing from every one of the Senators, because it is my candid belief that there is not a man in the Senate who knows the history of the World War—and I think all of them do now—who would have taken the steps that we took then, knowing what we now know—that is, that we may suspend our rights under international law on the high seas, whatever they may be, rather than pay the cost that we did pay, and probably will have to pay again, to fight for those rights. I will say to the Senator that I do not believe there is a Senator in this body—not one—who would ever vote to go into any foreign war unless this country were attacked. That is my view of the matter.

Mr. President, that is my view. Of course, I cannot speak the sentiments of every Senator here, but I have heard Senators express their opinions off and on, and I believe that I am correct. I hope so.

Mr. DOWNEY. Mr. President, I am profoundly grateful to the Senator from Nevada for his clear declaration of his stand against our future involvement in war, and, if I understand him, against any increase in our debt for the benefit of foreign sovereignties. I wish to say to the distinguished Senator from Nevada, who, by reason of his long prestige and great public service, is of large importance and influence in the United States, far greater than I, in any words I speak, that if his declaration were carried to the four corners of the United States, boys and mothers would sleep easier, for I believe there is a great fear in the hearts of the mothers of America and among the boys of America that we may be asked to repeat the terrible crusade of 20 years ago, with all its follies. If my colleagues will pardon a personal expression, which I would not use except in speaking my own heart, I speak, I am sure, the hearts of almost all American mothers and fathers. I have two boys of my own, and if it were necessary to defend our own Nation, they would cheerfully and courageously, I am sure, lay down their lives, and I could make that sacrifice with grief, yes, but with resignation, if they died in defense of their own people and their own land. But if any American Government, by any indiscretion or precipitate action, should in this great catastrophe involve us in the fires and hates of Europe, and one of my boys should be called there and should meet with injury or death, I never would forgive that American Government; and I think in so speaking I truly interpret the hearts of American parents.

I am therefore glad that the distinguished Senator from Nevada has given his solemn assurance to the mothers and the sons of America that he will stand four-square against any further foreign involvement beyond the pending measure. While he and I do not see alike upon this particular measure of selling war materials abroad, I recognize his experience and ability in this field of legislation far outrun my own.

Mr. President, may I now return to my declaration that the American people should advance the Monroe Doctrine as a two-sided shield, warning aggressor nations out of the Western Hemisphere, and keeping us to our inescapable destiny under the western skies, isolated from foreign ventures and foreign dangers.

I recently talked with one of the American leaders who knows much more about military power than I do, and while at first he put forth the proposition that we were vulnerable to European or Asiatic attack, he finally based his argument upon one single assumption. That our Achilles heel might be found in an alliance between some Latin American country and some European dictator, and since that possibility has been widely discussed by our people, I desire now to advert to it. In the argument presented me it was said, "Suppose some dictator should conquer Europe. Do you think that is possible?"

I replied, "Possible, but not probable; but I am willing to assume it as a possibility against which we in our caution should guard."

He then said to me, "Do you realize that the Latin American nations and Mexico have approximately $500,000,000 of foreign trade with European nations in products which we could not take here in the United States—cattle and wheat and corn—because we already produce an excess of those products?"

I admitted the truth of that statement. He then said, "Suppose some European dictator, having gained complete control of the markets of the Old World, should say to some nation of South America, 'We will not take your five hundred millions of farm products and give you the machinery and the commodities you want unless you enter into a military alliance with us allowing us to establish airplane and military bases in your own country for the conquest of South America and the Western Hemisphere.' What do you think that South American nation would then do?"

It immediately suggested itself to my mind that the countries in South America are a proud, independent, and defiant people. I have found them highly courteous, with an advanced culture and civilization, who at times have justly resented our condescension and our attitude, and some of our acts, which I hope and feel sure will never be repeated. Their fear against us has been that this great colossus of the north might sometime strike at them with imperialistic ambition.

Mr. President, put yourself in the position of a Mexican citizen. Suppose you were a resident of a country of fifteen or twenty million people, and just across a boundary line 3,000 miles long was one of the most powerful nations in the whole world, with 130,000,000 inhabitants, which could attack and devastate your land in 30 days if it desired. Of course, you might well be apprehensive of the foreign policy of that country, particularly if its conduct had not always been blameless in foreign affairs.

And I declare here and now, in connection with this thought, that as we develop our military power to defend the Monroe Doctrine, let us delimit our ambitions, and by repeated statements and good faith and fair dealing let the people of the Western Hemisphere know that we shall always deal with them upon terms of friendship, equality, and peace.

And may I also depart from my theme to say, Mr. President, that I know that such a policy is right now being pursued and that 90 percent of the American people are behind the efforts of the Committee on Foreign Relations and the executive department and our Chief Executive in the great work we are doing in building up good relations with Mexico and Central America and South America. I am not pretending to say anything here which distinguished Senators could not say with more prestige and more intelligently than I could say it.

But some of our neighbors here in the past have feared imperialistic designs from us. Would you conclude from that that they would ever submit their heads to the noose of any European dictatorship, to the burden of some imperialistic war venture? I cannot so believe.

Can we imagine any South American leader selling his people out to the Japanese Mikado, or to Hitler, or to Russia? How long would any South American government last if it invited the arms and soldiers and airplanes of some imperialistic dictator from abroad? The nations of South America are just as bitterly set against conquest as we are, whether it would come from the United States or whether it would come from abroad.

I do believe that almost certainly we, as well as South America, are going to find our European trade involved in difficulties because of continuing European catastrophes, which will probably still strike through the next thousand years as they have repeatedly struck through the last thousand, and a sane policy for the Western Hemisphere would be a hemispheral economy, in which no nation in the New World would seek European trade; but, on the contrary, by wise cooperative action promote a self-contained and balanced economy here in the western world, which, if gradually and intelligently undertaken, would be easy to attain.

As the distinguished Senator from Utah could describe much better than I can, we in the United States lack only three important materials, the want of which prevents us from having a well-balanced economy. The Senator mentioned two of the most important ones today, namely, rubber and tin, because we do eat much out of tin cans and we do

travel far on rubber, sometimes both at the same time. Of course, as the Senator has instructed me, manganese is the third. As to this, we have immense deposits of second-grade manganese in the Western Hemisphere, which, at a higher cost, we could develop. Cans, of course, can be made without tin, as the Senator knows full well, because I have heard him state that very fact. Yes; tin cans are made out of iron and are covered over with tin, and aluminum can be used just as well if a slightly higher price is paid, and we can always have plenty of aluminum.

If I can believe reports that come to me from reputable statistical bureaus, we have already developed a synthetic rubber in the United States, now controlled by the du Pont Co. under the same of "duprene." It might cost twice as much as rubber costs us at present, but, nevertheless, beyond doubt, our inventive genius and our army of the unemployed could develop rubber production if it were necessary. This likewise can be grown in Brazil, and would have been grown in Brazil except for the fact, as the Senator from Utah stated, that a great international syndicate, headed by European and American industrialists and bankers, has prevented the development of any rubber industry in South America.

Mr. President, without discussing this particular problem any longer, let me say that every writer who has written about it has stated that in a few years we can in the Western Hemisphere produce a balanced and self-sufficient economy. And while I am on that subject I want to advert to something that is perhaps somewhat irrelevant here. The honorable Senator from Texas [Mr. CONNALLY] and likewise the Senator from Utah [Mr. THOMAS] apparently were weeping tears over the lack of material and resources for England and the British Empire as a whole. Mr. President, as I have already said, the British Empire is the greatest and the wealthiest empire on the globe, with more natural resources, wealth, and manpower than any other empire in ancient or modern times. The British statesmen have been careful, in selecting one-fifth of the total area in the world, to pick up the rubber and the tin and the petroleum and all the other materials that they need to maintain a warlike economy. And when I hear these tender-hearted Senators almost sobbing as they describe the need of Great Britain and France for arms against their aggressor, Germany, because the latter is so well prepared, while they are not, I am compelled to say that I believe these Senators must be ignorant of the mighty resources and power of the two allied empires.

In the first place, Mr. President, England and France have practically the same population as Germany. And their empires, with almost 1,000,000,000 men, provide them with an immense body of colonial soldiers and workers to draw upon, at least seven or eight times the manpower that we have in the United States. If any of their dominions or colonies are not willing to enthusiastically fight for their government, is that the fault of the United States of America? Great Britain and France likewise have far more material resources for a great war than Germany, and in armament are vastly superior. The French Army is, I think, the largest of them all, with the exception of the inefficient Russians, and considered the greatest army in the world—transcending in equipment and trained reserves that of Germany. The combined navies of Great Britain and France are three or four times as great as that of Germany. And the best military report is that those two empires are now reaching a parity with Germany in their air power. Of that, of course, I do not pretend to speak with any degree of certainty.

Mr. President, I sympathize with all the miserable, unhappy, devastated people of Europe, but I do not shed any tears for Great Britain and France in contrasting them with Germany. In every way, materials, men, wealth, they are overwhelmingly superior. So superior, Mr. President, that if I were a citizen of Germany, I should today dread the might and will of the Allies and fervently pray that the Germans would not again be devastated, as in past wars.

Likewise, Mr. President, let me say this. Let no one sell the British Empire short in this conflict. Our statesmen are naive compared to the British leaders who for centuries have held world supremacy and great parts of the world subjugated. Only once, since William the Conquerer fought the Battle of Hastings in 1066, has the soldier of a foreign nation placed his foot on English soil, and that was a hundred or 200 years later, and it was the foot of one of their present Allies, the French with whom they have periodically been, in the past, engaged in many terrible and cruel wars for many centuries.

Except for that one time England has never been invaded while the British Empire has had its soldiers and its navy in almost every corner of the world conquering and subjugating alien and distant peoples and seizing great areas of land and great quantities of natural resources.

Mr. President, I realize that a new and significant military weapon has developed, and that is the air arm. National movements have been won and lost because some far-sighted leader seized and utilized some new mechanism of war. Hannibal, Caesar, Alexander the Great, Genghis Khan, Napoleon with his massed artillery, all won their great victories by first using with highest efficiency a new military weapon or technique.

Back in the beginning of the Hundred Years War fought between England and France, in the course of which almost every town in France was destroyed, and almost every French leader killed, England beat France to her knees through the use of her long bows and because of her sturdy pikemen, who were able to master the mounted French knights, who outnumbered the English cavalry.

And so through all history we find great empires rising and falling, and the destinies of armies dependent upon some new weapon that appears, or the defense that is developed to it.

It may be that the Wright Brothers when they flew the first airplane at Kitty Hawk, N. C., brought into the world such a military weapon, by which Germany, utilizing it with greatest efficiency, will be able to redress the balance through which Great Britain has been able to hold her own shores inviolate, and yet conquer and subjugate almost every section of the world. But my study of the almost unlimited resources of Great Britain and France—the wealth, the material, the manpower and armament—leads me to believe that any person would be making a risky bet who wagers against Great Britain. If she loses this time it will be the first time in a thousand years, except when a great American leader, George Washington, who believed in containing ourselves in our own country, led our armies against her.

Mr. President, there are certain points I have not yet covered. I am now starting on a new point, and I have been speaking steadily for almost 3 hours. I wonder if I could secure unanimous consent that the Senate now recess, with the privilege of holding the floor tomorrow morning.

The PRESIDING OFFICER (Mr. LODGE in the chair). Is there objection?

Mr. McNARY. Mr. President, I think the attention of the Senator from Nevada [Mr. PITTMAN] should be called to the request of the Senator from California.

Mr. PITTMAN. I beg the Senator's pardon.

Mr. DOWNEY. I stated that I was about to begin upon some other points, and I am rather tired. I know the Senate is also weary. I ask unanimous consent that the Senate recess until tomorrow with the understanding that I shall then have the privilege of resuming the floor.

Mr. PITTMAN. Reserving the right to object, which I do not intend to do——

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

Mr. PITTMAN. I yield.

Mr. ADAMS. Is it the intention of the leaders to have a session of the Senate on Saturday? It seems to me it would probably result in an uncomfortable situation. Many Senators have gone. It would not look well to have a discussion of a matter of such great importance with three-fourths of the Senate seats empty. I was wondering if the Senate leaders have determined to have a session on Saturday.

Mr. PITTMAN. I was going to call that matter to the attention of the Senate. When the majority leader the Senator

from Kentucky [Mr. BARKLEY] left here the other day, he had a general understanding, I believe, with the minority leader the Senator from Oregon [Mr. MCNARY] that there would be a session of the Senate on Saturday. I wish to say that since I have been in charge of the measure there have been a number of suggestions such as that just made by the Senator from Colorado.

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

Mr. PITTMAN. I yield.

Mr. NORRIS. Since we are considering only one subject, and since committees are not in session, and other business of the Senate is not being taken up, I cannot see why we should not meet on Saturday. No other subject than the one now under discussion is being considered either in the Senate or in committees of the Senate. It seems to be the almost unanimous consensus that the Senate should not do anything at this time except consider the one measure now under consideration. I presume no vote will be taken tomorrow. That can easily be agreed to, if necessary. But why should not the debate proceed tomorrow, thus saving another day?

Mr. PITTMAN. Mr. President, I was about to state that some Senators are absent on account of the funeral of the late Senator from Kentucky [Mr. Logan]. Others have notified me that they expect to be absent attending the funeral of Cardinal Mundelein. Three Senators who have been in attendance on the debates do not feel in sufficient health to be present tomorrow. Others have suggested that they are weary and would like a rest.

Mr. NORRIS. Mr. President, there is no reason why those Senators should not remain away. We could proceed with the debate even if those Senators were not present.

Mr. MCKELLAR. Mr. President, four of the Senators who went to the funeral of the late lamented Senator Logan have returned and are present. It seems to me the Senate might proceed tomorrow. We were called here for this one purpose. I do not see any reason in the world why we should not proceed. I have no doubt that course would be satisfactory to the Senator who has the floor.

Mr. PITTMAN. I was merely suggesting to the Senate matters which have been brought to my attention. I am not urging any change in the usual procedure. So far as the unanimous-consent request of the Senator from California [Mr. DOWNEY] is concerned, I have no objection to his proceeding tomorrow when we convene.

The PRESIDING OFFICER. The Senator from California [Mr. DOWNEY] asks unanimous consent that the Senate take a recess until 12 o'clock noon tomorrow. Is there objection?

Mr. JOHNSON of California. Mr. President, I wish to unite with the Senator from Colorado [Mr. ADAMS], who has suggested that the Senate recess until Monday. I am quite aware of the circumstances under which we meet, and I am quite as well aware that those of us who have attended the sessions have attended regularly and continuously during this week. This is the beginning of the debate. I should like to see the suggestion of the Senator from Colorado adopted, and the Senate take a recess until Monday. I think we should save time by doing so. Not only is the funeral of the distinguished cardinal to take place tomorrow, as I understand, but, in addition, other pending matters require the attendance of Senators. In my opinion, we should have some difficulty in obtaining a quorum tomorrow.

The decision is up to the Senate. I do not make any personal request in the matter, but I wish to unite in the suggestion of the Senator from Colorado.

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

Mr. PITTMAN. I yield.

Mr. BURKE. A rather careful check indicates the practical certainty that the first time a quorum is called tomorrow a quorum will not be found. Under those circumstances, it seems to me, it would be very much better to take a recess until Monday and continue the debate in an orderly way at that time.

Mr. MCNARY. Mr. President, I have no special opinion in the matter. During the week the Senator from Kentucky [Mr. BARKLEY], the Democratic leader, said to me a number of times that he wanted to have the Senate hold a session on Saturday. That was in conformity with a conversation some time before Congress met as to the general procedure. I concurred in the opinion that probably that was the proper thing to do. In the absence of the Senator from Kentucky, I shall not retreat from my agreement with him to have a session tomorrow.

There is much in what has been said by the able Senator from California [Mr. JOHNSON] and others; but I shall not request that the Senate recess until Monday. My wish is to remain loyal to my leader, the Senator from Kentucky [Mr. BARKLEY]. Nor shall I object to the proposal made by the Senator from California [Mr. DOWNEY], who desires to continue his speech tomorrow. It would probably be wise to have a session tomorrow and permit the Senator to continue his argument.

RECESS TO MONDAY

Mr. PITTMAN. Mr. President, in order that the Senate may vote as it sees fit, I move that the Senate now take a recess until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada that the Senate take a recess until 12 o'clock noon tomorrow.

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

Mr. PITTMAN. I yield.

The PRESIDING OFFICER. The Chair is constrained to say that the motion is not debatable.

Mr. MALONEY. I ask unanimous consent to make an observation in this connection.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Connecticut is recognized.

Mr. MALONEY. Mr. President, I think it would be very unfortunate if we should take a vote at this time on the question as it is presented. A number of Senators are necessarily absent, and a session tomorrow might create a misunderstanding in the minds of people throughout the country who cannot have an appreciation of the reasons why Senators are compelled to be absent during this tremendously important debate. For that reason I desire to give protection to those Senators who must be absent. If there is a session tomorrow, I intend to be present, but if this question comes to a vote I shall vote to recess until Monday, not because I do not intend to be present tomorrow, but in order properly to protect Senators who must necessarily be absent, and who might be subjected to criticism by some who do not thoroughly understand the situation.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada [Mr. PITTMAN] that the Senate take a recess until 12 o'clock noon tomorrow.

Mr. JOHNSON of California. Mr. President, I move to amend that motion by making the time of meeting 12 o'clock noon on Monday next.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California to the motion of the Senator from Nevada, to take a recess until 12 o'clock noon on Monday next.

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the motion of the Senator from Nevada [Mr. PITTMAN], as amended.

The motion, as amended, was agreed to; and (at 4 o'clock and 56 minutes p. m.) the Senate took a recess until Monday, October 9, 1939, at 12 o'clock meridian.

SENATE

MONDAY, OCTOBER 9, 1939

(Legislative day of Wednesday, October 4, 1939)

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

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Father Eternal, who art above all darkness and change, and hast brought us in safety to this the beginning of another