Also, a bill (H. R. 5894) granting an increase of pension to Jane C. Stinnett; to the Committee on Pensions.

By Mr. MEAD: A bill (H. R. 5895) granting a pension to Amanda T. Fuller; to the Committee on Invalid Pensions.

By Mr. MERRITT: A bill (H. R. 5896) granting an increase of pension to Charlietta A. Bloxsom; to the Committee on Invalid Pensions.

By Mr. MOONEY: A bill (H. R. 5897) granting an increase of pension to Thomas H. Flynn; to the Committee on Pensions.

By Mr. MOORE of Kentucky: A bill (H. R. 5898) granting an increase of pension to Henry P. Logsdon; to the Committee on Pensions.

Also, a bill (H. R. 5899) granting an increase of pension to Minerva J. Cassady; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 5900) granting a pension to Catherine A. Stevens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5901) granting an increase of pension to Mary S. Rine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5902) granting an increase of pension to Ella Wright; to the Committee on Pensions.

Also, a bill (H. R. 5903) granting an increase of pension to John Casey; to the Committee on Pensions.

Also, a bill (H. R. 5904) granting an increase of pension to Cordelia A. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5905) granting an increase of pension to Emma A. Larue; to the Committee on Invalid Pensions.

By Mr. PARKS: A bill (H. R. 5906) granting a pension to John Jackson; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 5907) granting an increase of pension to Rosetta Connelly; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 5908) granting an increase of pension to Vona Dickerson; to the Committee on Pensions.

Also, a bill (H. R. 5909) granting an increase of pension to Margaret Haas; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 5910) granting an increase of pension to Elimina C. Stanley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5911) granting an increase of pension to Charles E. Hilliard; to the Committee on Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 5912) granting a pension to Pearl Elizabeth Worley; to the Committee on Pensions.

Also, a bill (H. R. 5913) granting an increase of pension to William R. Neal; to the Committee on Pensions.

By Mr. ROUSE: A bill (H. R. 5914) granting an increase of pension to Jane Robinson; to the Committee on Invalid Pensions.

By Mr. SMITH: A bill (H. R. 5915) granting an increase of pension to Sarah E. Zemmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5916) granting an increase of pension to Mary M. Sams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5917) to reimburse certain fire-insurance companies the amounts paid by them for property destroyed by fire in suppressing bubonic plague in the Territory of Hawaii in the years 1899 and 1900; to the Committee on Claims.

By Mr. SNELL: A bill (H. R. 5918) granting a pension to Amanda A. Clary; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5919) granting a pension to Sarah A. Noxon; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 5920) granting an increase of pension to Mary E. Stowell; to the Committee on Pensions.

By Mr. STROTHER: A bill (H. R. 5921) for the refund of money erroneously collected from Thomas Griffith, of Peach Creek, W. Va.; to the Committee on Claims.

By Mr. STRONG of Pennsylvania: A bill (H. R. 5922) for the relief of Martha D. McCune; to the Committee on Military Affairs.

By Mr. THURSTON: A bill (H. R. 5923) granting a pension to Henry Webb; to the Committee on Pensions.

Also, a bill (H. R. 5924) granting an increase of pension to Martha J. Syferd; to the Committee on Invalid Pensions.

By Mr. TINCHER: A bill (H. R. 5925) granting a pension to Sarah E. Powell; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 5926) for the relief of Martin J. Duggan; to the Committee on Claims.

Also, a bill (H. R. 5927) for the relief of Annie Cragg; to the Committee on Claims.

Also, a bill (H. R. 5928) for the relief of Miriam E. Benjamin; to the Committee on Claims.

By Mr. TREADWAY: A bill (H. R. 5929) granting an increase of pension to Hepsey A. Wheelock; to the Committee on Invalid Pensions.

By Mr. VARE: A bill (H. R. 5930) for the relief of William J. Donaldson; to the Committee on Claims.

By Mr. WHITE of Kansas: A bill (H. R. 5931) granting an increase of pension to Julia M. Gordon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5932) granting an increase of pension to Sarah S. Vaughan; to the Committee on Pensions.

By Mr. WILLIAMSON: A bill (H. R. 5933) granting an increase of pension to Mary M. Payne; to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 5934) granting a pension to Mary Cline; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5935) granting an increase of pension to Lucy A. Smith; to the Committee on Invalid Pensions.

By Mr. WYANT: A bill (H. R. 5936) granting an increase of pension to Elizabeth Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5937) granting a pension to Christ Cribbs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5938) granting an increase of pension to Annie Elizabeth Brinker; 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:

176. By Mr. BARBOUR: Resolution of Madera County (Calif.) Chamber of Commerce, urging continuance of Federal aid to highways; to the Committee on Appropriations.

177. Also, resolution of Stanislaus County (Calif.) Development Board, favoring continuation of Federal-aid appropriations for highways; to the Committee on Apprpriations.

178. By Mr. FULLER: Petition of F. M. Lamberson and sundry citizens of DeKalb County, Ill., favoring repeal or reduction of the tax on industrial alcohol; to the Committee on Ways and Means.

179. By Mr. KINDRED: Petition of the New York State Pharmaceutical Association, favoring committee bill reducing tax on medicinal alcohol; to the Committee on Ways and Means.

180. Also, resolution adopted by large gathering of representatives of Methodist Episcopal Church, Buffalo area, Syracuse, N. Y., favoring the World Court; to the Committee on Foreign Affairs.

181. Also, petition of E. R. Squibbs & Son, of Brooklyn, N. Y., to the Congress of the United States to defeat any bills which contemplate tax changes on alcohol; to the Committee on Ways and Means.

182. By Mr. SWARTZ: Evidence in support of pension claim of Mrs. Sarah A. Heilig (H. R. 3457); to the Committee on Invalid Pensions.

183. By Mr. WYANT: Papers in support of House bill 4731 granting an increase of pension to Hester A. Brier; to the Committee on Invalid Pensions.

184. Also, papers in support of House bill 5557, granting an increase of pension to Henrietta R. Hill; to the Committee on Invalid Pensions.

185. By Mr. YATES: Petition of the Antisaloon League of America, concerning proposed tax on smuggled liquors, and advocating same; to the Committee on Ways and Means.

186. Also, petition of International Union of Steam and Operating Engineers, 2715 East Seventy-sixth Place, Chicago, Ill., praying for investigation of the Bread Trust, and to fix prices; to the Committee on Interstate and Foreign Commerce.

SENATE

FRIDAY, *December 18, 1925*

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

Our Father, the author of our being and from whom all blessings flow, we want to recognize this morning in the brightness of the day our dependence upon Thee more and more. May we get away from the selfishness that prompts us to be our own interpreters of life and of duty, and so help us that in dependence upon Thy wisdom we may fulfill the highest purposes to the glory of Thy great name. For Jesus' sake. Amen.

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

DISPOSITION OF USELESS PAPERS

The VICE PRESIDENT laid before the Senate a communication from the secretary of the Federal Board for Vocational Education, transmitting, pursuant to law, a list of files no longer needed in the conduct of business and having no permanent value or historic interest, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. COUZENS and Mr. JONES of New Mexico members of the committee on the part of the Senate.

PROCEEDINGS OF THE INTERPARLIAMENTARY UNION

Mr. McKINLEY. Mr. President, the Congress is entitled to know something of the labors and results of the twenty-third conference of the Interparliamentary Union, held in our House of Representatives, October 1–7, 1925. Just before the outbreak of the World War our Congress requested the President of the United States to extend an invitation to the Interparliamentary Union to hold its annual meeting in the city of Washington. Notwithstanding the war, the act containing this request was extended in 1916, in 1917, and in 1918. In 1924 the Congress passed another resolution requesting the President to invite the Interparliamentary Union to meet in Washington in 1925. In August, 1924, the following self-explanatory invitation was presented by our United States Minister to Switzerland at the twenty-second conference of the Interparliamentary Union in the city of Bern:

To the Interparliamentary Union:

The Congress of the United States of America having, by a joint resolution approved May 13, 1924, requested the President of the United States to invite the Interparliamentary Union to hold its annual meeting for the year 1925 in the city of Washington, it affords me very great pleasure indeed, as President of the United States, to extend to the Interparliamentary Union, in pursuance of the said joint resolution, the cordial invitation of the Government and the Congress of the United States to hold its twenty-third conference in the city of Washington at such time during the year 1925 as the union may fix.

CALVIN COOLIDGE.

By the PRESIDENT:
CHARLES E. HUGHES,
Secretary of State.
WASHINGTON, *June 30, 1924.*

This invitation being accepted with no little enthusiasm, our United States group, of which I have the honor to be the president, went at the business of organizing the conference. We made Arthur Deerin Call, permanent executive secretary of our group, the director of the conference. Mr. Call's labors are most warmly appreciated by all who have been associated with the details of his work. I am particularly pleased to call attention to the fact that the expenses of the conference have been kept within the appropriation of $50,000 provided by the Congress. Counting the seven small outstanding and unadjusted claims, the total expenses of the conference, according to our director's report, have been $49,402.55. It should be added that these expenses have been made under a budget approved by the State Department and disbursed by Mr. William McNeir, chief of the Bureau of Accounts, and disbursing clerk, with the approval of the Comptroller General. An itemized account of all these expenses is available for any who may be interested to examine it.

In the light of these facts you will not expect me to apologize for presenting to the Congress this somewhat careful report, covering preliminary statements by the director relative to the nature of the Interparliamentary Union, reasons for the success of the conference, and the story of the conference, and including various remarks by Members of our own Congress. The final resolutions as adopted by the conference should, of course, appear in the RECORD.

Mr. President, I ask unanimous consent to have printed in the RECORD a report of the meeting of the Interparliamentary Union, held in the Hall of the House of Representatives in October last.

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

The report is as follows:

TWENTY-THIRD CONFERENCE OF THE INTERPARLIAMENTARY UNION

(By Arthur Deerin Call)

The Interparliamentary Union is an agency for the promotion of international understanding, an organization with which the Congress of the United States can work without violence to any of our established policies.

The twenty-third conference of the Interparliamentary Union was quite in keeping with the aims and spirit of democratic institutions. The object of the Interparliamentary Union is the study of all questions of an international character suitable for settlement by parliamentary action. Since international treaties and understandings, any hopeful international laws, depend or should depend upon legislative action, such conferences of lawmakers are of importance, the discussions relating, as they often do, to matters of peace and war. The Interparliamentary Union may be said, therefore, to be to the legislative bodies of the world what the League of Nations is to the executive departments of governments. It aims to aid and to coordinate parliamentary action on the international plane. Its goal is the cooperation of law-making bodies in the interest of that community of nations governed by law, which has existed since states began. An unofficial clearing-house of official legislators, a get-together conference of lawmakers, the Interparliamentary Union is the world's nearest approach to a parliament of man. The twenty-third conference of the Interparliamentary Union was such a parliament.

CRITICISMS OF THE CONFERENCE

There have been a few critics holding that the twenty-third conference of the Interparliamentary Union (see Advocate of Peace, October-November, 1925), held in Washington October 1 to 7, failed in important respects.

A vital aspect of legislative procedure is freedom of discussion, candor, frankness. Here was a group of legislators concerned with legislative aspects of international relations. To be of effect their discussions should have been untrammeled by any rules save the ordinary rules of courtesy and legislative procedure. The delegates were not untrammeled. They were forbidden the privilege of talking about the Saklatvala case, about tariffs, about international debts, about immigration. These prohibitions did not take the form of official decrees, but they were none the less effective. When one of the labor members of the British Parliament expressed the conviction that all members should enjoy equal rights, and said that his labor colleagues felt a profound regret "that, in connection with this twenty-third conference, a member of this union, whose personal views we are not in agreement with, but who was entitled by every statute and article of the union to be present and to participate in the work of this conference, has been prevented from doing so," his words were met with applause. The next morning, however, a leading Washington editorial called the gentleman a "blatherskite." There was no further attempt to discuss the Saklatvala case. There was censure in the atmosphere of the conference against any discussions of tariffs, international debts, or immigration, because it was made known that these are matters of vital interest to the United States. A Belgian senator mentioned them, but no one seemed inclined to follow them with discussion. Thus frankness and candor were sometimes conspicuous by their absence. One gathered the impression at the session in Ottawa that the British delegation successfully maneuvered the conference away from any discussion of the traffic in drugs.

Then, too, there is an element of postponement in the resolutions which subtracts from their value. Eight matters were before the conference in the form of draft resolutions. In only two of them, the one relating to national minorities, the other to the reduction of armaments, was definitive action taken. One of them, relating to dangerous drugs, as we have said, was omitted altogether. The others, relating to the codification of international law, the declaration of the rights and duties of nations, the criminality of wars of aggression, European customs understanding, and the parliamentary system, got no further than recommendations for further studies. It was easy to gather the impression that too many subjects were before the conference. It is difficult to put one's finger upon precise achievements.

There were evidences that the conference was overshadowed by the League of Nations. Some of the delegates had just come from the sixth assembly at Geneva. The president of the council, in presenting the report of the secretary general, devoted a disproportionate amount of his time, not to the work of the Interparliamentary Union, but to the importance of the League of Nations. Mr. Root's address opened the way for a resolution calling for a conference of the nations in the interest of international law. Such a resolution was blocked by the friends of the league. Indeed, fear of such a resolution had moved the League of Nations to backfire such an effort. During the summer there came from the league a most astonishing circular denouncing the effort of certain members of the Interparliamentary Union as originating "in sources inimical to the League of Nations, indifferent to the Permanent Court of International Justice, and skeptical of the work of codifying international law as initiated by the league." This effort on the part of the league officials to stop the Interparliamentary Union was successful.

REPLIES TO THE CRITICS

And yet the twenty-third conference of the Interparliamentary Union was far from a failure. Never before have representatives from so many parliaments met in conference. In our judgment, the conference was right in not discussing the Indian communist of the

British Parliament. After accepting the invitation of the American group for himself and his wife, he announced through the press that he was coming to America to preach a doctrine which he knew to be distasteful to his hosts. By such conduct he had surrendered all claims as a guest. Furthermore, tariffs and policies of immigration are acute questions, particularly just now, in America. It has always been the wise policy of the Interparliamentary Union to omit discussion of such questions. That policy has proved to be not only wise, but beneficent. If the resolutions did not head definitely into actual legislation, their discussion was most profitable. All of the resolutions are in better form to-day because of the conference. As for the League of Nations, its fears of the Interparliamentary Union are as unnecessary as they are unfounded. No one in the Interparliamentary Union wishes to injure the league. Nothing in Mr. Root's speech, nothing in the efforts of the friends of international law has been calculated to counteract the efforts of the league. Quite the contrary.

The conference was treated by the press, with one or two exceptions, with kindliest consideration. A careful reading of the addresses shows that the discussions were of a very high order, free of cant and hypocrisy. The delegates averaged of a higher order of importance in their respective countries than at any previous conference. The questions discussed were significant. Invaluable acquaintances were made. The atmosphere of the conference was the atmosphere of a world parliament. Because of this gathering, foreigners have met American ladies and gentlemen, visited American cities, ridden upon American railroads, lived in American hotels, and sensed something of American art, energy, and kindliness. Many of our American people met these distinguished foreigners and caught something of the charm, of the problems, and of the aspirations of other lands. The conference was a success. A problem clearly stated is half solved. In this conference many problems were clearly stated. For that reason their solution is nearer at hand. Here was an exchange of opinions between continents. Statesmen from 41 parliaments, including our own American parliament, know each other better, appreciate more fully the issues of inequality, of class conflicts in the financial, economic, and social areas, the divergent human interests, such as the furious competitions and the national ambitions at the basis of world policies. If impatient onlookers wished that more were done, it is only necessary to remind them that it is better to do nothing than do something and do it badly. The conference was a success because of what it did not attempt to do. It was a success because of what it did.

ELEMENTS IN ITS SUCCESS

Representatives from 41 parliaments of the world, 14 of them from Latin America, convened in the House of Representatives, Washington, Thursday morning, October 1, at 10 o'clock. The Washington sessions continued through the 2d, 3d, 5th, 6th, until 1 p. m. of the 7th. The final session was held Tuesday, October 13, in the House of Commons at Ottawa, capital of Canada. The maximum number of registered delegates was 292. Accompanying these delegates were 143 ladies and secretaries. Counting the 43 members of the American group who registered and paid the registration fee, there was a grand total of 435 persons.

As a result of the conference new groups have already been formed for the parliaments of Brazil, Mexico, Cuba, Panama, and the Dominican Republic. These are the first groups to be formed within Latin America. The number of parliaments represented in this conference exceeded that of any previous conference by 15. For the first time in the history of the union a conference has been held upon the invitation of the chief executive of a government. The United States Congress appropriated $50,000 for the entertainment of these guests. The Canadian Government spent substantially the same amount. The Carnegie endowment for international peace spent many thousands of dollars for their entertainment during October 8 and 9. The War Department transferred large quantities of their luggage from the piers of New York to various hotels without compensation. The mayor's committee on reception of the city of New York met a number of the incoming boats at quarantine with radio messages of welcome and at the expense of the city transferred the incoming delegates from their steamers to their hotels. The police department of the city of New York guarded the incoming delegates, escorted them to their hotels, to the city hall, and back to their hotels. The mayor of Philadelphia and a representative committee also provided a long-to-be-remembered reception The Pennsylvania, Baltimore & Ohio and New York Central Railroads granted reduced rates, issued special souvenir brochures, and offered the best of meals on their special trains with the compliments of the roads All of the hotels—the Hotel Pennsylvania in New York, the new Mayflower in Washington, the Waldorf-Astoria, and others in New York made every possible effort to add to the comforts of the visitors. The Pan American Union, the United States Chamber of Commerce, the Commissioners of the District of Columbia, the entire force of the United States Capitol, the women of Washington, the diplomatic and consular representatives both in Washington and in New York, the State Department in Washington, Treasury and customs officials, Members of the Senate and of the House of Representatives—these and many others contributed immeasurably to the success of the conference.

The conference met in an atmosphere of disappointment because of the failure of the Franco-American debt negotiations. Offsetting this, however, was the hope in the conference at Locarno. Too, a number of the delegates had just come from the sessions of the sixth assembly of the League of Nations in Geneva. If there appeared something of bewilderment in the early moments of the conference, it soon disappeared. The addresses by the Secretary of State, Mr. Frank B. Kellogg, and by Senator WILLIAM B. MCKINLEY, president of the American group, indeed, seemed to place the visitors quite at ease. Business got under way quickly. It was announced that the sessions were to be held from 10 to 1 and from 3 to 6 daily. The first subject for discussion was the report of Dr. Christian L. Lange, secretary general of the Interparliamentary Union. The debate upon this report lasted throughout the first session and until noon the next day, October 2.

The conference of the afternoon, October 2, following a reception by President Coolidge, met in the Hall of the Americas, Pan American Union Building. Senator CLAUDE A. SWANSON, of Virginia, rapporteur, delivered an address upon the Pan American Union. Speeches were also delivered by Senator Pedro de Alba, of Mexico; Representative José Ramon Cruells, of Cuba; Senator José Mattoso Sampaio Correa, of Brazil; Senator Ismal Cortinas, of Uruguay; Representative Ezequiel Padilla, speaker of the Mexican House of Representatives; Representative Carlos Grisanti, president of the Venezuela Congress; and Senator Bergstrom, former Minister of War of Sweden. At this session a resolution was introduced asking that the Spanish language be hereafter considered, along with English, French, and German, as an official language of the Interparliamentary Union. Under the constitution, the resolution was referred to the council for consideration.

The third session of the conference, held in the House of Representatives, was devoted to the development of international law. The subject was divided into three parts: (1) The codification of international law; (2) the declaration of the rights and duties of nations; (3) the criminality of wars of aggression. The first of these three was laid before the conference in the form of an address written by Hon. Elihu Root and read by Representative THEODORE E. BURTON, both of the United States. The second took the form of an address by Senator Henri La Fontaine, of Belgium. Senator La Fontaine's remarks aimed to aid the commission whose work is to formulate a final draft of the rights and duties of nations for the next interparliamentary conference. The third, having to do with the criminality of wars of aggression, was laid before the conference in an address by Prof. V. V. Pella, of Rumania.

Professor Pella is the author of a volume of nearly 400 pages, entitled "La Criminalité Collective des Etats et le Droit Pénal de l'Avenir." In his address he dwelt upon the collective criminality of war-waging nations, of the criminal psychology of countries and of its causes, such as criminal heredity, atavism, herd instincts. He dwelt with certain external aspects of the problem, such as race antagonism, competition, imitation, and contagion. The speaker pleaded for intellectual, economical, and political solidarity among the nations. Professor Pella's address, like his book, shows him to be a student scientifically concerned with the problem of enabling nations to check their blind impulses with the supremacy of reason. Notable addresses were also given by Mr. Gustave Gratz, former Minister of Foreign Affairs in Hungary; the head of the German group, Prof. Walter Shücking; Mr. Dennis Herbert, of the British House of Commons; Mr. Thomas Johnson, of the Irish Free State; Madame Pfülf, of the German Reichstag; Senator Osmena, of the Philippine Congress; Sir Robert Horne, former Chancellor of the Exchequer of Great Britain; Mr. Carl Lindhagen, of Sweden; Mr. Maxence-Bibie, of the French Chamber of Deputies; William Medinger, of Czechoslovakia; Giuseppe Stefano-Napolitani, of the Italian Senate; M. Falcoz, of the French Chamber of Deputies; Mr. A. Fraenkel, of Denmark; Gen. Richard Mulcahy, of the Irish Free State; and H. J. Procopé, of Finland.

The fourth session, held October 5, considered European customs understanding. The discussion was opened by Dr. Adolf Braun, of the German Reichstag. This address was discussed by Sir Arthur Shirley Benn, of Great Britain; Mr. Procopé, of Finland; Mr. Yankovitch, of Yugoslavia; Mr. William Medinger, of Czechoslovakia; Mr. P. E. Flindin, of the French Chamber of Deputies; Mr. Karl Drexel, of Austria; and Rudolf Schneider, of Germany. It was during this session that Mr. Procopé's resolution was presented and referred to the council. The original resolution, together with Mr. Procopé's substitute, appear elsewhere in these columns.

On the afternoon of October 5 the discussion turned to the reduction of armament and a report on demilitarized zones. The whole matter was opened with an address by Brig. Gen. E. L. Spears, of Great Britain. General Spears's views had been laid before the Interparliamentary Union months before the conference, with the result that the delegates were able to discuss the problem after preparation. General Spears starts with the principle that there can be no hopeful reduction of armaments until the nations are satisfied that they can be secure under such a readjustment. He proposes demilitarized zones

along national boundary lines as effective assurances of that security. He believes that no demilitarized zones can be effectively imposed except by mutual consent. He also holds that reciprocity is essential—that is to say, sacrifices and concessions required by one of the zoned states must be met by corresponding sacrifices and concession on the part of the other. Those taking part in the discussion were Dr. P. Munch, of Denmark; Sir Park Goff, of Great Britain; Senator THOMAS J. WALSH, of the United States; Mr. Simon Reynaud, of France; Mr. Alfred Gildemeister, of Germany; Mr. Kurt Grabe, of Poland; and Mr. Thomas Williams, of Great Britain. After the discussion of the demilitarized zones the conference was turned to the debate on the report of the secretary general. It was here that Mr. Jeptha B. Duncan, of Panama, pleaded for compulsory arbitration, and Mr. Axel de Vries, of Esthonia, called attention to the dangers of the Third International Conference of Moscow. Other speakers at this time were Reich, of Poland; Tinzl, of Italy; Bianchi, of Italy; Nakamura, of Japan; Mateu, of Rumania; and Kwiathowski, of Poland. It was at this time also that Lindhagen, of Sweden, brought up his three motions, systematically and unanimously turned down at Bern last year and at Copenhagen the year before, calling for a revision of the covenant of the League of Nations, for an appeal to the United States to join the League of Nations, and for a universal language. All three of these motions were subsequently defeated.

The fifth session of October 6 was devoted principally to a general debate on the reduction of armaments, participated in by Mayeda, of Japan; Zamorski, of Poland; Lukacs, of Hungary; Hudson, of Great Britain; Escoffier, of France; Sollman, of Germany; Maddison, of Great Britain; Mangabeira, of Brazil; Moloff, of Bulgaria; Brabec, of Czechoslovakia; Lindhagen, of Sweden; Pella, of Rumania; Charteris, of Great Britain; Quidde, of Germany; Rennie Smith and Sir Robert Hutchinson, of Great Britain. After this discussion the two resolutions, appearing elsewhere in these columns, were passed.

In the sixth and last session the discussions related to customs understanding. The resolutions as finally adopted were discussed by Wittert van Hoogland, of Holland; Gratz, of Hungary; Ilski, of Poland; Georgesco, of Rumania, who offered amendments to the resolutions; Semerdjieff, of Bulgaria; Bento José de Miranda, of Brazil; Lithander, of Sweden; McMaster, of Canada; BLANTON, of the United States; and Col. A. England, of Great Britain. There was also a debate upon the parliamentary system. This debate was opened by J. Hugh Edwards, of Great Britain, and continued by Schopfer, of Switzerland; Lindhagen, of Sweden; Chassaing, of France; Yepes, of Colombia; Cortinas, of Uruguay; Moore, of Great Britain; Bergman, of Sweden; Capgres, of France; and Connally, of the United States. The resolution affecting the parliamentary systems, drafted by Michaeli, of Switzerland, appearing elsewhere in these columns, was passed at this session.

It was in the light of these facts, summarized as briefly as possible, that Representative THEODORE E. BURTON was led to say at this the last of the sessions in Washington: "In many respects this has been the most notable gathering ever held in this city," and that Bronislaus Dembinski, of Poland, was moved to remark: "We have made a long step forward on the road of international progress."

General Spears, of the British group, has written of the conference: "What was really impressive was to see the unanimity with which the conference welcomed any attempt which had as its object the peaceful solution of international disputes. In this matter there was no division of opinion, no hesitation, * * * in itself a justification of the conference."

CANADIAN COLLEAGUES

The Canadian group of the Interparliamentary Union gave to the visiting delegates a vivid illustration of the energy and ability at the heart of the Canadian people. For a number of reasons Senator N. A. Belcourt and Senator C. P. Beaubien found themselves early in September faced with the problem of entertaining some 400 foreigners in five different cities within five consecutive days, and nothing in the way of organization accomplished. Within the limits of one month they laid all their plans, set up their organization, and carried every detail through to a successful issue without a hitch, and to the admiration and unalloyed pleasure of every guest.

THE NEXT CONFERENCE

The next conference of the Interparliamentary Union will probably not be held until 1927. The decision lies with the council, the governing board of the union. It now appears that in 1926 there will be a meeting of the council, made up of two members from each group, and of the six commissions. Each of these commissions consists of one representative from each of the groups. This means that with its two members upon the council and its six members of commissions each group will be represented by eight persons. The place of the meeting has not yet been determined.

STORY OF THE CONFERENCE

The outstanding events of the twenty-third conference of the Interparliamentary Union were associated with New York City, September 28 and 29; Philadelphia, September 30; Washington, October 1 to 7; New York City, October 8 and 9; Niagara Falls, October 10 and 11; Hamilton and Toronto, Ontario, October 11 and 12; Ottawa, Ontario, October 12 and 13; Montreal and Quebec, October 14 and 15.

IN NEW YORK

Headquarters of the American group of the Interparliamentary Union were opened at the Hotel Pennsylvania, New York City, Saturday, September 26, at 10 o'clock a. m., where incoming delegates registered as they arrived. The mayor's reception committee of the city of New York, led by Mr. George F. Mand, met incoming steamers bearing delegates at quarantine and conveyed them from the piers to the hotels, accompanied by official escort. September 28 the mayor's committee conveyed the delegates from the Hotel Pennsylvania to the city hall, where they paid their respects to his honor the mayor, who delivered to them an address of welcome. Following the welcome by the mayor the delegates were conveyed to the Astor Hotel, where they were given a luncheon by the League of Nations Nonpartisan Association. The English-Speaking Union gave a dinner to the members of the English delegation the same day. The executive committee of the Interparliamentary Union met in the afternoon of September 28 at the Hotel Pennsylvania and the council had a meeting the following day at 10 a. m.

September 29, at 1 o'clock, the delegates became the guests of the city of New York on a sight-seeing tour around the harbor, being conveyed to and from the Hotel Pennsylvania by an official escort of the mayor's committee. On the same day the Council on Foreign Relations gave a dinner to the officers of the Interparliamentary Union and the head of each delegation at the Harvard Club, New York City.

IN PHILADELPHIA

Wednesday, September 30, at 9.30 a. m., the delegates became the guests of the American group on its special train at the Pennsylvania Station. The party arrived at Philadelphia at 11.30 a. m., where they were met at the Broad Street Station by the mayor's committee. They were received by the mayor and shown the shrines of Philadelphia. They were then taken to Villa Nova, the home of Mr. Morris Lewis Clothier, where luncheon was served. Later in the afternoon they drove to the home of ex-Gov. William Cameron Sproul, near Chester, stopping for a short visit at Swarthmore College. At 6.30 p. m. the delegates took the special train at Chester for Washington. The dinner aboard the train was given with the compliments of the Pennsylvania Railroad. The party arrived at Washington at 9.30 p. m., where they were received at the Washington Terminal Station by a delegation from the United States Congress, assisted by the Marine Corps, the Navy Band, and the Commissioners of the District of Columbia. The delegates were taken to the Mayflower Hotel, where they remained as guests of the American group throughout their stay in Washington.

IN WASHINGTON

October 1 delegates registered at the bureau of information, at the United States Capitol, where they received their invitations, notices, and the like. The first session of the twenty-third conference opened in the House of Representatives at 10 o'clock.

The Capitol Building had been prepared and manned especially for the conference. A branch post office was opened for the benefit of the guests. There was a ticket office, an American Express Co. tourist office, and the National Metropolitan Bank of Washington served the banking needs of the delegates. Telegraph and telephone service was at their disposal. Special rooms were assigned to the various committees of the union, to the officers, and to the groups.

The Washington social program included the following:

Thursday, October 1, 1 p. m., luncheon at the Mayflower Hotel for the ladies of the delegations by Miss Julia Mattis; 4.30 to 7 p. m., tea and reception for the ladies by the League of American Pen Women at the Shoreham Hotel; 9 p. m., reception and ball for all guests by Mrs. John B. Henderson.

Friday, October 2, 2 p. m., the President of the United States received the guests at the White House. The conference of the Interparliamentary Union convened at the Pan American Union Building immediately following the reception by the President. From 4.30 to 6 p. m. there was a reception and tea for all guests by the American National Red Cross at Red Cross Headquarters.

Saturday, October 3, 4 to 6 p. m., there was a garden party for all guests at "Twin Oaks," home of Mr. and Mrs. Charles J. Bell, Woodley Lane. From 9 to 11 p. m. there was a reception for the ladies by the General Federation of Women's Clubs, 1734 N Street.

Sunday, October 4, 4.30 to 7 p. m., tea for all guests by Mrs. Thomas F. Walsh, 2020 Massachusetts Avenue.

Monday, October 5, 1 p. m., luncheon for all guests by the Chamber of Commerce of the United States, Connecticut Avenue and H Street; 4.30 p. m., reception and tea for the ladies by the National University Women's Clubs, 1634 I Street.

Tuesday, October 6, 2 p. m., the guests left the Mayflower Hotel for Mount Vernon; at 8 p. m. there was a dinner for all guests, the Secretary of State presiding, at the Mayflower Hotel.

Wednesday, October 7, 4 p. m., the delegates took the special train at the Washington Terminal Station and were conveyed by the Baltimore & Ohio Railroad to New York City. The dinner aboard the train was given with the compliments of the railroad. Arriving in New York, the party became the guests of the Carnegie Endowment for International Peace, some at the Waldorf-Astoria Hotel, some at the McAlpin Hotel, and some at the Martinique Hotel.

COOPERATION OF CARNEGIE ENDOWMENT

The program of the Carnegie endowment was as follows:

Thursday, October 8, 10 a. m., automobiles were provided and the guests were taken through the parks and parkways of New York City, through Westchester County, stopping for lunch at Briarcliff Lodge, returning to the Waldorf-Astoria Hotel at 6 p. m. At 7 p. m. there was a banquet at the Waldorf-Astoria Hotel, attended by nearly a thousand persons.

Friday, October 9, through the courtesy of the endowment, some of the guests were able to visit the stock exchange, others the Museum of Natural History, others the Metropolitan Museum.

ON TO CANADA

Saturday, October 10, the delegates were taken from the New York hotels to the Grand Central Station, from which they went by two special trains to Niagara Falls, where they arrived at 7 p. m. At 9 o'clock the delegates were shown the colored illumination of the Falls, and later the night display of the rapids below the Falls.

Sunday, October 11, farewell luncheon by the American group. At 2.35 p. m. the delegates became the guests of the Canadian group of the Interparliamentary Union and left by train for Hamilton. There was a drive through the city of Hamilton that afternoon and a dinner given by the city, after which the delegates left by train for Toronto, where they were entertained at the King Edward Hotel.

On the 12th they were given a drive through the city of Toronto and a luncheon by the government of Ontario. They arrived at Ottawa at 10.45 p. m. Monday the 12th, where they stayed at the Chateau Laurier.

Tuesday, October 13, the final session of the conference was held, lasting all day. The dinner in the evening by the Federal Parliament was another brilliant affair. Similar hospitalities were extended by the city officials at Montreal Wednesday the 14th and by the government of the Province at Quebec Thursday the 15th.

Perhaps nothing, however, pictures the international importance of the conference more than a mere reading of the names of the delegates. The "Who's Who of the Conference" follows:

WHO'S WHO OF THE XXIII CONFERENCE OF THE INTERPARLIAMENTARY UNION—ORGANIZATION OF THE CONFERENCE

Baron Theodor Adelswaerd, president of the council, senator of Sweden.

Dr. Christian L. Lange, secretary general, Geneva, Switzerland.

Dr. Leopold Boissier, assistant secretary general.

Miss Hilda Strachan, private secretary to Doctor Lange.

Senator WM. B. MCKINLEY, general chairman of the conference, president of the American group.

Arthur Deerin Call, director of the conference, executive secretary, American group.

Hon. J. Butler Wright, chairman of the budget committee, Assistant Secretary of State.

Hon. William McNeir, disbursing officer, chief, Bureau of Accounts, and disbursing clerk, Department of State.

Representative THEODORE E. BURTON, of Ohio, chairman committee on reception.

ANDREW J. MONTAGUE, of Virginia, chairman committee on entertainment.

Representative FRED A. BRITTEN, of Illinois, chairman committee on transportation and hotel accommodations.

Mrs. John Allan Dougherty, chairman ladies' committee of Washington.

INTERPRETERS

French: J. Labat.

German: Arthur F. J. Remy and Edwin Emerson.

Spanish: Antonio Llano.

AUSTRIA

(Five delegates)

Dr. Karl Drexel, member of National Assembly.

Mr. Josef Heigl, accompanied by Mrs. Heigl, member of National Assembly.

Dr. Viktor Kelnböck, member of National Assembly, former Minister of Finance.

Mr. Josef Stöckler, member of National Assembly, former Secretary of State, 1918–1920.

Dr. Erwin Waiss, member of council of Interparliamentary Union; secretary general of Austrian group; member of National Assembly; former Undersecretary of State, 1918–20.

BELGIUM

(One delegate)

Hon. Henri La Fontaine, accompanied by Mrs. La Fontaine; member of Interparliamentary Union and senator.

BRAZIL

(Three delegates)

Dr. José Mattoso Sampaio Corrêa, with Mrs. Corrêa, senator from district of Rio de Janeiro, civil engineer.

Dr. Joao Mangabeira, with Mrs. and Master Mangabeira; deputy from State of Bahia; lawyer.

Dr. Bento José de Miranda, with Mrs. and Miss de Miranda; deputy from State of Para; civil engineer.

Mr. Joao Carlos Muniz, secretary of delegation; deputy consul for Brazil in New York; graduate in law courses from Rio de Janeiro and University of New York.

Mr. S. Britto Corrêa, secretary.

Mr. F. Bueno Brandao, secretary.

Eloise Austin, secretary.

BULGARIA

(Four delegates)

Mr. Vladimir Molloff, member of council of Interparliamentary Union; president of Bulgarian group; member of Chamber of Deputies; professor of law, University of Sofia; member of Council of Bar Association of Bulgaria; member of Bulgarian Academy of Sciences.

Mr. Nicholas Mouschanoff, member of Chamber of Deputies; former minister.

Mr. Georges Semerdjieff, secretary of Bulgarian group; member of Chamber of Deputies; chairman of committee on finances of Chamber of Deputies.

Mr. Grigor Vassilieff, member of Chamber of Deputies.

CANADA

(Nine delegates)

Hon. N. A. Belcourt, with Miss Belcourt; president of Canadian group; member of the executive committee and of the council of Interparliamentary Union; senator.

Hon. C. P. Beaubien, with Miss Beaubien; senator; attended several previous conferences of Interparliamentary Union; former president Canadian group.

Mr. J. P. B. Casgrain, with Mrs. Casgrain; senator.

Sir George Foster, with Lady Foster; senator.

Mr. Andrew McMaster, with Mrs. McMaster; ex-member of Parliament.

Hon. Smeaton White, senator.

Hon. W. B. Willoughby, senator.

Mr. L. McMeans, with Mrs. McMeans; senator.

Mr. A. H. Macdonell, senator.

Mr. L. de Montigny, secretary.

D. J. Halpin, secretary.

COLOMBIA

(Four delegates)

Mr. Roberto Botero Saldarriaga, senator; lawyer.

Mr. Antonio José Uribe, member of Congress; charter member of American Institute of International Law; member of American Academy of Political and Social Science, and many other international organizations.

Mr. J. M. Yepes, senator; lawyer.

Dr. Luís Zea Uribe, member of Congress; physician.

COSTA RICA

(Six delegates)

Mr. Antonio Facio, accompanied by Mrs. Facio; member of Congress from Limon; graduate in medicine from University of Pennsylvania; chief surgeon, United Fruit Co. Hospital at Port Limon.

Mr. León Fernández, accompanied by brother, Mr. Luís Fernández; congressman from Province of Alajuela.

Mr. Enrique Fonseca, congressman from Province of San Jose.

Mr. Carlos Leiva, accompanied by Mr. Alfred Pirie, secretary of group; congressman from Province of Cartago; lawyer.

Mr. Miguel Angel Robles, accompanied by Mrs. Robles; congressman from Province of Limon; plantation owner.

Mr. Arturo Volio, former president of congress; lawyer and capitalist.

CUBA

(Four delegates)

Mr. José Ramón Cruells, with Mrs. Cruells; representative in Cuban Congress; lawyer; former attorney general of Province of Santa Clara.

Mr. Alfonso Duque de Heredia, with Mrs. Duque; senator (serving first term) from Santiago; formerly representative for four terms; lawyer.

Mr. José Ramón Espino, with niece, Miss Diaz; representative.

Mr. Juan Rodriguez Ramirez, with his wife, Mrs. Rodriguez, mother, and sister; lawyer; representative, serving third term from Province of Matanzas; chairman of committee on finances and the budget of House of Representatives.

Mr. T. Garcia, secretary of group.

CZECHOSLOVAKIA

(Two delegates)

Dr. Jaroslav Brabec, with nephew, Mr. George Beaufort; president of group; member of the executive committee and of the council of Interparliamentary Union; senator; vice chairman of judicial committee; member of committee on foreign affairs.

Dr. Wilhelm Medinger, with daughter, Miss Medinger; member of Chamber of Deputies; acting member of council of Interparliamentary Union.

Capt. Em. V. Voska, secretary to delegation.

Otokar Nebuska, permanent secretary of group; assistant secretary of Parliament; composer and authority on music of Czechoslovakia.

DENMARK

(Twelve delegates)

Mr. Ivar Berendsen, former member Chamber of Deputies; member central committee Danish Radical Party; customs inspector; newspaper man, free-lance.

Mr. A. Fraenkel, member of Chamber of Deputies.

Andr. Th. Gronborg, former member of Parliament; author and teacher.

Mr. H. P. Hanssen, acting member of council of Interparliamentary Union; member of Chamber of Deputies; former minister.

Mr. Halfdan Hendricksen, with Mrs. Hendricksen; member of Chamber of Deputies; shipowner.

Mrs. Mathilde Hauschultz, with Mrs. Signe Cleve; member of Chamber of Deputies; lawyer.

J. C. Kyed, member of Chamber of Deputies; farmer.

Mr. A. Lauesgaard, with Mrs. Lauesgaard; secretary of Danish group.

Dr. Johannes Lou, with son, Niels Henning Lou; member of Chamber of Deputies; physician.

Mrs. Elna Munch, member of the Chamber of Deputies.

Dr. P. Munch, with son, Mr. Ebbe Munch; member of Chamber of Deputies; former minister.

Mr. J. P. Sundbo, with daughter-in-law, Mrs. Sundbo; member of Chamber of Deputies; editor.

Mr. Sven Trier, member of council of Interparliamentary Union; member of Chamber of Deputies; Director of Labor Bureau.

DOMINICAN REPUBLIC

(Five delegates)

Mr. Rafael Brache, with Miss Brache; representative.

Mr. Gustavo Adolfo Diaz, president of the Senate.

Mr. Manuel J. Gomex, senator.

Mr. Francisco Perez, with Miss Perez, representative.

Rev. Father Santamaria, representative.

ESTHONIA

(One delegate)

Axel de Vries, member of Parliament.

FINLAND

(Three delegates)

Mr. Hj. J. Procopé, member of Chamber of Deputies; former Minister of Foreign Affairs.

Mr. A. Saastamoinen, member of Chamber of Deputies; former Minister to Washington.

Mr. W. Tanner, member of Chamber of Deputies; former Minister of Finance.

FRANCE

(Twelve delegates)

Mr. Maurice Bokanowski, former minister; deputy.

Mr. Beaumont, senator from l'Allier.

Mr. Capgras, deputy from Tarn-et-Garonne.

Doctor Chassaing, deputy from Puy de Dôme.

Mr. André Escoffier, deputy from Drome.

Mr. Henri Falcoz, deputy from Savoie; secretary of delegation.

Mr. Pierre Etienne Flandin, with Mme. Flandin, former Undersecretary of State for aviation; head of interallied air commission, 1917; president of first aeronautical conference in 1919.

Mr. Grinda, deputy Maritime Alps.

Dr. Fernand Merlin, president of the group; member of the executive committee and of the council of Interparliamentary Union; senator.

Mr. Maxence-Bible, deputy from Dordogne.

Mr. Simon Reynaud, deputy from the Loire.

Mr. Thivrier, deputy from l'Allier.

GERMANY

(Twenty-seven delegates)

Mr. Franz Bartschat, member of Reichstag.

Dr. Adolf Braun, with daughter, Miss Braun; member of the Reichstag; author; journalist.

Mr. Alfred Brodauf, member of the Reichstag; judge.

Carl Diez, member of the Reichstag; Landwirt.

Prof. Richard Eickhoff, member of council of Interparliamentary Union; teacher; former deputy.

Mr. Erich Emminger, member of the Reichstag from Bavaria; former Minister of Justice.

Mr. Anton Erkelenz, member of the Reichstag; journalist.

Dr. Alfred Gildemeister, member of the Reichstag; lawyer.

Mr. Karl Hildenbrand, member of the Reichstag; former minister of Wertemburg in Berlin.

Mr. Adolf Korell, member of the Reichstag; minister of the gospel.

Mrs. Thusnelda Lang-Brumann, member of the Reichstag; teacher.

Mr. Ernst Lemmer, member of the Reichstag.

Mr. Paul Löbe, president of the Reichstag.

Mrs. Clara Mende, member of the Reichstag; former teacher.

Dr. Fritz Mittelmann, member of the Reichstag; lawyer.

Mrs. Antonie Pfülf, member of the Reichstag; teacher.

Dr. Ludwig Quidde, with Mrs. Kleinschmidt; professor of history; author and lecturer; former deputy.

Mr. Hans Rauch, member of the Reichstag; engineer.

Baron Werner von Rheinbaben, member of the Reichstag; former Secretary of State.

Dr. Kurt Rosenfeld, member of the Reichstag; lawyer.

Dr. Heinrich Schnee, with Mrs. Schnee; member of the Reichstag; former governor of German East Africa.

Dr. Rudolf Schneider, lawyer; member of the Reichstag.

Mrs. Louise Schröder, member of the Reichstag.

Dr. Walter Schücking, president of the German group; member of the council of the Interparliamentary Union; professor of law.

Mr. Wilhelm Sollmann, member of the Reichstag; editor; former Minister of Interior.

Mrs. Christine Teusch, member of the Reichstag; teacher.

Dr. Josef Karl Wirth, member of the Reichstag; former Chancellor.

Richard Boye, secretary to the German group.

GREAT BRITAIN

(Forty-one delegates)

Sir Arthur Shirley Benn, with Lady Benn; member for Plymouth since 1910; former president of British Association of Chambers of Commerce; member of International Chamber of Commerce.

Sir Robert Bird, Bart., with Lady Bird; member for Wolverhampton; business man.

Mr. R. J. G. Boothby, member of Parliament.

Mr. Edmund Brocklebank, member of Parliament.

Brig. Gen. Brooke, C. R. I., C. M. G., D. S. O., member of Parliament.

Brig. Gen. John Charteris, C. M. G., D. S. O., member for Dumfries since 1924; Times correspondent in Balkan War; D. S. M. (U. S. A.), Rising Sun (Japan), Leopold (Belgium), Croix de Guerre and Legion of Honor (France).

Maj. W. P. Colfox, with Mrs. Colfox; member of Parliament since 1918; major Royal Field Artillery.

Mr. J. B. Couper, member for Glasgow; shipping business.

Sir Henry Cowan, with Lady Cowan, and Miss Cowan; member for North Islington; chairman of W. & B. Cowan (Ltd.).

Maj. George F. Davies, with Mrs. and Miss Davies; member for Somerset; business man; served in World War, 1914–1919.

J. Hugh Edwards, member of Parliament from Wales; author and lecturer.

Col. A. England, with Mrs. England; member for Lancashire; head of Manchester business; served through war in Gallipoli, Egypt, France, and Belgium; C. M. G., D. S. O., T. D.

Capt. Arthur Evans, with Mrs. Evans; member for Cardiff, Wales.

Sir Park Goff, member of Parliament; King's messenger; member of several interparliamentary and commercial conferences.

Capt. D. M. Gunston, with Mrs. Gunston; member of Parliament; officer of Irish Guards; served through war in Irish Guards.

Capt. W. D'Arcy Hall, with Mrs. Hall; member of Parliament.

Mr. C. M. Barclay Harvey, with Mrs. Barclay-Harvey; member of Parliament.

Mr. George Harvey, member of Parliament.

Lord Hemphill, with Lady Hemphill and Hon. Martyn Hemphill; member of Parliament; lawyer.

Dennis Herbert, with Mrs. Herbert; member for Watford Division of Herts; solicitor.

Sir Robert Horne, former Chancellor of the Exchequer.

R. S. Hudson, with Mrs. Hudson; member for Cumberland; was in diplomatic service.

Sir Herbert Huntington-Whiteley, Bart., with Lady Huntington-Whiteley, and son, Eric Arthur; former member of Parliament.

Sir Robert Hutchison, with Lady Hutchison; member of Parliament; in charge of British Army of Occupation in Cologne, 1919–1922; K. C. M. G., C. B., D. S. O., D. S. M. (U. S. A.), and other foreign decorations.

T. Law, assistant secretary.

Mr. Lewis Lougher, member for Cardiff; extensively interested in shipping; member of court of governors, National Museum of Wales and University of Wales.

Sir Robert Lynn, with Lady Lynn; member of British and Ulster Parliaments; journalist; chairman Ulster educational commission.

Mr. F. Maddison, with daughter, Miss Ellen Maddison; secretary, British group; former member of Parliament; secretary of the International Arbitration League.

Lieutenant Colonel Mason, G. K. M., with Mrs. Mason; member of Parliament; served through war in France, Salonika, Serbia, Palestine; D. S. O.

J. Wardlaw Milne, with Mrs. Milne; member of Parliament; ex-member, viceroy of India's council; ex-chairman Bombay Chamber of Commerce.

Maj. Gen. Hon. Sir Newton J. Moore, with Lady Moore; member of Parliament; former prime minister of Western Australia; chairman standing orders committee, House of Commons.

Capt. T. J. O'Connor, and Mrs. O'Connor; member of Parliament; member of English bar; Fellow Royal Geographical Society; served with west African frontier force.

Mr. Wilfred Paling, member for Doncaster, Yorks, 1922–1924; coal miner until 1916; West Riding County Council, 1919.

Mr. F. W. Pethick-Lawrence, with Mrs. Pethick-Lawrence; member of Parliament; author; barrister; lecturer.

Lieut. Col. Assheton Pownall, with Mrs. Pownall and Miss Pownall; member from East Lewisham since 1918; parliamentary secretary to Minister of Labor.

Mr. Ben Riley, member of Parliament.

Mr. Samuel Roberts, with Mrs. Roberts; member of Parliament for Hereford; one of chairmen of standing committees, House of Commons.

Mr. Rennie Smith, member of Parliament.

Brig. Gen. E. L. Spears, former member of House of Commons; first British officer at the front in 1914; head of liaison work and of British military mission until after Peace Conference; C. B., C. B. E., M. C., and numerous foreign military decorations.

Col. K Vaughan-Morgan, member for East Falham, London, since 1922; director and vice chairman of Morgan Crucible Co. (Ltd.); served through war in France and Belgium.

Thomas Williams, with Secretary J. T. Rowan; member for Don Valley division, South Yorks; former coal miner.

Col. H. C. Woodcock, member for Liverpool; member of city council of Bristol; commander of battalion in 1914; served through war in command of regiments; stockbroker.

GREECE

(One delegate)

Maj. Byron Carapanayoti, M. P., ex-Minister of Communications; delegate to the Twenty-third Interparliamentary Conference.

GUATEMALA

(One delegate)

Mr. Antonio Batres Jauregui and son; member of Congress; charter member of American Institute of International Law; historian and author.

HAITI

(Two delegates)

Mr. Emmanuel James Thomas, with daughter, Miss Elvyra Thomas; president of the council of state; held many public offices in his country and represented Haiti as cousul general in Mobile.

Dr. G. Beauvoir, member of council of state.

HOLLAND

(One delegate)

Baron Wittert van Hoogland, E. B. F. F., member of council of Interparliamentary Union; senator of Parliament of Holland; member of city council of The Hague; president of the labor council of The Hague.

Mr. F. N. Horn, secretary of delegation.

HONDURAS

(Two delegates)

Prof. Gustave A. Castaneda, member of Congress; teacher; author.

Mr. Venancio Callejas, president of Congress.

HUNGARY

(Six delegates)

Mr. André de Gaal, member of Parliament; former Secretary of State.

Mr. Gustavius Gratz, former member of Parliament; former Minister of Foreign Affairs.

Mr. Tibor de Kallay, member of Parliament; former Finance Minister.

Mr. Georges de Lukàcs, member of Parliament; former Minister of Public Instruction; member of the executive committee and of the council of the Interparliamentary Union.

Mr. Paul Petri, member of Parliament; state secretary to Minister of Public Instruction.

Dr. Adalbert de Poka-Pivny, with Mrs. Poka-Pivny; secretary of delegation; formerly counselor of the Ministry of Commerce.

IRISH FREE STATE

(Four delegates)

Mr. Michael Hayes, member of council of Interparliamentary Union; speaker of Dail Eireann; chairman of civil service commission.

Thomas Johnson, member of council of Interparliamentary Union; representative in Dail for Dublin; member of several commissions of Dail.

Patrick McGilligan, member of the Dail Eireann; Minister of Industry and Commerce; member of executive committee; former member of high commission for the Irish Free State in London.

Gen. Richard Mulcahy, representative in Dail Eireann since 1918; chief of staff of Irish Republican Army; made commander in chief on death of Gen. Michael Collins; chairman of commission on educational and economic conditions of the Irish-speaking areas.

ITALY

(Ten delegates)

Mr. Salvatore Barzilai, with son, Mr. Georges Barzilai; senator; lawyer; former minister.

Mr. Fausto Bianchi, deputy; lawyer.

Mr. Vittorio Buratti, accompanied by brother, Bramante Buratti; deputy; manufacturer.

Hon. Giuseppe Di Stefano-Napolitani, president of delegation; member of council of Interparliamentary Union; lawyer; senator.

Mr. Luigi Luiggi, with daughter, Miss Lusia Luiggi; senator; engineer.

Mr. Giambattista Miliani, deputy; manufacturer; former minister.

Mr. Domenico Nuvoloni, senator; lawyer.

Baron Alessandro Sardi, deputy; former Undersecretary of State; vice president of Italia-America Society.

Mr. Carlo Tinzl, deputy; lawyer; secretary on train only.

Mr. Filippo Ungaro, deputy; lawyer; secretary of Chamber of Deputies.

Mr. Luigi Nuvoloni, lawyer; secretary to delegation.

Mr. Ignazio Guzzardi, secretary.

JAPAN

(Ten delegates)

Mr. Mitsuo Hirano, with secretary, Mr. Shutaro Tomimas; member of Parliament; editor.

Mr. Hisashi Isobe, member of Parliament; lawyer.

Mr. Fusanosuke Mayeda, member of Parliament; business man.

Mr. Shigéru Morita, member of council of Interparliamentary Union; member of Parliament; lawyer.

Mr. Kaju Nakamura, member of council of Interparliamentary Union; lawyer.

Mr. Daisuké Sakai, member of Parliament.

Mr. Shunkiti Seki, member of Parliament.

Mr. Sukeichi Taguchi, member of Parliament; secretary of House of Representatives.

Mr. Masutaro Takagi, with daughter, Miss Kiyoko Takagi; member of Parliament; lawyer.

Mr. Junsaku Takatori, member of Parliament.

Mr. Hosigawa, secretary to Mr. Marita.

KINGDOM OF THE SERBS, CROATS, AND SLOVENES

(Five delegates)

Dr. Velizar Yankovitch, with Mrs. Yankovitch; member of Parliament; former Minister of Finance and Communications; president of the group.

Dr. Voislav Marinkovitch, with Mrs. Marinkovitch; member of Parliament; former Minister of Foreign Affairs.

Mr. Ljoubisha Neshitch, member of Parliament; former Undersecretary of State and minister at Prague.

Dr. Srdjan Boudisavljevitch, member of Parliament.

Mr. Nikola Preka, member of Parliament.

Mr. Veljke Drignakovitch, secretary of the delegation.

LITHUANIA

(One delegate)

Dr. A. Smulkstys, member Chamber of Deputies.

MEXICO

(Eight delegates)

Dr. Pedro de Alba, with Mrs. de Alba; senator; delegate to the Twenty-first Conference of Interparliamentary Union; physician.

Mr. Gonzals Bautista, secretary of the group.

Mr. Gilberto Fabila, representative; agricultural engineer.

Mr. Victorio E. Góngora, senator.

Mr. Manuel Hernandez Galván, representative; lawyer.

Mr. Pedro Merla, representative.

Mr. Ezequiel Padilla, president of delegation; representative; speaker of house; lawyer.

Mr. Genaro V. Vasquez, representative; lawyer; former Governor of Oaxaca.

NEWFOUNDLAND

(Six delegates)

Mr. Robert K. Bishop, senior member legislative council; business, exporting and importing and shipping; in public life since 1889, representing Newfoundland on commissions and at conferences.

Hon. Cyril J. Fox, speaker of assembly since July, 1924; barrister and solicitor; elected to House of Assembly 1919.

Mr. William J. Higgins, with Mrs. Higgins; member of the House of Assembly; Attorney General and Minister of Justice; in public life since 1913.

Hon. Sir Patrick McGrath, with nephew, Mr. Claude Fraser; president of legislative council since 1916; knighted for war work; journalist and author; represented his government on many commissions and at conferences.

Hon. Walter S. Monroe, with Mrs. Monroe; Prime Minister of Newfoundland; engaged in fisheries industries; in political life since 1923.

Hon. Alfred B. Morine, with Mrs. Morine; member of legislative council; journalist; lawyer; politician; minister without portfolio.

NICARAGUA

(Three delegates)

Mr. Santiago Callejas, with sister-in-law, Miss Mayorga; member of Senate, from Chinandega; former Minister of War and of Finance; Knight Commander, Order of Leopold II of Belgium.

Mr. Francisco Paniagua Prado, with son, Mr. Luís Paniagua; member of Senate from Leon; lawyer; former justice of Central American International Court.

Mr. J. Leopoldo Salazar, with daughter, Miss Emily Salazar; president of delegation; member of Senate from Matagalpa; coffee exporter.

Mr. Evaristo Carazo Morales, secretary of delegation.

NORWAY

(Three delegates)

Mr. Johannes Bergersen, member of Parliament.

Mr. Jon Sundby, member of council of Interparliamentary Union; member of Parliament; agriculturist.

Mr. Wefring, member of council of Interparliamentary Union; member of council of state; Minister of Foreign Affairs.

PANAMA

(Three delegates)

Mr. Julio Alemán, with Mrs. Alemán; member of National Assembly.

Mr. Jeptha B. Duncan, member of National Assembly; secretary of education, 1918–1923; professor of modern languages in National Institute of Panama; editor of The Times, daily paper published in English and Spanish; editor and publisher of English weekly.

Mr. Octavio A. Vallarino, with Mrs. Vallarino; member of National Assembly.

Mr. J. A. Zubieta, with Mrs. Zubieta; secretary to delegation; former member of city council of Panama; delegate from Panama to International Labor Congress, Washington, 1919.

PERU

(Two delegates)

Mr. Lauro A. Curletti, with Miss Curletti; senator; chairman joint congressional committee on foreign affairs; lawyer, author, lecturer.

Mr. J. F. Pazos Varela, and Miss Pazos; member of Chamber of Deputies.

Miss Cecilia Pazos, secretary of the group.

PHILIPPINES

(One delegate)

Hon. Sergio Osmena, with his wife, Mrs. Osmena; president pro tempore, senate; formerly speaker, lower house (1907–1922), and vice president, council of state.

Dr. J. S. Reyes, secretary of the delegation.

POLAND

(Ten delegates)

Dr. Bronislaus Dembinski, president of the Polish group; member of council of Interparliamentary Union; professor of history in the University of Posen (Poland); former member of Parliament and former Undersecretary of State, etc.

Jan Zamorski, member of council of Interparliamentary Union; member of Chamber of Deputies (Sejm); professor of college.

Wladislaw Kosydarski, treasurer of Polish group; member of Chamber of Deputies (Sejm).

Jan Dabski, member of Chamber of Deputies (Sejm); former Undersecretary of Ministry of Foreign Affairs.

Dr. Thaddaeus Dymowski, member of Chamber of Deputies (Sejm).

Kurt Graebe, member of Chamber of Deputies (Sejm).

Dr. Konrad Ilski, member of Chamber of Deputies (Sejm); vice president of city of Warsaw.

Rev. Otto Krajczyrski, member of Chamber of Deputies (Sejm).

Michal Kwiatkowski, member of Chamber of Deputies (Sejm).

Dr. Leon Reich, member of Chamber of Deputies (Sejm).

Stanislaus Czosnowski, secretary.

Rev. Stanislaus Sobieniowski, secretary.

Jan Stanislaus Szczerbinski, secretary; representative of Polish governmental telegraphic agency.

RUMANIA

(Five delegates)

Mr. Sever Bocu (Mr. Bocu was not present), with Mrs. Bocu and secretary; deputy; in public life for many years; prominent in Rumanian affairs since war.

Mr. Nicolae Botez, with Mrs. Botez; president of group; senator.

Mr. Canstant Georgesco, with Mrs. Georgesco; deputy; professor of economics, University of Rumania; lawyer; author of many works on economics and social questions.

Dr. Jon Mateiu, deputy since 1922; teacher, lawyer, and author.

Mrs. Mateiu, inspector for the Ministry of Social Protection and Public Health; secretary of the group.

Mr. Vespasian Pella, with Mrs. Pella; senator, in Parliament for 25 years; lawyer; journalist.

Prof. V. V. Pella, deputy; member of council of Interparliamentary Union; professor of criminal law in university; specializes in criminal law, both private and international; author of works on various aspects of crime and criminals.

SWEDEN

(Twenty-one delegates)

Mr. E. R. Abrahamson, member of first chamber.

Baron Theodor Adelswaerd, with Baroness Adelswaerd; president of Council of Interparliamentary Union; president of Swedish group.

Mr. Sven Bengtsson, member of second chamber; proprietor.

Dr. J. Bergman, with Mrs. Bergman; member of first chamber; former university professor.

Bergstrom, with Mrs. Bergstrom; member of first chamber; former Minister of War.

Mr. J. L. Carlsson-Frosterud, member of second chamber.

Mr. Martin Fehr, member of first chamber; professor.

Mr. Eric Hallin, with son, Hon. Eric Hallin; member of First Chamber; lord of the bedchamber.

Mr. Felix Hamrin, with Miss Hamrin; member of Second Chamber; merchant.

Mr. Otto Jaerte, with Mrs. Jaerte; member of Second Chamber; chief first division of the Swedish Royal Social Board.

Mr. Edvard Larson, member of First Chamber.

Mr. Carl Lindhagen, member of First Chamber; mayor of Stockholm.

Mr. Emil Lithander, with Mrs. Lithander; member of Second Chamber; merchant.

Mr. Ernst Lundell, member of First Chamber.

Mr. C. P. V. Nilsson, member of First Chamber.

Mr. Johan Olofsson, member of Second Chamber.

Mr. Oscar Olsson, member of First Chamber; lecturer.

Mr. J. Palsson, member of First Chamber.

Mr. David Pettersson, member of Second Chamber; former Minister of Agriculture.

Mr. Algot Sjöstrom, member of Parliament.

Mr. Ivar Vennerstrom, member of Second Chamber; editor.

Mr. Frederik Johannesson, secretary to delegation.

Mr. Kurt Walles, assistant secretary.

Miss Engstrom, secretary to Baron Adelswaerd.

SWITZERLAND

(Two delegates)

Dr. Paul Usteri with daughter, Mrs. Loosli; member of council of Interparliamentary Union; member of Council of Switzerland.

Mr. Sidney Schopfer and his sister, Madam Ellen de Kernay; member of council of Interparliamentary Union; deputy of congress; lawyer; acting president of delegation.

URUGUAY

(One delegate)

Hon. Ismael Cortinas with Mrs. Cortinas; senator.

VENEZUELA

(Two delegates)

Mr. Luís Churión, president of Chamber of Deputies; former Minister of Foreign Affairs; former secretary to Washington legation; author.

Dr. Carlos Grisanti with Misses Margarita and Ana Teresa Grisanti; president of Congress; lawyer; professor of law in university; former president of federal court.

Mr. J. A. Olavarria Matos with Mrs. and Miss Matos; secretary to delegation.

UNITED STATES OF AMERICA

The officers and executive committee of the American group of the Interparliamentary Union:

OFFICERS

President: Senator WILLIAM B. MCKINLEY.

Vice presidents: Representative ANDREW J. MONTAGUE, Virginia; Representative HENRY W. TEMPLE, Pennsylvania; Representative WILLIAM A. OLDFIELD, Arkansas.

Treasurer: Representative ADOLPH J. SABATH, Illinois.

Secretary: Representative JOHN J. MCSWAIN, South Carolina.

Executive secretary: Arthur Deerin Call, 613 Colorado Building, Washington, D. C. (telephone, Main 7409). Cable address, "Ampax, Washington."

EXECUTIVE COMMITTEE

Senator WILLIAM B. MCKINLEY, Illinois, ex officio chairman; Representative FRED BRITTEN, Illinois; Representative THEODORE E. BURTON, Ohio; Representative HENRY ALLEN COOPER, Wisconsin; Senator JOSEPH T. ROBINSON, Arkansas; Senator CLAUDE A. SWANSON, Virginia; Senator CHARLES CURTIS, Kansas; Representative JAMES C. MCLAUGHLIN, Michigan; Representative TOM CONNALLY, Texas; Representative JOHN E. RAKER, California.

Delegates registered from United States as of October 2, 1925.

(Forty-three delegates)

SENATORS

SIMEON D. FESS, Ohio; Washington only; WILLIAM B. MCKINLEY, Illinois; CLAUDE A. SWANSON, Virginia.

REPRESENTATIVES

ERNEST R. ACKERMAN, New Jersey; Washington only; A. W. BARKLEY, Kentucky; L. M. BLACK, New York; THOMAS L. BLANTON, Texas; Washington only; FRED A. BRITTEN, Illinois; THEODORE E. BURTON, Ohio; CLARENCE CANNON, Missouri; EDMUND N. CARPENTER, Pennsylvania; EMANUEL CELLER, New York; New York only; CARL R. CHINDBLOM, Illinois; ROSS A. COLLINS, Mississippi; Washington, doubtful; New York and Ohio; TOM CONNALLY, Texas; F. CORDOBA DAVILA; EDWARD E. DENISON, Illinois; FINIS J. GARRETT, Tennessee; ALLARD H. GASQUE, South Carolina; Washington only; THOMAS HALL, North Dakota; JOHN PHILIP HILL, Maryland; Washington only; LISTER HILL, Alabama; HOMER HOCH, Kansas; Washington, possibly; New York and Ohio; GRANT M. HUDSON, Michigan; Washington only; MORTON D. HULL, Illinois; LAMAR JEFFERS, Alabama; Washington only; FIORELLO H. LAGUARDIA, New York; J. CHARLES LINTHICUM, Maryland; JOHN J. MCSWAIN, South Carolina; OGDEN L. MILLS, New York; ANDREW J. MONTAGUE, Virginia; Washington only; WILLIAM A. OLDFIELD, Arkansas; STEPHEN G. PORTER, Pennsylvania; GEORGE J. SCHNEIDER, Wisconsin; J. H. SINCLAIR, North Dakota; Washington only; JOHN B. SOSNOWSKI, Michigan; all sessions; HENRY W. TEMPLE, Pennsylvania; MAURICE H. THATCHER, Kentucky; J. Q. TILSON, Connecticut; C. B. TIMBERLAKE, Colorado; J. M. WAINWRIGHT, New York; RICHARD YATES, Illinois; F. H. ZIHLMAN, Maryland.

INTERPARLIAMENTARY UNION CONFERENCE OPENING ADDRESS

(By Frank B. Kellogg, Secretary of State of the United States of America, House of Representatives, October 1, 1925, at 10 o'clock)

Mr. President and members of the Interparliamentary Union: It is a notable event when delegates from the parliaments of 41 self-governing nations meet for the first time in convention in the Capital in one of the first Republics established in the eighteenth century. It shows that in this remarkable age the attention of the world is centered upon the study of self-government. Probably in no period in history has there been greater expansion of democratic government, a more decided trend toward liberal views, and a greater awakening of the people for participation in government, than since the close of the Great War. The end of the eighteenth century and the beginning of the nineteenth was a notable period in the growth of western civilization, because it was the period in which came the greatest development in self-government. Parliamentary government was not, of course, unknown in the eighteenth century. The British constitution was a conspicuous example of such governments, but, prior to the American Revolution and the French Revolution, the governments of the world were in the main monarchies, in some cases tempered in degree by parliamentary control. The fact remains, however, that even during the first decade of the nineteenth century there were only two republics in the world, the Swiss Republic and the United States. To-day nearly all countries of the world are either representative democracies or constitutional monarchies with parliamentary control. Following the American and the French Revolution, there was an almost universal movement against absolute monarchy, growing out of aspiration of the people for greater participation in government. This was notably true of the Western Hemisphere, for between 1810 and 1825 there swept over that vast continent of Central and South America a general uprising of the people, a demand to be released from the autocratic colonial control of the Old World and for the establishment of self-governing democracies or monarchies.

As a result of this wonderful degree of unanimity of sentiment among the people and of their combined action, there were established in substantially all the central and South American countries representative democracies very similar in their construction to that of the United States. It is also true that, in spite of the suppression of the French Revolution and in spite of the reactionary influence of the Napoleon régime which followed, there were in Europe also a great awakening of the people and an advance in liberal ideas of government. The history, however, of the last 100 years demonstrates that the pathway of representative democracies and parliamentary governments is beset with many difficulties. Many nations have undergone long and painful struggles, disorders, and revolutions before reaching that stability necessary to the prosperity and happiness of the people. But in spite of difficulties the last hundred years have revealed a wonderful growth in democratic spirit, in self-reliance and capacity for self-government, and in the education of the masses of the people in the duties and obligations incident thereto, and once more the Western Hemisphere has taken a leading part. In no part of the world has progress been greater than in Central and South America. You represent countries with varying economic conditions, many races with widely different political histories and traditions, and one of the prime objects of your organization is, I understand, to further the cause of peace—a noble aspiration which will find sympathy in millions of hearts after the devastation of the great world conflict. Nothing can be more stimulating to the advancement of liberal ideas or will contribute more certainly to peace than for members of the various parliaments and legislative bodies to meet as you are doing to exchange views on your respective problems. The permanent peace of the world depends on the spread of knowledge and the proper understanding of each other's problems.

The principal causes of war are national ambitions, national jealousies, and racial hatreds. Knowledge and acquaintance remove suspicions and intercourse softens animosities. Universal peace has been the dream of statesmen for ages, but no one has yet found a specific. The cure must come from the hearts and understanding of the people. They must be taught to think in terms of peace; they must realize that there are better means of adjusting international disputes than the arbitrament of war. Arbitration and judicial settlements have a conspicuous place and are powerful instruments for peace, but there must be more than treaties and conventions; there must be the spirit of tolerance and a willingness to submit to arbitration or judicial settlements. How many nations have been plunged into war by a false sense of patriotism!

The extension over the world of true representative democracies where the voice of the people may be made effective in shaping the destinies of nations is undoubtedly a very powerful instrument in the maintenance of peace, but unfortunately all history teaches us that even this is not always effective. To make it effective the people themselves must study and understand the problems of government, the relation of nations to each other; they must acquire an appreciation of the obligations of citizenship and these principles should be taught to the youth of every land. Parliamentary government, used in its broad sense as including all forms of representative democracies, is to-day facing as grave problems as at any time within the memory of any man now living. There are forces at work for the disintegration of orderly representative government and for the establishment of class rule which may well give us serious thought. I am not an alarmist, and I have absolute confidence in the intelligence and the patriotism of the people of all those nations who have reared and maintained the marvelous institutions of the twentieth century, but I can not be blind to the forces which are working in many of the self-governing countries for the destruction of really representative government and the establishment of class tyranny. It is not sufficient to label a government a democracy and simply provide for majority rule. A government must be stable, must insure the protection of law to minorities as well as to majorities, the maintenance of individual liberty, the protection of property, freedom of religious belief and worship, freedom of the press, maintenance of the home, an equal opportunity for individual enterprise and initiative. There may be a tyranny of the majority as arbitrary and as detrimental to human liberty as the tyranny of monarchs. Some of the darkest pages of human history have been written under the guise of liberty.

I am aware that one of the questions which has invited the attention of the Interparliamentary Union in the past, and still is a burning question in some countries under a republican form of government, is protection of minorities. I have no mind to touch upon this delicate and controversial subject. I can only say in passing, without assuming to hold up the Constitution of the United States as an example to all the world or as containing all the wisdom of government, that the framers of our Constitution did not leave to the representatives of the people in Congress assembled the sole protection of the rights of minorities. They placed in the written Constitution prohibitions upon the power of Congress and in the Bill of Rights guarantees of liberty for the humblest citizen, irrespective of racial origin or religious belief, as well as for the wealthy and powerful, and by the Constitution itself established a Supreme Court with full power to protect all citizens in those rights and to declare void any legislative or executive act infringing upon them. I know there are many in this country who are restive under the restraint of these constitutional protections and demand unlimited power for Congress, but I believe the experience of 140 years has demonstrated the wisdom of the constitutional provision and I have absolute confidence that the people of the United States will never sweep away those guarantees of liberty.

Whether a government has a written constitution or not, these principles for the guarantee of individual liberty underlying all representative democracy must be maintained if self-government is to survive. Stability of government, security for the person, the right to labor and to enjoy the fruits of industry, protection of property and of equal opportunity are necessary for the highest advancement of the human race. The genius of enterprise, of invention, or learning can not thrive under a government that is too weak or too vacillating to insure protection. Education, in its highest sense, which fits a man for citizenship and participation in government, can take place only where there is guaranteed security for the fruits of education. Not only, as I have said, must there be a sense of the responsibility of individual citizenship, but there must be equally a high sense of responsibility by the represenatives of the people. The high ideal of government is that the representatives of the people shall be free to act for the greatest benefit to the whole people. This can not be accomplished where representatives are torn by factions and are not morally free to use their best judgment.

There is another phase of legislative responsibility, which I should like to mention in passing, and that is the growing practice of nations to submit treaties to parliaments or to some branch of their legislative bodies for ratification. Under our form of government, and that of many other countries, this is obligatory, and the present tendency among European countries is to follow this practice. Under the British constitution, to be sure, the government in power has the right to make a treaty, which may be ratified by the King without the authority of the Parliament; but, especially since the war, this practice has been abandoned, and all treaties of importance are submitted to the House of Commons; in France a certain class of treaties must be ratified by both the Senate and the Chamber of Deputies. This is generally true in Central and South America. I believe the adoption of this practice by parliamentary governments is a wise step toward the maintenance of peace. There has been, at times, criticism of the American Government that treaties negotiated by the President can become valid only when ratified by the Senate. I think it has always been considered in this country a very wise provision. Treaties between nations often, in fact usually, affect the intimate life, business, and economic interests of the people. They are often, and should always be, powerful instruments for the maintenance of peace, but many times in history secret treaties and alliances have been the cause of war. The more the people know about their own governments the better for them and for the stability of the world. Why should not some representatives of the people have a right to pass upon the treaties, which shall be made between the nations?

Permit me, on behalf of the Government and the people of the United States, to extend to you a sincere and cordial welcome. It is a most enlightening and momentous occasion when the representatives of the world's parliaments meet to discuss the problems of government, to lend their influence to the passage of wise and beneficent laws, which are so necessary to the stability and the peace of the world and the advancement of civilization.

ADDRESS OF WELCOME BY SENATOR WILLIAM B. MCKINLEY, PRESIDENT OF THE AMERICAN GROUP

Mr. President, colleagues, and friends, in behalf of the American group I welcome you most heartily to the thirty-sixth anniversary and to the twenty-third conference of the Interparliamentary Union.

We are glad that you are with us. We treasure the memories of those guests of ours at the twelfth conference in our midst, 21 years ago; but we recall especially just now how through the years many of us of America have been immeasurably benefited and charmed by the choice friendships and the boundless hospitalities from your groups across the seas. For your countless unforgetable courtesies we thank you every one. While we can not repay, we must assure you—and I am proud here also to speak for our Canadian colleagues, who have so kindly cooperated to make your visit to these shores a pleasure and a profit—we must assure you that we are comforted because you have so graciously accepted our invitation, because you are here, and we open wide to you not only our hearths but our hearts. We aim to leave no stone unturned to make your stay among us a worthy expression of our common hope.

As a result of your visit, you will discover increasingly that we, of the Congress of the United States, believe in the Interparliamentary Union.

BECAUSE OF ITS PAST

We believe in it because of its past, which at least is secure.

The Interparliamentary Union has modified the thoughts of men. Its history is a history of practical persons bent upon the pursuit of attainable ideals.

For a generation it has stood for the principle of arbitration of disputes between nations. Following 1892, largely upon the initiative of our late and lamented Lord Weardale, it labored in behalf of a permanent arbitration tribunal until that tribunal became a fact. In no small way it influenced the calling of the first Hague conference. A resolution, adopted at our Brussels meeting in 1895, served that conference in 1897 as the basis for its discussions relative to an international organization for the furtherance of international arbitration.

How in 1904 the Interparliamentary Union prevailed upon President Roosevelt of the United States to take the initiative in the calling of the second Hague conference has often been told. The draft treaty of arbitration drawn up by this body in London in 1906 became the basis of discussion at the second Hague conference in 1907.

It is not necessary in this presence to recall the labors of the Interparliamentary Union in behalf of a third Hague conference and of a Permanent Court of International Justice.

There is not only history, there is a veritable romance in the efforts of the union to develop its own organization, to provide for a permanent office and a paid secretary general, to increase its support, financial and moral, from the parliaments of the world, and to promote a friendlier international understanding.

Some of the results have been tangible. It is proper to note that there were 12 groups represented at Stockholm in 1921, 26 at Vienna in 1922, 26 at Copenhagen in 1923, and 26 at Bern and Geneva in 1924, with 211 delegates. When we think of the costs of travel, of the depreciated currencies abroad, and of the many distresses following the World War, it is peculiarly encouraging to report at this our twenty-third conference 41 countries, represented by a total of 292 delegates. You from the Eastern Hemisphere will join with me in expressing our special gratification that representatives of 14 Latin American Republics are with us.

Evidently not only is the past secure; there is evidence of a substance and of a value to the present.

BECAUSE OF ITS PURPOSES

We believe in the Interparliamentary Union because of its purposes. While all of these purposes are not fixed and unchangeable, we shall continue to believe in arbitration as a practicable and civilized method of settling disputes between nations. We shall always believe in the judicial settlement of controversies between states. As members of parliaments we are concerned to know more of the relations between our legislative bodies and foreign policies. We crave that light and leading which can come only from intercourse with our fellow parliamentarians. We would know more of each other's conditions precipitated by the World War, of the mandated territories, of the minorities, of the economic, financial, and health problems, of the League of Nations and its Permanent Court of International Justice, of passports and customs, of international production and transportation, of the achievements and failures of diplomacy, of social and colonial problems, of armaments and of the traffic in munitions of war, of demilitarized zones, and particularly of the all-important efforts to restate, amend, reconcile, and promote the principles of international law, without which there can be no peace or justice between the nations of the world. The only agency regularly and permanently organized for parliamentarians collectively to promote that intercourse essential to these high matters is the Interparliamentary Union.

In no small sense, therefore, the interests of all peoples are affected by our aims, as set forth in our constitution, "to unite in common action the members of all parliaments * * * to secure the cooperation of our respective states in the firm establishment and the democratic development of the work of international peace and cooperation between nations * * * to study all questions of an international character suitable for settlement by parliamentary action."

Through all these purposes runs a golden thread, a thread of reason, strengthened by an abiding faith that out of our honesty of discussion and better understanding nations may enjoy increasingly that peace which inevitably reigns where justice prevails under law.

BECAUSE OF ITS CHALLENGE

Thus the future of our Interparliamentary Union is a challenge to every parliament of the world. Our work has just begun. We are a nonpartisan body concerned with the international problems of to-day in the light of a better to-morrow. It is not unreasonable to expect that we shall become more and more, albeit unofficially, a "parliament of parliaments."

With all the differences between us—differences in language, in religion, in politics, in local conditions—we know that there are problems common to us all by virtue of the fact that we are upon the same earth, deriving our motives from the same great springs of action, sensing our goal with certain purposes and interests, similar and enduring.

We of the Interparliamentary Union, especially we who have been with it through the many years, owe to it a great debt of gratitude. Without it certain deeply cherished friendships could not have been possible. Because of it, its studies, its discussions, its acquaintanceships, we have been able to serve our own constituencies, we hope, with a richer intelligence. In any event, because of it we are challenged to advance the cause of international righteousness with a firmer purpose and a finer nobility.

Since we believe in the Interparliamentary Union because of its history, which is secure; because of its purposes, which are clear; and because of its future, standing as a challenge to every parliament in the world, we welcome you all, friends of many lands, to this the twenty-third conference of the Interparliamentary Union.

The Codification of International Law

(Read by Hon. THEODORE E. BURTON at the session of the Interparliamentary Union, Saturday, October 3, 1925)

(By Elihu Root, rapporteur)

Codification, so called, of international law has a special importance at this time, because it is necessary in order to enlarge the service rendered by the Permanent Court of International Justice as one of a group of related institutions which, taken together promise to facilitate the preservation of peace to a degree never before attained.

These institutions are in their early stages and there is unmistakable indication, both by the expression and action of many of the most powerful governments, and in the speech and writing of the most competent and experienced students of international affairs, and in the exhibition of general public interest, that the civilized world is turning its hopes for the future toward their development. These institutions are three.

(1) An automatic system providing for immediate general conference whenever serious irritation arises between nations, whether it be upon conflicts of policy or misunderstanding or resentment.

(2) An established system providing for the determination, by a permanent and competent court, of questions of legal right arising between nations.

(3) An established system to facilitate and regulate arbitration, which will bring the opinion of impartial arbitrators, selected by the parties, to bear upon controverted questions not strictly or wholly justiciable in their nature.

The first of these is supplied within the limits of its membership by the League of Nations. The second is supplied for the benefit of the whole world by the Permanent Court of International Justice. The third is supplied for the whole world by the continuing organization of the original Hague court of arbitration established by the first Hague conference in 1899. It will be observed that the first of these institutions affords opportunity for conciliation, for the friendly expression of outside opinion, for the cooling effect of deliberation, for a realization of other points of view, and for reflection upon the results of braving the public opinion of the world.

All three of the institutions afford opportunity for dispelling misunderstanding and suspicion by the ascertainment and determination of facts through such commissions or investigations as may be adapted to the particular requirements of the several institutions. It is also to be observed that the existence of the League of Nations, with its essential feature of ever-ready conference, is a distinct advantage not only to its members but to nations which are not members of the league. Whenever a question arises which, for example, affects the United States or Germany, the fact that 50 nations have in operation the machinery through which they are able to thresh out among themselves their views and possible differences upon the subject makes the prompt and satisfactory solution of the question between all nations, including the United States and Germany, comparatively simple.

These three institutions are not antagonistic or mutually exclusive. Each contributes its part toward the application of a practical theory of the way to prevent war, which the world is now engaged in trying to put into effect. That theory proceeds upon the following considerations:

War results from a state of mind, and in these modern times that has to be the state of mind of a people. Governments may promote or governments may allay such a state of mind, but we have reached a point where war can not be successfully carried on unless it gratifies the feelings of the great body of the people of the country.

Controversies and quarrels between nations are certain to come. There will be conflicting interests, disputes, differing understanding of facts, differing opinions of what is right and just, irritation and resentment over what the people of each country deem to be the refusal of justice by the people of the other. There will be by each country suspicion and apprehension as to the purposes of the other. Mere agreements not to have these things happen are futile. They result from the nature of man and they can not be controlled at will.

The time for the useful application of whatever force, moral, or physical, we may rely upon to prevent war is when that state of mind has arisen. No previous agreements or declarations against war, made at a time when there was nothing to fight about, have any substantial effect when the quarrel comes. Practically all modern wars have been made in the face of solemn agreements for perpetual peace.

Previous agreements by other nations to exercise compulsion to prevent war are not much better. If carried out, they would themselves bring on war and the only effect would be upon the alignment of nations engaged in the war. But the world has learned that in modern war the victors suffer about as much as the vanquished, and few nations can be depended upon to subject themselves voluntarily to the disaster of going to war because of a previous general agreement for the purpose of preventing some other country from going to war with somebody else. No country can carry on a war unless its people at that very time want war. No government can constrain its own people to go to war in the future when they do not wish to go, and no generation can effectively bind a future generation to fight against its will. The motive is not sufficiently compelling to create and hold together an alliance for purposes of compulsion. A single great power might compel peace, but a Pax Romanum implies a Roman imperium.

The great difficulty in settling international quarrels has ordinarily arisen from the fact that the only alternative has been war or a surrender which would mean humiliation. This difficulty is increased by the continually advancing democratic control over foreign affairs; because the people of each country are apt to see only one side of the controversy; to assume that their own country is completely right; and to regard any concession whatever by their government as a betrayal. It is popular in every country for the press to stress chiefly the arguments in that country's favor. Accordingly the public in every country is always misinformed by a part of the press. To dispose of such an international controversy without war it seems necessary to find a way which will avoid humiliation and correct public misjudgment.

The conclusion is that the most effective method of dealing with the state of mind which leads to war is not by any mere negative but by a counter affirmative, consisting of a substitute for decision by war in the form of decision by proof and reason.

The three institutions above enumerated afford this substitute, and they afford it in such varied forms as to be adaptable apparently to every conceivable situation. This mode of treating the subject has not been evolved by any individual mind. It is not anybody's theory.

Considering the discussions in The Hague conference of 1899 and in its committees in which was wrought out the organization of the court of arbitration at The Hague.

Considering the discussion in the second Hague conference in 1907 and its committee in which were produced the framework of a Permanent Court of International Justice and complete provision for an international prize court.

Considering the multitude of negotiations between foreign offices before and after these conferences, the multitude of arbitration treaties signed and discussed in national legislatures, and rejected or confirmed, and the many draft treaties for the permanent court framed and discussed by foreign offices.

Considering the discussion in the peace conference of Paris at the close of the Great War, in which was adopted the definition of justiciable questions and in which it was made the duty of the Council of the League of Nations to take up the task of finding a plan for a permanent court which could be agreed upon by the nations.

Considering the discussions in the commission convened at The Hague from many countries by the council of the league, and which produced the plan for the permanent court.

Considering the discussions upon that plan and the amendments to it in the council and assembly of the league.

Considering the discussions of the plan by the great majority of all the nations of the earth who became parties to the treaty accepting it.

Considering the extensive use of these three institutions in the disposal of international controversies under the troubled and excited conditions of Europe during the past five years and the beneficient results which have been accomplished.

It is apparent that these institutions are an evolution from the practical necessities of international life worked out by the continuous effort of many most competent and experienced men, approaching the

subject from the points of view of all nations, and finally coming to agreement upon what is at once practicable and useful for the prevention of war.

In considering the utility of a Permanent Court of International Justice there is a common tendency on the part of those who have not studied the subject thoroughly to underestimate the importance among the causes of war of controversies about legal rights. Such controversies are important in three different ways: First, as being the real thing about which nations go to war; second, as being the origins from which arise irritation and resentment and the kind of popular misrepresentation and abuse and insult which make other peoples ready to fight because they are angry; and, third, as being pretexts by which governments and war parties in governments may secure popular support for war which they really seek to wage for entirely different reasons. There is danger also of forgetting that the value of a court is not to be measured solely by the cases it decides, but also by the vastly greater number of cases which are settled because the court is there to decide. There is frequently a failure to appreciate one essential distinction between the work of a conference and the work of a court. Immediate conference is the only mode of dealing with flagrant cases of conflicting policies in which war is imminent, but the method of conference is the method of negotiation. Time out of mind the world has been negotiating for the prevention of war, and each negotiation, successful or unsuccessful, begins just where all the others have begun. Every case in court, however, begins not where the last case began but where the last case ended.

Th judgment of the court may be binding only upon the parties, but the general acceptance of the court's decision will be continually building up a body of agreement which narrows the field of controversy between nations and prevents future controversies. The conference deals only with particular situations. The court is an instrument of international progress toward the government of the world by law. Most serious in considering this subject is the mistake of those who expect human institutions to be born full grown, who condemn The Hague Court of Arbitration, and the Permanent Court of International Justice, and the League of Nations within its own membership, and all the international conferences of the postwar period, because they have not already stopped all wars. These people would have the clock begin by striking 12. Immediately after planting an acorn they would dig it up and throw it away because it is not already an oak. They fail to understand that all international progress is the result never of compulsion but always of a process, and that the process has to go on in the minds and feelings of many widely different nations, and therefore it must be slow. Although you can not change human nature, you can change standards of conduct, but always gradually, never violently. If you see clearly and rightly the path of international progress, the first important question is not, What is the complete and perfect system which should be attained. The first important question is, How many steps along that path can all these nations, differing in interests and circumstances and traditions, and modes of thought and feeling, be brought to agree upon now? That is the first thing to ascertain, and when it is ascertained, although it may be possible to get immediate agreement upon only one step, the part of wisdom is to get that step agreed upon and put it into effect. Get your institution out of the realm of theory into that of fact, and then if you are right your fact will immediately begin to change the way in which men think. These three institutions, for conference, for judicial decision, and for arbitration, are still in their infancy, but they have made extraordinary development in the last 30 years, and the simple fact of their existence is already changing the way in which mankind thinks and feels about the disposition of international controversy without war.

Article 36 of the statute establishing the Permanent Court of International Justice limits the jurisdiction of the court, unless extended by agreement of the parties, to questions arising under treaties and under international law, and the court is therefore excluded from the decision of the great number and variety of questions not now covered by international law. The limitation was necessary because upon so many subjects the nations had long been unable to agree upon what the law ought to be. These disagreements had arisen from the differing characteristics and conditions of the different nations. Sometimes they came from different modes of thought and feeling; sometimes they came from conflicting interests; and upon such subjects every rule proposed has always found some nation which conceived that it would be injured and its rivals would be benefited by the adoption of such a rule. We can all agree upon the principles of international law, but it has been exceedingly difficult to secure agreement upon the rules which will adequately and properly apply those principles. To authorize a court not merely to apply the rules of international law, but to make those rules and then apply them, would be to authorize the court to overrule the nations themselves in their contention as to what the law ought to be, to establish rules to which the nations have not consented, and thus to deprive international law of one of its essential characteristics as a body of accepted rules.

The difficulty of giving to an international court jurisdiction without limit was encountered when the international prize court treaty was framed in the second Hague conference of 1907. That treaty provided that if there were a treaty between the parties the treaty provisions should govern, but that "in the absence of such provisions the court shall apply the rules of international law. If no generally recognized rule exists, the court shall give judgment in accordance with the general principles of justice and equity." When the treaty came up for ratification it was met by the objection that there were so many different views in so many different nations about what constituted justice and equity that under this authority no one could tell what law was to be applied to conduct and no one could know by what law to regulate his conduct. Accordingly a new conference of maritime nations was called, and it met in London in 1908.

There for months the representatives of Germany, the United States, Austria-Hungary, Spain, France, Great Britain, Italy, Japan, the Netherlands, and Russia discussed unsettled questions as to what the law ought to be within the field appropriate to a prize court, and they adopted a declaration containing 71 articles concerning blockade in time of war, contraband, unneutral service, destruction of neutral prizes, transfer of a neutral flag, enemy character, convoy, resistance to search, and compensation. The operative clause of the provision was in these words: "The signatory powers are agreed that the rules contained in the following chapters correspond in substance with the generally recognized principles of international law." Some questions relating to naval war remained still unsettled.

To illustrate the nature of all such proceedings, I quote from the official report presented to the conference by that admired and beloved master of international law, M. Louis Renault. The report says:

"The questions of the program are all settled except two, concerning which explanations will be given later. The solutions have been deduced from the various views or different practices and correspond to what may be called the "media sententia." They do not always harmonize absolutely with the views peculiar to each country, but they do not shock the essential ideas of any. They should not be examined separately, but as a whole, otherwise one runs the risk of the most serious misunderstandings. In fact, if one considers one or more isolated rules, either from the belligerent or the neutral point of view, he may find the interests with which he is especially concerned have been disregarded by the adoption of these rules; but the rules have their other side. The work is one of compromise and a mutual concession. Is it, as a whole, a good work?

"We confidently hope that those who study it seriously will answer affirmatively. The declaration substitutes uniformity and certainty for the diversity and the obscurity from which international relations have too long suffered. The conference has tried to reconcile in an equitable and practical way the rights of belligerents and those of neutral commerce; it is made up of powers placed in very unlike conditions, from the political, economic, and geographical points of view. There is, on this account, reason to suppose that the rules on which these powers are in accord take sufficient account of the different interests involved, and hence may be accepted without disadvantage by all the others."

It needs no argument to show that the appropriate and necessary way to reach conclusions as to what the law ought to be is the way followed in the conference of London and described by M. Renault; the way of consideration, discussion, reconciliation of conflicting views on the part of the direct representatives of the nations, and not by the arguments of counsel in a particular case before a court created not to make law but to apply it.

Upon such considerations the jurisdiction of the permanent court was limited to the application of law, and if we would broaden the usefulness of the court we must broaden the field of law which the court is competent to apply to controversies between nations.

The admirable conduct of the court during these few early years of its existence, its conformity to the highest ideals of judicial dignity and propriety, the universal confidence which it has inspired, the unquestioning respect which has been paid to its decisions, the long series of questions which it has removed from the field of irritating dispute, have already made the court an established fact which enters into the consideration of every nation in the treatment of every international controversy. It has already made the rules of international law more substantial and valuable, because now they can not be finally thrust aside by the mere denial or neglect of an interested party. Already the world is becoming familiar with the idea of judicial decision upon international questions, and already the world is beginning to think that way. Already in many countries sensible people are coming to realize that here is a reasonable alternative to the proposals of the demagogue and the follies of hysteria. Plainly it is important now to enlarge the scope of the court's jurisdiction by enlarging the law which the court is authorized to apply.

All this is covered when we now use the term codification of international law. The process is not properly codification in the sense

in which the term is used to apply to municipal law. What is called for now, and what we mean when we speak of codification of international law, is the making of law, and the necessary process is described in the report of Louis Renault, which I have quoted. The ordinary codifier has to deal with existing law created by the dictum of superior power. He has to systematize, classify, arrange, and state clearly what he finds to be already the law, and if there be doubt it is to be resolved by appeal to the same superior power. The task now before the civilized world is to make law where law has not yet existed, because of a lack of agreement upon what it ought to be. The process is necessarily a process of agreement quite different in its character from the process of codification and declaration by superior authority. Codification, properly so-called, is, however, a necessary incident in this law-making process, because to extend the law without duplication or confusion we must know definitely what the law already is; and so far as the law-making process reaches conclusions the statement of those conclusions may be called codification, although the process by which the conclusions are reached must necessarily be entirely different from the process of codification.

We have gradually come into a method of making international law quite different from the slow general acceptance of the rules adopted in particular concrete cases, by which the law was originally created. The changes in the conditions of civilized life during the past century have been so extensive and so much more rapid than the growth of international law in the old way, that the law has been falling behind and becoming continually less adequate to cover the field of international contacts. The declaration of Paris upon the close of the Crimean War in 1856 was a new departure in the making of international law by a conventional statement of rules and an appeal to the nations generally for an official acceptance of the rules thus stated. The three neutrality rules of the treaty of Washington of 1871 were an attempt to determine by convention what should be the law to guide the tribunal in the Geneva arbitration upon the Alabama case. The Geneva conventions, The Hague conventions, contain numerous provisions established between the parties by conventional agreement in reliance upon general acceptance to give them the quality of law as distinct from mere agreement. To that conventional method we must now look for the extension of international law.

Several things should be said about this undertaking.

It is necessarily a slow and difficult process. It will require patience and good temper, and learning, and distinguished ability and leadership. The differences of opinion and of interests among the nations which have long prevented the establishment of further rules of international law can not be disposed of in a day. There is, however, ground for hope that the changes of conditions may have changed the attitude of many nations upon many questions, so that progress may be made now where progress never could be made before.

The work must ultimately be accomplished by official representatives of the nations acting under the instructions of their several governments. It is only results attained in that way which can secure consideration and ratification. The work, however, can not be done ab initio by official representatives. Their work must be preceded by and based upon the painstaking preparation wrought out by individuals and unofficial organizations; the work of such men as Field and Bluntschli and Fiore; such work as the codification of the laws of peace prepared by the American Institute of International Law and submitted to the governing board of the Pan American Union on the 2d of March, 1925; such work as that of the Institut de Droit International, which made the achievements of the first Hague conference possible. Such work must be done in preparation. Without it official conferences will be helpless; partly because they have not the time; partly because a large number of their membership will naturally be composed of men of affairs who have not the learning and the aptitude for scientific research necessary to laying the foundation for agreement; and partly because the freedom and frankness of discussion and mutual concession necessary for the reconciliation of views are difficult to secure among official delegates acting under instructions and obliged to get governmental authority for every position they state.

Because the process must be a slow one, because official action must be preceded by long and laborious preparation on the part of private individuals and organizations, no time ought to be lost in getting to work systematically. It is now 18 years since the second Hague conference in its final act recommended the calling of a third conference, and declared it to be "very desirable that some two years before the probable date of the meeting a preparatory committee should be charged by the governments with the task of collecting the various proposals to be submitted to the conference; of ascertaining what subjects are ripe for embodiment in an international regulation, and to prepare a program which the governments should decide upon in sufficient time to enable it to be carefully examined by the countries interested."

It is now five years since the advisory committee of jurists, which met at The Hague in 1920, on the invitation of the League of Nations, and worked out the plan for the Permanent Court of International Justice, made to the league the following recommendation:

"I. That a new conference of the nations in continuation of the first two conferences at The Hague be held as soon as practicable for the following purposes:

"1. To restate the established rules of international law, especially, and in the first instance, in the field affected by the events of the recent war.

"2. To formulate and agree upon the amendments and additions, if any, to the rules of international law shown to be necessary or useful by the events of the war and the changes in the conditions of international life and intercourse which have followed the war.

"3. To endeavor to reconcile divergent views and secure general agreement upon the rules which have been in dispute heretofore.

"4. To consider the subjects not now adequately regulated by international law, but as to which the interests of international justice require that rules of law shall be declared and accepted.

"II. That the Institute of International Law, the American Institute of International Law, the Union Juridique Internationale, the International Law Association, and the Iberian Institute of Comparative Law be invited to prepare, with such conference or collaboration inter sese as they may deem useful, projects for the work of the conference, to be submitted beforehand to the several governments and laid before the conference for its consideration and such action as it may find suitable.

"III. That the conference be named 'Conference for the Advancement of International Law.'

"IV. That this conference be followed by further successive conferences at stated intervals, to continue the work left unfinished."

It will be perceived that these recommendations describe the law-making process by agreement preceded by extensive unofficial preparation.

After a delay, which has illustrated the general truth that no proposal for international action can prevail suddenly, the work of preparation has been begun in ways which show that the time is ripe for effective action.

On the 26th of April, 1923, the fifth International Conference of American States, held at Santiago, Chile, provided for a commission of jurists to meet for the codification of international law at Rio de Janeiro during the year 1925 at a date to be fixed by the Pan American Union upon consultation with the Government at Brazil.

On the 2d of January, 1924, the Pan American Union, by resolution, requested the American Institute of International Law to prepare a codification of the international law of peace for the consideration of the commission which was to meet at Rio. On the 2d of March, 1925, a codification of the international laws of peace, prepared by the American Institute, was laid before the governing board of the Pan American Union, by Secretary Hughes, and was ordered by that board to be transferred to all the American governments, with a view to its submission to the commission of jurists at Rio de Janeiro.

In September, 1924, the League of Nations adopted a resolution providing for the appointment of a committee of jurists for a progressive codification of international law. This committee included eminent jurists from Argentina, Belgium, China, Czechoslovakia, England, France, Germany, Italy, Japan, the Netherlands, Poland, Portugal, Salvador, Spain, Sweden, Turkey, and the United States of America. The committee met at Geneva on the 1st of April, 1925, and appointed subcommittees among which were distributed 11 topics selected by the general committee for preliminary examination, with a view to a report to the council as to which questions appear to be sufficiently ripe for action and what procedure should be followed in preparation for conferences for their solution. The International Law Association, the Institut de Droit International, the Société de Législation Comparée, the Institut Ibérique de Droit Comparé, the American Institute of International Law, the Union Juridique Internationale, the American Society of International Law, and the Comité Maritime International were invited to collaborate with the committee.

These two independent proceedings are not exclusive or competitive. They are contributory to a common end. They exhibit a general sense that the time has come when there should be no further delay in the necessary preparation for a general international conference, which shall make more definite and certain and comprehensive the body of law by which international conduct is to be ruled.

As a declaration of war brings to the soldier the opportunity for which his life has been a preparation, so this call from both sides of the Atlantic presents the occasion for which all these societies, learned in international law, exist. It is for such an opportunity as this that they have been preparing, some of them for 70 years past. Now is their time to justify. Of course, they will justify with ardor and devotion, and there will be no more avoidable delay, no more hesitation.

REMARKS ON CODIFICATION OF INTERNATIONAL LAW—MEETING OF INTERPARLIAMENTARY UNION, SATURDAY, OCTOBER 3, 1925, FOLLOWING THE READING OF THE ARTICLE BY MR. ROOT

(By THEODORE E. BURTON)

It would be superfluous for me to add any extended remarks to Mr. Root's admirable paper, to which we have all listened with interest and profit. The statement is made with all the authority and force which he possesses that the time has come for the codification of international law.

He specifies conference, judicial settlement, and arbitration, with all three of which we are fortunately familiar, as the effective means of settling controversies between nations without a resort to arms. He devotes his chief attention to judicial settlement and speaks of the Permanent Court of International Justice, established and in successful operation at The Hague, as "an instrument of international progress toward the government of the world by law."

In the strict technical, and therefore narrow, sense, codification would only include a statement in the form of a code of existing principles of the law of nations. In the broad sense, it means not merely the statement of existing rules in the form of law, but the formulation of other rules from the principles generally recognized. Upon such additions we should all agree. In this connection it may be said that unbalanced attention has been given to international agreements relating to the conduct of war as compared with those for the prevention of war. It has been very generally maintained that national policies which involve the right to declare war and kindred questions are not proper subjects for control by international law, but propositions are now pending and may be considered at this conference for the outlawry of war, and unquestionably it is most desirable that the scope of international agreements should be so broadened as to minimize the possibility of warfare.

Is codification desirable and is it possible? Codification is desirable because it would promote peace and international cooperation; would make possible a readier adjustment of controversies between nations as to their respective rights; would render that which is now vague and only partially accepted definite, clear, and binding.

The great changes which we generalize under the term "progress of of the world," the painful lessons of the Great War, and the rapid development of new problems all alike demand codification. It is a most praiseworthy aspiration to establish international law which may govern the conduct of nations in the same manner in which municipal law seeks to govern the conduct of individuals.

The burning question for the future is: Shall there be a reign of law or a reign of force? Civilization demands it, and if civilization is to survive there must be a reign of law.

Is codification possible? This is an era of closer contact between nations. In the last 30 years there have been numerous gatherings, and negotiations have been conducted in which most salutary results have been achieved. Among the most notable of these are The Hague conferences of 1899 and 1907, the League of Nations, the Washington conference of 1921 and 1922, the periodical meetings under the auspices of the Pan American Union, to which reference was made by Mr. Root, and last, but not least, the assembling now, for the twenty-third time, of this Interparliamentary Union.

The disposition to abate claims of individual nations for the larger benefits of universal welfare has been very plainly manifested and has made a profound impression. There is a deep-seated and most influential conviction that such a cataclysm as that through which the world has recently passed must be avoided by the strength of all the intellectual and moral forces which the world can muster.

How can codification be accomplished? A great American statesman, speaking on the resumption of specie payments, which had been suspended during the Civil War, said: "The way to resumption is to resume." I would like to paraphrase his dictum, which contains a wholesome moral: "The way to codification is to codify."

What is the rational method to pursue? It is universally agreed that there should be preliminary meetings of jurists and experts, who shall give elaborate study to the problems involved. Their conclusions may be presented either to a conference representing the largest possible number of nations, or perhaps be directly transmitted to the respective governments. In any event, their work must be reviewed and approved by the political authorities of the nations which they represent. It is essential that established organizations for the consideration of these subjects, such as the various institutes of international and comparative law, should collaborate. This union by a committee or committees, can perform a most important part. Periodical meetings should follow.

The work is already well begun. Allow me to call attention to that which has been accomplished by the Pan American Union, composed of the diplomatic representatives of the 21 American republics and holding regular meetings in Washington, under the presidency of the Secretary of State of the United States. The union has arranged for conferences of all these republics at several capitals in the New World.

Codification has been recommended at conferences at Mexico City in 1902 and at Rio de Janeiro in 1906, but definite action was taken in accordance with a resolution of April 26, 1923, of the Fifth Pan American meeting at Santiago. In accordance with this resolution, the American Institute of International LAW was requested to codify the law of nations, and that the results of its deliberations might be submitted to a forthcoming conference of jurists, composed of two members from each of the American republics, to meet at Rio de Janeiro for the purpose of codification.

THE PAN AMERICAN UNION

(By Senator CLAUDE A. SWANSON, of the United States, at the third session of the conference of the Interparliamentary Union, Pan American Union Building)

Mr. Chairman and members of the Interparliamentary Union, I am persuaded that to such an organization as this, representing the legislative assemblies of the world, every movement which has for its purpose closer international cooperation and better understanding between nations, and which seeks to promote peace by enlarging the pursuits that pertain to peace, must be a matter of profound interest, since its work is in full accord with the purpose which occasioned the establishment of this great international body.

For a period of more than three decades an international organization, whose central office is situated in Washington, has been in operation, whose work possesses a deep significance for all of us, and to whose activities I desire to call your attention. This pleasant duty has fallen to my lot mainly because of the fact that the central office of the organization being located in Washington, it has probably been possible for me to follow its activities somewhat more closely than my Latin-American colleagues. I have thus been placed in a peculiarly favorable position to estimate the larger significance of the work undertaken by the Pan American Union, and it is to certain general aspects of this work that I desire to call your special attention.

As early as 1826 plenipotentiaries of Peru, Mexico, Central America, Colombia, and the United States met in conference to consider important matters of special interest to the nations of the Western Hemisphere, to strengthen their friendship, to encourage between them larger commerce and intercourse. It is conceded that the idea of this conference originated with Simon Bolivar, the eminent soldier-statesman, one of the world's great outstanding figures, a rare combination of courage, capacity, and character. His efforts were warmly supported by Henry Clay, then Secretary of State for the United States and one of her most distinguished and influential public men. This conference perfected no permanent organization. The principle of inter-American cooperation was kept alive by international conferences between groups of American states held in 1847, 1850, 1864, and 1877.

It was not, however, until 1881 that the plans of another Pan American conference took definite form. The then eminent Secretary of State for the United States, the Hon. James G. Blaine, realized the importance of bringing the Republics of the American Continent in closer touch with one another and of developing between them a spirit of international cooperation which would contribute toward the solution of their common problems. As he visualized the situation, the first step was the establishment of closer commercial ties, and with this end in view he arranged for the assembling of the first Pan American conference, officially known as the First International Conference of the American States. Although he had originally planned to hold this conference in 1882, circumstances made it necessary to postpone the holding of the conference until 1889. The invitations were extended in pursuance of an act of Congress, which also appropriated funds for defraying the expenses of the conference. Whereas the conference which it was proposed to hold in 1882 was to be confined solely to a consideration and discussion of the methods of preventing war between the nations of America, the program of the conference, when it eventually assembled, on October 2, 1889, had been considerably broadened. Not only was the preservation of peace and the promotion of the prosperity of the American states included in the subjects to be considered, but also the establishment of regular and frequent communication between the American states; the adoption of laws to protect patents, copyrights, and trade-marks; definite plan of international arbitration; and the consideration of other matters relating to the welfare of the several countries. All the governments of the American Continent were represented at the conference with the exception of the Dominican Republic.

Without burdening you with further details of this first conference, there were two significant results to which I desire to call special attention. First, the determination to hold Pan American conferences at stated intervals; and second, to establish a permanent central office or bureau, which should function as the permanent organ of this conference. The recommendation for the organization of a central bureau was approved on March 29, 1890. Under the terms of this recommendation an organization was established, under the title of "International Union of American Republics," for

the prompt collection and distribution of commercial data and information. The union was to act through a bureau called "The Commercial Bureau of the American Republics," the purpose of which was to serve as "a medium of communication and correspondence for persons applying for information with regard to matters pertaining to the commerce of the American republics." The report of the committee adopted by the first conference is the original charter of the bureau, and under the terms of this document the bureau was under the direct control of the Secretary of State of the United States. In practice it was found that this provision of the charter to a large extent nullified the international character of the bureau as intended by the first conference.

Accordingly, at the instigation of the Secretary of State of the United States, the Hon. Richard B. Olney, a special committee of the diplomatic representatives of Latin America was appointed on April 1, 1896, which recommended the creation of an executive committee of five members, the chairman of which was to be the Secretary of State of the United States, and the other four members to be taken in rotation from the Latin-American countries. This committee was to act as a board of supervision of the administration of the bureau.

On March 18, 1899, this executive committee of five members, in addition to having advisory powers, was given the power to appoint the director, secretary, and permanent translators of the bureau; to fix their salaries; and to dismiss them whenever it was deemed advisable to do so. This was the second change in the original charter and the one that made the bureau international in character, as was intended by the first conference.

At the second international conference of American states the name of the bureau was changed from "The Commercial Bureau of the American Republics" to "The International Bureau of the American Republics." The resolution adopted at this conference provided that the bureau should be under the management of a governing board composed of the Secretary of State of the United States, as chairman, and the diplomatic representatives of all the governments represented in the bureau and accredited to the Government of the United States of America.

At the third international conference no fundamental change was made in the organization of the bureau; but at the fourth conference, held at Buenos Aires in 1910, the scope of the organization was further enlarged and the name changed to that of "Pan American Union." At the same time the name of the organization of American countries which support the Pan American Union was changed to "Union of American Republics" instead of "International Union of American Republics."

The bureau was first established as the commercial bureau of the American Republics, but with each successive conference its functions have been constantly enlarged, its organization more carefully integrated, and, what is more important, its influence in the international life of the American Republics constantly strengthened. From its early beginning as a commercial bureau it has developed into a full-fledged "Pan American Union," whose activities extend far beyond the commercial field, affecting the cultural and moral relations between the Republics of the American Continent as well as their commercial ties.

At the present time the Pan American Union embraces the 21 Republics of the American Continent and is under the direction of a governing board, composed of the Secretary of State of the United States and the ambassadors and ministers of the Republics of Latin America. The chairman of the board, under the terms of a resolution adopted at the fifth international conference of American states, is elected each year. The board meets on the first Wednesday of each month to consider matters of common interest to the Republics of the American Continent.

Although no attempt is ever made to use compulsion, it is inevitable that, by reason of the fact that on the first Wednesday of each month the ambassadors and ministers of the Latin-American Republics assemble with the Secretary of State of the United States to consider matters of common interest, there should develop a spirit of continental solidarity, an atmosphere of international good feeling, which has meant so much to the preservation of cordial relations between the Republics of the American Continent and to the amicable settlement of such disputes as have arisen.

In addition to the splendid work performed by the Pan American Union, the five conferences held have been productive of most beneficial results. These conferences have resulted in conventions for the exchange of official, scientific, literary, and industrial publications; for establishing the status of naturalized citizens who again take up their residence in the country of origin; for the settlement of pecuniary claims; for the patent of inventions, designs, and industrial models; for protecting trade-marks; for publicity of certain documents; for uniformity of nomenclature; for classification of merchandise, and treaties to avoid or prevent conflict between the American states.

The sphere of activity of the Pan American Union may, for purposes of convenience, be classified as follows:

I. ACTIVITIES AFFECTING THE RELATIONS BETWEEN THE GOVERNMENTS OF THE AMERICAN REPUBLICS

The Pan American Union, as the permanent organ of the Pan American conferences, is intrusted with the duty of securing the ratification of and giving effect to the treaties, conventions, and resolutions adopted by the Pan American conferences. From an international standpoint, this is a most important function, inasmuch as one of the great dangers confronting all international conferences is the absence of a permanent organization to give effect to the conclusions reached by such assemblies. In this respect the Pan American Union has performed a most important service. It would carry us too far afield to enumerate the many agreements reached at the Pan American conferences, further than those previously mentioned, and it is sufficient for our present purposes to emphasize the fact that the Pan American Union has spared no effort to give effect to the many conclusions reached by the Pan American conferences. The record of achievement in this respect is most encouraging.

II. ACTIVITIES INTENDED TO SECURE CLOSER COMMERCIAL AND FINANCIAL RELATIONS BETWEEN THE REPUBLICS OF AMERICA

Since the date of its establishment the Pan American Union has served as a great center of information, not only for the governments of the Republics of America, but also for individual citizens who desire data relative to commercial and financial opportunities. Equipped with a well-organized commercial section, financial section, and statistical bureau, the union is ever ready to furnish complete and accurate information. In furtherance of this purpose the union also publishes each month a special "Commerce, industry, and finance" series.

III. ACTIVITIES DESIGNED TO PROMOTE CLOSER CULTURAL TIES BETWEEN THE REPUBLICS OF AMERICA

The Pan American Union is equipped with a well-organized educational section, which is kept in close touch with educational developments in every section of the American Continent. The best experience of Europe and America is thereby placed at the disposal of governments and educational institutions. In addition thereto the educational division aims to encourage the interchange of professors and students between the Republics of the American Continent, and furnishes to students accurate data relative to conditions of admission, courses of study, and cost of living in the countries in which such students may wish to pursue advanced work. In furtherance of this purpose, the union also publishes a monthly special "educational" series, intended to place at the disposal of the governments and peoples of the American Continent the most recent advances in educational organization and method. Constant effort is also made to encourage the inclusion of the history and progress of the American Republics in the schools of the American Continent.

IV. ACTIVITIES INTENDED TO PROMOTE THE PROGRESS OF PUBLIC HEALTH AND HYGIENE

There is established at the Pan American Union a Pan American sanitary bureau, whose services are placed at the disposal of public-health officers throughout the American Continent, and which serves as a clearing house of information relative to all matters affecting public health and hygiene. The sanitary bureau publishes a monthly bulletin intended specially for public-health officers. In addition the union publishes monthly a popular series dealing with "public hygiene and child welfare," intended to educate public opinion to the requirements and necessities of public sanitation.

V. ACTIVITIES INTENDED TO BE OF SPECIAL SERVICE TO THE AGRICULTURAL DEVELOPMENT OF THE REPUBLICS OF THE AMERICAN CONTINENT

Inasmuch as agriculture is the basic industry of all the Republics of America, and especially of the Latin-American Republics, the union publishes monthly a special "agricultural" series, in which the most recent information relative to agricultural advance is set forth and placed at the disposal of agriculturists throughout the American Continent.

VI. GENERAL ACTIVITIES

In addition to the more specialized activities, the Pan American Union publishes at stated intervals monographs and pamphlets intended to make the Republics of the American Continent better known to one another. A monthly bulletin is published in English, Spanish, and Portuguese, which contains detailed information relative to the agricultural, industrial, and financial development of the Republics of America. In addition, pamphlets are published descriptive of each of the countries and of their capital cities. A general guide for Latin-American tourists in the United States and for visitors from the United States to Latin America has recently been published. Each year a series of pamphlets reviewing the commerce of each of the countries is also issued.

Through these publications closer acquaintance, closer cultural ties, and closer commercial relations are fostered.

It will be seen from this recital that the Pan American Union devotes itself primarily to the development of the spirit of cooperation between the American Republics, and that its most effective activities are designed to place the best experience of each of the Republics at the disposal of all. Not only is the spirit of mutual helpfulness thus fostered but the essential community of interests and problems is strongly emphasized. In no case is any attempt made either to bring pressure to bear or to use compulsion in securing action. Through constant united action, however, a continental "esprit de corps" is gradually developed which is of incalculable value, even in the settlement of purely political question pending between the Republics. The established habit of united action has gradually developed a viewpoint under which any question pending between two or more Republics assumes a continental character and importance.

An outstanding illustration of this spirit of continental solidarity and the beneficial relations flowing from this policy of united action in the solution of purely political problems confronting the American Governments is the settlement in 1914 of the controversy between the United States and Mexico, through the mediation of Argentina, Brazil, and Chile. Initiated by these Governments, as expressly stated, "for the purpose of serving the interests of peace and civilization on our (the American) continent, and with the earnest desire to prevent any further bloodshed, to the prejudice of the cordiality and union which have always surrounded the relations of the Governments and the peoples of America," the discussions at Niagara Falls resulting from this offer of mediation averted what threatened at one time to become a serious clash between Mexico and the United States.

Furthermore, the offer and acceptance of the mediation of the three sister Republics served to emphasize the principle of American policy, that disputes between any two republics of the American Continent are a matter of real interest to all, and that political questions shall be settled by peaceful means rather than by a recourse to force. This principle, at the Fifth International Conference of American States, was embodied in a treaty for the prevention of conflicts between the American States, providing for the arbitration of any disputes that may arise between the nations of the American Continent.

There is gradually developing a distinctly American system, not in any sense antagonistic to any other part of the world, but designed to emphasize the unity of interest and the unity of problems of the American Republics. Such a spirit can not help but contribute toward the development of good feeling on the American Continent toward the maintenance of a "Pax Americana" and may well serve as an example to the world at large.

I desire to emphasize that there does not exist the slightest antagonism between the work of the Pan American Union and that of the League of Nations. In the first place, the League of Nations has carefully refrained, out of deference to the traditional policy of the American Republics, from addressing itself to distinctly inter-American problems.

Furthermore, the activities of the league are largely political in character, in the sense that the covenant of the league sets up a definite machinery for the prevention of aggressive warfare. The Pan American Union, on the other hand, is not intended to deal with distinctly political questions. Its purpose is to develop the spirit of service between the American Republics in the hope and with the thought that the development of such a spirit of cooperation will make it relatively easy amicably to settle any differences that may arise. The fact that 17 of the Latin-American Republics are members of the League of Nations does not affect the functions or the scope of activities of the Pan American Union.

The governments and peoples of the Latin-American Republics look to the Pan American Union for a type of concrete service which they do not and can not obtain from any other source. Even if the United States were to enter the league, the usefulness of the Pan American Union would remain unchanged. The spirit of continental solidarity which the Pan American Union has constantly fostered does not involve the slightest antagonism to Europe or to any other section of the world. It simply means that the American Republics, by reason of their conditions, their geographical situation, and the community of ideals which have dominated their political development, are in a position to give to the world an example of international helpfulness and international solidarity which means a real service to humanity. The Pan American Union is a potential organization promotive of the peace, progress, and good will of mankind.

FAREWELL ADDRESS

NIAGARA FALLS, N. Y., *October 11, 1925.*

The following addresses reflect the spirit of the delegates following the conference and entertainment in the United States. They were given at a luncheon at which the delegates were turned over to the representatives of the Canadian Parliament. Senator WILLIAM B. MCKINLEY, president of the American group, presided.

(Stenographic report)

SENATOR M'KINLEY'S ADDRESS

My friends and fellow lawmakers of 40 countries, for the time being, but we hope not for long, you are leaving the confines of the United States. We trust you have enjoyed yourselves. [Loud applause.] We hope you will soon be back. [Applause.]

We of the United States modestly admit we have a great country. Let me tell you what I understand to be a true story:

In the Southern States is the State of Georgia. In Georgia are located two large and thriving cities—Savannah, a city perhaps 200 years old, on the Atlantic Ocean, and Atlanta, a city in the interior that has sprung to prominence within the last few years. It is admitted that the city of Atlanta is well satisfied with itself. Not long since, the Commercial Club of Atlanta gave a dinner. To that dinner some men from Savannah were invited. The speakers from Atlanta admitted that they had a very wonderful city, and some of them said that if Atlanta had been located on the ocean there would have been a city perhaps as large as New York. When the time came for the Savannah man to speak he said: "Gentlemen of Atlanta, I have listened with interest to your talk. I have noted your statement that if your city were on the ocean, as is Savannah, you would have a most wonderful city. Gentlemen, if you will lay a pipe line from Atlanta to the sea and suck as hard as you can blow, you certainly will have the most wonderful of all cities." [Laughter.]

Several hundred years ago strong men from England, and Holland, and France, and Spain, and Italy, and other countries came to America, liked this fair land, and took it away from the North American Indians.

Doctor Lange, from Norway, corrects me and says that it was 1,000 years ago America was discovered by his people.

Be that as it may, we now have 115,000,000 of inhabitants. Should I seem to be boasting, I hasten to admit that these inhabitants or their forbears came from some of the 40 countries represented here to-day. With apologies to the delegates from Ireland, I make bold to confess that my grandfather came from Ireland, from the county of Donegal—

"From the county of Donegal,
Where they eat potatoes, skins and all"—

and are glad to get them.

This has been a wonderful two weeks you have spent with us, and I know that the getting together of so many lawmakers from so many countries, all for a common purpose, will have much to do toward bringing peace and good will to this troubled world.

For your last three days of entertainment in New York you are indebted to Dr. Nicholas Murray Butler, president of Columbia University and head of the Carnegie Endowment for International Peace. There is no little work connected with the arrangements for the entertainment of 400 people for two weeks. We of the American group of the Interparliamentary Union fully appreciate that we are indebted to many for their fine cooperation, particularly to the mayor and various societies of the city of New York; to the mayor and many persons of the city of Philadelphia; to the Chamber of Commerce of the United States; to the Pan American Union; to the Pennsylvania, the Baltimore & Ohio, and the New York Central Railroads; to the Mayflower Hotel, of Washington; the Waldorf-Astoria, the Hotel Pennsylvania, and the McAlpin Hotel, of New York; and last, but not least, to the Niagara Hotel, in which we are. They have all been so hearty in their cooperation that it has appeared to be a pleasure to them to help and to honor us.

But, ladies and gentlemen, there is always a master mind controlling; and if your visit has been made pleasant, the credit should largely go to Mr. Arthur Deerin Call. [Loud and prolonged applause.] He began his labors a year and a half ago. For eight months he has labored daily to make our conference a success. [Hear! Hear!] Mr. Call is the secretary of the American Peace Society and editor of the Advocate of Peace. His work as executive secretary of the American group of the Interparliamentary Union is a labor of love for the cause, given, as we say in this country, "free, gratis, for nothing, without any charge." In a moment I am going to ask him how he does it.

Before doing that, however, permit me to add that we are about to turn you over to the representatives of the Canadian Government, our neighbor on a border of 3,000 miles, and with whom we have been at peace for over 100 years. But perhaps I should make this reservation; I have heard of some "bootlegger wars" having broken out recently along the border. [Laughter.]

I have told you the United States contains 115,000,000 people. In closing I want to tell you a story that is old in America, of the summer hotel that was close to a lake or pond where the bullfrogs made a great deal of noise. An inhabitant of the locality came to the hotel and said, "I want to sell you 100 dozen frogs' legs." The proprietor said, "We can not use 100 dozen frogs' legs, but we could use perhaps 10 dozen. You bring them in to-morrow." The next day he came with 10 frogs' legs. The proprietor said, "Why, I told you I wanted 10 dozen frogs' legs." "Well," he said, "you see it is this way: I thought from the noise they made that there were easily 100 dozen frogs out there."

[Laughter.] Now, the Canadian Dominion has perhaps ten millions of people, but from their ability to carry out and carry through projects I am sure you will think they have at least 115,000,000.

I am now going to ask Mr. Arthur Deerin Call how he does it. [Applause.]

REMARKS BY MR. ARTHUR DEERIN CALL, DIRECTOR OF THE CONVENTION

Mr. Chairman, officers of the Interparliamentary Union, ladies and gentlemen, the train leaves at 2.35. [Laughter.] It is important that you should have your baggage somewhere in sight, so that the porter of this hotel will get it. After this luncheon we shall adjourn and go immediately to the front of the hotel, where we shall have a group picture taken. We hope, therefore, you will all go immediately after the luncheon to the sidewalk and look your prettiest, because we want a group picture of you all.

Now, that is the way I do it. I do not know any other way to do it. [Laughter.]

You know that when your friends are going away it is always difficult to realize it. When they are with you their presence seems very real and quite permanent. It is difficult for us to realize that you are soon to leave us.

I think it ought to be made perfectly clear, here and now, that the success of this conference has not been due to any one person. It has been due first to the Interparliamentary Union itself. Without it we could, of course, have had no conference at all. Without it and its president and its secretary general and its executive committee and its council we should have got nowhere. Without the United States Congress we could not have begun. Without the President of the United States we could not have advanced. Without Senator McKINLEY [applause] we could have done nothing of this sort. Without the vast army of helpers, people laboring unseen and unsung, Capitol employees, secretaries, stenographers, an army of people who have done this work for the love of the work—we could have done nothing of what has been done. Last but not least, we could have done nothing of this kind had it not been for you.

To work with you has been a joy. Many have come to me and said "Aren't you tired? Won't you be glad to get rid of us? Oh, I am so sorry for you!" They are quite mistaken. The only feeling that I have had during the entire performance is first a sense of regret that the work has not been done better; and, secondly, a feeling of profound, unforgettable pleasure that I have been permitted to be with you through these wonderful days. [Loud applause.]

Senator McKINLEY. Ladies and gentlemen, it is my great pleasure now to present to you Baron Adelswaerd, your president.

REMARKS BY BARON ADELSWAERD, PRESIDENT OF THE COUNCIL, INTERPARLIAMENTARY UNION

Ladies and gentlemen, we have now arrived at the sad moment of parting, and this is, I am sorry to say, the last time I am to address myself to our dear president, Mr. McKINLEY. We have had many speeches during these weeks, and I myself have been rather occupied with those; so I will not say many words this time. We have already been told that we have to be ready very soon. To tell you the feelings we have in parting with you is not easy. I can not easily find just the right words in which to express these feelings of great gratitude and to tell you how sad we are to part with you. We are so thankful for all you have done for us during these weeks. Let us hope that the work that has been done in this conference may be as good as all the banquets and all the receptions we have been given here. If it is, then I think we ought to be well satisfied. I simply express on behalf of the members of the Interparliamentary Union who have taken part in this conference our hearty thanks to our American friends, and ask that our eminent secretary general, Dr. Christian Lange [applause], will say a few words. I am sure he will express what we are feeling much better than I am able to do. In fact, he represents the Interparliamentary Union from many points of view as much as I do and perhaps more.

Senator McKINLEY. Doctor Lange.

ADDRESS BY DR. CHR. L. LANGE, SECRETARY GENERAL

Mr. Chairman, ladies and gentlemen, you will easily understand that I rise on this occasion with a certain hesitation and some diffidence. I remember that some 20 years ago, when I was present at an international congress in my own country, I met there an old and worthy citizen of Boston, an eminent lawyer, I was told. At one of the great banquets we had on that occasion he partook very freely of what was offered, both solid and fluid, and at last he became so elated that he rose to speak, and made a very jolly and entertaining speech. He seemed very happy still when my wife and I met him at the cloak room, and at a certain moment he turned round to us and asked, "Do you think this is my coat?"

The next morning he was in a different mood, and he took me by the arm and said to me: "There are three things which I thoroughly hate, and those are eating, drinking, and making speeches."

Now, ladies and gentlemen, I have thoroughly enjoyed the eating to-day. The American Nation, in its wisdom, has seen to it that I shall not have to regret any drinking [laughter]; but as to making a speech, that is really on this occasion a rather difficult task. I shall consider myself simply as being one of those pieces of luggage which will now be handed from the hospitable hands of the American group to the hospitable hands of the Canadian group.

On looking back now on those 14 days we have passed in the United States, I think I have, in the first place, a relatively easy task in expressing—indeed, it has been already admirably expressed by our president—our gratitude for the reception we have had here. We are profoundly grateful to the representatives of the American group who have taken this matter in hand. [Applause.] In the first place, to President McKINLEY, always genial, always calm, never disturbed, and always full of common sense; always able to find the right word in every situation. I do not know whether you realize that Mr. McKINLEY finds himself at the present moment in the middle of a political campaign, in which he has to go round a country—the State of Illinois—of some, is it, Senator, nine or thirteen million inhabitants?

Senator McKINLEY. Seven millions.

Mr. LANGE. Well, you see my European ignorance. Seven million—that is the population of Belgium; it is the population of the Netherlands. And he has to address the whole of that population. Nevertheless, he has found the time not only to come to our meetings, not only to take part in the functions, but also to watch behind the scenes to see that everything should go so smoothly and so well as he was intent on having it go.

Alongside of him was Mr. Call, whose enormous task nobody can realize who has not had the task of organizing a conference. I think that sufficient has been said about his labors, but let us just for one moment realize what it means for the organizer to have at a particular moment the representatives of 40 nations rolling toward him in mighty waves, and then to try to lead those nations into peaceful channels and find rooms and beds and seats at the table for each and all of them. Of necessity, ladies and gentlemen, in any large organization as this there has to be a scapegoat, on whose head the sins of everybody can be visited. I am rather accustomed to be the scapegoat in another sphere, in the matter of preparing and organizing the work of our conference, and I am glad now to find a brother scapegoat in Mr. Call. I trust that when on our wanderings in the desert, where the scapegoats are to be sent out, when we meet there we shall both be glad to be in a place where "the wicked cease from troubling and the weary are at rest."

Ladies and gentlemen, it is impossible to name all those who have been behind us and helping us, but may I single out just two names, because the bearers of them are present. Congressman McSWAIN [Hear! Hear! and applause] has been from the first day of our arrival in New York a leading star. His tall figure and his kind face have always been in evidence, and he has always been ready to help and to advise. Then, among those active behind the scenes was Senator BURTON'S secretary, Mr. Fenton, who has been an efficient and devoted worker in all the organizing work of the conference.

Now, ladies and gentlemen, I come to the second part of my task, and here my difficulty comes in. For a fortnight, perhaps the most crowded fortnight in my life, I have been talking shop, I have been writing shop, I have been organizing shop, and if I were given to dreams at all I should certainly have been dreaming shop. To-day, during a quiet morning walk along the rapids of the Niagara, I have tried to get to a higher standpoint, just to have an outside look at that shop inside which I have been working. I must say it did not look from above just a nice little, dainty shop; it looked rather like a large, bustling affair, in which different interests, different points of view, and different convictions were expressed. And I think that is just the thing which is the characteristic, and should be the characteristic, of our interparliamentary conferences. Every opinion honestly stated, every opinion courteously expressed, should have a hearing in these meetings. Mind, ladies and gentlemen, our conferences are not only international, but if I may coin a word—I doubt whether it exists in the English language—they are also, and should be, "interopinional." Within every nation there may be different points of view. Not only do we see here the meeting and the contrast of continents and of nations—of America and Europe and Asia and Australia, of the British Empire and the German Empire, of France and Italy and Belgium and all the different states—but also within each group we have, and we should have, we must have, different points of view on the questions which are put under discussion; not only the points of view of the political parties—Socialist, Radical, Liberal, Conservative—but also points of view from principles which have nothing or little to do with party politics, properly speaking—the free-trade point of view, the protectionist point of view, the prohibitionist point of view, and the antiprohibitionist, the majority point of view, the minority point of view.

I think it is a very great service indeed rendered to the cause of our union that the American group helped us to organize this con-

ference and to give it a world-wide echo by the fact that it met in a world capital, and that it therefore found a hearing which we had not always been able to obtain at former sittings of our union. I am not going to consider the weight of each of these different points of view. Personally, I am fond of citing the words of the wise old French philosopher Montaigne: "Je m'avance vers celuy qui me contredict"—"I advance toward him who contradicts me." There is something to learn, there is something to realize, from the viewpoints, from the interests of other people. To help us to do that is really one of the great missions of this union.

And what are the impressions gathered from all these different declarations and speeches which we have heard?

Certainly the first and the strongest impression is one of "confusion, wild and stirring"; but I think that if we realize that the world is in travail, that problems are raised which are difficult of solution, and which demand devoted work for their solution, we should be able to enlist as coworkers women and men of widely divergent points of view, because we may be able to teach them how to move forward, nevertheless, toward a common aim. The French saying goes: "La vie est bien triste. Soyons gais"—"Life is sorely sad. Let us be of good cheer." Let the good cheer be one of our contributions toward the improvement of human relations.

There is another saying which I met for the first time in my youth, now some 35 years ago, in a poem of the great American poet, James Russell Lowell, which seems to me appropriate on this occasion. He says somewhere:

"For humanity sweeps onward: where to-day the martyr stands,
On the morrow crouches Judas with the silver in his hands;
Far in front the cross stands ready and the crackling fagots burn,
While the hooting mob of yesterday in silent awe return
To glean up the scattered ashes into History's golden urn."

Mind, ladies and gentlemen, humanity sweeps onward. But it will not sweep onward if we do not push it on. We want the enthusiasm of the martyrs, we want the work of rebels and reformers, in order to lift the world up and out of the present chaos of the strife of opinions; we also want the steadying effort of sober-minded, cool-headed men and women. I think that the greatest service, after all, which has been rendered by the American group in uniting us at their Capitol in Washington is that we have been enabled to send out a message of hope to the world. After all, there is a will to improvement, there is a will for better conditions. If I should sum up in one word the message we have been enabled by our American friends to send out, it would be found in the closing words of the greatest poem of modern times, Goethe's Faust: "Wir heissen Euch hoffen"—"We bid you hope.' [Loud applause.]

Senator MCKINLEY. I always leave out an important part of my talk. We were met last night at the railroad station by the representatives of the city government of Niagara and the representatives of the business men's association here, and we have been entertained by them royally up to this hour, and we thank them. [Applause.]

Ladies and gentlemen, I now turn this meeting over to the very distinguished representative of the Canadian Government, Senator Belcourt.

ADDRESS OF SENATOR N. A. BELCOURT, OF CANADA

Senator MCKINLEY, it is not altogether with unmixed feelings that I accept from you the guardianship of the distinguished wards coming from so many nations, whom you have during the last 10 days so well and royally entertained. The pleasure which has been mainly yours, and which is to be mine from now until the end of the conference, is somewhat mitigated by the danger which I see facing me, that the task may be beyond my power. Everyone will admit that it was an audacious program which we Canadians set ourselves to accomplish in bringing 400 delegates through five of the cities of eastern Canada in five days. I am afraid that our desires have been, perhaps, in excess of our means. In the name of the Canadian delegates, I take this renewed opportunity of expressing the profound gratitude which we shall always entertain for the magnificent hospitality which it has been our privilege and honor to share with your guests from all parts of the world.

Notwithstanding a frontier marked only by an imaginary line, without the slightest evidence of force for more than 3,000 miles, we have lived side by side for more than a century in perfect peace [applause]; we have solved, to the satisfaction of both, all international difficulties, and we have given to the world the magnificent example of peace never for one instant interrupted. We are all Americans. We all have American duties, and the greatest of them all is the common duty and purpose, which we must pursue with constant courage and hope, the establishment of the reign of perfect democracy, because democracy is the essential base upon which depends the future of your state as well as of our own, and because this continent offers democracy the best, perhaps the last, opportunity for its real success.

The economic and social interests of the United States and Canada in each other have always been great. They have largely increased during recent years, and in the near future they will become greater still. The economic boundary limitations between the two countries are growing less, while the political boundaries remain in effect. The permanence of the latter is, on both sides of the border, generally accepted as desirable and definite. An extension of American economic and social unity seems as desirable as it is inevitable.

You Americans and we Canadians both admit that we have also on this continent a common destiny and a common mission, which in many respect imposes upon both of us national as well as international duties and obligations. In the larger field of world internationalism there is a growing rapprochement between the British Empire and your great Republic, and there is developing on both sides of the line a deeper sense of your solidarity and ours in all matters of world concern. We Canadians, because of our double origin and double culture, because of the qualities and genius which we have inherited from our respective mother countries, England and France, can be, as we wish to be, interpreters—a real trait d'union between these two great civilized powers and your own powerful country, and we can thereby contribute in no small degree to the sacred causes of world peace. [Loud applause.]

Mr. CALL. Now, ladies and gentlemen, do not forget the picture, immediately following this, in front of the hotel. The train will not go until we get to it, but we shall have to be there pretty soon.

Senator MCKINLEY. In good Irish form, "Good-bye, and God bless us all." [Applause.]

APPENDIX

RESOLUTIONS ADOPTED BY THE CONFERENCE OF INTERPARLIAMENTARY UNION, WASHINGTON, D. C., OCTOBER 1–7, 1925

FIRST COMMISSION

The development of international law

Resolutions presented on behalf of the permanent committee for the study of juridicial questions

I

THE CODIFICATION OF INTERNATIONAL LAW

Rapporteur: Hon. Senator Elihu Root, former Secretary of State (United States of America).

The Twenty-third Interparliamentary Conference,

While greeting with satisfaction the labors undertaken by the committee of experts called together by the League of Nations to indicate the questions of international law suitable for progressive codification, and also expressing its satisfaction because of the work already accomplished, as well as that in prospect by the Pan American Union and all other organizations engaged in the same laudable work,

Nevertheless considers that the best method to follow would consist in establishing a general and constructive plan for such codification based on the progress made during recent years, with a view to defining the fundamental conditions of the régime of peace to be instituted between the nations, to providing for the judicial settlement of disputes which constitute a threat to that régime, and to the application, if necessary, of methods of execution and of sanction.

And invites the committee for the study of juridical questions to present proposals for this purpose to a forthcoming conference of the union.

These proposals would eventually be submitted to an international conference of nations called for the purpose of effectuating the codification of international law.

II

DECLARATION OF THE RIGHTS AND DUTIES OF NATIONS

Rapporteur: M. H. La Fontaine, vice president of the Belgian Senate, president of the Belgian group.

The Twenty-third Interparliamentary Conference considering, on the one hand,

That a declaration of the rights and duties of nations, regarded as members of the international community, would prove a powerful factor in promoting among them the sense of order, of international justice, and of responsibility;

And that, on the other hand, the insertion of such a declaration in a future code of international law would help to establish the fundamental principles of that law;

Requests the committee for the study of juridical questions to prepare a draft declaration which could be submitted to an ensuing conference of nations. In addition to political and juridical conditions, it would also be desirable to take into account economic conditions guaranteeing the right of nations to existence.

III

THE CRIMINALITY OF WARS OF AGGRESSION AND THE ORGANIZATION OF INTERNATIONAL REPRESSIVE MEASURES

Rapporteur: M. V. V. Pella, professor at the University of Bucharest, member of the Rumanian Parliament.

The Twenty-third Interparliamentary Conference,

Having heard the report of M. V. V. Pella,

Realizing the possibility of a collective criminality of states and believing that that criminality should be studied from a scientific standpoint in order to determine the natural laws governing it and to decide upon methods for its prevention and suppression,

Resolves,

To institute a permanent subcommittee within the committee for the study of judicial questions—

a. To undertake the study of all the social, political, economic, and moral causes of wars of aggression and to find practical solutions for the prevention of that crime;

b. To draw up a preliminary draft of an international legal code.

For this purpose the conference calls the attention of the subcommittee to the principles laid down by M. V. V. Pella in his report and summarized in the annex to the present resolution.

This annex follows:

1. The international legal code must apply to all nations.

2. Measures of repression should apply not only to the act of declaring a war of aggression, but also to all acts on the part of individuals or of bodies of persons with a view to the preparation or the setting in motion of a war of aggression.

3. The principle should be recognized that individuals, independently of the responsibility of states, are answerable for offenses against public international order and the law of nations.

4. The offenses committed by states or by individuals should be laid down and penalties provided for in advance in enactments drawn in precise terms. International repression should be founded on the principle nulla poena sine lege.

5. It would be desirable to indicate clearly in the general part of the preliminary draft of the international legal code the material, moral, and unjust elements in an international offense, and in that way to determine the conditions of constraint, necessity, and lawful defense in the sphere of international law.

6. Causes which may aggravate or diminish the responsibility of states must similarly be determined with special reference to the case of provocation, reparation of injury, repetition of the offense, and premeditation.

7. In the event of there being two or more criminal states, special provision should be made for repressive measures in the case of complicity or partnership in a criminal design revealed by the conclusion of offensive alliances.

8. The sanctions imposed should be of two kinds:

A. SANCTIONS APPLICABLE TO STATES

(a) Diplomatic sanctions: Warning that diplomatic relations will be broken off; revocation of the exequatur granted to the consuls of the guilty state; withdrawal of the right to benefit by international agreements.

(b) Legal sanctions: Sequestration of property belonging to nationals of the guilty state in the territory of the other states; withdrawal from these nationals of the rights of industrial, literary, artistic, scientific, and other property; prohibition to appear as a party in the courts of the associated states; deprivation of civil rights.

(c) Economic sanctions: Application to the guilty state of measures depriving it of the advantages resulting from the economic solidarity of the nations and severing it from the economic life of the world by means of blockade, boycott, embargo, refusal to furnish foodstuffs or raw material, increased customs, duties on products coming from the guilty state, refusal to grant loans, refusal to allow the securities of the delinquent state to be quoted on the stock exchange, prohibition to use means of communication.

(d) Resort to armed force.

B. SANCTIONS APPLICABLE TO INDIVIDUALS

(a) Warning.
(b) Fine.
(c) Admonition.
(d) Prohibition of residence.
(e) Incapacity in the future to hold diplomatic functions abroad.
(f) Imprisonment.
(g) Exile.

9. Provision must be made in the special part of the preliminary draft of the International Legal Code for all positive or negative acts which are regarded as prejudicial to international public order.

Penalties will thus have to be provided for the following offenses:

A. OFFENSES COMMITTED BY STATES

(a) The international crime of aggressive war.

(b) Violation of demilitarized zones.

(c) Nonfulfillment of the obligation to submit serious disputes to the Permanent Court of International Justice in cases in which that court has compulsory jurisdiction.

(d) Military, naval, air, industrial, and economic mobilization in the event of a dispute arising.

(e) Preparing or permitting to be prepared on its territory attacks directed against the internal security of another state or aiding or abetting bands of evildoers making raids on the territories of other states.

(f) Interference by one state in the internal political struggle of another by supplying grants of money or giving support of any kind to political parties.

(g) The mere unjustified threat of a war of aggression, a procedure which in the past took the form of an ultimatum.

(h) Raising effectives or arming beyond the limits laid down in conventions or treaties.

(i) Maneuvers or mobilizations carried out for purposes of military demonstration or preparation for war.

(j) Violation of the diplomatic immunity of foreign representatives.

(k) Counterfeiting of money and bank notes and any other disloyal acts committed or connived at by one state for the purpose of injuring the financial credit of another state.

B. OFFENSES COMMITTED BY INDIVIDUALS

(a) Declaration by a sovereign of a war of aggression.

(b) Abuse of his privileges by a diplomatic agent for the purpose of committing acts which are in flagrant contradiction to the fundamental principles of international public order, or which constitute acts preparatory to a war of aggression.

(c) International military offenses and all other acts performed in time of war which are contrary to the rules and customs of international law.

(d) Ordinary common-law offenses committed by foreign armies in occupied territories (massacre, pillage, rape, theft, etc.).

(e) Dissemination of false news liable to endanger peace.

10. The Permanent Court of International Justice must have power to adjudicate upon all international crimes and offenses.

11. With a view to the proper working of the International Legal Code, provision should be made at the permanent court for an international public prosecutor's department and a chamber before which offenders can be arraigned.

12. The preliminary investigations and the preparation of the evidence should be intrusted to ad hoc commissions of inquiry set up to discharge legal police duties.

13. Offenses committed by states shall be heard and determined by the chambers of the permanent court in combined session.

14. Cases in which individuals are the responsible parties should be dealt with in a special criminal chamber set up in accordance with article 26 of the statute of the court. This chamber would have jurisdiction over all international offenses committed by individuals and all offenses which by their nature would not come within the jurisdiction of the national courts.

15. The court shall pronounce judgment both on the public accusation and on the claims for compensation filed by the injured states prejudiced by the international offense.

16. In the case of violent aggression the Council of the League of Nations will take urgent counter police measures.

The Council of the League of Nations shall also have jurisdiction in regard to the execution of the decisions of the Permanent Court of International Justice.

It will indicate the methods by which these decisions are to be executed.

17. In order to reconcile the idea of general security with the special needs of individual states all states members of the League of Nations should be declared to be under a virtual obligation to take part in carrying out sanctions.

This obligation would become operative in the case of each state only from the moment that the Council of the League of Nations called upon it to take part in repressive measures, and indicated to it the sanctions which it was bound to apply.

The part which each state will take in the carrying out of sanctions will be decided by the council, which will have regard to the geographical, political, and economic position of each state. The council will decide, by reference to the nature of the dispute, which states are to intervene immediately. Should the necessity arise, other states would also be called upon to apply the sanction.

18. States which have been called upon by the Council of the League of Nations to apply sanctions and which have refused to participate or do not participate loyally in putting the sanctions into effect shall also be liable under the international legal code.

SECOND COMMISSION

EUROPEAN CUSTOMS UNDERSTANDING

Resolutions presented on behalf of the permanent committee for the study of economic and financial questions

Rapporteur: Herr Adolf Braun (of Franken), member of the German Reichstag.

After discussing the feasibility of a "European customs union," Mr. Procopé, of Finland, submitted a substitute resolution, afterwards passed by the conference, as follows:

Considering that it would be of the greatest importance for good relations between European states, and thus contribute to guarantee the peace of the world, if the economic barriers at present dividing these states would, as far as possible, be abolished.

Considering, further, that such measures probably, in any case in the long run, would contribute to create a steady and more extensive

market for the products of European agriculture and industry, and therefore also to decrease the cost of production and the unemployment in Europe.

Considering, on the other hand, that the question if and how such measures could be realized ought to be subject to a very close study, with due regard to the different economic conditions in different countries.

The conference requests the committee for economic and financial questions to appoint a special subcommittee, whose duty it will be, after hearing of the national groups, to study the question as to what could be done to abolish or diminish the economic barriers existing between European states, and to present a report on this matter to a subsequent conference.

THIRD COMMISSION

NATIONAL MINORITIES

(Discussed and adopted, Britain and the United States not voting, at the session in Ottawa, October 13, 1925)

Resolutions presented by the permanent committee for the study of ethnic and colonial questions

Rapporteur: Dr. Paul Usteri, former Conseiller aux Etats (Switzerland). Substitute: Baron E. B. F. F. Wittert van Hoogland, member of the First Chamber of the Dutch Parliament.

I

Seeing that there exist in most European states mixed populations comprising majorities and minorities of race, language or religion;

Seeing that these conditions are liable at times to create difficult and intricate problems which it is essential to solve as far as possible by direct agreement between the majority and the minority;

Seeing that the resolution of the twenty-first conference recommending the institution of paritative commissions for the solution of minority problems has not received the desired consideration,

The twenty-third interparliamentary conference, in the interest of European peace and of good understanding between majorities and minorities in states having a mixed population,

Again calls the attention of the groups to the services which might be rendered in countries with minority problems by paritative commissions composed of an equal number of representatives of the majority and of one or other of the minorities and adapted to the conditions and to the various needs of the country, with the task of suggesting just solutions of the questions under dispute with a view to appeasing conflicts.

In the opinion of the conference paritative commissions might with advantage pursue their work either within local divisions or in conjunction with the central institutions of the state, according to the nature of the question to be treated.

II

Seeing that the International Court of Justice at The Hague, founded in 1921, enjoys general confidence and esteem,

Seeing that the Council of the League of Nations has already applied to that court for the solution of contestations relating to the situation of minorities, by soliciting its advice on disputed points; seeing that the treaties now in force provide for the reference of contested questions relating to the interpretation or the application of existing minority treaties to the International Court of Justice, at the request of one of the states represented on the Council of the League of Nations,

The twenty-third interparliamentary conference expresses its desire that all contested questions suitable for such reference, and particularly those relating to the interpretation and the application of minority treaties, should be referred by the council to the International Court of Justice, whether for its advice on litigious points or for a definite solution.

FIFTH COMMISSION[1]

THE REDUCTION OF ARMAMENTS

Resolutions presented on behalf of the permanent committee for the reduction of armaments

I

DEMILITARIZED ZONES

Rapporteur: Brig. Gen. E. L. Spears, C. B., C. B. E., M. C. (Great Britain).

A

The twenty-third interparliamentary conference, recalling the beneficial results for the cause of peace of the establishment of demilitarized zones, and particularly of the treaty of 1817 between the United States and the British Empire;

Seeing that every measure calculated to avoid immediate contact between opposed military forces would avert the danger of frontier incidents and help to create a greater sense of security on either side, thus making a considerable reduction of armaments possible,

Calls attention to the very special importance which the creation of demilitarized zones on exposed frontiers, under the auspices of the League of Nations, would have,

And recommends for the consideration of the groups of the union the declaration and statement of principles annexed to the present resolution, which might serve as a basis for the drafting of special conventions providing for the establishment of particular zones.

The interparliamentary bureau is requested to transmit the present resolution with its annexes to the groups and the governments of the countries represented within the union.

B

The interparliamentary committee for the reduction of armaments is empowered to place itself at the disposal of groups desirous of entering upon reciprocal negotiations, with a view to the conclusion of treaties providing for the establishment of demilitarized zones along their frontiers.

II

PLANS AND METHODS FOR THE REDUCTION OF ARMAMENTS

Rapporteur: Dr. P. Munch, former Minister of Defense (Denmark).

The twenty-third interparliamentary conference,

Recalling the resolutions of preceding conferences and insisting strongly upon the urgency of a reduction of armaments for all nations;

Noticing with the greatest regret that of late years the military expenditure of most countries shows a serious increase;

Realizing on the other hand, the necessity of giving to the nations a feeling of security,

Asks the groups of the union to consider every practical means of creating such a mutual feeling of security between the nations.

The conference believes that one of those means—and one of the most important—would be a general reduction of armaments. It therefore insists on the urgency of a thorough examination of methods for the reduction of armaments and begs the permanent committee for the study of these questions to appoint a subcommittee among its members to draft a technical scheme for a general reduction of armaments.

This subcommittee shall examine the two schemes presented to the preceding conference, and any other suggestions brought forward in the course of the present conference. It may call in experts.

Documents annexed to Resolution II on demilitarized zones

I

DECLARATION

The Interparliamentary Union calls the attention of the governments to the institution of demilitarized zones. It also recommends to the careful study of its groups the report presented by its committee for this question.

The conclusions of that report are:

That the vital problem now facing Europe is that of security;

That so long as that problem has not been solved disarmament can not be obtained.

Europe will not disarm so long as distrust of neighbors and fear of the future subsist, for those feelings inevitably drive the nations, desirous though they be of peace, to remain armed. The crushing burden of armaments forms an obstacle not only to economic recovery, but also—and this is more serious—carries the nations imperceptibly but with certainty toward new conflicts and fresh disasters.

The Interparliamentary Union sees in the institution of demilitarized zones the possibility of creating in many cases that sense of security essential to the peace of nations. The creation of such zones is compatible with any individual plan for peace and for security, and can also, in the absence of such arrangements, constitute a basis for more extensive agreements.

The existence of the League of Nations makes possible conceptions hitherto unattainable; it would be culpable not to seek to explore all the possibilities of peace created by that new and great outcome of human thought.

Thus a new conception of the frontier can be entertained. In the past certain frontiers were a source of constant danger; frontier incidents were always to be feared, and the origin of an act of provocation or even of aggression was difficult to ascertain.

The League of Nations can intervene between the peoples and can declare that whosoever violates a zone established between them commits an international crime to which the entire world may be witness.

In no country does the common law allow the individual to take his own vengeance, no matter what may be his provocation. Similarly, no provocation should justify a nation in taking the law into its own hand and violating an international agreement, as, for instance, a convention establishing a demilitarized zone. That nation must appeal to arbitration as the individual appeals to the judge.

It is unavoidable that the creation of a zone should entail mutual concessions, but these concessions will be limited by the fact that every zone will be freely agreed upon and that no zone will be established entirely to the cost of one country. The countries concerned must not forget that they gain the greatest of all benefits—that of peace.

[1] The fourth commission's report on dangerous drugs was not discussed or acted upon by the conference.

The Interparliamentary Union has examined the most difficult cases and has arrived at the conclusion that if the parties concerned show good will and are firmly resolved to succeed there is no case impossible of solution.

It is not proposed to thrust any measure on any party. Suggestions have been made; agreements must rest with those concerned.

We wish, however, to utter a solemn warning to those who may neglect this great possibility for peace. War is now a disaster which affects the whole of mankind. He who, by neglecting any means proffered to him, allows mankind once again to be overtaken by that catastrophe would run the risk of finding himself the object of the world's censure.

II

DEMILITARIZED ZONES

Proposed general regulations prepared by the committee for the reduction of armaments

GENERAL PROVISIONS

1. In demilitarized zones.

(a) No fortifications may be retained or constructed.

(b) No armed forces, whether permanent or temporary, may be maintained or assembled, nor may any military maneuvers of any sort be executed.

(c) No contrivance of any kind to facilitate mobilization may be retained or constructed.

Military and naval aircraft, without distinction of nationality, are forbidden to cross a zone.

2. Demilitarized zones shall be policed exclusively by a police force, which must not be militarily organized and which shall be subordinate to the civil authorities of the country only.

3. The numerical strength of the police and their arms shall form the subject of special agreements. The members of that police force shall have only the personal weapons necessary for police work. It should be a recognized principle that the police force must be large enough to be able to suppress even serious disturbances without having recourse to reinforcements from without the zone. Should there be a difference of opinion, the general commission provided for in article 5 shall be the judge.

THE CONTROL OF DEMILITARIZATION

5. The League of Nations is requested to nominate a general commission, having its seat in Switzerland, for demilitarized zones. The commission shall be competent for all questions relating to the application and the interpretation of treaties concerning demilitarized zones. It shall order investigations with regard to the different zones and shall make the necessary decisions based on the results of those investigations.

The general commission shall have power to nominate a commission of control for each zone. The commission shall be able, if it considers it necessary, to transfer the seat of the commission of control within the zone either as a permanent or as a temporary measure.

7. Each commission of control is to be composed of a president and two assessors. Each member must belong to a different nationality. They must not be nationals of the countries immediately concerned (zone states) or be engaged in their service. In order to insure a constant quorum, a deputy and a vice deputy shall be appointed for every member of the commission.

The members of each commission of control shall be nominated from lists of candidates presented, in the case of the president and of his substitutes, by the Permanent Court of International Justice; and in the case of the assessors and of their substitutes, by the government of each of the zone states. Three candidates shall be proposed for each post.

9. The members of the general commission and of the commissions of control shall enjoy the privileges and immunities of diplomatic representatives in the performance of their duties.

10. The general commission may appoint, either permanently or temporarily, experts and other assistants.

11. Immediately on receiving a complaint the general commission may, by a simple majority, order an investigation on the spot. Such an investigation must take place if one of the zone states so requests.

12. The governments of the two demilitarized zones are each entitled to send at their own expense delegates to every investigation.

13. The control commissions shall submit a report to the general commission. The latter shall call upon the governments of the zones concerned to express their views on the report within a reasonable lapse of time. On the expiration of this period the general commission shall give its decision. The government of the zone to which the decision relates may appeal to a court of arbitration.

14. In urgent cases the control commissions may order the immediate redress of the grievance. In this case the decision must be unanimous. The government of the zone concerned shall, however, have the right to appeal to the general commission, and in the second instance to a court of arbitration.

15. In urgent cases, if a zone state finds that the police forces at its disposal within the demilitarized zone of its territory are insufficient to maintain public order, and considers it necessary to call in supplemental police forces, it shall be obliged to lodge a formal notification of this measure with the general commission, in the exceptional event of its not having been able to do so in advance. The supplemental force is not, however, to exceed a maximum number equal to one-third of the regular police force, without the preliminary consent of the general commission.

Should the general commission not approve the use of the supplementary police force notified, the zone government concerned shall be entitled to submit the matter to the Permanent Court of International Justice at The Hague, which court may, by means of a provisional injunction, request a restriction of the force concerned, or the withdrawal of the measures adopted.

16. Should a zone state believe itself unable to maintain order with police forces and consider it necessary to send troops into the demilitarized zone of its territory, it must obtain the previous consent of the general commission. For this purpose it shall accurately indicate the number, composition, and equipment of the troops to be employed. The commission may approve the measure, if necessary after certain modifications, or it may refuse its consent.

In the event of modifications being asked for, or of the commission refusing its consent, the states concerned may submit the matter to the Permanent Court of International Justice at The Hague.

17. The procedure provided for in the foregoing paragraphs shall not prevent the zone state concerned from coming to an agreement with the general commission as to the extent and duration of the measure proposed, even after an appeal has been lodged with the Permanent Court of Justice.

18. Without losing sight of the general principles laid down in articles 15 to 17, special provision may be made with regard to particular zones on the basis of an agreement between the zone states.

19. If the government of a zone state raises objections to an order or a decision of the general commission in cases other than those covered by articles 15 to 17, it may appeal to the verdict of a court of arbitration. This court shall be composed of four members, two of whom shall be appointed by the plaintiff government and two by the general commission, and of a chairman appointed by the president of the Permanent Court of International Justice.

20. The zone states shall consult together as to supplementary measures to be taken by one or other of them to create a sense of security on both sides of the zone, specially with regard to the application of the principles laid down in Article I.

SIXTH COMMISSION

THE PARLIAMENTARY SYSTEM—THE PRESENT CRISIS IN THAT SYSTEM AND ITS REMEDIES

Resolution presented by M. H. Micheli, conseiller national (Switzerland)

The twenty-third interparliamentary conference,

Having examined the report of M. Horace Michell, conseiller national (Switzerland);

Considering the crisis through which the parliamentary system is now passing in almost every country, the criticism and even the attacks to which it is subjected from the most diverse quarters;

Considering, on the other hand, that the Interparliamentary Union is the international institution best qualified to discuss that criticism and, in so far as it may prove justified, to find remedies, and also to refute the attack directed against the very existence of the parliamentary system as the protector of public liberty;

Requests the committee for the study of political and organization questions, after having instituted an inquiry among the national groups, to study the parliamentary system in the different countries and to present a report to a subsequent conference.

PRESIDENTIAL APPROVAL

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on December 17, 1925, the President approved and signed the joint resolution (S. J. Res. 1) to continue section 217 of the act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes (Public, No. 506, 68th Cong.), approved February 28, 1925, in full force and effect until not later than the end of the second week of the second regular session of the Sixty-ninth Congress.

PETITIONS AND MEMORIALS

Mr. CAPPER presented a petition of sundry members of the Topeka Radio Club, of Topeka, Kans., praying for the making of adequate appropriation for the advancement of radio communication, which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by the Kansas State Nurses' Association at Topeka, Kans., favoring the participation of the United States in the Permanent Court of Interna-

tional Justice under the terms of the so-called Harding-Hughes-Coolidge plan, which was ordered to lie on the table.

Mr. COPELAND presented a memorial, numerously signed, by sundry citizens of Jefferson County, N. Y., remonstrating against the participation of the United States in the Permanent Court of International Justice, which was ordered to lie on the table.

Mr. JONES of Washington presented petitions of the Democratic Women's Club; the Plymouth Girls' Club; the Seattle Texas Club; the City Federation Colored Women's Club; the Rainier Noble Post, No. 1, American Legion; the Daughters of Pioneers of Washington; Seattle City-Wide Democratic Women's Club; members of Chapter A. O. P. E. O.; the City Federation of Women's Clubs; the Women's King County Republican Club, all of Seattle; and the Western Washington Woman's Christian Temperance Union, all in the State of Washington, praying for the passage of legislation establishing a universal salute to the national flag, which were referred to the Committee on Military Affairs.

REPORT OF THE PUBLIC LANDS COMMITTEE

Mr. CAMERON, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 1423) to relinquish the title of the United States to the land in the donation claim of the heirs of J. B. Baudreau, situate in the county of Jackson, State of Mississippi, reported it without amendment.

COLUMBIA RIVER BRIDGE

Mr. JONES of Washington. From the Committee on Commerce I report back favorably with amendments the bill (S. 1267) to extend the time for the completion of the construction of a bridge across the Columbia River between the States of Oregon and Washington, at or within 2 miles westerly from Cascade Locks, in the State of Oregon, and I submit a report (No. 5) thereon. I ask unanimous consent for the present consideration of the bill. It merely extends the time about a year for the completion of the bridge.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendments were, in line 4, after the word "and," to strike out "approach" and insert "approaches"; in line 5, before the words "of navigation," to strike out "interest" and insert "interests"; at the end of line 5 to strike out "the" and insert "a"; in line 8, after the numerals "1920," to insert "which has heretofore been extended by act of Congress approved January 30, 1924"; and in line 9, after the word "hereby," to insert "further," so as to make the bill read:

Be it enacted, etc., That the time for the completion of the construction of the bridge and approaches thereto across the Columbia River at a point suitable to the interests of navigation, at or near a point within 2 miles westerly from Cascade Locks, in the county of Hood River, State of Oregon, authorized by the act of Congress approved February 8, 1920, which has heretofore been extended by act of Congress approved January 30, 1924, be, and the same is hereby, further extended to February 15, 1927.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED

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

By Mr. FESS:

A bill (S. 1812) for the relief of Washington County, Ohio, S. C. Kile estate, and Malinda Frye estate; to the Committee on Claims.

By Mr. FLETCHER:

A bill (S. 1813) for the relief of H. C. Magoon; to the Committee on Claims.

A bill (S. 1814) granting an increase of pension to Charles Adams (with accompanying papers); to the Committee on Pensions.

By Mr. ROBINSON of Arkansas:

A bill (S. 1815) granting an increase of pension to Thomas S. Garen; to the Committee on Pensions.

By Mr. NEELY:

A bill (S. 1816) granting an increase of pension to Dona B. Simonton; to the Committee on Pensions.

By Mr. GERRY:

A bill (S. 1817) to establish a children's court in and for the District of Columbia, to determine its functions, and for other purposes; to the Committee on the District of Columbia.

By Mr. GEORGE:

A bill (S. 1818) for the relief of Lillie F. Evans; to the Committee on Claims.

By Mr. COPELAND:

A bill (S. 1819) for the relief of Edward F. Weiskopf; to the Committee on Military Affairs.

By Mr. SHEPPARD:

A bill (S. 1820) for the promotion of prevocational education; to the Committee on Education and Labor.

A bill (S. 1821) authorizing joint investigations by the United States Geological Survey and the Bureau of Soils of the United States Department of Agriculture to determine the location and extent of potash deposits or occurrence in the United States and improved methods of recovering potash therefrom; and

A bill (S. 1822) to provide for the establishment of a dairying and livestock experiment station at Dalhart, Tex.; to the Committee on Agriculture and Forestry.

A bill (S. 1823) for the relief of H. L. Roberts & Co. and Thomas C. Edwards; and

A bill (S. 1824) for the relief of R. E. Swartz, W. J. Collier, and others; to the Committee on Claims.

By Mr. JONES of Washington:

A bill (S. 1825) to extend the provisions, limitations, and benefits of section 4 of an act entitled "An act to revise and equalize rates of pension to certain soldiers, sailors, and marines of the Civil War and the war with Mexico, to certain widows, including widows of the War of 1812, former widows, dependent parents, and children of such soldiers, sailors, and marines, and to certain Army nurses, and granting pensions and increase of pensions in certain cases," approved May 1, 1920; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 1826) to promote forest conservation, to extend the national forests, to raise a revenue from forest products, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. PHIPPS:

A bill (S. 1827) granting an increase of pension to Adelaide R. Haldeman (with accompanying papers); to the Committee on Pensions.

By Mr. RANSDELL:

A bill (S. 1828) for the relief of Lieut. (Junior Grade) Thomas J. Ryan, United States Navy; to the Committee on Naval Affairs.

A bill (S. 1829) to promote the production of sulphur upon the public domain; to the Committee on Public Lands and Surveys.

A bill (S. 1830) authorizing the construction of additional hospital facilities for the port of New Orleans, La.; to the Committee on Public Buildings and Grounds.

A bill (S. 1831) to establish an air mail service between the city of New Orleans, La., and the Panama Canal Zone; to the Committee on Post Offices and Post Roads.

A bill (S. 1832) making appropriation for the construction and equipment of a light vessel for The Passes at the entrances to the Mississippi River, La.; to the Committee on Appropriations.

By Mr. HARRELD:

A bill (S. 1833) providing for the construction of a sanatorium and hospital at Claremore, Okla., and providing an appropriation therefor; to the Committee on Public Buildings and Grounds.

A bill (S. 1834) providing for remodeling, repairing, and improving the Pawnee Indian school plant, Pawnee, Okla., and providing an appropriation therefor; to the Committee on Indian Affairs.

By Mr. SWANSON:

A bill (S. 1835) granting the consent of Congress to George Washington-Wakefield Memorial Bridge, a corporation, to construct a bridge across the Potomac River; to the Committee on Military Affairs.

A bill (S. 1836) for the improvement of Mulberry Creek, Lancaster County, Va., and the channel connecting the said creek with the Rappahannock River;

A bill (S. 1837) to provide for the examination and survey of Mathews Creek, Mathews County, Va., and of the channel connecting the said creek with East River, Mathews County, Va.;

A bill (S. 1838) to provide for an examination and survey of Nomini Bay and Creek, Westmoreland County, Va., and channel connecting the same with the Potomac River;

A bill (S. 1839) to provide for an examination and survey of Mill Creek, Middlesex County, Va., and of the channel connecting said creek with Rappahannock River, Va.;

A bill (S. 1840) to provide for an examination and survey of Carters Creek, Lancaster County, Va., and of the channel connecting the said creek with Rappahannock River, Va.;

A bill (S. 1841) to provide for an examination and survey of Beach Creek, Lancaster County, Va., and of the channel connecting the said creek with Rappahannock River, Va.;

A bill (S. 1842) to provide for an examination and survey of channel leading from Oyster, Northampton County, Va., to the Atlantic Ocean; and

A bill (S. 1843) to provide for an examination and survey of Starlings Creek, Accomac County, Va., and of the channel connecting said creek with Pocomoke Sound; to the Committee on Commerce.

By Mr. WADSWORTH:

A bill (S. 1844) for the relief of the owner of the steamer *Squantum;*

A bill (S. 1845) for the relief of the owner of the derrick lighter *November;*

A bill (S. 1846) for the relief of the owner of the barge *Albany;*

A bill (S. 1847) for the relief of the owner of the barge *Katie Tracy;*

A bill (S. 1848) for the relief of the owner of the scow *Sisters;*

A bill (S. 1849) for the relief of the owner of the scow *Bell;*

A bill (S. 1850) for the relief of the owner of scow *65 H;*

A bill (S. 1851) for the relief of the owner of scow *No. 74;* and

A bill (S. 1852) for the relief of the owner of the steam lighter *Victor T;* to the Committee on Claims.

By Mr. KING:

A bill (S. 1853) conferring jurisdiction on the Court of Claims to hear and determine certain claims of persons to property rights as citizens of the Choctaw and Chickasaw Nations or Tribes; to the Committee on Indian Affairs.

By Mr. GOODING:

A bill (S. 1854) to pension soldiers who were in the military service of the United States during the period of Indian wars, campaigns, and disturbances, and the widows, minors, and helpless children of such soldiers, and to increase the pensions of Indian war survivors and widows; to the Committee on Pensions.

By Mr. CAMERON:

A bill (S. 1855) granting pensions to certain Indians of the Sioux Nation and to widows of such Indians; to the Committee on Pensions.

A bill (S. 1856) amending further an act providing for the withdrawal from public entry lands needed for town-site purposes in connection with irrigation projects; to the Committee on Irrigation and Reclamation.

By Mr. UNDERWOOD:

A bill (S. 1857) to confer jurisdiction on the Court of Claims to certify certain findings of fact, and for other purposes; to the Committee on the Judiciary.

By Mr. McKINLEY:

A bill (S. 1858) authorizing the Secretary of Agriculture to pay one-half the cost of the bridge authorized to be constructed across the Mississippi River connecting the county of Carroll, Ill., and the county of Jackson, Iowa; to the Committee on Agriculture and Forestry.

By Mr. HARRIS:

A bill (S. 1859) for the relief of Patrick C. Wilkes, alias Clebourn P. Wilkes; to the Committee on Military Affairs.

By Mr. WATSON:

A bill (S. 1860) for the relief of F. G. Proudfoot; to the Committee on Claims.

By Mr. SHORTRIDGE:

A bill (S. 1861) to reinstate Victor Iago Morrison as a major in the United States Marine Corps; to the Committee on Naval Affairs.

By Mr. REED of Pennsylvania:

A bill (S. 1862) authorizing an appropriation to the Harrisburg Real Estate Co.; to the Committee on Military Affairs.

By Mr. SHEPPARD:

A bill (S. 1863) for the relief of Carrol A. Dickson; to the Committee on Claims.

By Mr. McKELLAR:

A bill (S. 1864) authorizing the President to appoint J. H. S. Morison to the position and rank of major, Medical Corps, in the United States Army; to the Committee on Military Affairs.

A bill (S. 1865) granting a pension to John P. Gray; and

A bill (S. 1866) granting an increase of pension to Israel W. Bennett; to the Committee on Pensions.

FISHING INDUSTRY IN THE COLUMBIA RIVER

Mr. STANFIELD submitted the following resolution (S. Res. 95), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Whereas the fishing industry in the Columbia River is of large and major importance, giving employment to approximately 10,000 people; and

Whereas the annual catch of salmon in the Columbia River approximates 40,000,000 pounds, of a value in excess of $12,000,000; and

Whereas the Federal Power Commission has granted a permit to the Washington Irrigation & Development Co. for the development of hydroelectric power in the Columbia River at a point near Priest Rapids; and

Whereas the natural spawning area of the Columbia River lies above Priest Rapids, where it is proposed to construct a dam to develop the hydroelectric power mentioned; and

Whereas a dam constructed across the Columbia River at this point without proper provision for the protection of the spawning area will result in the destruction of approximately one-half of all the natural spawning area in the Columbia River; and

Whereas destruction of a large part of the spawning area in the Columbia River will result in the destruction of the fishing industry in the said river and, in turn, result in destroying the means of livelihood of a large number of citizens and cause serious financial loss to the capital invested in the fishing industry in that river: Therefore be it

Resolved, That a committee of three be appointed by the Vice President to investigate the terms and conditions of the permit granted by the Federal Power Commission to the Washington Irrigation & Development Co., and also investigate the effect the proposed development under such permit will have upon the fishing industry in the Columbia River. And be it

Resolved further, That the said committee is hereby authorized, during the Sixty-ninth Congress, to send for persons, books, papers, subpœna witnesses, administer oaths, hold hearings at the Capitol in Washington, and to employ a stenographer at a cost of not exceeding 25 cents per 100 words to report such hearings as may be had before such committee, the expense thereof to be paid out of the contingent fund of the Senate, and that committee may sit during any session or recess of Congress. And be it further

Resolved, That said committee shall make report of its findings to the Senate of the Sixty-ninth Congress.

USE OF WHISKY, ETC., BY REPRESENTATIVES OF FOREIGN GOVERNMENTS

Mr. CURTIS. Mr. President, upon yesterday I asked that the resolution offered by the Senator from South Carolina [Mr. BLEASE] go over under the rule. I now move that the resolution be referred to the Committee on Foreign Relations.

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

The resolution (S. Res. 93), submitted yesterday by Mr. BLEASE, is as follows:

Resolved, That the Assistant Secretary of the Treasury, Hon. Lincoln C. Andrews, who is in charge of the enforcement of the Volstead Act, be requested to investigate immediately and inform the Senate whether or not whisky, wine, or beer has been served by any of the foreign ambassadors, ministers, consuls, or other agents of any other countries in Washington, D. C., since the passage of the Volstead Act, and if it is now being done; and if so, with the approval of the President of the United States, or any other official whose duty it is to enforce the said law; and, further, if it is true that the recent representatives of the Italian delegation to this country in reference to the settlement of its debt to the United States were permitted to bring into this country champagne, whisky, and beer, or either of them; and if so, by whose permission; and if they did, why were they not promptly arrested, as American citizens would have been?

Second. That a similar request be made of Hon. James E. Jones, Director of Prohibition.

Third. That a similar request be made of the Secretary of the Treasury.

PROPOSED INVESTIGATION OF ST. ELIZABETHS HOSPITAL

Mr. SHIPSTEAD. Mr. President, I ask unanimous consent that Senate Resolution 84, providing for the election of a committee of the Senate to investigate all matters concerning the operation and maintenance of the St. Elizabeths Hospital, submitted by me on the 10th instant, which was then ordered to lie on the table, be now referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

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

DECEMBER 26, 1925, A LEGAL HOLIDAY IN DISTRICT OF COLUMBIA

Mr. CAPPER. Mr. President, I ask unanimous consent for the present consideration of Senate Joint Resolution 28 now on the calendar.

Mr. ROBINSON of Arkansas. Let the joint resolution be read before consent to its consideration is given, or let a statement be made respecting it.

The VICE PRESIDENT. The clerk will read the joint resolution, for information.

The Chief Clerk read the joint resolution (S. J. Res. 28) to declare Saturday, December 26, 1925, a legal holiday in the District of Columbia, as follows:

Resolved, etc., That Saturday, December 26, 1925, be, and the same is hereby, declared a legal holiday in the District of Columbia for all purposes.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kansas?

Mr. JONES of Washington. I think the joint resolution had better go to the calendar.

The VICE PRESIDENT. It is on the calendar at present.

Mr. CAPPER. It is on to-day's calendar.

Mr. JONES of Washington. I ask that it may go over.

The VICE PRESIDENT. Objection is made, and the joint resolution remains on the calendar.

Mr. JONES of Washington subsequently said. Mr. President, I understand the joint resolution that was called up a moment ago by the Senator from Kansas [Mr. CAPPER] does not create a permanent national holiday for the District of Columbia, but simply takes care of the situation that comes about by reason of Christmas falling on Friday. Therefore I withdraw my objection to the present consideration of the joint resolution.

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

Mr. SMOOT. I want to have an explanation of the joint resolution, or I want it read first.

The VICE PRESIDENT. The joint resolution will be again read.

The Chief Clerk again read the joint resolution.

Mr. CAPPER. Mr. President, the President has issued an Executive order closing all of the departments of the Government on Friday and Saturday of next week. All other Government employees except those of the District of Columbia will receive pay for those two holidays. The District Commissioners sent this measure in, prepared by the corporation council, including the employees of the District government for that day, the same as all other Government employees.

Mr. SMOOT. We have so many holidays now, and we pay out so much for holidays, not only to Government employees in the District, but to the District employees as well, that something should be done to limit it. I take for granted, of course, that what the Senator has said is correct, that the President has issued a proclamation making Saturday next a legal holiday. I suppose the object of that was so that all the employees of the District of Columbia would have Friday, Saturday, and Sunday as holidays. If they did not have the holidays that they already have, I would not speak of it; but it does seem to me that we are going mad on the question of holidays—30 days leave of absence, 30 days sick leave, half holiday for every Saturday during the summer months with the demand that it be made to apply all the year through.

Mr. OVERMAN. According to the joint resolution the President has already issued a proclamation making Saturday the 26th a holiday.

Mr. SMOOT. But it does not apply to the employees of the District of Columbia. The proclamation covers all of the employees of the Government, but it does not cover the employees of the District of Columbia, and I think certain employees in the navy yard. They are left out. I suppose it would be unjust to grant a holiday to all of the Government employees in the District of Columbia and not include any of the employees of the navy yard, and it may be unjust to those who are employed by the District government. But if such a provision is made for the District of Columbia, it ought to be made for every State.

I merely wanted to take this occasion to say, and I will be satisfied now with saying, that it does seem to me we are going mad on the question of holidays and leave of absence and sick leave and now half-day holidays. We now get very little over 10 months' labor out of the employees of the United States. I wanted to say that much at this time. This is only another step, just another step, in the wrong direction.

Mr. NORRIS. Mr. President, may I make an inquiry of the Senator from Kansas?

Mr. CAPPER. Certainly.

Mr. NORRIS. The inquiry I am about to make has not anything to do perhaps with the merits, but it seems to me that we ought not to apply a different rule to one set of employees than to another set. They all ought to be treated alike. But this question arises in my mind: As I understood it, the Senator said the President by Executive order had made a certain day a holiday. I was wondering if there is any doubt about the President having authority to do that. Under what law does he do it?

Mr. CAPPER. The custom has been heretofore to declare a half holiday on the day before Christmas.

Mr. NORRIS. That may be. I am asking just as a matter of information—it has not anything to do with this particular case—if the President has authority to declare Saturday of next week a holiday, and, if so, why he could not declare every day a holiday and make it legal? I was wondering what authority he had.

Mr. CAPPER. The constitutional lawyers will have to pass on that question, I will say to the Senator from Nebraska. I can not pass on it.

Mr. SMOOT. I want the Senator from Kansas to understand that I am not opposed to a reasonable holiday or reasonable leave of absence. For instance, during the summer time as chairman of the Building Commission I took occasion to ascertain the temperature in all the temporary buildings that we have here to see under what conditions the Government employees were working. I found that the temperature in the buildings themselves was about 2 degrees higher than it was outside of the buildings. During those extremely sultry days of July and August last I knew that it was unwise for Government employees to work in those buildings more than four hours in the morning, so during all those days the employees were discharged for the afternoon but were paid in full by the Government. It was proper that that should be done, because they were working under conditions which were almost unbearable. The quicker we get the Government employees out of those shacks the better it will be for all concerned. I have not yet figured out what it cost the Government to pay those employees during the time to which I have referred when it was next to impossible for them to work.

Mr. NORRIS. Mr. President, I suggest that the remedy for the situation described by the Senator from Utah is to move the Capital into a decent climate. [Laughter.]

Mr. SMOOT. The Senator from Utah never suggests anything which would be an impossibility if he knows it to be such.

Mr. FLETCHER. We might have a Capital in the mountains in the summer and another in Florida for the winter.

Mr. NORRIS. There would be no room for the Capital in Florida now.

Mr. SMOOT. I recognize the great ability of the Senator from Florida [Mr. FLETCHER] to advertise his State.

Mr. FLETCHER. Florida does not need advertising.

Mr. SMOOT. Even though it may not, the Senator from Florida never misses an opportunity to do so, and I congratulate him.

Mr. President, inasmuch as this proposed legislation applies only to the District employees and to navy-yard employees, I suppose the only right thing to do now is to pass the joint resolution. I hope that hereafter, however, there will be a little more attention given to the needs of the Government than to those of some special interest which may desire another play day.

Mr. CAPPER. Mr. President——

Mr. KING. Mr. President, I desire to ask the Senator from Kansas [Mr. CAPPER] a question, if I may do so.

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

Mr. CAPPER. I yield.

Mr. KING. I should like to ask the Senator whether this measure is so comprehensive as to release certain employees—for instance, policemen and watchmen and other employees of the Government who are responsible—from any duty whatever upon the holiday proposed?

Mr. CAPPER. The joint resolution will apply to per diem employees of the District government.

Mr. KING. It will not release the employees to whom I have referred from active duty?

Mr. CAPPER. Not at all.

Mr. KING. That would be inadvisable, because if certain employees were to be freed from rendering any service whatever injury might result to the District and to District property.

Mr. CAPPER. All of the departments here in Washington will be closed on Saturday, regardless of any action we may

take concerning the joint resolution. If passed, the joint resolution will simply put all the employees on the same basis and will pay a few thousand of them their per diem, as 55,000 others will be paid whether we pass the joint resolution or not.

Mr. HALE. Mr. President, I have an amendment which I desire to offer to the resolution.

The VICE PRESIDENT. The Senator from Maine offers an amendment to the joint resolution, which will be stated.

The CHIEF CLERK. It is proposed to add at the end of the joint resolution the following proviso:

Provided, That all employees of the United States Government in the District of Columbia and employees of the District of Columbia shall be entitled to pay for this holiday the same as on other days.

Mr. HALE. Mr. President, the reason for the amendment is that the joint resolution which is now under consideration would not, as it now stands, apply to employees in the navy yard in Washington; and my amendment, if adopted, would simply take care of those employees and put them on the same basis with the other employees who will be covered by the joint resolution.

The House Committee on the District of Columbia has already acted on the proposition embraced in my amendment, and has approved it. If the amendment were not adopted, instead of the President granting a boon to certain employees he would be penalizing them by taking away from them a day's work for which they would not receive pay.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Maine.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

CHANGES OF REFERENCE

Mr. McNARY. Mr. President, on December 8 I introduced the bill (S. 717) to amend section 9 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914. By mistake I caused it to be referred to the Committee on Interstate Commerce. After further study and reflection I am convinced that it should go to the Committee on the Judiciary. I ask that the Committee on Interstate Commerce be discharged from further consideration of the bill, and that it be referred to the Committee on the Judiciary.

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

On motion of Mr. WADSWORTH, the Committee on Military Affairs was discharged from the further consideration of the bill (S. 1655) authorizing a preliminary examination and survey of Humboldt Bay, Calif., and it was referred to the Committee on Commerce.

COMMITTEE SERVICE

On motion of Mr. ROBINSON of Arkansas, it was—

Ordered, That Mr. BRATTON be assigned to service upon the Committee on Territories and Insular Possessions.

THE WORLD COURT

The VICE PRESIDENT. Morning business is closed.

Mr. LENROOT. I move that the Senate proceed in open executive session to the consideration of Senate Resolution No. 5, providing for adhesion on the part of the United States to the protocol of December 16, 1920, and the adjoined statute for the Permanent Court of International Justice, with reservations.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, in open executive session, resumed the consideration of the resolution.

Mr. LENROOT. Mr. President, I shall speak to-day very briefly upon but one phase of the subject before the Senate, and that only in a general way.

There is much propaganda coming to Senators upon both sides of this question, and it will undoubtedly increase as the days go by. I have no doubt that legitimate criticism can be made of some of the propaganda in favor of the court, but I do know that much of the propaganda in opposition to it is misleading and that alleged statements of fact are made in reference to it that have not the slightest foundation. To illustrate, I hold in my hand a little pamphlet, which I assume every Senator has received, entitled "Catechism of the World Court." "Americans must understand just what kind of court it is proposed to have the United States join."

In the catechism I find that after referring to The Hague tribunal the question is asked—

> What is the difference between these two world courts?—A. The old world court is a real, regular, independent court.

In another answer it is said:

> There is in existence an old, real, regular world court.

I know that no Member of this body would undertake to make that statement to the Senate and the country, because every Senator knows that statement is absolutely untrue.

I shall make just one more reference to this pamphlet with regard to the advisory opinion of the court in what is commonly called the Morocco case:

> In a dispute regarding citizenship in Tunis and in Morocco the new court advised the league to the effect that questions of citizenship were not domestic questions but international questions.

Of course, every Senator who has read the opinion knows that there was no such advice given at all; in fact, the advice was exactly the contrary, but the court did hold that if two nations had made a treaty or agreement with reference to that question their contract would govern the relationship.

I shall not spend further time on that except to say that everything that has come to me in favor of the World Court has borne the name or the title of its sponsors. This pamphlet has no sponsors and I am not surprised at that, because no citizen of the United States who desires the good opinion of his fellowmen would dare sponsor such a misrepresentation as that.

Then, we constantly read, Mr. President, in the newspapers opposed to the court, editorials to the effect that this court has been created by the league, is the agent of the league, and is owned by the league. The statement is constantly made that the covenant of the League of Nations is the constitution of the court and that the court has no jurisdiction outside of the covenant of the League of Nations. It is because of these very misleading statements that I wish to discuss, as briefly as I may, principally the question of the origin of this court and whether or not it is absolutely independent in the performance of its functions of the League of Nations.

The fact is, as every Senator knows, that this court is American in its origin; and the general outline, with the exception of the election of judges, the payment of their expenses, and references to the League of Nations was first proposed by American statesmen many years ago. It was first proposed at the First Hague Peace Conference in 1899, in President McKinley's administration. In his instructions to our delegates to that conference Secretary Hay said:

> Nothing can secure for human government and for the authority of law which it represents so deep a respect and so firm a loyalty as the spectacle of sovereign and independent states, whose duty it is to prescribe the rules of justice and impose penalties upon the lawless, bowing with reverence before the august supremacy of those principles of right which give to law its eternal foundation.

At that time the United States presented a plan for a pernanent court to The Hague conference. That conference did not provide for a permanent court, as we all know, although arbitrations were provided for, and there was created what was called a permanent court of arbitration, but which, in fact, is not a court at all.

At the Second Peace Conference at The Hague in 1907 the United States again urged the creation of a permanent court of international justice and Secretary Root issued to our delegation the following instructions:

> It should be your effort to bring about in the second conference a development of The Hague tribunal into a permanent tribunal composed of judges who are judicial officers and nothing else, who are paid adequate salaries, who have no other occupation, and who would devote their entire time to the trial and decision of international causes by judicial methods and under a sense of judicial responsibility. The judges should be so selected from the different countries that the different systems of law and procedure and the principal languages shall be fairly represented. The court should be of such dignity, consideration, and rank that the best and ablest jurists will accept appointment to it and that the whole world will have absolute confidence in its judgments.

I invite a comparison of the statute which I shall discuss with these principles of a world court laid down by Secretary Root in 1907.

The second peace conference failed to provide such a court solely because the delegates could not agree upon the method of electing the judges.

The mere fact that the existing statute was recommended for adoption by the League of Nations should neither commend nor condemn it, but the court's statute should be examined and judged by what it is. I realize, Mr. President,

that there are some who are so prejudiced against the League of Nations that they can conceive of no good possibly coming out of it. Mr. President, nearly nineteen hundred years ago the question was asked: "Can any good thing come out of Nazareth?" The reply was: "Come and see." So, whatever opinion may be entertained with reference to the League of Nations, we may well say, so far as this one recommendation is concerned by it with regard to the permanent court, "Come and see."

While it is true that the statute in its present form was recommended by the league, it had no power to give life to the court, and it never could have come into being by its action. That required the separate action of the states who were members of the league; and the nations not members but named in the annex to the covenant of the league, of which the United States is one, had the privilege of joining it upon the same terms as members of the league. As Senators know, 48 nations have adhered to the protocol establishing the court; and it is their action, and theirs alone, that has vitalized it into existence.

I therefore wish to briefly examine the organic act which establishes the court, and then consider the question of its independence, and especially whether it has any such relationship to the League of Nations as makes it dependent upon the league in the performance of its duties.

First, with regard to the judges:

Article 2 of the court statute reads:

> The Permanent Court of International Justice shall be composed of a body of independent judges, elected regardless of their nationality from amongst persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices or are jurisconsults of recognized competence in international law.

I think it will be admitted that language could not be more comprehensive to secure an independent body of judges who in the performance of their duties bear allegiance to no country, but only to the law of truth and justice.

As a judge of the court an Englishman will violate the oath of office he takes if he permits his decisions to be influenced in favor of Great Britain by the fact that he is an Englishman. A great American, John Bassett Moore, is one of the judges, but no one who knows him would believe for a moment that his nationality would influence his decisions.

Upon that point we have in the decisions of the court itself one or two very striking illustrations of the independence of the judges. Take the Morocco case, to which I referred a moment ago. France was one of the contending parties. There is a national of France on the Permanent Court of International Justice; and yet that judge, that Frenchman, joined in the unanimous opinion of the court against France.

While it is true that the judges are elected by the Council and Assembly of the League of Nations, acting separately, this has nothing to do with their independence, any more than an honest judge would allow his decisions to be influenced by the fact that one of the parties in a suit before him had voted for him.

It should be remembered in this connection that the Council and Assembly of the League of Nations have not an unrestricted choice in election of judges, but they are nominated by the Court of Arbitration at The Hague, and the league can make no selection except from the persons so nominated. And may I say in passing that although we are not a member of the League of Nations, nor have we yet adhered to the World Court statute, we to-day have a right to participate in the nomination of these judges.

Finally, on this point, the 11 judges and 4 deputy judges elected are men of great ability as international lawyers, and each has received distinguished honors in his own country by reason of his learning and public service. If any question shall hereafter be raised regarding the standing, the ability of these judges, we shall be glad to discuss that question when it comes up.

Second. The powers and duties of the court are defined by the statute creating in the court, and none others can be exercised. There is a mistaken idea quite prevalent that the court is dependent not on the statute but on the covenant of the League of Nations for a part of its jurisdiction. In support of this contention it is said that the court statute makes no mention of advisory opinions and that it is the covenant of the league which confers such jurisdiction. The fact is that article 36 of the statute expressly provides that the jurisdiction of the court comprises all cases which the parties refer to it and all matters specially provided for in treaties and conventions in force.

The covenant of the league is such a treaty or convention; and as the request for advisory opinions is a matter that is specially provided for in it, therefore, under article 36 of the statute, the court has jurisdiction to render such opinions. But such jurisdiction is not confined to rendering advisory opinions to the League of Nations. If the United States and Great Britain should enter into a treaty and in it provide that either party might request an advisory opinion from the court as to the interpretation of any clause in the treaty, the court would without question have the same right to render an advisory opinion in that case as has the League of Nations.

We have a Pan American Union. Suppose we should provide by treaty between all of the states on the Western Hemisphere that with reference to some subject matter of that treaty the Pan American Union should have the right to request the World Court to render an advisory opinion. It would have the same right to do so that it now has to render an advisory opinion to the League of Nations.

The statute establishing the court is complete in itself and is the constitution of the court. It can no more exercise powers not conferred expressly or by implication by that instrument than our Congress can exercise powers not conferred upon it by the Constitution of the United States.

Third. The court is absolutely independent in the performance of its functions. I have already referred to the fact that the judges, as such, owe no allegiance to the country of which they are nationals; but it is said that the court is the agent and servant of the League of Nations. This assertion is based for the most part upon two facts:

1. That the council and assembly of the league elect the judges; and
2. That the salaries of the judges and other expenses of the court are paid through the league.

While this is a fact—and I personally wish it might be otherwise, and I shall refer to that a little later—I contend that it in no way affects the independence of the court.

I think no one will contend that the Supreme Court of the United States is not absolutely independent of both the executive and legislative branches of our Government. Its judges are appointed by the President and confirmed by the Senate, and the Senate, sitting as a court of impeachment, has the right to remove them. Will anyone say that because of this fact the Supreme Court of the United States is subservient to or is the agent of the President and Senate? No one would dare so assert, because the recorded history of the court would confound him.

No Justice of the Supreme Court can receive any compensation for his services except as it is appropriated for by Congress. In other words, the Justices of our Supreme Court are as dependent upon Congress for their salaries as are the judges of the World Court upon the League of Nations for their salaries. Will anyone say that our Supreme Court is subservient to or is the agent of Congress because its justices are dependent upon it for their salaries? The decisions of the court setting aside acts of Congress as unconstitutional are a complete answer. Indeed, Mr. President, it is worthy of note that most of the complaint of the Supreme Court of the United States is not that they are influenced in their decisions by the fact that they are appointed by the executive branch, their salaries are appropriated for by Congress, and that they are subservient to them. Most of the complaint against that court of late years has been that they are too independent; that they pay too little attention to the acts of Congress and too often find what we do to be invalid because contrary to the Constitution. So I contend that it can not be said that either the election of judges of the World Court or the payment of their salaries affects in any way the independence of the court.

I anticipate, Mr. President, that it may be said that inasmuch as they must be reelected, their terms being for nine years, that will affect their independence; and yet, Mr. President, I anticipate that most of the Senators who may urge that view are in favor of the election of judges in the United States as against appointment by the Executive. In most of our States we do so elect them. In many of the States they are elected through party nomination. Is there any question about the independence of the courts of this country? How often have you heard, Mr. President, that a judge in the performance of his functions is actuated by the fact that he is nominated by a political party or elected by their votes?

But, further, the court by its own action has conclusively shown its independence of the League of Nations. An advisory opinion was asked of it by the council of the league in a dispute

between Russia and Finland. Russia was not a member of the league and declined to consent to the jurisdiction of the court to render such advisory opinion. For that reason the court declined the request of the league and refused to give the advisory opinion asked for. This is the familiar Eastern Karelia case, and sometimes is termed the fifth advisory opinion of the court, though in fact it was not an advisory opinion at all in the ordinary sense, but an opinion giving reasons for refusing to comply with the request.

While I am upon this point, Mr. President, this opinion conclusively determines that the United States, if it shall ratify this protocol, will not only not be bound in any way by any advisory opinion, but none can be rendered by the court where our interests or our rights are the issue. I want to read just a paragraph of the advisory opinion in the Eastern Karelia case. The court said:

> There has been some discussion as to whether questions for an advisory opinion, if they relate to matters which form the subject of a pending dispute between nations (members of the league), should be put to the court without the consent of the parties. It is unnecessary in the present case to deal with this topic.

Note that the court in this case even refused to decide the question as to whether they could give an advisory opinion when the question was solely between two members of the league, where, by joining the league, they had consented to the request by the council for such advisory opinion.

> The opinion, which the court has been requested to give, bears on an actual dispute between Finland and Russia. As Russia is not a member of the League of Nations, the case is one under article 17 of the covenant. According to this article, in the event of a dispute between a member of the league and a state which is not a member of the league, the state not a member of the league shall be invited to accept the obligations of membership in the league for the purposes of such dispute, and, if this invitation is accepted, the provisions of articles 12 to 16 inclusive—

That includes article 14, relating to advisory opinions—

> shall be applied with such modifications as may be deemed necessary by the council. This rule, moreover, only accepts and applies a principle, which is a fundamental principle of international law, namely, the principle of the independence of states. It is well established in international law that no state can, without its consent, be compelled to submit its disputes with other states either to mediation or to arbitration or to any other kind of pacific settlement. Such consent can be given once and for all in the form of an obligation freely undertaken, but it can, on the contrary, also be given in a special case apart from any existing obligation. The first alternative applies to the members of the league who, having accepted the covenant, are under the obligation resulting from the provisions of this pact dealing with the pacific settlement of international disputes. As concerns states not members of the league, the situation is quite different; they are not bound by the covenant. The submission, therefore, of a dispute between them and a member of the league for solution, according to the methods provided for in the covenant, could take place only by virtue of their consent. Such consent, however, has never been given by Russia. On the contrary, Russia has, on several occasions, clearly declared that it accepts no intervention by the League of Nations in the dispute with Finland. The refusals, which Russia had already opposed to the steps suggested by the council, have been renewed upon the receipt by it of the notification of the request for an advisory opinion. The court, therefore, finds it impossible to give its opinion on a dispute of this kind.

Not only is that the opinion, but I do not think any lawyer would question the correctness of the court's opinion as a matter of international law.

True, it is said that the recent opinion in the Mosul case, pending between Turkey and Great Britain, in which the court rendered its twelfth advisory opinion a few weeks ago, modified this opinion; but a reading of that opinion shows conclusively that there is absolutely nothing contradictory between the holding in that case and the holding in the Eastern Karelia case, because that question was not in any way involved in the Mosul advisory opinion. In that case Turkey had submitted to the jurisdiction of the council, and, in fact, it did not object to the jurisdiction of the court, so far as parties were concerned, basing its objection on the ground that the dispute was not one judicial in its nature, but was a political question. The court examined that question and found that the dispute was judicial, involving, and involving only, the interpretation of a treaty.

I therefore submit, Mr. President, that it can not be successfully contended that the court is not an absolutely independent body, as all courts of justice should be. I submit, further, that the only effect of a contention that it is not an independent body would be to impugn the motives of the men who have been elected as judges of this court, and assume that they would violate their oaths of office and serve the nations of which they happen to be citizens or subjects, rather than to follow and declare the law.

It is said by some of our opponents that we now have a World Court in the Court of Arbitration at The Hague, and that no other is necessary. The answer is that the so-called Court of Arbitration at The Hague is not a court at all. It is nothing but a panel from which arbitrators may be chosen. These judges have no fixed tenure, and there are no rules laid down with reference to their conduct, except as to procedure. They can no more be called a court than a panel of jurors, drawn as they are drawn everywhere in the United States, can be called a court.

Further than that, Mr. President, I have heard The Hague Arbitration Court very highly praised, and I join in that praise; and, of course, Senators know that this World Court does not in anywise displace The Hague international tribunal. It merely provides one additional method for the settling of disputes. But when I hear the method for the selection of judges of that tribunal so highly praised by some of the opponents of the World Court, I wonder if they have carefully examined the provisions under which arbitrators are chosen under The Hague tribunal.

Note this, that if two nations agree to submit a dispute to arbitration, they may agree upon arbitrators selected from this panel. If they can not agree, then other powers are selected to select them. If then they can not agree, what happens? I read from article 45:

> If, within two months' time, these two powers can not come to an agreement, each of them presents two candidates taken from the list of members of the permanent court, exclusive of the members selected by the parties and not being nationals of either of them. Drawing lots determines which of the candidates thus presented shall be umpire.

In every arbitration where decision is made by a majority vote the umpire is the judge, his vote decides every case, and in this Hague tribunal, if the nations are unable to agree upon arbitrators, the umpire must be selected by lot. In other words, these gentlemen who so highly praise this method apparently are entirely content, if we submit a case to arbitrators and we can not agree as to who the judge shall be who will decide our rights and our interests in that dispute, that he shall be chosen by the throwing of dice or the flipping of a coin.

Some of our opponents also tell us that if we join the World Court we shall be compelled to submit to that court the interpretation of the Monroe doctrine, the question of immigration, the settlement of the foreign debt to the United States, and similar questions. It is hard to be patient with those who make this contention. I think it a fair statement that no one should venture to express an opinion as to the powers of this court unless he had first read the statute creating it—and, of course, I am not referring to any Senator, because all Senators have read the statute—and I do not think that anyone who has read the statute can fairly make the statement. Let me read the article relating to jurisdiction:

> ART. 36. The jurisdiction of the court comprises all cases which the parties refer to it.

That is the first clause, and clearly, unless a nation expressly consents to refer a matter to the court, it can not secure jurisdiction under that clause. No one can ever hale us into this court without our consent, either being given generally in a treaty or expressly in a particular case.

The next and last clause of the article reads:

> And all matters specially provided for in treaties and conventions in force—

Under this clause we might by treaty with another nation agree to refer to the court any dispute hereafter arising, but unless we expressly agree by action in a particular case or by entering into a treaty to refer a matter to the court, it can acquire no jurisdiction over us.

This means that the court could never pass upon the Monroe doctrine, immigration, the settlement of foreign debts, or any other question affecting our rights and interests without our consent.

True, there is an optional clause which, if accepted by any nation, will confer compulsory jurisdiction upon the court in certain matters; but that clause must, to be binding, be accepted separately and in express terms, and, as it is not proposed that the United States accept the clause, it is not material to our discussion.

Some of our opponents take the position that codification of international law should precede the establishment of a world court. That such codification is very desirable I freely grant. I hope progress may be made in that direction. But, Mr. President, it is a task that must be performed a little at a time, and complete codification can not be effected within the next 50 years. I undertake to say that no Senator within the sound of my voice will live to see the day when there will be complete codification of international law. The practical difficulties in the way are too numerous.

Although not codified, however, international law does exist, has been recognized over and over again by our own Supreme Court, and it is being constantly applied by every civilized court in the world. It came into being and it has had its growth very much like the common law of England, which came to us; but that its growth has been so slow, compared with the development of the common law, has been due to the fact that there has been no international court to interpret it. Next to codification, the World Court, with the most eminent jurists of the world as its judges, will be an effective means for the development of international law, to be observed by all the nations of the world.

Mr. President, there are to my mind defects in this statute. There are many things I would like to see different. For instance, I am sorry that the election of judges is left to the League of Nations, not because I fear the action of that electoral body, but if the League of Nations should not be a permanent institution, if it should be abandoned, all the machinery for the election of judges will have disappeared and new machinery will have to be created. The same can be said with regard to the payment of salaries and other expenses of the court. But, Mr. President, the League of Nations might go out of existence to-morrow, and it would not affect the jurisdiction of the court or its power. The only effect would be that the members of the court would have to perform their duties without compensation until some other method had been provided, and when their terms expired the vacancies could not be filled until some other method was devised. But if that should come to pass, does any Senator question that the nations who have now adhered to the statute would not find another means for electing judges and paying their salaries? Of course not.

Then there are other things I would like to see differently. For instance, in a dispute between two nations, if only one of the nations, or neither of them, has a national sitting as a judge of the court, the nation or nations having the dispute may select a national of their own to sit with the court. It seems to me that provision is a little contrary to the strict idea of a court of justice, but it is there. Certainly it is not such an objection as should prevent us from adhering to it. Indeed, so far as these defects are concerned, they are much more likely to be remedied if we adhere than if we do not.

Without going into detail further, and in concluding my remarks, it may properly be asked if we adhere to the court what obligations will be imposed upon us by so doing? I answer just one—the payment of our proportionate share of the expenses of the court—which will amount to about $35,000 per year. There is no other obligation whatever incurred; absolutely none. While this is to me clear on the face of the statute, the proposed reservations remove any possible doubt on that subject. There is no obligation upon us to enforce the judgments of the court, for no sanctions are provided for in the court statute, and the only enforcing power is that of public opinion. Of course, if we in any particular matter agree to the submission of a case to the court, we will be morally obligated to abide by the judgment.

Mr. President, in this connection it is urged by some of the opponents that article 13 of the covenant of the League of Nations, because it provides for sanctions for the enforcement of the decisions of the council, and the amendments which have later been made but which, I believe, have not as yet been ratified, of decisions of the court, that that is an insuperable objection to our adhering to the statute. Mr. President, again I say the covenant of the League of Nations is nothing but a treaty—a treaty in this case between 55 nations. If any 2 or 50 nations desire to agree among themselves that they will assist each other in enforcing a decision of the Permanent Court of International Justice where there has been default upon the part of a nation that has voluntarily submitted to it, it is none of our business. Certainly we could not be affected unless we had submitted a case to the court and after submitting it refused to be bound by its decision.

Next, it may be asked, what benefits will we receive if we adhere to the court? Frankly I answer, none, except as we are interested in the peace of the world, and this is a step in the direction of peace—a short step, I admit, but it is in the right direction. The court is open to us now to the same extent that it will be if we join it, so we gain no direct material advantage by so doing. There is one indirect advantage in our having the right to participate in the election of judges of the court which we do not now have, and, so participating, it will help to insure the continued high character and ability of the men selected as judges.

We should adhere to the court, because we will thereby give the indorsement and encouragement of the most powerful nation in the world to an instrument for peace. Without the World Court the small and weak nations of the world must submit to the decision of disputes by political representatives of powerful nations, to arbitration, or fight. There is no forum of justice in which their cases may be tried. To illustrate, Germany is disarmed and helpless from a military standpoint. In disputes with other nations she must submit to the decision of the League of Nations, a political body, to arbitration, or to the World Court, a judicial body, whose judges are elected without regard to nationality. She must do one or the other of these things or fight. She can not make war, and it is therefore no wonder that Germany, although not yet a member of the court, has participated in cases before it to a greater extent than any other power. This is because in this forum right is greater than might, and it is the only international body in existence where this is true.

I do not doubt that before this debate is concluded we will be asked many, many times, What can the court do to prevent war? They undoubtedly will ask us to point to some war that has occurred which in our opinion could have been prevented by the existence of such a court as this. Mr. President, I am not one who believes that any formula can abolish war or that any declaration that war shall be a crime and outlawed can abolish war. I am not one who believes that any instrumentality that may be set up by all the nations of the world can itself abolish war. There is only one way, in my judgment, that war can be abolished in this world, and that is through the people of the different nations of the world instead of having suspicion and distrust and hate toward each other, supplanting those sentiments by feelings of friendship, accord, and good will.

Now, how do those feelings, those sentiments of hate, occur? If a nation desires, because it is strong and powerful, to acquire additional territory, or desires to exploit a weaker people and has no regard for the public opinion of the world, I frankly admit the court could not prevent war upon the part of such a nation. But, Mr. President, how are those feelings of hate and distrust and suspicion created? Oftentimes we have to go back a long way to find the real primary cause of a war. It may be found in some little interpretation of a treaty causing irritation between two peoples, which, if left undecided, may go on and on, exactly as in the human system one may have a scratch upon the skin. Properly taken care of, the scratch will be cured within a day or two, but left without attention it may become a festering sore, septic poisoning may set it, and the patient dies.

Exactly so with nations. We may have this cause of irritation and unfriendliness reaching way back to some trivial matter that a court of justice could decide, just as this court has in many cases in its advisory opinions and in its judgments. It has decided these cases which, perhaps not of major importance in themselves, if left undecided would have caused a constantly growing bitterness between the nations, whereas in every case except one—the recent case of Turkey—the opinions and the judgments of the court have been accepted by all the nations involved.

Then, I want to say one word with regard to political parties upon this question. I am one who has always believed since I have been in public life that where any matter of principle is involved concerning which a Senator or a Representative has deep convictions he is not bound by the declarations of his party platform. I have always felt, however, that his dissent should be made known at the earliest possible moment. But as to mere matters of policy, if there is to be any such thing as party government in the United States—and I am one who believes the United States can not successfully function without party government—if there is to be any such thing as party government, when a political party makes an explicit and solemn declaration with regard to a great question before the American people, I submit that all doubt on the part of the members of that party should be resolved in favor of the declaration of the party. The Republican Party has spoken in explicit terms upon this question

of the World Court. This was the plank in our last Republican platform:

The Republican Party reaffirms its stand for agreement among the nations to prevent war and preserve peace. As an immediate step in this direction we indorse the Permanent Court of International Justice and favor the adherence of the United States to this tribunal as recommended by President Coolidge.

Mr. President, could language be more explicit than that? Furthermore, Mr. President, there have seats on this side of the aisle to-day 22 Senators who occupied seats in that convention, who were present when this plank was adopted, and no word of dissent was raised by one of them concerning it.

Mr. HARRELD. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Oklahoma?

Mr. LENROOT. I yield.

Mr. HARRELD. I hope the Senator from Wisconsin does not include me in that statement. I was a member of the committee on resolutions of the convention and did lift my voice on this question.

Mr. LENROOT. In the convention?

Mr. HARRELD. In the meeting of the committee on resolutions.

Mr. LENROOT. Mr. President, of course I do not pretend to say what the Senator from Oklahoma did, but inasmuch as he did not carry his dissent to the floor of the convention, I will assume that he accepted the action of the committee on resolutions. Of course, however, every Senator will decide his own view with reference to the matter for himself.

Mr. HARRELD. My only object in making the statement is that I did not want the matter left without making my position absolutely clear.

Mr. LENROOT. Mr. President, as to the Democratic platform upon this subject, I will read it, so that it may be in the RECORD. The Democratic platform provided:

It is of supreme importance to civilization and to mankind that America be placed and kept on the right side of the greatest moral question of all time, and therefore the Democratic Party renews its declaration of confidence in the ideal of world peace, the League of Nations and the World Court of Justice, as together constituting the supreme effort of the statesmanship and religious conviction of our time to organize the world for peace.

There is one clause, as Senators will observe, upon which both parties are in accord. The Democratic Party in its last platform still stood for our joining the League of Nations, while the Republican Party is opposed to that, but upon the question of the World Court both parties agreed.

In conclusion, Mr. President, this statute, as I have said, is an instrument for peace. It may not do very much, but it is an instrument to which the nations may appeal and have a settlement of petty quarrels, if you choose, that unless settled may ultimately lead to war. This court is a body that at least promises something in the future toward world peace, and as such, in my judgment, it should have the indorsement of the United States of America. That we are interested in the peace of the world no one can deny. More than 50,000 graves of American boys in France, 200,000 ex-service men crippled and shattered in health, and an internal indebtedness of $20,000,000,000 loudly proclaim the interest of the United States in the peace of the world.

Mr. President, I believe that the conscience of America indorses this World Court, both parties have indorsed it, and I am confident that when we shall reach a vote upon the question the necessary two-thirds majority of the Senate will vote for it.

Mr. BORAH obtained the floor.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Bayard	Dale	Hale	McMaster
Bingham	Deneen	Harreld	McNary
Blease	Edge	Harris	Mayfield
Borah	Edwards	Harrison	Means
Bratton	Ernst	Heflin	Metcalf
Brookhart	Fernald	Howell	Neely
Broussard	Ferris	Johnson	Norris
Bruce	Fess	Jones, N. Mex.	Oddie
Butler	Fletcher	Jones, Wash.	Overman
Cameron	Frazier	Kendrick	Pepper
Capper	George	King	Phipps
Copeland	Gillett	La Follette	Pine
Couzens	Glass	Lenroot	Pittman
Cummins	Goff	McKinley	Ransdell
Curtis	Gooding	McLean	Reed, Pa.
Robinson, Ark.	Shortridge	Trammell	Watson
Robinson, Ind.	Simmons	Tyson	Wheeler
Sackett	Smith	Underwood	Williams
Schall	Smoot	Wadsworth	Willis
Sheppard	Stanfield	Walsh	
Shipstead	Swanson	Warren	

The VICE PRESIDENT. Eighty-two Senators having answered to their names, a quorum is present.

Mr. BORAH. Mr. President, the portions of the able addresses of the Senators who have preceded me in which they expressed their horror of war and their desire to be helpful in accomplishing something in the way of peace I agree with entirely. I do not think, however, that anything is to be gained by continuing the discussion of that particular phase of this interesting subject. I take it that every sane man and wholesome woman is desirous of peace and should like to be helpful in accomplishing something in the way of bringing it about. We shall not differ here in the Senate Chamber, and I take it there will not be much difference of view in the country, upon that subject. If there be a difference of view, it is as to the method by which to effectuate our great desire.

My purpose to-day, Mr. President, is to confine my remarks to the sole question of what is the relationship of this tribunal of which we are asked to become a member to the political institution known as the League of Nations. There has been such difference of opinion in regard to this question and the facts so variously stated that it seems advisable at this time and in the very beginning of this debate to determine that relationship. This is of interest not only to those who do not wish to become identified with the League of Nations through the court and who feel by reason of their view with reference to the league that they are entitled to examine this question most carefully, but it is of interest also to another class who believe that the relationship which this court sustains, as we believe, to the league will be detrimental to the court itself, not because it is the league, but because that relation sustained to any political body would be hurtful, and in the end destructive of the tribunal as an efficient instrument in the cause of peace and in the substitution of law and justice for politics and force in international affairs. So by reason of the convictions which some of us entertain with reference to becoming identified with the league, and by reason of the belief that, whether it is the league or any other political institution, the relationship which the court bears to it is of supreme importance, I propose to confine my remarks to that one question to-day, and at least present the question as I see it.

I wish to say, too, in the beginning, Mr. President, that if I shall be able to sustain the proposition for which I contend to-day, I shall do it solely upon the record and from the lips of those who are ardent supporters of this court, so called. Knowing full well that my colleagues and the country understand my views with reference to the league, and knowing full well that I would be charged, as intimated by the Senator who has preceded me, with prejudice against anything which comes from the league, I shall confine my remarks to-day, so far as the facts are concerned, to the actual statements found in the record and to the language of those who are advocating before the country our adherence to this court. I may have some views of my own deduced from the record and from the statements of the supporters of the court and some conclusions to offer later in the debate. But to-day I shall confine myself almost wholly to what may be called the admissions and confessions of the advocates of the court. I shall not assume, in other words, to offer very many, if any, views of my own, but rather to put before the Senate and the country what seems to me the indisputable record and the views of those who can not be charged with being prejudiced against the court.

As a text, as it were, from one of the advocates of the court, I invite attention to the language of Judge de Bustamente, who is a member of the court at the present time. He has written a book, entitled "The World Court." This book is being circulated by the advocates of the court; it has been sent free to hundreds and thousands of people throughout the United States, and a copy of it came to me. I presume its statements are satisfactory to the advocates of the court. He says:

Any tempest that beats down on the league will inevitably react on the court.

He is discussing here the relationship of the court to the league, its dependence upon the league.

Suppose another general war were to break out in Europe, lasting for several years and ending with a new peace treaty, which, by the

familiar hazard of conflict, might not be influenced by the same considerations that ruled the Paris Peace Conference. All the tremendous progress implied in world-wide justice might vanish, carried down by the destruction of another institution, more easy to overwhelm, but, perhaps, not less lamentable.

We have, therefore, not only the question of the relationship to the league, for the reasons which I have stated, but we have another question of what will be the effect upon the court if it sustains a relationship to a political institution which may be changed or warped or disarranged or disorganized by any political storm that sweeps over Europe. This member of the court freely admits that such is the relationship of the court to the league—that the political conditions which affect the league will affect the court. No statement could more effectively concede the relationship, the close relationship, of the court to this political body and the effect of such relationship on the court.

Let us first inquire, Mr. President, what was the intent and purpose of those who had to do with the framing of the statute which brought the court into existence? It will help us greatly if we can know the purpose and the design of the architects, what they had in view, and the task which they believed had been imposed upon them.

The men who sat upon that committee of jurists, such as Mr. Root, Lord Philimore, and M. Bourgeois, from France, were men capable of carrying into effect any task which was imposed upon them; and knowing the design and purpose of these men, we shall more accurately and more safely arrive at a conclusion as to the kind of work which they finally delivered and termed "the World Court." What was their understanding?

They did not go into conference for the purpose of creating a court separate and independent from the league. They did not go into conference, whatever their views previously may have been, for the purpose of creating a world tribunal independent of this political institution. They went into conference for the purpose of performing the task which had been imposed upon them, and that was to create an organ, a component part, a legal department, of the League of Nations. Will anyone doubt that men of their ability would be able to accomplish what they desired to do in this respect? If this court is not a department of the league, if it is not a legal division of the League of Nations, then it is because they failed in the effort and the design which they had in view when they entered upon their work.

May I pause to read?

The secretary general of the league, in writing to the jurists inviting them to serve upon this committee, advised them as follows:

> The court is to be the most essential part of the organization of the League of Nations.

This was the plain and unmistakable plan which the jurists accepted when they became members of this committee.

And so, accepting this instruction, they deviated not at all from the task which was imposed upon them, and stated many times during the discussions while the statute was being formed and in the report afterwards that they were limited and constrained by the task which had been imposed upon them and which they undertook in good faith to carry out. Whatever functions and powers the court was to have it was to be as a part of the league system.

M. Bourgeois, speaking of this in the discussions, said:

> The court must have at hand a political organization, first, to supply it with the law which it is to apply, and, second, to give it the necessary authority and, if need be, sanction. Similarly, the league itself must have at hand a court of law for the administration and interpretation of its laws and regulations. The political phase of the league will be as dependent upon the legal phase as the legal phase is upon the political.

Certainly no thought other than creating a department of the league was entertained by the leading committeeman representing the Government of France. They were engaged in completing the system by giving it a legal department to interpret the league's "laws and regulations."

Again, he says in the discussions:

> May I be permitted to state why the Council of the League of Nations considers the two institutions as complementary, one to the other, as of necessity being organized at the same time and as being unable, as long as they wish to preserve their existence, to do without each other?
>
> Finally, there is a last point of view which we must take in order to envisage the necessary relations between the League of Nations and the International Court of Justice, and the close solidarity which exists and which will always exist to an increasing degree between their two actions.

So they went into conference for the purpose of creating one of the departments of the league, one of which was the council, another the assembly, another the department of labor, and still another, the court or the legal department, and they dealt with the subject upon that theory and no other.

Mr. Root, in the discussions, said:

> We must first consider that this new court must be provided for as a part of the system of which the League of Nations is a part. We can not accept the invitation of the council and recommend a plan for a court which is not going to form a part of the system of the League of Nations.

It is immaterial what might have been the views of Mr. Root heretofore, and before this debate closes I shall undertake to quote from his public speeches in support of the proposition that many of the views which he entertained were surrendered by reason of the fact that he understood that he was performing a specific task. He understood here what his duty was to the body which had selected him, and he proceeded to perform it. He said plainly we must form and recommend a plan for a court which will fit into the league system, form a part of it. Shall we doubt that Mr. Root understood this court was to be a part of the league, one of its divisions? Mr. Root was and is an advocate of the league, and he did not likely find his task disagreeable.

The reporter of the committee, after the work was drawing to a close, said:

> This court is to be the judicial organ of the League of Nations, and can only be created within this league.

There, Mr. President—and I might quote further from the discussions and from views expressed—was the view which they entertained with reference to the work which was cut out for them; and, I repeat, if they did not make it a legal department of the league it was not because they did not intend to, but through inability to do so. They certainly strove in an earnest, sincere way to carry out that program.

So, Mr. President, after they had performed their labor they looked upon their work and said it was good, and they stated that they had performed their task in accordance with their instructions and had made the court a league court, a department of the system.

A great deal has been said with reference to the claim that the election of the judges by the league was made necessary because there was no other way by which to achieve it. I am sure the Senator from Wisconsin [Mr. LENROOT] would not agree with that, because he has here a resolution providing another method. So they contemplated another method, and Mr. Root said in a public speech after his return home that there could have been another method devised. The real reason they did not consider another method is stated in the report which they made when they reported the statute to the council. I quote:

> The new court, being the judicial organ of the League of Nations, can only be created within the league. * * * As it is to be a component part of the league it must originate from an organization within the league and not from a body outside of it.

They evidently did not feel free to seek another method by which to elect the judges in pursuance of what they understood to be their duty. The court, being a component part of the league, must necessarily be created from within it, and its judges must be elected by the league and not by somebody outside of the league.

Later in the report, speaking of the publicity of the proceedings of the court, the committee in its report to the council said:

> Nevertheless, as the court is a component part of the League of Nations, it is clear that it is the duty of the court registrar to inform the members of the league of the application through the secretary general of the league, who is the natural channel of communication between the members of the league and the various organizations—the assembly, the council, and the court of the League of Nations.

Now, let us seek further views on this point.

The Senator from Wisconsin referred to the fact that certain propaganda had come to his notice, in which it was declared that the court was an agent of the league, and he found fault with the fact that no one had seen fit to sponsor this communication. But, Senators, I will give to the Senator from Wisconsin that exact language from one who is in a position to know, and who can not be considered unfriendly to this court.

Dr. James Brown Scott accompanied Mr. Root as a counselor and adviser when he went forward for the purpose of

helping to organize the court. As we all know, Doctor Scott has been a lifelong advocate of peace measures, an advocate of an international court, and a student of and author on international law. He says, speaking of this in a written communication after his return home:

> The court is the agent of the league, and therefore is intimately connected with it.

Having been present when the organization was created and when the statute was framed, and knowing the design and purpose of those who had the work to do, and being somewhat competent to judge, he uses the exact language which some one has used in the propaganda which is here criticized, that the court is the agent of the league. As we shall proceed I think we will be able to demonstrate that he was eminently correct.

Judge Loder, who was the first president of the court, and who is now an associate justice upon the court, has written an article in which he undertakes to show that the court is free in the formation of its opinions—a matter which I shall discuss later.

I want to call attention to the language of Judge Loder as to the relationship of this court to the league, leaving the other proposition, as to how far that leaves the court wholly independent, to another phase of the discussion:

> The court * * * occupies within the League of Nations—

Says Judge Loder—

> a place similar to that of the judicature in many States, which is an integral part of the State and depends upon the national legislature as regards all that concerns its constitution, its organization, its powers, its maintenance.

Whatever may be his view as to the independence of the court in the formation of its opinions, he leaves no doubt as to the proposition that the court is an integral part of the league, just the same as a State supreme court is a part of the State government.

I read briefly and without comment some further statements. Sir Eric Drummond, secretary of the league, has stated:

> The definite establishment of the court completes the organization of the league.

Mr. Hagerup, of Norway, when he reported the statute of the court to the assembly December, 1920, said:

> This is the first step which will lead to the entry of the United States into the league.

In one of the latest publications of the information section of the League of Nations, the Secretariat, a booklet entitled "The League of Nations, January, 1920–June, 1925," will be found these words:

> For a clear understanding of the actual record of the league it is perhaps necessary to give a few essential indications upon the organizations. The main organs are the assembly, the council, and the permanent secretariat with the two essential wings, the Permanent Court of International Justice and the international labor organization.

Ex-Governor Sweet, of Colorado, in his statement lately made said:

> Senator BORAH declares that the Permanent Court of International Justice is not a world court but is a League of Nations court. I agree with the Senator that it is a League of Nations court. It is a department of the league and an instrument created by it.

Governor Sweet is an ardent advocate of our entrance into the court and also an ardent supporter of the League of Nations.

Sir Robert Horne, publicly speaking before the Interparliamentary Union, 1925, remarked that—

> Although the United States does not formally take part in the League of Nations, yet he was glad to say she appears likely to give her adhesion to one of the most important functionaries of the league, the International Court of Justice.

I shall not at this time read further from these statements, although one could well fill a volume. It is too late, Mr. President, for the advocates of the court to contend that this court is not a league court, a department of the league, a part of the league system. The record is made from their own lips. We take their own construction. We accept their judgment. It is not our contention alone; it was first their contention.

Mr. President, all one needs to do in order to find out the exact relationship of this court to the league is to turn, first, to the covenant, and, secondly, to the statute iself. There are some 22 sections of the statute which tie the court into the league. Some of these provisions are of minor importance; some of them are of major importance. Some of them are incidental; some of them are dominating and controlling, but taken as a whole leaves no doubt that the committee of jurists carried out its work in good faith and created a court which was one of the departments of the league.

Let us take up now some of the relationships of the league and the court, and discuss them a little more fully. I do not want to content myself with the mere statement that that relationship exists. I shall want to show, if I can, by the language of the covenant and of the statute, and the action of the court, that no other view is entertained. I venture to make the assertion at this point that never until the campaign began to take the United States into the court was there any language used upon the part of those in authority indicating that the court was anything else than a department of the league, that it was a league court.

First, the league elects the judges; it pays the judges; it fixes the salary of the judges; it fixes the salaries of all the employees of the court; it fixes the pensions of the judges. These provisions some will consider of minor importance. Therefore let us take up a most important relation. The league may call upon this court at any time for advice or counsel upon any dispute or any question which the council or the assembly of the league see fit to submit to it. It makes it the consulting legal adviser of the league, which the league alone controls.

There is not a word in the statute authorizing advisory opinions, or authorizing the court to act as counsel and adviser of the league. If the court should perform its functions according to the statute to which we are asked to adhere, it would have no power to consult and advise with the league. It would not be authorized to give advice in the nature of advisory opinions. Will it be said that a tribunal which may be called upon by a political body to advise and counsel is not bound and tied into that political body? Will it be said that it is not a coordinate department in the league system?

If we find that the sole authority for the advisory opinions and the sole authority to call for them are in the covenant of the league, upon what possible theory can it be contended that this court is not a part of the league and bound by the covenant as its constitution, as the Supreme Court of the United States is bound by the Federal Constitution?

May I turn again to Judge de Bustamante, from whom I read a moment ago? In discussing the question of advisory opinions, and whence the authority is derived, and also the obligation of the court to perform, we find a most illuminating statement. He first calls attention to the fact that the language of article 14 is construed in the French language to mean "will give" an advisory opinion, and then calls attention to the fact that according to the English view it is "may give" an advisory opinion. After proceeding with this discussion he says:

> The word "may," in the sense in which it is used here, implies the grant of an additional function for the new organism, but that does not mean that the exercise of this function is in the discretion of the court. The idea is not that the court may refuse to give the advisory opinions which are asked, but that the council and the assembly may or may not ask for them. These bodies are given power to ask for the opinions, but the permanent court has not the power to give them when it wishes to do so, as an act of grace, or to refuse them for any reason whatever.
>
> The treaty of Versailles simply placed the court, for the creation of which article 14 provides, at the disposition of the league as a consulting body. It is useless to argue whether this task is or is not compatible with the judicial function, or to assert that it compromises the court's prestige and future; it is not a question of arguing about article 14, but of applying it; and these reasons are not strong enough to modify it.
>
> What is the subject matter of the opinions? "Any dispute or question referred to it by the council or by the assembly" are the precise words of article 14 of the covenant.

There is the view of one member of the court, which view I understand is entertained by three other members of the court at the present time. The judge tells us that the court is not at liberty to disregard the covenant—that it is binding upon the court and mandatory. What relationship of the court to the league does that create?

Bear in mind, my friends, that the view here entertained is that the league alone has the power to ask for these advisory opinions; second, that it is not within the discretion of the court to refuse; third, that those opinions may be asked upon any question or dispute; and, fourth, that a majority of the court may render the opinion.

This is the most important function of the court so far, and we are asked to adhere to a statute and content ourselves

with what is in the statute, not being a member of the council or the assembly, and leave it exclusively to another body to call for advice or an opinion upon any question or dispute, and a majority of the court may advise or counsel upon that particular subject. We would be a member of the court, and that court would be bound to obey the league and give opinions upon all questions.

Can it be said, in all fairness, that this does not constitute the court the legal adviser and counselor of the league? Observe the language of the judge "consulting body." Much wrath has been exhibited toward some of us because we have said the court is the adviser and counselor of the league. This member of the court declares it to be the "consulting body" of the league. How would you establish a closer relationship? It may be said—and that I shall discuss at a later day—that in the Eastern Karelia case the court declined by a majority to render an opinion upon a particular question submitted. It ought to be said, however, that the court declined by a majority decision only and that a strong minority contended otherwise. Furthermore, the controlling proposition in that case was not the one which I am here discussing but the controlling proposition, and the one upon which the decision turned and upon which a majority finally settled it, was the fact that Russia was not a member of the league and not a signatory of the statutes. Without that, if I can read the record—and I have something more—a majority of the court would have taken jurisdiction of the matter, notwithstanding the fact that it involved political matters of the most momentous character.

Let us consider these advisory opinions briefly from another viewpoint. I think even if I were an advocate of the league I should hesitate long before pinning my faith to a judicial tribunal which could be called upon by a political institution to advise and counsel with reference to the multitudinous things which may arise in the politics of Europe in the coming years. That was the view of some of the learned jurists who framed the statute and organized the court.

Mr. Root opposed the advisory function very earnestly. He declared that in his opinion it constituted "a violation of all juridicial principles." I feel that this strong statement, coming from one not given to exaggerations in discussing public questions, is well worthy of our consideration. We are supposed to be adhering to a court. As a matter of fact, we are adhering to an institution the larger portion of whose business is in "violation of all juridicial principles."

When we take into consideration the numerous political questions, and the complex nature of them, concerning which this court may be called upon to advise, and of which we will be a member, how is it possible for us to keep that other pledge—that is, to stay out of the politics of Europe?

Take the last case which has been before the court in an advisory capacity, that of Mosul. No one knows where that controversy may end, and Great Britain claims the right to call upon the league to enforce the judgment of the court by military force. We being a member of the court, in what different attitude are we toward the politics of Europe when sitting as a member of the court advising upon these matters than if we were sitting as a member of the council of the league advising upon them? Indeed, sir, I say in all frankness that if these opinions are to continue I would prefer to sit upon the council, where my vote might stop everything, than to be a member of the court and advise, where our vote, assuming we have one, may amount to nothing and where a majority may render an opinion.

I do not want, if we are going to make an effort to stay out of the politics of Europe, to conceal the fact that the power which directs the court is a power in which we have no voice.

Judge John Bassett Moore, now a member of the court, in discussing advisory opinions, declared that—

> The giving of advisory opinions in the sense of opinions having no obligatory character, either on actual disputes or on theoretical questions, is not an appropriate function of a court of justice.
>
> That the exercise of such a function is at variance with the fundamental design of a permanent court of international justice, which was to advance application between nations of the principle and the method of judicial decision.
>
> That the emission either on actual disputes or on theoretical questions of opinions avowedly having no binding force would tend not only to obscure but also to change the character of the court.
>
> That the emission of such opinions would necessarily diminish the opportunities for exercise by the court of its judicial function since, if the opinions were treated by the court as binding upon it, they would tend to preclude the subsequent submission of disputes for decision, while if treated as mere utterances and freely discarded they would inevitably bring the court into disrepute.

In other words, Mr. President, as I understand Judge Moore, the acting in an advisory capacity to a political institution must ultimately undermine and destroy the dignity and character and competence of a court when it comes to perform its real judicial functions.

Again, upon another occasion he said:

> Admittedly these advisory opinions are inconsistent with and potentially destructive of the judicial character with which the court has been invested.

Whether we view these advisory opinions as indicating the relationship which the court bears to the league or whether we view them in their ultimate effect upon the court, it does seem to me that we ought to pause before becoming a member of a body which exercises a power at the command of a body of which we are not a member. I can perfectly understand why the Senator from Wisconsin [Mr. LENROOT] is not disturbed about these advisory opinions. He is an ardent supporter of the League of Nations. And I can perfectly understand the consistency and the logic of the able Senator from Virginia [Mr. SWANSON].

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

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

Mr. BORAH. I yield.

Mr. LENROOT. I am sure the Senator does not wish to misrepresent me. The Senator ought to know I have never been a supporter of the League of Nations as at present constituted. I voted against it when it was presented here, and voted only for it with the Lodge reservations.

Mr. BORAH. I do not care to discuss the Lodge reservations, but if we had gone into the League of Nations with the Lodge reservations, that would have been the last that there would ever have been heard of the Lodge reservations. In the practical workings of the league they would mean but little.

Mr. LENROOT. That is the Senator's opinion.

Mr. BORAH. We would have been in and, as Viscount Grey said when he returned from the United States to Great Britain after he served a short time here as ambassador:

> Let them come in with the reservations. After they are in they will amount to nothing.

I understand the Senator from Wisconsin was an advocate, of course, of the reservations. I did not think I was misrepresenting him. I do not understand the Senator is opposed to the league. He simply wants reservations.

Now, another proposition which I want to call to the attention of the Senate is this. The court statute makes no provision for an amendment to the statute. The sole amending power is the League of Nations, the council, and the assembly; that is, all initiative must be found there. I see the able Senator from Montana [Mr. WALSH] shakes his head, and that always causes me to hesitate. I should not say the sole amending power, but I do not believe the Senator from Montana will contend that the amending power is with the council; that these amendments must be initiated.

Mr. WALSH. I did not understand the Senator.

Mr. BORAH. I say the league, represented through the council, claims the right to amend the statute.

Mr. WALSH. I do not so understand it.

Mr. BORAH. Then I will proceed to show it. In the first place, the statute itself of course makes no provision for an amendment. Naturally the power which created it, through whose initiative it came into existence, would be presumed to have the power to amend. But, in addition to that, when the Geneva protocol was put out and ratified by 47 nations, that Geneva protocol imposed upon the court obligations and duties unknown to the statute itself. This was in practical effect an amendment. It did not technically change the statute, but it imposed duties upon the court not provided in the statute. No one contended in the council or the assembly, and no one contended in opposition to it, that the league did not have the power to impose a duty upon the court not provided for in the statute. For instance, according to the Geneva protocol the court was called upon to advise subcommittees of arbitration which the Geneva protocol proposed to set up, or to provide for setting them up, not imposing upon it the power and duty to render judicial determination of matters and controversies provided by treaty, but imposing upon it the duty and obligation of advising and counseling the subarbitration committees which the Geneva protocol provided for. May I read the language of the protocol?

Subdivision (c), paragraph 2, Section IV, provides:

After the claims of the parties have been formulated, the committee of arbitration, on the request of any party, shall, through the medium of the council, request an advisory opinion upon any points of law in dispute from the Permanent Court of International Justice, which in such case shall meet with the utmost possible dispatch.

So, Mr. President, here is a duty unknown to the statute. They did not propose to amend the statute. There was no proposition to amend the statute. The league claimed the right, as the author and father of this institution, to say to it what functions it should perform. But the peculiar part of it is that the court was made the legal adviser of a subarbitration committee, not the legal adviser now of the council and the assembly or the League of Nations, but of an arbitration committee which might be set up to arbitrate any particular question arising in the multitudinous controversies in Europe.

I venture to say the authority of the league to impose this duty was never questioned. Mind you, Mr. President, at the last assembly of the League of Nations a distinguished representative, I think from Holland, proposed an amendment to the covenant by which additional duties were to be imposed upon the court. Why did they put that aside? They stated frankly that the United States was about to enter the court and at this time it would be unwise to impose upon the court new duties and obligations—not by reason of amendment of the statute but by reason of an authority coming from the league itself. I will call attention in a few moments to another amendment.

If the Senator from Montana [Mr. WALSH] is correct—and no one in this body has a higher regard for his ability than I have—there will be no objection to this kind of a reservation or amendment:

The adherence of the United States to the statute of the World Court is conditioned upon the understanding that no jurisdiction shall be exercised by or conferred upon and no duties or service shall be performed by or imposed upon or required or requested of the court other than such as now provided for in the statute of the court unless the statute is amended in due form and such amendment ratified by every nation signatory to the protocol of adherence to the statute of the court.

If the sole authority of the court to act is the statute, let us cut out the possibility of the League of Nations imposing new obligations upon it. The Hughes resolution provides that the statute shall not be amended unless they have our consent. What is the difference about that? If the league may impose new duties, if the league may impose new functions, if it may call upon the court for additional work, how are we protected by saying that the statute shall not be amended? If the amendment is offered in good faith—and I do not doubt that, considering its source—then there can be no question that the sole amending power, the sole power to add new duties, should be confined to the amendment of the statute. In using the word "amend" I mean to impose functions and duties not found in the statute, which amounts to an amendment.

My able friend, the Senator from Virginia [Mr. SWANSON], said upon yesterday that there was no power to enforce the judgments of the court, that their enforcement rested upon the power of public opinion, something as the enforcement of the judgments of the Supreme Court against States rests upon the power of public opinion. That is not the contention of the league. The league contends that it has the power under articles 12, 13, and 16 to enforce the opinions of the court.

Mr. SWANSON. If the Senator will permit me, I will say that in my remarks, if he read them, I admitted that between the members of the league there was a sanction contained in the covenant by which they agreed to abide by judicial decisions to which they have submitted. I took the position that there was no sanction except what was contained in the covenant of the league and not in the statute of the court. I admit that as between the members of the league there is a sanction, but if we do not propose to be a member of the league and had a reservation saying we assumed no obligations under it, I took the position that there would be no sanction in the court otherwise so far as the United States was concerned.

Mr. BORAH. The position of the Senator is that the United States could not be called upon to furnish military force to enforce a judgment of the court?

Mr. SWANSON. Absolutely, not unless we were a member of the league, which we are not.

Mr. BORAH. Very well, we will discuss it from that standpoint. Suppose that we sit as a member of the court, or after adhering to the statute take part in rendering an advisory opinion, which advisory opinion is to be enforced by the league, the advisory opinion relating to the interests of two parties who are members of the league.

Let us take the case just as he has suggested it and consider that it applies only to members of the league. Nevertheless, Mr. President, we are sitting advising the league, as councilors of the league, and the judgment which they render is to be enforced by military power.

Mr. WALSH. Mr. President, will the Senator from Idaho suffer an interruption there?

Mr. BORAH. I yield.

Mr. WALSH. I inquire of the Senator what he means by the United States sitting as a member of the court?

Mr. BORAH. What I mean is that after we join we shall be a member of the court.

Mr. WALSH. A member how? The court consists of 11 judges.

Mr. BORAH. But we would be one of the adherents of the statutes, a member of the court.

Mr. WALSH. One of what?

Mr. BORAH. One of the members of the court.

Mr. WALSH. Not at all. After we subscribe to the protocol, of course, how do we sit as a member of the court?

Mr. BORAH. After we adhere to the protocol, I assume that we shall have precisely the same relation to the court as France has.

Mr. WALSH. And as every other nation.

Mr. BORAH. Exactly.

Mr. WALSH. Exactly.

Mr. BORAH. That is my position.

Mr. WALSH. Yes; but that is what the Senator means by sitting as a member of the court.

Mr. BORAH. Yes; that is what I mean.

Mr. WALSH. I supposed the Senator referred to the judges.

Mr. BORAH. I did not mean the United States as a Government would be sitting there; I meant that we should have our representative there. We adhere to the statute and become a part of the court.

Mr. WALSH. But that is just the point. Have we any representative there? All of the nations subscribing—some 50 of them—elect 11 judges. One of them may be a national of the United States and he may not be; there can not be any more than one.

Mr. BORAH. Suppose, then, that we have no member at all; but suppose we adhere to the statute, then we are responsible for everything which takes place under the statute. Consequently, so far as I see, we arrive at the same destination.

Mr. WALSH. The Senator from Idaho and I, of course, would not agree on that. The Senator states it as an absolute fact, but, of course, my position is that we do not assume any responsibility whatever.

Mr. BORAH. The significance of this court becomes more and more apparent as we proceed.

Mr. SWANSON. Mr. President, let me ask the Senator this question: If two members of the league were to agree to submit a question to the Permanent Court of Arbitration——

Mr. BORAH. That is an entirely different proposition.

Mr. SWANSON. I contend it is not different. Two members of the league, let us say, have agreed to submit a proposition to the permanent court of arbitration; they have agreed in the covenant that they will abide by the decision. If they fail to abide by an arbitration or a judicial decision, the same sanction which applies in that case would apply in the case of this court. We have adhered to the permanent court of arbitration, as have 43 other nations. If a case is submitted to that court by two members who are members of the League of Nations, and they do not abide by the decision, the same sanctions of the league would apply to them which would apply to the World Court.

Mr. BORAH. I do not agree with the Senator from Virginia.

Mr. SWANSON. All the Senator has to do is to read the articles of the covenant. I always thought the Senator did not understand the covenant very well, else he would not be so bitterly opposed to it.

The VICE PRESIDENT. Will Senators please observe Rule XIX—that when interrupting a speaker they shall request the Chair to make the inquiry of the speaker as to whether or not he will consent to be interrupted.

Mr. SWANSON. Mr. President, I shall be glad to do so, but it will sometimes retard the business of the Senate.

The VICE PRESIDENT. When a Senator interrupting starts speaking before the Chair has an opportunity to inquire whether the Senator who has the floor yields to an interruption,

the Chair has no opportunity whatever to carry out the rule, which he is desirous of doing.

Mr. BORAH. Mr. President, let us get back to the beginning of this question of sanctions and follow it up a little more carefully. Then perhaps we can arrive at a conclusion as to where the power to enforce a judgment or opinion lies. In the first place, I call attention to the language of the judge from whom I have been quoting. After discussing the question of the enforcement of the judgments of the court, and calling attention to the fact that some people claim that they should be enforced by public opinion alone, he says:

> There is a third possibility, and the current is turning in this direction. Since all or almost all the nations and their colonies and self-governing dominions now form one social organism for certain joint purposes, this organism, which must have force and authority, might well assume the duty of enforcing the judgments of the Permanent Court of International Justice in case the defeated nation resists the decision.
>
> The covenant of the League of Nations provides this joint sanction.

Then he goes on to say that—

> In the second session of the assembly, in 1922, these articles—

Referring to articles 12, 13, and 15—

> and others were amended so as to add, wherever arbitration was mentioned, the words, "or solution or judicial decision."
>
> Thus the result of this amendment would be to make all the league sanctions identical, by making the sanctions now provided for arbitral decisions applicable to judicial decisions as well. This is the logical arrangement; it would give to the permanent court in the covenant a definitive situation as to the sanctioning power; undoubtedly this would have been done at the Paris conference when the final form of the covenant was drafted, if the court had been from the beginning one of the institutions the framers had in mind. * * * It is very desirable that this situation should be cleared up, and that the execution of decisions by joint will and action should be assured.

There is now pending, although not ratified by all the nations, an amendment proposed by the assembly and the council which includes along with the word "arbitration" the words "or solution or judicial decision," the intent and purpose being to leave no doubt as to the contention that the duty devolves upon the league of enforcing the opinions of the court. If there is any doubt now, that doubt is in process of being removed. The plan is to make the league the sheriff of the court.

Mr. SWANSON. If the Senator will permit me to interrupt him——

Mr. BORAH. Wait just a moment.

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

Mr. BORAH. I will yield in a moment. This, Mr. President, applies to advisory opinions the same as judgments rendered in a judicial action, so to speak. Now I yield to the Senator.

Mr. SWANSON. If the Senator will permit me, as I understand, under the original covenant of the league, which was binding between its members and nobody else—it was not binding on us—the words "judicial opinion" were not included as one of the matters upon which sanctions should be enforced. As the Senator has properly said, it has been amended, so that now, as between members of the league, if a judicial opinion is rendered by the Permanent Court of International Justice there is a sanction of the league to enforce it. But that is a treaty, a covenant, between the 55 nations that have ratified the league. As we are not members of the league, a judicial opinion of the court has no sanction upon us. I hope I have made that clear to the Senator.

Mr. BORAH. Turkey is not a member of the league.

Mr. SWANSON. No; but, Mr. President——

Mr. BORAH. Wait a moment.

Mr. SWANSON. If the Senator will permit me——

Mr. BORAH. Just a moment.

The VICE PRESIDENT. The Senator from Idaho has the floor.

Mr. BORAH. Mr. President, what happened with reference to Mosul. A great deal has been said about that, and it furnishes a fine illustration of how politics and law mix in this situation. In the first place, Mosul is one of the fruits of the secret treaties which were concealed from the President of the United States when we entered into communication with the Allies. Great Britain and France agreed to divide up certain territory after the war was over. They had some trouble among themselves. Mosul went to Great Britain. France, however, thought that she ought to have had it, and so they entered into a contract upon the side to divide the oil. But there came another nation which had originally owned the country, and that was Turkey. Turkey was not a member of the league, and is not a member now. A controversy arose as to whether this particular territory should go to Turkey or to Great Britain, or rather under a British mandate, which is in practical effect the same thing. At the conference at Lausanne it was agreed that the matter should be sent to the council, where Turkey was assured she could sit for the purpose of that controversy and that, as her vote would be necessary in order to make the decision unanimous, she could always protect herself. So a deadlock occurred, and they called upon the court.

The court held, first, that the council was an arbitral body, and, secondly, that the vote had to be unanimous, but that could be accomplished by refusing Turkey and Great Britain the right to vote. So we come to the point that the territory goes finally to Great Britain. Turkey, as I have said, is not a member of the League of Nations, and yet, Mr. President, the case was discussed and a partial agreement arrived at that notwithstanding that fact the judgment of the court, together with that of the council, was to be enforced by military power against a nation which was not a member of the league.

Mr. SWANSON. Mr. President——

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

Mr. BORAH. Yes; I yield.

Mr. SWANSON. I have the full opinion in that case before me. I do not know whether the Senator has it or not.

Mr. BORAH. Mr. President, I do not care about that opinion. I am not discussing the merits of the decision. I am referring to it only to illustrate the matter of sanctions.

Mr. SWANSON. No——

Mr. BORAH. Wait a moment. I do not want to be detained here by the reading of a long opinion.

Mr. SWANSON. I am not going to read it.

Mr. BORAH. What I say is this, that the court was called upon to render an advisory opinion, not a judicial determination between two parties who had submitted it, but an advisory opinion against a nation which was not a member of the league and which protested against the court taking jurisdiction, but, after the opinion was rendered, the council proceeded to approve it, and then, when Turkey still protested, it was proposed by military power to enforce the judgment against a nonmember nation.

Mr. SWANSON. Now, will the Senator permit me to interrupt him?

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

Mr. BORAH. I yield.

Mr. SWANSON. I made a statement in regard to that case yesterday. Turkey had agreed——

Mr. BORAH. Wait a moment. Mr. President, I do not desire to go into all that at this time. If the Senator will confine himself to the question of whether or not it was proposed to enforce a judgment against a nonmember state or a judgment which was rendered which affected a nonmember state, I will not object to the interruption.

Mr. SWANSON. If the Senator will permit me, I will get to that.

Mr. BORAH. Mr. President, I think I will not yield, because I do not desire at this time to go further into that controversy. I am interested only in illustrating sanctions.

Mr. SWANSON. I hope the Senator will not decline to yield.

The VICE PRESIDENT. The Senator from Idaho has the floor and does not yield. The Senator from Idaho will proceed.

Mr. SWANSON. I will not ask the Senator to yield, if he does not wish to do so.

Mr. BORAH. I do not want to take the time to discuss the merits of the decision. This news dispatch says:

> Facing the threat of hostilities with Turkey over the Mosul area in the Near East, Great Britain this afternoon consented to accept the Franco-Belgian proposals for the pooling of military and naval forces for a league international army and fleet to make the decisions of Geneva and The Hague court respected.

Mr. President, it is true if we were not a member of the league the United States could not be called upon for its proportion of the military force to enforce the judgment of the court. That is not the question which I am arguing. What I am saying is if we adhere to the statute under which the court operates and that court renders an opinion, although it may be an advisory opinion, that opinion can be enforced against not only members of the league but nonmembers of the league as well. That is the contention of the league and that is the contention of the dominant members of the league.

M. Bourgeois, in discussing this matter at the time of the organization of the court, said:

Finally, there is a last point of view which we must take in order to envisage the necessary relations between the League of Nations and the International Court of Justice, and the close solidarity which exists and which will always exist to an increasing degree between their two actions. I approach here briefly the decisive problem of sanction. What would be the efficacy, what would be the reality, of a sentence of justice if it did not find in a strong organization of international institutions what one calls in a technical term "the executory of these decisions"? The covenant foresees several degrees of sanction—juridicial sanction, diplomatic sanction, economic sanction, and, as a last resort and within limits very closely confined, military sanction.

As I said a moment ago, this has been made more certain and definite by the amendment which has been proposed to include judicial decisions.

Lord Phillimore, during the proceedings of the commission, said:

The court must have behind it the material force. * * * If a decision was resisted by any state, the League of Nations should intervene. * * *

M. Politis, an earnest advocate of the court, in his book on International Justice, speaking of this court says:

Article 13 gives the council the right to intercede for the purpose of insuring respect for a judgment, even when the maximum execution of such judgment does not imperil peace. * * * This sanction applies to all arbitrations between members of the league, and still more to the decisions of the Permanent Court of International Justice. * * * The new form of article 13 of the covenant, wherein the Permanent Court of International Justice is specifically mentioned, leaves not the slightest doubt on the subject.

There can be no doubt that it is now contended, both upon the part of the league and of the court, or at least members of it, that the power which is to be depended upon to execute the judgments of the court is the League of Nations. And I contend that these judgments which are to be executed by the league may be advisory opinions and that the execution may be against nonmember states.

One other question which I shall not discuss at length, but to which I call attention, is the fact that the league controls the accessibility to this court. That is to say, only members of the league and states mentioned in the annex can use the court except upon such terms and conditions as the League of Nations specifies.

In 1922, I think it was, the league provided the method and manner in which the court should be open to the use of other states than those that were members of the league. Among the conditions established by the league was the following:

The Council of the League of Nations reserves the right to rescind or amend this resolution, which shall be communicated to the court; and on the receipt of such communications by the registrar of the court, and to the extent determined by the new resolution, existing declarations shall cease to be effective except in regard to disputes which are already before the court.

After specifying the terms upon which states other than members of the league and those mentioned in the annex might use the league court, the league makes special reservation reserving the right to cancel or rescind the right to use the court. A court which no one save league members may use without the consent of the league seems to me to be a league court. The statute of the court expressly provides that the right to use the court shall be fixed by the league. How completely they made that a league court!

Finally, Mr. President, we have this situation: The league creates the court. It fixes the salaries of the judges. It pays the judges. It provides for the increase of the number of judges. It pays the salaries of the employees of the court. It is the advisor and counselor of the court, not by reason of the statute but by reason of the covenant of the league. Its judgments and opinions are to be enforced by the league. The league controls the accessibility to the court. No one not a member of the league can use the court other than upon the conditions provided for by the league. If the league breaks down, the court must go. As said by Judge Loder, it depends upon the league for its constitutional powers and for its maintenance, the same as a State court depends upon the State government.

Now, none of these relationships are changed or sought to be changed by the reservations in the resolution which we are now discussing. After this resolution is passed, if it is, and we shall have adhered to the court under its authority, the judges will still be elected by the league, paid by the league, pensioned by the league, and the number increased by the league. The league will still be calling upon the court for counsel and advice. The league will still claim the right to enforce the opinions of the court. The league will still determine who shall use the court. These relationships are all left intact after these reservations shall have been adopted just as they are now. There is no proposition here to change any of these relationships. That ought to be thoroughly understood throughout the country.

Just a word, Mr. President, with reference to the closing remarks of the Senator from Wisconsin [Mr. LENROOT] as to political parties and the obligation which we owe in this particular situation by reason of the fact that a plank in the Republican platform declares in favor of the court.

If I may be permitted to say so, personally that does not reach me at all. I took occasion, as soon as the platform was published, to announce publicly that I should not be bound by that platform in that particular; and during the campaign that position was made known. When some of the associations in the East who were in favor of the court and the league wrote me asking me my position, I replied that I should not be bound by the platform; and that letter was published. So, as far as I am individually concerned, I do not feel any embarrassment in the situation. At a later date I shall discuss the two propositions as to our obligation to remain out the political affairs of Europe and at the same time to indorse or to adhere to a court; but now I want to say this, and this only:

I do not believe there is a Senator in this Chamber who, in a serious and solemn matter of this kind, would think of voting for it, if it did not represent his convictions and did not on its merits command his support, simply because it was indorsed in a political platform. That would be to say, Mr. President, that although a Senator thought the court ineffective in the cause of peace, and although he thought the court injurious to his country and menacing to his Government, nevertheless he would vote for it because it was found in a political platform.

I do not assume that any Senator here will vote against his convictions on a great issue like this because of a declaration in the platform. It comes at best on a question of this moment to this: Is it a wise or unwise, a safe or unsafe proposition? It is too serious a question to be disposed of in a political convention which gave not a moment to its discussion or consideration after it reached the convention.

We are here to determine the question of whether we think it is wise, whether we think it is safe for our country and in the interest of peace, to adhere to this court; and by that we will be governed, and by nothing else, in my opinion. I do not feel, therefore, that I am any less embarrassed than the other Senators. I venture to say that when the vote is cast, each Senator will vote his convictions and not his party's platform. Mr. President, if a man could be found who, notwithstanding he believed this proposal unwise, unpatriotic, and a menace to his country, would still vote for it because his party's platform declared in its favor, he would be the slimiest party slave that ever wriggled his way through the United States Senate.

Mr. WALSH obtained the floor.

Mr. NORRIS. Mr. President, may I make a suggestion before the Senator from Montana proceeds?

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

Mr. WALSH. I do.

Mr. NORRIS. I should like to ask the Senator from Idaho if he will not ask that the reservations that he has shall be printed in bill form so that Senators can have them on their desks?

Mr. BORAH. If the Senator from Montana will pardon me just a moment, I will read two other reservations which I have:

The adherence of the United States to the statute of the World Court is conditioned upon the understanding that no force or economic sanction shall at any time be used or employed to enforce the judgments, decrees, or opinions of the court.

The adherence of the United States to the statute of the World Court is conditioned upon the understanding that nothing contained in the statute shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon or interfering with or entangling itself in the political questions or policy or internal administration of any foreign state; nor shall anything contained in the said statute be construed to imply a relinquishment by the United States of America of its traditional attitude toward purely American questions.

Mr. WALSH. Mr. President, before proceeding I ask unanimous consent that there be printed in the RECORD the opinion of the court in the Mosul case, to which reference has been made.

The VICE PRESIDENT. Is there objection? If not, it is so ordered.

The matter referred to is as follows:

NINTH SESSION

(Extraordinary)

Present: MM. Huber, president; MM. Loder, former president; MM. Weiss, vice president; Lord Finlay, MM. Nyholm, MM. Altamira, MM. Anzilotti, judges; MM. Yovanovitch, MM. Beichmann, MM. Negulesco, deputy judges.

ADVISORY OPINION NO. 12

Frontier between Turkey and Iraq

On September 19, 1925, the Council of the League of Nations adopted the following resolution:

"The Council of the League of Nations, having been seized of the question of the frontier between Turkey and Iraq by application of article 3, paragraph 2, of the treaty of Lausanne, decides, for the purpose of elucidating certain points of law, to request the Permanent Court of International Justice to give an advisory opinion on the following questions:

"(1) What is the character of the decision to be taken by the council in virtue of article 3, paragraph 2, of the treaty of Lausanne; is it an arbitral award, a recommendation, or a simple mediation?

"(2) Must the decision be unanimous or may it be taken by a majority? May the representatives of the interested parties take part in the vote?

"The permanent court is requested to examine these questions, if possible, in an extraordinary session.

"The council requests the Governments of Great Britain and Turkey to be at the disposal of the court, for the purpose of furnishing it with all relevant documents or information. It has the honor to transmit to the court the minutes of the meetings of the council at which the question of the frontier between Turkey and Iraq has been examined.

"The secretary general is authorized to submit the present request to the court, together with all the relevant documents, to explain to the court the action taken by the council in the matter, to give all assistance necessary in the examination of the question, and, if necessary, to take steps to be represented before the court."

In pursuance of this resolution the secretary general of the League of Nations submitted to the court on September 23, 1925, a request for an advisory opinion in the following terms:

"The secretary general of the League of Nations, in pursuance of the council resolution of September 19, 1925, and in virtue of the authorization given by the council, has the honor to submit to the Permanent Court of International Justice an application requesting the court, in accordance with article 14 of the covenant, to give an advisory opinion to the council on the questions which are referred to the court by the resolution of September 19, 1925.

"The secretary general will be prepared to furnish any assistance which the court may require in the examination of this matter, and will, if necessary, arrange to be represented before the court."

In conformity with article 73 of the rules of court, the request was communicated to the members of the League of Nations, to the states mentioned in the annex to the covenant, and to Turkey. At the same time members of the league were informed that, having regard to the nature of the questions put, and their possible bearing on the interpretation of the covenant, the court would no doubt be prepared favorably to receive an application by any member to be allowed to furnish information calculated to throw light on the questions at issue. The notifications to Great Britain and Turkey were further based on the principle laid down in the rules of the court, in accordance with which a question referred to the court for advisory opinion is communicated to governments likely to be able to supply information in regard to it.

The Council of the League of Nations having requested the court to examine the questions set out above, if possible, in an extraordinary session, and having informed the court that it would be glad to receive the opinion asked for by a date which would enable it to proceed with the examination of the affair at its own next session commencing on December 7, 1925, the president of the court decided, by virtue of the powers conferred upon him by article 23 of the court's statute, to summon an extraordinary session of the court, beginning on October 22, 1925.

Following upon the notification above mentioned the Turkish Minister for Foreign Affairs sent to the registrar of the court the following telegram, dated October 8:

(Translation)

"I have the honor to acknowledge receipt of your telegram 26th September. Turkish Government, whilst having greatest esteem and respect for the International Court of Justice, as it has stated on many occasions, is convinced that the questions mentioned in Council of League of Nations' request dated September 19, and in regard to which court's advisory opinion is asked, are of a distinctly political character and, in the Turkish Government's opinion, can not form the subject of a legal interpretation. Powers intrusted to council in Mosul dispute under final text of article 3, Lausanne treaty, and previous declarations of the late Lord Curzon which led to adoption by Turkey of that article exclude all possibility of an arbitration. Further, the fact that council has itself felt necessity of asking court for advisory opinion as to nature of powers possessed by it under article 3 above mentioned demonstrates correctness my Government's views. British representative having, for his part, declared before council that previous undertakings given by his Government in regard to this point no longer hold good, the intention thus officially manifested resolves the question in regard to which, moreover, no doubt could subsist. Feel my duty call court's attention to the fact that my Government has also clearly and adequately explained its views regarding request submitted by council and latter's competence. My Government also considers there is no need for it to be represented at extraordinary session of court for consideration of above-mentioned request, having already made known its opinion on the subject. Request you to inform court of foregoing.

"TEWFIK ROUCHDY,

"*Minister Foreign Affairs, Turkey.*"

His Britannic Majesty's Government, for its part, filed with the registry on October 21 a "memorial" on "the question of the frontier between Turkey and Iraq." The court also heard the information furnished orally by the representative of the British Government—the Attorney General, Sir Douglas Hogg—in the course of the hearings held on October 26 and 27.

The two governments directly concerned had, furthermore, sent to the court complete collections of the acts and documents relating to the conferences of Lausanne and Constantinople and also collections of documents relating to the so-called Mosul question. Lastly, the Turkish Government was good enough, subject to the reservations made in the telegram set out above, to reply to certain questions which the court had already seen fit to put to it before the hearings.

In addition to the evidence produced by the interested parties, the court has had before it the dossier sent by the secretary general of the League of Nations, together with the council's request, and also certain additional documents and information which the secretary general was good enough to furnish at the request of the court. (See list in annex.)

I

The court must, in the first place, indicate the circumstances which induced the council of the League of Nations to ask for an advisory opinion on the questions set out in the request.

During or as a result of the war of 1914–1918, the British forces occupied the Turkish Vilayets of Bagdad and Basra, and at least a large part of the Vilayet of Mosul; Great Britain subsequently set up a civil administration there. When in 1920 the supreme council allotted the mandates contemplated in article 22 of the covenant of the League of Nations, Great Britain received, amongst others, the mandate for "Mesopotamia, including Mosul." (Declaration by Mr. Lloyd George in the House of Commons, April 29, 1920; see Hansard, 1920, vol. 128, pp. 1469–1470.)

In the peace treaty signed at Sevres on August 10, 1920, the frontiers of Turkey "with Mesopotamia" are laid down as follows:

"(3) With Mesopotamia:

"Thence in a general easterly direction to a point to be chosen on the northern boundary of the Vilayet of Mosul, a line to be fixed on the ground; thence eastward to the point where it meets the frontier between Turkey and Persia, the northern boundary of the Vilayet of Mosul modified, however, so as to pass south of Amadia."

This treaty, however, was never ratified.

In consequence of the events which took place in Turkey in 1922, the powers entered into fresh negotiations with that country, which were opened at Lausanne on November 20, 1922, and resulted in the signature, on July 24, 1923, of the peace treaty which came into effect on August 6, 1924. During these negotiations the question, amongst others, of the frontier between Turkey and Iraq (which name had been substituted for Mesopotamia) was reopened.

Thus, on January 23, 1923, Lord Curzon said, at a plenary meeting of the territorial and military commission, that "among the matters requiring to be laid down in the form of articles in the treaty of peace * * * was the determination of the southern frontier of the Turkish dominions in Asia," i. e., between these dominions and Syria and Iraq. The question was brought before the commission because a private "exchange of views and notes" had "led to no result."

A discussion followed in the course of which His Excellency Ismet Pasha and afterwards Lord Curzon set out the views of their respective Governments. As these views appeared irreconcilable, Lord Curzon eventually proposed, on behalf of the British Government, to refer the question of the frontier between Turkey and Iraq "to inde-

pendent inquiry and decision"—by the League of Nations—and declared that his Government would abide by the result. Lord Curzon concluded by formally "inviting the Turkish delegation to accept this proposal."

At the following meeting, however, Ismet Pasha stated that he could not accept the proposal in question, adding that "the delegation of the Government of the grand national assembly could not allow the fate of a great region like the Vilayet of Mosul * * * to be made dependent upon any arbitration.

Lord Curzon at once replied, explaining what, in his view, if Turkey had accepted his proposal, would have been the procedure adopted by the Council of the League of Nations, a procedure to which Turkey had just refused to submit. In this speech, upon which the two Governments directly concerned place different constructions, Lord Curzon was at pains to demonstrate, amongst other things, the perfectly equal treatment which Turkey would have received before the council. He added that if Turkey persisted in her refusal he would be obliged on behalf of his Government "to act independently" under article 11 of the covenant of the League of Nations.

Ismet Pasha having repeated that he could not "concur in the proposal to submit the solution of the Mosul question to arbitration," Lord Curzon stated that he would "take without delay" the action which he had previously indicated.

Accordingly, on January 25, 1923, he addressed to the secretary general of the League of Nations a letter in which he requested the latter to be good enough to place upon the agenda of the council session which was about to open in Paris "the case of the disputed frontier between the Turkish dominions in Asia Minor and the mandated territory of Iraq."

The secretary general complied with this request and the council considered the matter at a sitting held on January 30, 1923. On that occasion Lord Balfour made a statement on behalf of the British Government to the effect that the proposal unsuccessfully made by Lord Curzon at Lausanne, according to which "the League of Nations should be asked to use its good offices to determine the frontier," would be renewed, and that only in the event of the failure of this further step, and in order to avert "the dangers which failure might bring in its train," would the British Government desire to "invoke article 11 of the covenant" in order that the league "might take any action that might be deemed wise and effectual to safeguard the peace of nations."

Lord Balfour took this opportunity to explain that "if the contingency of which he had spoken arose," article 17 of the covenant "would certainly be one of the articles invoked," but that under the very terms of that article Turkey would be received "as a member of the league on complete and absolute equality with all other members."

The council contented itself with noting Lord Balfour's statement.

On the following day, January 31, the commission on territorial and military questions of the conference of Lausanne held another plenary meeting. Lord Curzon merely stated on that occasion that "the decision of this dispute" regarding Iraq had been "referred * * * to the inquiry and decision of the Council of the League of Nations."

Some days later, on February 4, 1923, a private meeting between the principal delegates at the conference took place in Lord Curzon's room. The allied powers had, at this time, drawn up and communicated on January 29 to the Turkish delegation a draft peace treaty, dated January 31; then, on February 3, they had sent to the same delegation a document setting out what further concessions they were prepared to make. At the meeting of January 31 the Turkish delegation had asked for eight days in which to reply. The time allowed was, however, fixed to expire on February 4.

The draft treaty contained an article (No. 3) regarding the frontiers with Syria and Iraq according to which the latter frontier was to consist of "a line to be fixed in accordance with the decision to be given thereon by the Council of the League of Nations."

In its written reply to these proposals, which was made on the day agreed upon, the Turkish delegation expressed the opinion that, for the sole purpose of preventing the Mosul question from constituting an obstacle to the conclusion of peace, this question should be excluded from the program of the conference in order that it might, within the period of one year, be settled by common agreement between Great Britain and Turkey.

At the private meeting held on February 4 Lord Curzon stated in regard to this reply that he was no longer able to consent to any alteration of the wording of the treaty in regard to Mosul, since the matter had already been referred to the League of Nations and was now in the hands of that body. He was, however, prepared to suspend the result of his appeal to the league for a period of one year. This would enable the two Governments to examine the matter by direct and friendly discussion. Should, however, the two Governments fail to reach a direct understanding the intervention of the league would be resorted to in the manner originally proposed.

According to notes taken by the British secretary, but which do not constitute an authoritative record, except in so far as the views expressed on the British side are concerned, Ismet Pasha then stated that he "accepted Lord Curzon's proposals regarding Mosul"; these proposals were embodied in a draft declaration, the first paragraph of which was as follows:

"In regard to article 3, paragraph 2, of the treaty of peace, His Majesty's Government declare their intention not to invite the Council of the League of Nations to proceed to the determination of the frontier between Turkey and Iraq until the expiration of a period of 12 months from the date of ratification of the present treaty."

On the other hand, according to information supplied to the court by the Turkish Government, Ismet Pasha's acceptance of Lord Curzon's proposals only related to the maintenance of the status quo during the period allowed for attempts to arrive at a friendly settlement.

However that may be, as no agreement in regard to the Allies' proposals as a whole could be reached at the private meeting of February 4, the meeting came to an end in face of this difficulty, and the conference of Lausanne was interrupted for more than two months.

When the conference resumed its labors on April 23, 1923, it had before it a letter from Ismet Pasha, dated March 8, 1923, forwarding the modifications proposed by the Turkish Government in the draft treaty handed on January 29 by the allied delegations to the Turkish delegation. This letter mentioned with reference to Mosul the written Turkish reply of February 4; it also contained the following passages: "As regards Part I (political clauses) * * * there is no substantial modification. Territorial questions are settled in accordance with the proposals of the allied powers." The counterproposals annexed to the letter of March 8 contained the following provisions for the determination of the frontier between Turkey and Iraq:

"The frontier between Turkey and Iraq shall be laid down in friendly arrangement to be concluded between Turkey and Great Britain within 12 months from the coming into force of the present treaty.

"In the event of no agreement being reached, the dispute shall be referred to the Council of the League of Nations."

On April 24, the British delegate, Sir Horace Rumbold, at a plenary meeting, alluded to this proposal and to the declaration "of this kind" which the British Government had been prepared to make at the time of the suspension of negotiations on February 4; he added, however, that that declaration was dependent upon a reciprocal undertaking that the status quo would be preserved during the contemplated period of 12 months, and that, provided a clause to that effect was inserted in the Turkish amendment, the British delegation would be prepared to accept that amendment, subject to discussion with Ismet Pasha in regard to the exact duration of the time allowed for the Turco-British negotiations.

It was not, however, until the following June 26 that Sir Horace Rumbold was able, with the assent of Ismet Pasha, to announce that the British and Turkish delegations had agreed—in the course of private meetings and negotiations—to propose for adoption by the conference the following clause in regard to the frontier of Iraq:

"The frontier between Turkey and Iraq shall be laid down in friendly arrangement to be concluded between Turkey and Great Britain within nine months from the coming into force of the present treaty.

"In the event of no agreement being reached between the two Governments within the time mentioned, the dispute shall be referred to the Council of the League of Nations.

"The Turkish and British Governments reciprocally undertake that, pending the decision to be reached on the subject of the frontier, no military or other movement shall take place which might modify in any way the present state of the territories of which the final fate will depend upon that decision."

On July 11, it was agreed that the period of nine months provided for should begin to run, not on the date of the coming into force of of the treaty, but at the expiration of the time allowed for the evacuation of the territories occupied by the Allies; and, on July 24, the treaty was signed, its third article substantially embodying the clause set out above.

The negotiations designed to fix by friendly arrangement the frontier between Turkey and Iraq, began at Constantinople on May 19, 1924, and continued until June 9 of that year. They were unsuccessful, and Sir Percy Cox, the British delegate, when their failure was apparent, invited the Turkish delegate to agree upon the terms of a "joint declaration referring the question to the League of Nations" under article 3 of the treaty of Lausanne. Fethy Bey, the Turkish delegate, did not, however, feel able to comply with this invitation, "as the instructions of his Government, did not authorize him to discuss the terms of the proposed declaration." Whereupon, Sir Percy Cox stated, that, "failing a joint reference, His Majesty's Government would itself refer the matter to the League of Nations," though it hoped "that the Turkish Government would associate itself with it in taking this step."

It was in these circumstances that the British Government, on August 6, 1924, sent to the secretary general of the League of Nations a letter asking that the following question should be placed on the agenda of the next council meeting:

"Frontier of Iraq. Article 3 (2) of the treaty signed at Lausanne on July 24, 1924."

The secretary general complied with this request and informed the Turkish Government of his action by a letter dated August 9. In the same letter he reminded that Government of the communication addressed to the League of Nations by the British Government on January 25, 1923, and he attached to his letter a copy of that communication, of the minutes of the council meeting of January 30, 1923, and of article 17 of the covenant.

In its reply, dated August 25, the Turkish Government stated that it agreed in principle to the inscription of the question on the agenda of the council.

The latter decided, on August 30, to send a telegram "inviting the Turkish Government to be represented on a footing of equality at its discussions" and informing that Government that consideration of the question would be postponed until the arrival of the Turkish representatives.

In these circumstances it was not until September 20 that the council was able to begin the examination of the question, Fethy Bey, the Turkish representative, taking his seat at the council table.

As early as this meeting the parties used different expressions when describing the rôle which the council would have to play in the matter. Whilst, according to Lord Parmoor, the British representative, the council was to "act as arbitrator," Fethy Bey merely referred to the submission of the question to an "impartial examination" by the council. At a subsequent sitting, on September 25, the representatives of the parties, at the request of M. Branting, the rapporteur, explained how they understood the reference to the council provided for in article 3 of the treaty of Lausanne. Lord Parmoor stated that the British Government "regarded the treaty as placing the council in the position of an arbitrator, whose ultimate award must be accepted in advance by both parties." Fethy Bey, on the other hand, stated that the Turkish Government "recognized the full powers of the council as conferred upon it by article 15 of the covenant." Whereupon the rapporteur stated that the replies would seem "to show that the parties were both willing to recognize the council's decision, one of them through arbitration and the other under article 15 of the covenant." Since, however, there was a difference of opinion as to the subject of the dispute to be settled, he proposed that the discussion should be adjourned in order to enable him "to consider, in consultation with the two parties, the preliminary question of the precise duties of the council."

The discussion was resumed on September 30. M. Branting then read a report in which he gave an account of conversations which he had had with Lord Parmoor and Fethy Bey. The former had reminded him that "his Government accepted in advance the council's decision regarding the frontier between Turkey and Iraq." The latter, in reply to the question whether "he could, on behalf of his Government, now give an undertaking to accept the council's recommendation," had replied "that on this point there was no disagreement between his Government and the British Government." On the basis of these statements the rapporteur felt able to announce that "the doubts which might have arisen in regard to the * * * rôle of the council" had been "removed," and suggested, in order that proceedings might be commenced, the appointment of a commission of inquiry.

The council adopted this suggestion. In the resolution passed to this effect the following passage appears:

"Having heard the statements of the representatives of the British and Turkish Governments, who undertook on behalf of their respective governments to accept in advance the decision of the council on the question referred to it."

Lord Parmoor and Fethy Bey stated that they accepted this resolution.

The members of the commission of inquiry were appointed on October 31, 1924, and the commission filed its report with the secretariat of the League of Nations on July 16, 1925. The council therefore had to consider the conclusions of this report at the session held by it in September, 1925.

In an introductory report M. Undén, the rapporteur, laid stress, firstly, on the footing of equality on which the parties were placed before the council, and secondly, on the agreement as to the council's rôle recorded in the resolution of September 30, 1924. A discussion then ensued at the meetings of September 3 and 4, 1925, between the British and Turkish representatives, Mr. Amery and Tewfik Rouchdy Bey, upon the merits of the question of the frontier line between Turkey and Iraq. At the conclusion of this discussion the rapporteur proposed, at a private meeting at which the delegates of the parties were present, that the council "should appoint a subcommittee to examine the question and make a report." The council decided accordingly, and the president "reminded the parties that they had before the council placed their cause solemnly in the hands of the League of Nations, of which the council formed part, and that they were awaiting from the council that justice which it would endeavor to grant them."

It was by the report of the subcommittee thus appointed—of the proceedings of which no record, if any were kept, has been communicated to the court—that the proposal to refer to the court the questions to which this advisory opinion is intended to reply was, on September 19, 1925, laid before the council. The adoption of the resolution by which the council decided in accordance with this proposal was preceded by an exchange of views between the British and Turkish representatives, in the course of which Mr. Amery maintained that what was intended by article 3, paragraph 2, of the treaty of Lausanne "was an arbitral decision given on the broad merits of the case," whereas, according to Tewfik Rouchdy Bey, "the only possible procedure" was "to reach solution with the consent of the parties through the good offices of the council," and not to resort "to a decision given by the council without their consent."

II

Before proceeding to examine the questions put to it by the council, the court wishes to observe that it intends strictly to confine itself to consideration of these questions, without in any way prejudging the merits of the problem before the council; nothing in the present opinion, therefore, is to be interpreted as anticipating the solution of that problem.

* * * * * * *

The first question put to the court regards the nature of the "decision to be reached" by the council under article 3, paragraph 2, of the treaty of Lausanne. In order to be able to reply to it, that article must be analyzed, with a view to discovering any factors which may determine the nature of the decision. The explanatory phrase following the question indicates that the nature of the functions to be undertaken by the council must be defined, having particular regard to the effect that its decision is intended to produce in relation to the parties; that is to say, whether it is designed to be binding upon them or whether, on the contrary, this is not the case.

The mission which the court has to fulfill is to interpret a treaty provision, namely, article 3, paragraph 2, of the treaty of Lausanne, which runs as follows:

"From the Mediterranean to the frontier of Persia, the frontier of Turkey is laid down as follows:

"(1) With Syria:

"The frontier described in article 8 of the Franco-Turkish agreement of the 20th of October, 1921;

"(2) With Iraq:

"The frontier between Turkey and Iraq shall be laid down in friendly arrangement to be concluded between Turkey and Great Britain within nine months.

"In the event of no agreement being reached between the two governments within the time mentioned, the dispute shall be referred to the Council of the League of Nations.

"The Turkish and British Governments reciprocally undertake that, pending the decision to be reached on the subject of the frontier, no military or other movement shall take place which might modify in any way the present state of the territories of which the final fate will depend upon that decision."

The court must therefore, in the first place, endeavor to ascertain from the wording of this clause what the intention of the contracting parties was; subsequently it may consider whether—and if so, to what extent—factors other than the wording of the treaty must be taken into account for this purpose.

The court is of opinion that in signing article 3, paragraph 2, of the treaty of Lausanne the intention of the parties was, by means of recourse to the council, to assure a definitive and binding solution of the dispute which might arise between them, namely, the final determination of the frontier. The court feels bound to adopt this interpretation for the following reasons:

Article 3, which forms part of the section of the treaty devoted to "Territorial clauses," is intended to lay down the frontier of Turkey from the Mediterranean to Persia. It draws a distinction between two different sections of this frontier: (1) That separating Turkey from Syria, a frontier already described in the Franco-Turkish agreement of October 20, 1921, the line of which is maintained; (2) that which is to separate Turkey from Iraq, a frontier to be laid down in friendly arrangement between Turkey and Great Britain within nine months, failing which the dispute is to be referred to the Council of the League of Nations. Although one of the sections of the frontier still remains to be determined whilst the other is already defined, it is clear that the object of this article is to establish a continuous and definitive frontier. Not only are the terms used ("lay down," "fixer," "déterminer") only to be explained by an intention to establish a situation which would be definitive, but, furthermore, the very nature of a frontier and of any convention designed to establish frontiers between two countries imports that a frontier must constitute a definite boundary line throughout its length.

It often happens that at the time of the signature of a treaty establishing new frontiers certain portions of these frontiers are not yet determined, and that the treaty provides certain measures for their determination. In this way article 2 of the treaty of Lausanne, which is intended to lay down the frontier of Turkey from the Black Sea to the Ægean, and which, as regards the greater part of the frontier line, gives topographical indications, leaves the determination of a portion of the Greco-Turkish frontier to the decision of the boundary commission set up under article 5. It is, however, natural that any article designed to fix a frontier should, if possible, be so interpreted that the result of the application of its provisions in their entirety should be the establishment of a precise, complete, and definitive frontier.

These conclusions, which may be deduced from an examination of the first subparagraph 2 of article 3 alone, are confirmed by an analysis of subparagraphs 2 and 3. Subparagraph 2 provides that in the event of no agreement being reached between the two States concerned within the time mentioned the dispute shall be referred to the council. Although these terms, taken by themselves, do not expressly indicate the nature of the action to be undertaken by the council, there does not seem to be any doubt that for the settlement of a dispute only two alternatives present themselves—agreement between the parties, arrived at either directly or through a third party, or else decision by the intervention of a third party. Now, the successive application of these two methods is precisely what is provided for under article 3, and for the reasons already set out and drawn from the very nature of frontiers it must be concluded that the parties when signing that article contemplated intervention by a third party—the council—as a result of which a definitive solution would be reached.

Even, if there were any possible doubt in regard to the meaning of the first two subparagraphs of paragraph 2 of the article, this would be dissipated by the terms of the third subparagraph. By this clause, the British and Turkish Governments undertake that, pending the decision to be reached on the subject of the frontier, no military or other movement shall take place, which might modify in any way the present state of the territories of which the final fate will depend upon that decision. This, therefore, is a temporary settlement, pending a definitive settlement. The latter will be effected by the "decision to be reached," or, according to the protocol of July 24, 1923, relating to the evacuation of the Turkish territory occupied by the British, French, and Italian forces, by the "determination of the frontier." Again, this decision may be either an agreement between the parties or, failing such agreement, the solution given by the council. Now, a decision on which the final fate of the territories in question depends can only be a decision laying down in a definitive manner the frontier between Turkey and Iraq, binding upon the two states. This interpretation of the third subparagraph, which is indicated by the terms therein employed, is entirely in accordance with the conclusions drawn from the preceding subparagraphs and from article 3, as a whole.

In the last place, it must be ascertained whether any other articles of the treaty of Lausanne are calculated to throw any light upon the scope of article 3. In this connection, special regard must be had to article 16, which has been cited both by Turkey and by Great Britain in support of their respective contentions. In the eyes of the court, this article, under which Turkey "renounces all rights and title whatsoever over or respecting the territories situated outside the frontiers laid down (prévues) in the present treaty," seems rather to furnish an argument in favor of the definitive character of the decision to be reached. The frontier of Iraq, though still remaining to be determined in accordance with article 3, is, notwithstanding, a frontier laid down (prévue) by the treaty, since there is no doubt that the expression "laid down" (prévue) can include both frontiers already defined and frontiers, which have yet to be determined by the application of methods prescribed in the treaty. The fact that, in a treaty, certain territories are indicated as ceded, or that rights and title to these territories are renounced, even though the frontiers of them are not yet determined, has nothing exceptional about it. For instance, all treaties of cession, in which provision is made for plebiscites, offer examples of the same kind. The same also applies to treaties, which entrust the determination of certain frontiers to an international commission or to the decision of a third party. In such cases the renunciation of rights and title is suspended until the frontier has been determined, but it will become effective, in the absence of some other solution, in virtue of the binding decision.

The other articles in the treaty of Lausanne which bestow powers on the Council of the League of Nations, though they have been cited by the two Governments concerned, can hardly have any bearing on the interpretation of article 3 from the point of view now under consideration, for they relate to situations very different from that under contemplation in that article.

Since the court is of opinion that article 3 is in itself sufficiently clear to enable the nature of the "decision to be reached" by the council under the terms of that article to be determined, the question does not arise whether consideration of the work done in preparation of the treaty of Lausanne (les travaux préparatoires), would also lead to the conclusions set out above. Nevertheless, it may be well also to consider article 3 and the construction which the court has placed upon it, in the light of the negotiation at Lausanne, for the Turkish Government has cited certain facts connected with those negotiations in support of its adverse opinion.

In the discussion which took place before the council on September 19, 1925, Tewfik Rouchdy Bey drew attention to a passage in the speech made by Lord Curzon at the meeting of January 23, 1923, in the course of which he had said:

"I do not know what it [the council] will do; but my point is that the Turkish delegation will be there just like ourselves, and when the two cases have been stated you will get the most impartial examination which it is possible to secure. Further, article 5 of the covenant provides that the decision of the council upon which the Turkish Government will be represented will have to be unanimous, so that no decision can be arrived at without their consent."

This passage, however, even if it is held that the preparatory work (travaux préparatoires) can be taken into account, in the court's opinion, can not be used to interpret article 3. It should in the first place be observed that this passage forms part of a speech formulating a proposal which was rejected by the Turkish delegation; but if the passage had at that time been understood in the sense in which Tewfik Rouchdy Bey now wishes to read it, this rejection is difficult to understand. And, moreover, at the time when Lord Curzon made his first proposal to the effect that, failing agreement, the disputed question should be settled by the League of Nations, article 3 did not yet exist, even in draft form. Turkey at that time had not accepted any obligation in regard to reference of the question to the League of Nations, nor had she accepted any invitation under the terms of article 17 of the covenant. By the adoption of article 3 during the second phase of the Lausanne conference and five months after Lord Curzon's speech the legal position was fundamentally modified, and it is not therefore possible to interpret this article by reference to statements relating to the situation previously existing, more especially since neither in the drafts for article 3, submitted on either side, nor in correspondence or records or proceedings belonging to that period which have been brought to the knowledge of the court was mention made, notwithstanding its importance, of the question of the consent of the parties to the solution to be recommended by the council.

But, assuming that a study of the preparatory work (travaux préparatoires) led to the conclusion that article 3 should be interpreted as though it had been adopted, subject to the condition that the council could not arrive at any solution without the consent of the parties, the action of the council would, in effect, be reduced to simple mediation. Now, this conclusion, which would eliminate the possibility of a definite decision capable, if necessary, of replacing agreement between the parties, would be incompatible with the terms of article 3, the interpretation of which, as indicated both from a grammatical and logical point of view as well as from that of the rôle assigned to that article in the peace treaty, has been set out above.

Nor is it possible to argue against the interpretation adopted by the court on the ground that the first draft for article 3, paragraph 2, prepared by the Allies, expressly stated that the frontier line should be "fixed in accordance with the decision to be given thereon by the Council of the League of Nations," whereas the Turkish counterproposal employed in its second paragraph a less precise wording: "The dispute shall be referred to the Council of the League of Nations," a wording that corresponds to the second subparagraph of paragraph 2 of the article as finally adopted, the terms of which had necessarily to be altered in consequence of the insertion of the clause providing for an amicable settlement. It should be pointed out that the Turkish counterproposal in no way excluded a definitive decision by the council, and that in his letter of March 8, 1923, Ismet Pasha described the Turkish counterproposals regarding territorial questions as in conformity with the proposal of the allied powers. It should also be observed that subparagraph 3 of the final draft of article 3, paragraph 2, in which reference is made to a "decision to be reached," a "decision" on which will "depend" the "final fate" of certain territories, appears in neither of the two drafts referred to. This clause, the scope of which has already been considered when analyzing article 3, hardly admits of an interpretation which would deprive "the decision to be reached" by the council of its definitive character. For the same reasons it renders it impossible to deduce from the divergence between the two drafts any arguments against the binding force of the decision.

The facts subsequent to the conclusion of the treaty of Lausanne can only concern the court in so far as they are calculated to throw light on the intention of the parties at the time of the conclusion of that treaty. The question put to the council seems to refer solely to the interpretation of article 3 of the treaty; obligations which may have been assumed after the conclusion of the treaty, or facts which may have had some influence in regard to the existence or nature of engagements entered into under the treaty, would therefore seem to be outside the scope of the question submitted by

the council. Moreover, the council, by keeping the questions put to the court exclusively within the domain of article 3, appears itself to adopt the standpoint that article 3 is still at the present time applicable in its entirety.

In the court's opinion this view is well founded; it considers that the attitude adopted by the British and Turkish Governments after the signature of the treaty of Lausanne is only valuable in the present respect as an indication of their views regarding the clauses in question. In this connection the exchange of views which took place between the parties at the meetings held by the council between September 20 and 30, 1924, inclusive, is of especial importance. But the statements made by the rapporteur, M. Branting, and which were confirmed by the unanimous vote of all members of the council, including the British and Turkish representatives, show that there was no disagreement between the parties as regards their obligation to accept as definitive and binding the decision or recommendation to be made by the council with a view to fixing the frontiers.

For it can not be assumed that the representatives of the parties would have declared that they accepted the solutions to be given by the council as definitive if in their view this constituted a new undertaking going beyond the scope of the obligations entered into under article 3 of the treaty. The fact that they have accepted beforehand the council's decision upon the question now before it may therefore be regarded as confirming the interpretation which in the court's opinion flows from the actual wording of the article.

In its telegram to the court of October 8 the Turkish Government adduced as an argument in favor of the correctness of its contentions the fact that the council itself had felt constrained to ask the court for an advisory opinion as to the nature of the powers derived by it from article 3 of the treaty of Lausanne. This argument appears to rest on the following principle: If the wording of a treaty provision is not clear, in choosing between several admissible interpretations, the one which involves the minimum of obligations for the parties should be adopted. This principle may be admitted to be sound. In the present case, however, the argument is valueless, because, in the court's opinion, the wording of article 3 is clear. Moreover, the attitude of the council in the matter is sufficiently explained by a natural desire not to set aside the views of one of the parties as to the rôle of the council without previously obtaining the court's opinion upon this legal question.

The same telegram states that "the British representative having for his part declared before the council that the previous undertakings given by his Government in regard to this point no longer hold good, the intention thus officially manifested resolves the question, in regard to which, moreover, no doubt could subsist." The court, however, can not admit that the declaration made by Mr. Amery at the council meeting of September 19, 1925—which is no doubt the declaration referred to in the passage quoted—bore the meaning which the Turkish Government endeavors to read into it.

For this declaration does not affect the rights and obligations following from article 3 of the treaty of Lausanne; it only refers to the undertakings which Lord Parmoor and Mr. Amery himself had given during the previous deliberations of the council, and only contemplates the event that Turkey—after the court's opinion had been given—would persist in her refusal to recognize any obligation to accept in advance the council's decision. It was only in this contingency that Mr. Amery reserved for Great Britain the same liberty of action as was claimed by the Turkish Government.

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The court, by an examination of the scope of article 3, paragraph 2 of the treaty of Lausanne, has thus arrived at the conclusion that that clause is designed to provide for a definitive settlement of the frontier. It will now proceed more closely to consider, with reference to the explanatory phrase appended to the first of the questions put, what the nature of this decision may be.

If the word "arbitration" is taken in a wide sense, characterized simply by the binding force of the pronouncement made by a third party to whom the interested parties have had recourse, it may well be said that the decision in question is an "arbitral award."

This term, on the other hand, would hardly be the right one, if the intention were to convey a common and more limited conception of arbitration, namely, that which has for its object the settlement of differences between states by judges of their own choice and on the basis of respect for law (Hague Convention for the Pacific Settlement of International Disputes, dated October 18, 1907, article 37). It appears, in fact, that according to the arguments put forward on both sides before the council, the settlement of the dispute in question depends, at all events for the most part, on considerations not of a legal character; moreover, it is impossible, properly speaking, to regard the council, acting in its capacity of an organ of the League of Nations, as will be hereinafter described, as a tribunal of arbitrators.

For this reason the court feels that it should not attach any importance either to certain consequences which legal doctrine endeavors to deduce from the idea of arbitration or to certain rules of procedure adopted by courts of arbitration themselves, though both have been cited by the British Government. It will rather seek the answer to the question before it in considerations which seem peculiarly appropriate to the present case.

The covenant of the League of Nations, while it in no way restricts the liberty of the parties to intrust any dispute whatever that may arise between them to arbitration, refers in article 13 to the more limited conception of arbitration, and the council, whose first duty is to dissipate or settle political disputes, is never considered in the covenant as exercising the functions of arbitrator within the meaning of that article.

Nevertheless, the court holds that this fact does not prevent the council from being called upon, by the mutual consent of the parties, to give a definitive and binding decision in a particular dispute.

Though it is true that the powers of the council, in regard to the settlement of disputes, are dealt with in article 15 of the covenant, and that, under that article, the council can only make recommendations, which, even when made unanimously, do not of necessity settle the dispute, that article only sets out the minimum obligations which are imposed upon states and the minimum corresponding powers of the council. There is nothing to prevent the parties from accepting obligations and from conferring on the council powers wider than those resulting from the strict terms of article 15, and, in particular, from substituting by an agreement entered into in advance, for the council's power to make a mere recommendation the power to give a decision which, by virtue of their previous consent, compulsorily settles the dispute.

Nor are precedents lacking of cases in which the parties have undertaken beforehand to accept a recommendation by the council, and this, in effect, is tantamount to intrusting it with the power of decision.

Thus, in the Upper Silesian question, which, moreover, was alluded to by the British representative at the council meeting of September 19, 1925, the powers represented on the supreme council invited "the recommendation of the Council of the League of Nations" as to the line to be laid down (decision of August 12, 1921, Official Journal of the League of Nations, second year, No. 9, p. 982) and "solemnly" undertook "to accept the solution recommended by the Council of the League of Nations." (Note from M. Briand dated August 24, 1921, op. cit. Nos. 10–12, p. 1221:) The latter in its turn adopted (on October 12, ibid) "a recommendation," which it transmitted to the president of the supreme council.

Similarly, in the protocol of Venice of October 13, 1921, concerning the delimitation of the frontier between Hungary and Austria, the latter power undertook to accept "the decision recommended by the Council of the League of Nations." (Treaty series of the League of Nations, Vol. IX, p. 204.)

Since the object of article 3, paragraph 2, of the treaty of Lausanne, is, as has been shown above, to bring about a definitive and binding settlement of the frontier, it follows that the decision which the council has to take under that article can not be regarded as a mere recommendation within the meaning of article 15 of the covenant. Such a recommendation, in fact, would not settle the dispute; moreover, it might result in placing in a position of inferiority a State which was not in possession of the territory which would be allotted to it by the frontier recommended; for, in the event of the council's recommendation being in its favor, this State would not have an actual right to insist upon the cession of the territory in question.

But the fact that the "decision to be reached" by the council under article 3 of the treaty of Lausanne can not be described as a recommendation within the meaning of article 15 of the covenant does not imply that the applicability of the latter article is excluded in the present case. For the various and more extensive powers conferred by the parties in this case on the council merely complete the functions which it normally possesses under article 15. In agreeing to refer the dispute to the Council of the League of Nations the parties certainly did not lose sight of the fact that the powers of mediation and conciliation of the council form an essential part of the functions of that body. If such a procedure fails, the council will make use of its power of decision. And in actual fact it would appear that the council's efforts to settle the dispute in question have hitherto been made on these lines.

III

The second question put to the court is whether the decision of the Council of the League of Nations, to which the matter was referred under article 3, paragraph 2, of the treaty of Lausanne, must be unanimous or may be taken by a majority, and whether the representatives of the interested parties may take part in the vote.

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In order to reply to this question it should be observed in the first place that article 3, paragraph 2, of the treaty of Lausanne refers to the Council of the League of Nations; that is to say, to the council

with the organization and functions conferred upon it by the covenant. The dispute has not been referred to one or more persons as such, but to the council.

Now, the council, in accordance with article 4 of the covenant and the resolution adopted by the council on September 21, 1922, which was approved by the assembly on the 25th of the same month, consists of representatives appointed by four great powers, who are entitled to permanent seats upon it, and by six other members selected by the assembly. It may also include representatives of states invited to sit at the council table by reason of the interest which they may have in some question upon its agenda; it is under this provision that in the present case the council itself has invited a representative of Turkey to sit with it.

It is, therefore, composed of representatives of members—that is to say, of persons delegated by their respective governments—from whom they receive instructions and whose responsibility they engage.

In a body constituted in this way, whose mission is to deal with any matter "within the sphere of action of the league or affecting the peace of the world," observance of the rule of unanimity is naturally and even necessarily indicated. Only if the decisions of the council have the support of the unanimous consent of the powers composing it will they possess the degree of authority which they must have. The very prestige of the league might be imperiled if it were admitted, in the absence of an express provision to that effect, that decisions on important questions could be taken by a majority.

Moreover, it is hardly conceivable that resolutions on questions affecting the peace of the world could be adopted against the will of those amongst the members of the council who, although in a minority, would, by reason of their political position, have to bear the larger share of the responsibilities and consequences ensuing therefrom.

Again, the rule of unanimity, which is also in accordance with the unvarying tradition of all diplomatic meetings or conferences, is explicitly laid down by article 5, paragraph 1, of the covenant on the following terms—

"except where otherwise expressly provided in this covenant or by the terms of the present treaty, decisions at any meeting of the assembly or of the council shall require the agreement of all the members of the league represented at the meeting."

No exceptions to this principle are made other than those provided for in the covenant itself and in the peace treaties of which it constitutes the first part. The treaty of Lausanne is not one of these treaties.

As regards the exceptions contained in the covenant, it is clear that the present case does not fall within the scope of the second paragraph of article 5 (questions of procedure). In the absence, therefore, of an express provision to the contrary in article 3, paragraph 2, of the treaty of Lausanne, the rule of unanimity applies in regard to the question before the council.

The representative of the British Government has contended that the clause in article 5 of the covenant only contemplates the exercise of the powers granted in the covenant itself. The court can not accept this view. Article 5 states a general principle which only admits of exceptions which are expressly provided for, and this principle, as has already been stated, may be regarded as the rule natural to a body such as the Council of the League of Nations. The fact that the present case concerns the exercise of a power outside the normal province of the council clearly can not be used as an argument for the diminution of the safeguards with which, in the covenant, it was felt necessary to surround the council's decisions.

On the other hand, no one denies that the council can undertake to give decisions by a majority in specific cases, if express provision is made for this power by treaty stipulations. That this is the case is confirmed by, amongst other things, articles 44 and 107 of the treaty of Lausanne, which have been cited on one side and the other in support of their respective contentions. The court, therefore, regards these articles as tending rather to confirm the view which it has taken.

In support of the contention that the decision may be taken by a majority, the principle generally accepted in the case of arbitral tribunals, in accordance with which such tribunals as a rule decide by a majority, has also been invoked; and it has been argued that the main reason for the application of this principle is that it would often prove impossible to obtain any decision if unanimity were required. The court has already explained why it can not admit arguments and principles drawn from the theory and practice of arbitration in the limited sense of the term. In particular it should be observed that though certain arguments used by the representative of the British Government might be regarded as well founded in the case of arbitrators appointed ad hoc and not forming a permanent body, they do not, on the other hand, apply in a case where the parties have had recourse to a body already constituted and having its own rules of organization and procedure. Unless a contrary intention has been expressed, the interested parties are in such cases held to have accepted such rules.

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Unanimity, therefore, is required for the decision to be taken by the Council of the League of Nations in virtue of article 3, paragraph 2, of the treaty of Lausanne, with a view to the determination of the frontier between Turkey and Iraq. The question has now to be considered whether the representatives of the interested parties may take part in the vote.

In this connection it should be observed that the very general rule laid down in article 5 of the covenant does not specially contemplate the case of an actual dispute which has been laid before the council. On the other hand, this contingency is dealt with in article 15, paragraphs 6 and 7, which, whilst making the limited binding effect of recommendations dependent on unanimity, explicitly state that the council's unanimous report need only be agreed to by the members thereof, other than the representatives of the parties. The same principle is applied in the cases contemplated in paragraph 4 of article 16 of the covenant and in the first of the three paragraphs, which, in accordance with a resolution of the second assembly, are to be inserted between the first and second paragraphs of that article.

It follows from the foregoing that, according to the covenant itself, in certain cases, and more particularly in the case of the settlement of a dispute, the rule of unanimity is applicable, subject to the limitation that the votes cast by representatives of the interested parties do not affect the required unanimity.

The court is of opinion that it is this conception of the rule of unanimity which must be applied in the dispute before the council. It is hardly open to doubt that in no circumstances is it possible to be satisfied with less than this conception of unanimity, for if such unanimity is necessary in order to endow a recommendation with the limited effects contemplated in paragraph 6 of article 15 of the covenant, it must a fortiori be so when a binding decision has to be taken.

The question which arises, therefore, is solely whether such unanimity is sufficient or whether the representatives of the parties must also accept the decision.

The principle laid down by the covenant in paragraphs 6 and 7 of article 15 seems to meet the requirements of a case such as that now before the council just as well as the circumstances contemplated in that article. The well-known rule that no one can be judge in his own suit holds good.

From a practical standpoint, to require that the representatives of the parties should accept the council's decision would be tantamount to giving them a right of veto, enabling them to prevent any decision being reached; this would hardly be in conformity with the intention manifested in article 3, paragraph 2, of the treaty of Lausanne. Lastly, it may perhaps be well to observe that since the council consists of representatives of states or members, the legal position of the representatives of the parties upon the council is not comparable to that of national arbitrators upon courts of arbitration.

The votes of the representatives of the parties are, therefore, not to be taken into account in ascertaining whether there is unanimity. But the representatives will take part in the vote, for they form part of the council, and, like the other representatives, they are entitled and are in duty bound to take part in the deliberations of that body. The terms of paragraphs 6 and 7 of article 15 of the covenant and of the new clause to be inserted in article 16 clearly show that in the cases therein contemplated the representatives of the parties may take part in the voting, and that it is only for the purpose of determining whether unanimous agreement has been reached that their votes are not counted. There is nothing to justify a further derogation from the essential principles of unanimity and of the equal rights of members.

For these reasons the court is of the opinion:

1. That the "decision to be taken" by the Council of the League of Nations in virtue of article 3, paragraph 2, of the treaty of Lausanne, will be binding on the parties and will constitute a definitive determination of the frontier between Turkey and Iraq.

2. That the "decision to be taken" must be taken by unanimous vote, the representatives of the parties taking part in the voting, but their votes not being counted in ascertaining whether there is unanimity.

Done in French and English, the French text being authoritative, at the Peace Palace, The Hague, this 21st day of November, 1925, in two copies, one of which is to be placed in the archives of the court and the other to be forwarded to the Council of the League of Nations.

(Signed) MAX HUBER, *President.*
(Signed) A. HAMMARSKJOLD, *Registrar.*

Mr. WALSH. Mr. President, I shall not take it at all amiss to be interrupted at any time during the course of my remarks by any Senator who desires to interrogate me, either for the purpose of securing information or for discussion. I believe that in no other way can the questions at issue and the differences that may exist with reference to them be so completely elucidated. At the same time I shall trust to the fairness of Senators not to prolong the discussion unduly and thus break the course of the argument, or endeavor to incorporate in the midst of my remarks any speech of their own.

Before proceeding with the regular discussion which I had intended to begin this afternoon, I want to advert to a few matters to which attention was paid by the distinguished chairman of the Committee on Foreign Relations, who has just addressed the Senate.

The Senator opened his remarks by calling attention to the fact that the very erudite and able work of Judge de Bustamente, a member of the court, had been widely circulated, and doubtless at the expense of the friends of adherence. I have no doubt that that is correct. I have not the slightest doubt that it has been widely circulated and paid for by those who are friendly to the adoption of the resolution now pending any more than I have any doubt that another book, a copy of which I hold in my hands, entitled "The United States Senate and the International Court," by Frances Kellor, was paid for and is being circulated in equal numbers by those who are opposed to the World Court.

Miss Kellor is not, as Judge de Bustamente is, an international lawyer of great renown. This is her second work upon this general subject, the first consisting of two large volumes which were devoted not only to the World Court but to the League of Nations. It, with a book by Prof. Manley Hudson, was reviewed recently in the Nation. I think it will be recognized on all hands that the Nation has never been particularly friendly to the League of Nations, to put the case mildly. I read from that review by Lewis S. Gannett some extracts, as follows:

> Why is it that the National Council for the Prevention of War and the League of Women Voters and thousands of church societies urge so passionately that we join the World Court as a great step toward world peace? Why is it that others are so alarmed lest by joining it we somehow compromise our purity and postpone the great day of good will on earth? I have read patiently Manley Hudson's plea for the court and Frances Kellor's attack upon it, and still I do not know.
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> It is not much as a court. The nations of this cautious, selfish, over-victorious allied world of ours made it, and they no longer even pretend to wear halos. None of them was willing to give it much power, and they have been timorous about referring important matters to it; but it has acted reasonably and expeditiously whenever it has had a chance. Even Miss Kellor admits that, and she has such a magnificent bitterness against the league and all its works that when she admits anything good about them she is extraordinarily convincing. The court, in the East Karelia case, even showed a bold independence of the league that gave it birth. In that dispute between Russia and Finland it declared itself incompetent to judge, Russia having refused to appear before it. That, it seems to me, was a splendid and deserved rebuke to the council of the league, which ignored, as the league has always resolutely ignored, the fundamental flaw in its own constitution—its failure to include Germany and Russia as equal partners.
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> The court is better than the league. No political chancellery dictates to any of its judges. The Hague conferences were unable to build a permanent court because the little nations and the big could not agree upon a method of electing judges satisfactory to both; the league constitution, with its two bodies—one in which, as in our Senate, all the States are equally represented and one in which the great powers preponderate—offered a compromise solution.
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> The powers nominate by geographical groups, and both assembly and council must vote for a judge before he is chosen. If Germany, Russia, and the United States were to participate in the choice, it would seem to be as good a compromise as can be devised. Some compromise there must be; it is nonsense to insist that Liberia and Siam and Panama stand upon an absolute par with the great empires of the world. The facts that the court is thus a creation of the league and that the league sometimes turns to it for advisory legal opinions need not upset one's equilibrium, even though one is convinced that for the United States to join the league at this juncture would help chain Europe further to the prison of Versailles. Nor need the fact that the European nations have been slow to trust their troubles to the court destroy faith in the court or lead one to suppose that a different court would be better. The world will still be made up of the same nations, even if we should start afresh upon the basis of the old Hague treaties.

Reference was made to the comment of Judge de Bustemante in his work, and the possibility that some great cataclysm in Europe might ensue and the whole machinery through which the court came into being would be wiped out, and it would be left stranded. The states of Europe in a general way have subsisted for some centuries, and really, Mr. President, I do not believe anybody at this time need be deeply exercised about the disappearance from the field of international action of the League of Nations. We used to hear in this body day after day, time after time, on occasion after occasion, that the league was dead, that it had not any existence, that it was gone, that the election of 1920 in the United States disposed of the whole thing; but it seems to have more than the nine lives of a cat, and is to-day, as has been stated here, a more vigorous institution than at any time before in its history of six years and gives promise of having longevity equal to that of most of the states of the world.

Reference has been made by the distinguished Senator, in this connection, to what was said in the course of the deliberations of the committee of jurists which prepared the statute of the World Court as to the relation which it was to bear to the league, and that it was an organ of the league, or an agency of the league, or a part of the political organization of the league. So far as I am concerned, I am not at all troubled about this court being an organ of the league. That is not a matter that really deeply concerns any of us. The question is, Is it such a court, of whatever body it is an organ, that international controversies may be safely intrusted to it for determination, that is to say, such controversies as are resolvable upon legal principles?

If I were going to discuss that matter, I should say, What is the difference what view M. Bourgeois expressed when the statute of the court was under consideration and the committee were endeavoring to frame it? He had his own peculiar view about it. The members of the committee, my recollection is, with 11 in number. Other members may have had quite a different opinion about the matter. We must judge of their work by what they laid before us, not by what they said. The Supreme Court of the United States has repeatedly said debates in this body, or in that at the other end of the Capitol, afford very little basis upon which the court can judge as to what was the meaning of acts passed by Congress.

Thus, in the case of Lapina *v.* Williams (232 Supreme Court Reporter) I find the following:

> Counsel for petitioner cites the debates in Congress as indicating that the act was not understood to refer to any others than immigrants. But the unreliability of such debates as a source from which to discover the meaning of the language employed in an act of Congress has been frequently pointed out.

About a dozen decisions of the Supreme Court of the United States are cited in that connection. So that really we need not concern ourselves very much as to what M. Bourgeois thought about whether there was any relation to the league, or whether there was not any relation to the league, in the statute which they then prepared.

The views of Mr. Root, however, and the views of Judge John Bassett Moore, are perhaps of more consequence to us and more persuasive. It is true that both of those gentlemen, when the subject of advisory opinions first came before them for consideration, expressed the views to which the Senate has listened as quoted by the Senator from Idaho. But some water has gone over the dam since that time. Mr. Root's comment was quoted in an effort to establish the proposition that the court is not a world court but a league court. Mr. Root, whatever may have been his views at one time as to any specific provision of the statute, is to-day one of the most earnest advocates of adherence by the United States to the protocol and has been so ever since he returned. I hold in my hand a speech which he delivered before the American Society for International Law on the 26th day of April, 1923, in which he reviewed the entire statute and commended it as a splendid piece of work, and the court as having before it undoubtedly a most creditable history. I refer particularly in this connection to a subdivision in his speech which is entitled "A world not a league court," in which he shows why it is a world court and not a league court.

As to Judge Moore, I have sent to my office—because I did not expect this matter to come up—for a compilation of essays by Judge Moore, one of which deals with this subject of the Permanent Court of International Justice, in which in the same way he commends it as a most worthy institution, and the conclusion must necessarily be drawn from what he says about the matter that he thinks the United States ought to give it its support, notwithstanding the feature he once criticized but which he finds no longer objectionable.

We were told by the Senator from Idaho that this jurists' committee was created for the purpose of arranging for a court which would be a league court, which would be an organ of the league, that they took their instructions from article 14, and that they religiously endeavored to comply with it. I shall show, in the course of my general discussion, that, on the contrary, in three important particulars they departed from the suggestions of article 14. I need not remind you, Mr. President, that article 14 simply provides for the creation of a World

Court which shall have jurisdiction only of such cases as the parties respectively submit to it. You well know that, disregarding that injunction, the jurists' committee endeavored to give to the court compulsory jurisdiction, and when the matter came before the assembly and the council, the committee was criticized upon the ground that it had departed from the instructions of article 14.

Mr. BORAH. And they struck it out.

Mr. WALSH. Exactly; I am going to talk about that later. Just now I content myself with the argument that the jurists' committee followed scrupulously the direction of the covenant; that they did not is indisputable.

Now, as to the amendment of the statute, said by the Senator to have been effected by the league, I scarcely expected from the Senator from Idaho the suggestion to this body that without an express provision in a treaty in relation to its amendment or modification, a treaty can be amended or changed without the consent of every nation signatory to it, any more than a contract between two individuals, or a half a dozen parties can be changed without the consent of all.

We will sign a treaty, if we sign at all, promulgated on the 16th day of December, 1920; not July, 1919, but December 16, 1920. That can be changed only as therein provided, or according to the established principles of international law, by the consent of every nation signatory to it.

Reference was made in support of the contention that the league had amended and could amend the statute to the fact that some additional jurisdiction was to be given to the court by the Geneva protocol of October 2, 1924. It will be recalled that that protocol provided for the outlawry of war, and denounced aggressive war as an international crime. That was approved by the assembly of the league upon a draft made, as I shall show afterwards, by two distinguished statesmen of Europe, aided by an eminent American. This was a proposed treaty signed by the representatives at Geneva, but needing the ratification of the various countries, when it would become a treaty between them.

As has been shown, under the provisions of article 36, whenever parties enter into a treaty providing that the construction of any particular provision of that treaty shall be referred to the Permanent Court of International Justice, the court takes jurisdiction of it. There was no amendment of the statute of the court. The statute provides for just exactly such a condition, and I shall show that that provision of the statute has been availed of in nearly 30 different treaties to confer jurisdiction upon the Permanent Court of International Justice pursuant to that clause in article 36. The treaty to be entered into giving life to the Geneva protocol would fall in the same category had it been ratified.

Reference was made, Mr. President, to the alleged sanctions or means through which judgments of the court are enforced. There are provided no sanctions whatever in the statute to which we are asked to subscribe, as I shall hereafter show. It is a matter of no consequence to us whatever what sanctions there are in the covenant of the League of Nations. Those sanctions apply only, as has been shown, to the members of the league, and they apply just exactly as well, as was said by the Senator from Virginia [Mr. SWANSON], to the decisions made by the Permanent Court of Arbitration, to which we are a subscribing Nation, as to the judgments of the Permanent Court of International Justice. So that if we are in any wise whatever morally bound to help enforce any judgment rendered by the Permanent Court of International Justice, we have been bound ever since 1899 in exactly the same way with reference to the judgments of the Permanent Court of Arbitration.

Here are the provisions of the covenant in relation to the sanctions:

ART. 12. The members of the league agree that if there should arise between them any dispute likely to lead to a rupture they will submit the matter either to arbitration or to inquiry by the council, and they agree in no case to resort to war until three months after the award by the arbitrators or the report by the council.

In any case under this article the award of the arbitrators shall be made within a reasonable time, and the report of the council shall be made within six months after the submission of the dispute.

Now, under that provision two nations could agree to submit their disputes to the Permanent Court of Arbitration, the old Hague court established by the convention of 1899. Then article 13 provides:

The members of the league agree that they will carry out in full good faith any award that may be rendered, and that they will not resort to war against a member of the league which complies therewith. In the event of any failure to carry out such an award, the council shall propose what steps should be taken to give effect thereto.

That provision of the covenant applies, as will be seen, equally to the judgments of the Permanent Court of Arbitration and the Permanent Court of International Justice. So we do not change the situation in the slightest degree by subscribing to the protocol, because we are already bound, if we are bound at all, and I insist we are not bound to anything.

I pass now to a discussion of the subject as I had contemplated entering upon it.

Mr. President, the consequence and the consequences of the step we are invited to take by the resolution before us has been magnified out of all reason by the friends and the foes alike of the World Court, or rather by the overardent friends and the implacable enemies of the League of Nations.

The latter assert—cry from the housetops in season and out of season—that to subscribe to the protocol by virtue of which the Permanent Court of International Justice exists is to enter the league by an indirect route or back-door portal. The former, in numbers not a few, with only vague ideas of the relation the two institutions bear to each other or the limitations under which the court functions, conceive that if they are not identical, at least the one is but an antechamber through which it becomes necessary to pass, and it is relatively easy to pass into the league. Others emotionally inclined, possessed of a wholesome horror of war and fervently looking to its outlawry—like dueling, piracy, the slave trade, and private feuds—indulge the belief that through it, strengthened by the support of the United States, all international controversies are to be resolved and the sword forever sheathed.

I shall essay at the outset the ungracious task of dispelling the illusions, pleasing on the one hand and unduly disquieting on the other. We shall get nowhere in this discussion unless we clearly appreciate the issue before us, and we shall excite hopes and expectations doomed to disappointment or stimulate unreasoning and groundless fears by our action unless we can succeed in making perfectly plain its significance.

Upon a dispassionate consideration of the proposal submitted to the Senate by the late President Harding in the month of February, 1923, now nearly three years ago, the acceptance and approval of which are contemplated in the resolution under debate, it will appear that we bind ourselves to nothing, absolutely nothing, by the ratification of the treaty as he proposed, save that we agree to contribute toward the expense of maintaining the court, a perfectly trifling consideration. We enter into no covenant to do or refrain from doing anything. We would continue to enjoy, should the treaty, or protocol as it is called, be ratified, every right as a sovereign nation we now enjoy. We do not undertake to submit to the court any controversy in which we may become involved, we assume no responsibility for any decision it may make or promulgate or for the enforcement of any judgment it may render. As we incur no obligations by adhering to the protocol, we acquire no rights. We may, if we see fit to do so now, resort to the court for a determination of our rights in any controversy we may have with another nation. Our right in that regard is neither expanded nor restricted by ratification of the protocol. I repeat that we obligate ourselves to nothing by the treaty or protocol.

The covenant of the League of Nations embraces undertakings of the most serious import. Any nation might well hesitate about subscribing to it, though no existing impediment may appear, having in mind the impossibility of anticipating serious situations that might arise in the more or less distant future rendering compliance on its part embarrassing in the extreme. It may be a matter of surprise to some, from much that has been said and written on the subject it will be a surprise to many, to learn that neither the present Chief Executive of the Nation nor his amiable and complaisant predecessor has, through their advocacy of adherence to the protocol, sought to commit us to any of the obligations of the covenant or to lead us into the outskirts of the league. It is to the following brief article, and to that alone, that it is proposed we become a party, namely:

The members of the League of Nations, through the undersigned, duly authorized, declare their acceptance of the adjoined statute of the Permanent Court of International Justice, which was approved by a unanimous vote of the assembly of the league on the 13th December, 1920, at Geneva.

Consequently they hereby declare that they accept the jurisdiction of the court in accordance with the terms and subject to the conditions of the above-mentioned statute.

The present protocol, which has been drawn up in accordance with the decision taken by the Assembly of the League of Nations on the 13th December, 1920, is subject to ratification. Each power shall send its ratification to the secretary general of the League of Nations; the latter shall take the necessary steps to notify such ratification to the other signatory powers. The ratification shall be deposited in the archives of the secretariat of the League of Nations.

The said protocol shall remain open for signature by the members of the League of Nations and by the states mentioned in the annex to the covenant of the league.

The statute of the court shall come into force as provided in the above-mentioned decision.

Executed at Geneva in a single copy, the French and English texts of which shall both be authentic.

That is the agreement that some Senators are afraid of. That is the agreement that carries with it all these tremendous risks of which we have heard.

Appended to it, as therein stated, and necessarily an integral part of it, is the statute or constitution of the court, to which reference is made. That statute consists of three chapters, the first dealing with the organization of the court—the number of judges, the method of their selection, and so forth; the second with the competency of the court—that is to say, as it would be expressed in the terminology of our law, the jurisdiction of the court; and, third, procedure. One would scarcely expect under these titles to find provisions in the nature of obligations on the part of the signatory powers, nor does he, not even as to causes to be submitted to the court nor proceedings looking to the enforcement of its judgments. I shall undertake later a more complete analysis of the statute. For the present purpose I remark that under it a signatory nation is at liberty to submit any controversy in which it may be involved to the court, and it is equally at liberty not to submit, just as it sees fit. Article 36 of the statute provides that—

the jurisdiction of the court comprises all cases which the parties refer to it and all matters specially provided for in treaties and conventions in force.

The court accordingly has no jurisdiction to proceed in any case unless the parties have theretofore agreed that it may determine the same. The court, contrary to reckless statements widely published, has no power, it is invested with no authority, should the United States adhere to the protocol, to hale it before the bar of that tribunal. It must come of its own volition or the court is impotent as to it.

In this situation lies the complete answer to the suggestion that, should we adhere to the protocol, the Monroe doctrine will come before the court or may come before the court for adjudication. It will only if the United States consents to submit it, not otherwise. It may even now be dealt with by the court if it is conceivable that the United States should agree to bring before it a controversy involving that doctrine. The authority of the court to deal with that or any other question will be in no manner affected by any action that may be taken in respect to the resolution before us. It is asserted, however, that the Monroe doctrine may be involved in a controversy submitted by two other nations. If so, those nations, being members of the league, may now submit such a controversy to the court. The situation is not changed in the least by our becoming subscribers to the protocol. But it is said that in that event we should be morally bound to uphold the judgment of the court. I confess I find it impossible to understand what is meant by our being morally bound when we have obligated ourselves in no way to enforce the judgment of the court. If it should now take cognizance of a cause and render an opinion in which the Monroe doctrine came under review, we should be quite free to protest or take any other course that might seem to us justifiable, and so we are equally free should we become subscribers to the protocol. But, whatever peril we may be in should such a contingency arise, it is neither different nor greater than that to which we have been subject since we subscribed to the treaty creating the old Hague court, the Permanent Court of Arbitration, in 1899, 26 years ago. Any two nations signatory to the treaty by which that court was created may submit to it such a suppositious controversy involving the Monroe doctrine. We were not alarmed in 1899 lest the Monroe doctrine should be shattered through a world court. Why should we now be timorous? The Monroe-doctrine argument is not an argument against the particular World Court under consideration, it is an argument against any world court.

It will be noted from the jurisdictional clause quoted above that the court may hear not only any cause which by special agreement the parties may lay before it but likewise any matters which the parties by treaty or convention may have agreed shall be submitted to its arbitrament. Since the court began functioning in 1922 a great number of treaties have been entered into containing stipulations to the effect that if there should arise any differences between the parties thereto, either over the construction or interpretation of the same or the rights of the parties respectively under them or any of them, the matters in difference should be presented to the court for adjudication And no inconsiderable number of cases thus far entertained by the court have come before it upon such stipulations. But it will be observed that it is not by virtue of the protocol to which it is proposed the United States shall subscribe but pursuant to some other treaty between the parties that a compulsory jurisdiction, if it may be so termed, is assumed, the protocol simply vesting the court with authority to hear cases arising under such other treaties or conventions. The United States has entered into no such treaty or convention. It may do so in the future, whether favorable or unfavorable action is taken on the resolution before us, and with exactly the same effect.

The statute does indeed provide that any nation signatory to the protocol may, on subscribing to it or at any time subsequent thereto, bind itself by a separate undertaking to submit to the court any dispute with another falling under any one of four classes, namely:

(a) The interpretation of a treaty.

(b) Any question of international law.

(c) The existence of any fact which if established would constitute a breach of an international obligation.

(d) The nature or extent of the reparation to be made for the breach of an international obligation.

The undertaking may be unconditional or upon condition of reciprocity; that is to say, it shall be effective only as against other nations assuming the like obligation. It is not proposed that the United States shall subscribe to such separate convention. None of the great powers have done so save France, which recently—a most commendable evidence of her pacific disposition—gave her adherence to this undertaking to submit any and all disputes of the character indicated which may arise between her and any other nation to the abitrament of the court, such other nation having similarly bound itself. But as stated, it is not proposed that the United States do so; that is, go as far as France—often charged with being militaristically inclined—has willingly gone toward the pacific settlement of international controversies.

I hope that it has been made altogether clear that the United States remains perfectly free, should it become a subscriber to the protocol, as it is now free to submit or not to submit any cause, whatever its nature, to the court; and that it remains free, as it is now free, from any compulsory process the purpose of which is to bring it before the court. We obligate ourselves neither to seek the court for the solution of any disputes we may have with any other nation nor to go there with any such on either the request or the demand of any other power.

What responsibility do we assume with reference to judgments rendered by the court? What pledge do we make with reference to any judgment that may be rendered against the United States, assuming we do agree in the future to submit and do actually submit a specific controversy to the court for adjudication? Into what undertaking do we enter looking to the enforcement of judgments of the court in controversies between other nations or in causes to which our country may be a party? None; absolutely none in any case and for the very good reason that the statute makes no provision whatever for the enforcement of the decrees of the court. It contemplates that when two self-respecting nations solemnly enter into a compact to submit their differences to the court, actually do so, and the court renders its decision, it will be observed without the necessity of resorting to compulsion of any kind. Is there any among us who doubts that the United States would, under such circumstances, come through, however bitter the dose might be? Is it not revoltingly pharisaical on our part to imagine that other nations would act a less honorable part than would our own? But whether they would or would not, it is no affair of ours. We bind ourselves in no manner to enforce or to assist in enforcing obedience by a recalcitrant State.

Some critics of the court, assiduously searching for reasons or excuses for their opposition, profess to believe the effort represented by the establishment of the tribunal under discussion to be futile for the want of any provision for coercing obedience to its decrees. It is quite likely that these same critics would denounce any system that might be devised or proposed through the ingenuity of jurists and statesmen, the heirs of those who through the ages have struggled with the

problem of world peace. Captious animadversion of this character emanates from the hopelessly inveterate and reactionary mind that oracularly declares there have always been wars, and always will be, and cites Scripture to support the apothegm, from the military class, easily reaching the conclusion that in the natural order they are indispensable, from the inconsiderable but not uninfluential few who profit by war and by preparation for war, either directly or indirectly, and by those outside the military profession, who are enamored of the pride, pomp, and circumstance of war in which they may gloriously figure.

Our own history furnishes abundant ground for the belief that provisions for the enforcement of the decrees of a world court, hearing only such controversies as are submitted to it by the voluntary action of the disputant nations, are entirely superfluous. The Supreme Court of the United States is invested with the power to hear and decide controversies between the States of the Union, a jurisdiction it has frequently exercised, hearing boundary controversies alone to the number of 23. No provision has ever been made by law for the enforcement of a judgment of that court in such cases, and yet its decision in any such has never been disregarded, though not infrequently the dispute has given rise to the most intense feeling and bitter discussion in the contending States respectively. Indeed, so powerfully did public opinion support such adjudications a century and a quarter had passed before the court was confronted seriously with the question of whether there resided anywhere in the Federal Government the power to enforce a judgment against a State pronounced by the Supreme Court, and though it then asserted that it was not thus impotent, it did not point out how it could make effective against a recusant State its judgment, and eventually a settlement was effected rendering it unnecessary to put the question to actual test.

Madison, Ellsworth, and Marshall all concurred in the view that there was not found and that there should not be in the Constitution any provision through which the Supreme Court could enforce its mandate against a State. Perhaps if the crucial test had come in the early history of the court, when it was the object of no little suspicion and much rancorous partisan criticism, the necessity for coercive authority would have become manifest; but not now, and so long as the court shall maintain in the affections of the American people the place it holds and has earned by its record of usefulness and justice, no State will dare brave the opinion of our country by disobedience or disregard of the judgments of the great tribunal which crowns our judicial system.

The Permanent Court of International Justice has made a splendid beginning. So fair, so just have been its rulings thus far that acquiescence has followed in every instance without even protest and without criticism of consequence.

Perhaps I may be pardoned for reiterating that we bind ourselves to nothing by subscribing to the protocol, as has been demonstrated; neither does any other nation that has preceded us as a signatory or that may come after us. It simply sets up a court to which the nations may resort, if they are so minded. If they prefer to settle their quarrels in the old way, in the way of beasts and savages, they may continue to do so. Yea, if any nation party to the quarrel insists upon appealing to the god of battles, if there be such a god, it may do so without let or hindrance, so far as the court, the statute, or the protocol is concerned. It is not even pledged thereby not to let slip the dogs of war. Accordingly, the organization of the court is but a feeble, halting step toward the goal of the outlawry of war, and yet there are those who would, if they could, restrain this great peace-loving Nation from giving to that step the countenance of its approval. The reasons advanced for their opposition will become later the subject of review and comment. For the present my purpose is to point out how vain is the hope that through the establishment of the court war is to be abolished.

The wildest expectation we may indulge in connection with it is that controversies between nations which, otherwise, would be allowed to fester and irritate until their cumulative influence made war an inevitable sequence may be adjusted as they arise and thus armed conflict be averted.

Reference has been made to a large class of treaties entered into since the war containing stipulations under which the parties agree to bring before the Permanent Court of International Justice any differences that may arise between them under the same or under specific covenants thereof. The treaties lately negotiated at Locarno bind the governments concerned similarly, thus laying the basis for a broadened activity of the court that, wisely pursued, will add to its prestige and, thus, increase the number of voluntary submissions and render less likely resistance to its decisions.

The controversies that may come before the court are limited not only by the requirement that the consent of the parties be secured but by the character of such controversies. It is only such as are dependent upon some question of law or mixed question of law and fact with which the court may, or perhaps it is more accurate to say will, deal; controversies that are judicial in character, as it is expressed, rather than political. Unfortunately most wars are the outgrowth of disputes, such as a court is not fitted to resolve and ought not to attempt to resolve.

By its very constitution as a court it is restricted to the consideration of such only as involve the determination of questions of law or fact, and possibly the character and measure of reparation for a wrong. The Spanish-American War, for instance, had its origin in a controversy in no sense judicial—that is to say, appropriate to trial by a court. The War of 1812, on the contrary, sprang in the main from causes particularly appropriate for judicial consideration, whether Great Britain had the right under international law to board American vessels and take from them deserting seamen owing her allegiance. If Spain should demand that Great Britain vacate Gibraltar, it would give rise to a controversy purely political, assuming the demand was based on the view that dominion over the rock was unjustly wrested from her. But if Spain should contend that Great Britain had agreed by treaty to surrender that stronghold or that, having acquired possession by virtue of a treaty by which the period of her right to occupy was limited and that it had expired, the dispute would be legal in character, to be determined by a study of the instrument, guided in its interpretation by well-established rules of law.

China is demanding the abrogation of treaties in which she was inveigled or forced to enter by which her right to exact customs duties on imports was limited and the collection of the same reposed in certain foreign governments. If they refused to accede to her demands, a court could not help her, however just might be her insistence. The court must enforce the law and the law is the treaty. Her quarrel is purely political.

Some years ago the United States forbade pelagic sealing in Bering Sea, the extermination of the Pribilof Islands herd being threatened, and subjected to confiscation any ship engaged in it. Our cutters seized Canadian, Japanese, and Russian sealing vessels operating contrary to the law. Their governments protested, insisting that our law violated their rights. We urged that the Bering Sea was closed water and under our exclusive jurisdiction, not open sea in which all nations have equal rights. We urged further that the home of the seals being on islands owned by us, they were our property. The controversy was purely legal, namely, Is the Bering Sea territorial water or a part of the open ocean? Is the United States the owner of the seals bred on islands belonging to it in that sea? The controversy was referred to arbitrators who decided against us on both propositions. The controversy continued, however; we were not content to see the seals becoming extinct, but it continued as a political controversy. We could settle it only by war or by a treaty. A court could do nothing for us. Agreeably to our policy we adjusted our differences by a treaty with the nations most directly interested who shared our apprehensions as to the future of the herd.

In Pearcy *v.* Stranahan (205 U. S. 257) it was held that whether the Isle of Pines is a part of the territory of Cuba or of the United States is a political question to be determined by the executive department of the Government, not a judicial question to be decided by the courts.

The distinction between a justiciable and a nonjusticiable controversy is made clear by the Mosul affair, on the nature of which some comments in the press make it advisable to dwell.

The Lausanne treaty brought about the dismemberment of Turkey, as a consequence of the war, following as a sequence of that sanguinary conflict, registering the exactions of the allies with respect to that country as the Versailles treaty did in the case of Germany with which Turkey was associated as a belligerent. The revolutionary spirit rife among the subjects of Turkey in Arabia and contiguous territory was stimulated by Great Britain during the war and on the assurance of being given an independent government they flocked to the standard of Allenby.

In redemption of this promise the Kingdom of Iraq was set up by the treaty of Lausanne under the protectorate of Great Britain. It was found impossible, however, to agree upon whether the Villayet of Mosul, a region taking its name from

the principal town within it, having oil-producing potentialities, should remain a part of Turkey or be included within the infant Kingdom of Iraq. By the treaty mentioned Turkey and Great Britain agreed to allow the Council of the League of Nations to say where the line should be drawn. It need not be said that the dispute was purely political, determinable by the application of no rules of law, but rather by consideration of the desires of the people residing in the area in question on the principle of self-determination, on geographical and topographical facts, on transportation facilities, on economical questions, and so forth. The council appointed a commission to inquire into the question, aided by a study on the ground. That commission consisted of one Hungarian, a celebrated geographer; a Belgian, an international lawyer; and a Swedish diplomat, the member first mentioned a subject of a country allied with one party to the dispute, the second of a country allied with another, and the third coming from a neutral country. The commission reported recommending that if Great Britain would agree to accept a mandate for 25 years over the whole of Iraq, Mosul should become a part of its territory; if not, it should go to Turkey. That country then protested against action in conformity with the report or any other action not assented to by Turkey, asserting in that connection that Lord Curzon, British Foreign Secretary, had asserted that as under Article V of the covenant Turkey would be entitled to representation on the council ad hoc and unanimity was required, no determination could be arrived at not satisfactory to her. This view being controverted before the council it submitted to the court two inquiries, strictly legal, namely:

(1) What is the character of the decision to be taken by the council in virtue of article 3, paragraph 2, of the treaty of Lausanne? Is it an arbitral award, a recommendation, or a simple mediation?

(2) Must the decision be unanimous or may it be taken by a majority? May the representatives of the interested parties take part in the vote?

To these the court answered:

(1) That the "decision to be taken" by the Council of the League of Nations in virtue of article 3, paragraph 2, of the treaty of Lausanne, will be binding on the parties and will constitute a definitive determination of the frontier between Turkey and Iraq.

(2) That the "decision to be taken" must be taken by a unanimous vote, the representatives of the parties taking part in the voting, but their votes not being counted in ascertaining whether there is unanimity.

It is offered in excuse for this detailed reference to the affair that among other gross misrepresentations concerning the court, appearing while the questions referred to were under consideration, in editorials in a newspaper read by most Members of the Senate, the statement was made that the court in question is not a court but an agency for the resolution of political questions, in support of which general asserveration it was asserted that the court was then wrestling with the purely political problem of whether Mosul should go to Great Britain or to Turkey.

I do not care whether that decision is right or whether it is wrong; the court was called upon to decide no political question whatever.

Mr. BORAH. I did not contend that it was.

Mr. WALSH. The Senator was telling us in connection with his remarks about the Mosul case about the court deciding all these multitudinous controversies that will arise, political and otherwise, between the countries of Europe, leaving the impression that subscribed to the newspaper statements that the court was giving Mosul to Great Britain.

Mr. BORAH. Mr. President, the Senator and I have not disagreed at all with reference to the Mosul matter, except for the fact that the Senator does not seem to lay very much stress upon the secret treaty by which this territory was first divided.

Mr. WALSH. Why should I?

Mr. BORAH. I do not know why the Senator should consider it.

Mr. WALSH. Of course that is good enough to talk about on the hustings; but we are talking about what the court did, what went to the court, and what the court decided.

Mr. BORAH. Exactly; and I do not disagree with the Senator at all.

Mr. WALSH. I beg pardon; let me interrupt by saying that I have no doubt that secret treaties existed, and that before they went into this matter France and Great Britain had agreed to divide up this territory.

Mr. BORAH. Exactly.

Mr. WALSH. But how does that affect the question as to what it was that went before the court, and what the court decided?

Mr. BORAH. It affects it in this way—that they set out to carry out a secret treaty.

Mr. WALSH. Who set out?

Mr. BORAH. The parties in interest; and in violation of the agreement made by Lord Curzon with Turkey, by which Turkey was to take a place there and submit the matter to the council, they finally arrived at the destination upon which they had first determined.

Mr. WALSH. Let me ask the Senator from Idaho, if he was a member of that court, called upon to render a judicial decision, whether he would pay any attention to what it was alleged Lord Curzon said or whether he would apply the rule that a written contract can not be invalidated or changed by parol testimony.

Mr. BORAH. But the court does not refer to that proposition at all in its decision. If so, I have not seen it.

Mr. WALSH. What difference does it make whether it does or not?

Mr. BORAH. It does make a difference. The court does not refer to that proposition.

Mr. WALSH. Suppose it does not. I take it that if it is not mentioned the court did not refer to it because it was so plain, so indisputable, that it was not believed that even the Senator from Idaho would controvert the rule and its applicability.

Mr. BORAH. Mr. President, the Senator can indulge in remarks of that kind if he desires, but they have little relevancy here. The Senator from Idaho does not claim to be the lawyer that the Senator from Montana is, and I pay great deference to any judgment he may render upon any question, but here is the proposition:

Lord Curzon entered into an understanding with the Turkish authorities by which the Turkish authorities consented to take a place in the league for the purpose of determining this matter. They went in upon the theory that their vote would be necessary in order to arrive at a final conclusion. There was no way by which the judgment could be made unanimous except by their consenting, and upon that theory they went in. There was no dispute that Lord Curzon made the agreement. There was no contention that that was not the understanding, and the court refers to it not at all in any report I have seen. It did not undertake to say that it was an oral agreement in contravention of a written agreement, and so I think it did have an effect upon the situation.

Mr. WALSH. I do not agree to that at all. I think any self-respecting court would say: "This is a matter that we can not enter into at all."

Mr. BORAH. If the court had said: "This was an oral agreement in contravention of a written agreement, and therefore we can not pay any attention to it," then I could understand perfectly the legal position of the court; but the court does not refer to that at all.

Mr. WALSH. It did not refer to it because it was not necessary.

Mr. SWANSON. Mr. President, will the Senator yield? The court does refer to it, as you will see if you will read the whole opinion. The whole opinion is there. Lord Curzon's statement was before the court. The court states that that statement was made in an offer of compromise which was rejected by Turkey, and that this treaty was not signed until about two months afterwards; and it is stated in the opinion, as you will see if you will read the RECORD. It was all before the court, as the opinion shows.

Mr. WALSH. The Senator from Virginia refreshes my recollection on it.

Mr. SWANSON. It is all there.

Mr. BORAH. I have not seen the copy that the Senator has here, but the copy which was made public and printed in the papers did not refer to it at all.

Mr. SWANSON. If the Senator will permit me, the opinion was not published in full. A partisan statement of the opinion was published in the papers. Not satisfied with that, I had to telegraph to get the entire opinion, which I received about last Friday, and asked to have it printed in the RECORD so that the matter could not be misrepresented or misunderstood. I will admit that what the Senator states is in accordance with the partisan statements given out by newspaper press associations antagonistic to Great Britain; but all this matter—Lord Curzon's statement, the entire transaction—was considered and a full, deliberate opinion rendered.

I should like to say in this connection, too, that Great Britain insisted that there must be a majority vote of the council and

Turkey insisted that there must be a unanimous vote, she voting. They considered the various phases and portions of the covenant of the league and reached the conclusion that the matter must be decided by a unanimous vote of the 10 nations; that the 10 reputable, sovereign, independent nations that constituted the council must be unanimous. Next, Turkey insisted that their action was simply a matter of conciliation and mediation; that they were not a deciding body, but a mediating body. They took the treaties and interpreted them and reached the conclusion that the council was a deciding body and ought to reach the decision that I have stated.

Mr. BORAH. I have not found any fault with the decision of the court.

Mr. SWANSON. If the decision of the court is all right, why bring in extraneous matters to discredit the court?

Mr. BORAH. I have not brought in any extraneous matters to discredit the court. I was citing the proposition to the effect that the decision of the court against a nonmember of the league was sought to be enforced by the league. That is the only contention I was making with reference to the Mosul case.

Mr. SWANSON. But does not the Senator think that if Turkey agreed to submit the matter to the council under a treaty the council ought to consider what is wise and reach a decision?

The Senator speaks about Turkey being a nonmember of the league. Turkey became for the purposes of that dispute, if the Senator will permit me, a member of the league under article 4; and on account of the fact that she was a member, quoad that question she became a member of the league, a member of the council, and sat under article 4 as a member of the league and council as to that question.

Mr. BORAH. You can not take that part of the agreement which brought Turkey into the league and refuse consideration of that part which brought her in—the Curzon agreement.

Mr. SWANSON. Oh, if the Senator will permit me, the covenant of the league provides that where there is a dispute between members of the league and nonmembers, they can be invited or by agreement can become members quoad that question. Turkey was sitting on the council and consequently was practically a member of the league quoad that question.

Mr. BORAH. If you take into consideration the fact that she was on the council for that particular case you certainly would have to take into consideration the terms and conditions on which she became a member.

Mr. WALSH. Mr. President, I want to direct the Senator's attention now to the matter in connection with which the Mosul incident became the subject of comment by him, namely, the enforcement by the league of a judgment of the court against a nonmember. Upon what authority does the Senator say that the court is going to send a military force against Turkey?

Mr. BORAH. I never said that the court was going to; I said the league was going to.

Mr. WALSH. The league?

Mr. BORAH. All I have is the newspaper statements.

Mr. WALSH. Of course that is all the Senator has.

Mr. BORAH. Exactly. What else has the Senator?

Mr. WALSH. The council has been in session and has adjourned.

Mr. BORAH. The matter is not settled yet.

Mr. WALSH. It is not settled; but the council has been in session and the council has adjourned.

Mr. BORAH. And it can convene again at any time it wants to.

Mr. WALSH. Why, of course it can convene again; but how does the Senator know what the council will do?

Mr. BORAH. As I say, all I know is what the press dispatches say.

Mr. WALSH. The press dispatches tell the Senator what the council is going to do, do they?

Mr. BORAH. They reported what the council had before them and the propositions which they were considering, and one of the propositions which they had before them and were considering was the enforcement of this judgment.

Mr. WALSH. Well, they did not do it.

Mr. BORAH. They have not done it yet; no. The matter is not settled yet.

Mr. WALSH. So we can not really accept the proposition that the League of Nations is going to send an armed force to enforce this judgment.

Mr. BORAH. No; but we can accept what I said, and that is that the nations concerned agreed upon a program by which it was to be enforced by military power.

Mr. WALSH. Yes; but the Senator was discussing the enforcement of the decrees of the court.

Mr. BORAH. Exactly.

Mr. WALSH. And he was endeavoring to establish that the decrees of the court are enforced, and he was obliged to say that the decrees of the court are enforced by the League of Nations, not by the court; and he undertook to quote from a newspaper report as to what the council was going to do, when the council adjourned without doing anything. That is the situation.

Mr. BORAH. But the question is not yet settled. The council can convene at any time, and will do so when occasion requires.

Mr. WALSH. Certainly.

Mr. BORAH. And the nations concerned, according to the report, have agreed that they will pool their military interests, if necessary, to enforce that judgment.

Mr. WALSH. What nations have agreed to that?

Mr. BORAH. Great Britain and Belgium and France and other nations concerned.

Mr. WALSH. Of course, the Senator perfectly understands that that is propaganda sent out to induce Turkey to accede to the judgment.

Mr. BORAH. Oh, no; I do not perfectly understand it.

Mr. WALSH. I do, if the Senator does not.

Mr. BORAH. How does the Senator know that it is propaganda?

Mr. WALSH. That is my judgment about it.

Mr. BORAH. Exactly. And that is all it is.

Mr. WALSH. Just the same as the Senator's judgment is that the council is going to proceed as the newspapers predict it will.

Mr. BORAH. No; Mr. President, I did not exercise any judgment. I quoted what purported to be a fact, represented by responsible news agencies to be a fact, that a certain agreement and understanding had been arrived at upon the theory that the league would enforce the judgment. It was not my judgment. It was the statement of a fact reported by a responsible party.

Mr. WALSH. I think we understand the situation now.

The court has never been asked to deal with any but judicial questions; it has never attempted to do so, and it has no authority to entertain any other. That it is so restricted is beyond serious question. A tribunal might be called a court and yet be invested with authority other than judicial, but unless expressly so clothed it follows from its name that it has judicial powers only. Blackstone says that—

> Courts of justice are instituted to protect the weak from the insults of the strong by expounding and enforcing those laws by which rights are defined and wrongs prohibited.

And again:

> The function of a court is to examine the truth of the fact and to determine the law upon that fact.

Mr. President, a display on the part of the people of the United States of confidence in the rectitude of the court, such as would be implied in the adoption of the resolution before us, would contribute naturally to its prestige, stimulate the submission of controversies to it, and promote the readier acceptance of its decisions. That is why some people oppose the resolution; they are chagrined at the success of the court, for no reason except that it had its origin in the League of Nations. If, however, there be cautious or timid souls who withhold their support of the court because the statute makes no provision for enforcing its decrees, they may be reassured by the fact that the League of Nations, under provisions of the covenant, may constrain its members, if constraint be necessary to observe, a feature, however, which need not here be discussed, seeing that the United States is not a member of the league, and consequently not amenable to the covenant to observe which members of the league—comprising some 55 nations, including all great powers save this Republic, Germany, and Russia—have bound themselves. In all reasonable probability Germany will join and leave us isolated, except for the companionship of the soviet state and a few others of minor consequence.

Note that by these definitions the court must decide cases before it upon the law, not upon political considerations. This idea is tersely expressed by the Supreme Court of the State of Illinois as follows:

> The province of a court is to declare the law and to apply it to controversies before it by some appropriate proceeding.

It is believed that no different conception of a court is entertained by any enlightened nation. It is alike the view of the

Roman and the English law. But we are not left to any doubtful inference from the fact that the tribunal is called a court. The history back of its organization demonstrates that it is in fact such. Certainly since the calling of the First Hague Conference in 1899, if not long before, the institution of a tribunal for the resolution of disputes between nations justiciable in character on the basis of law and not of political expediency or haphazard choice has been a live question before institutes of international law and the prolific subject of discussion at meetings of such associations, and in the secular press as well as law journals. Our representatives at the Second Hague Conference were specially enjoined by the then Secretary of State, Hon. Elihu Root, to urge upon it that steps be taken for the establishment of such a tribunal, which was to supplement, not to supplant, the Permanent Court of International Arbitration set up by the first of The Hague conferences. The wisdom of such a course was well-nigh universally recognized, but it was found impossible to agree upon the method of selecting the judges of the international court. Notwithstanding, a plan was drawn up for such a court bearing a striking resemblance to the statute of the Permanent Court of International Justice, to be submitted to the nations interested whenever in the future an agreement should be reached on how the judges should be chosen. Statesmen and international lawyers of renown assembled at Paris at the Peace Conference following the cessation of hostilities in the great World War harbored the hope that the work of that conference would be crowned by the establishment of such a court. Italy actually presented a plan for such an institution. Some of the advisers of the American delegation were insistent upon having incorporated in the treaty a statute based upon the work of the Second Hague Conference, heretofore referred to, for a world court of justice to take cognizance of justiciable disputes between nations, and came away disappointed, if not chagrined and resentful, that that course was not pursued. Ex-Senator Root criticized the original draft severely because of its omission in that regard.

The task of dividing up the territories of the vanquished powers and organizing new states through which the power of their late foes would be curbed proved so engrossing to the representatives of the Allies that they wisely, as I think, while recognizing the need of an international court, made provision for more deliberate consideration of the details of the proposal later on. President Wilson, skeptical as he was of the interposition of lawyers in any attempt to adjust international controversies, fell in readily with that idea. It was a happy thought. The atmosphere was anything but congenial, surcharged as it was with the fierce passions engendered by the war, and reeking with the selfish schemes of multitudes who had no thought but that to the victors belong the spoils. So the peacemakers—God save the mark—having created a purely political institution the League of Nations, for the adjustment of differences between nations, charged it with the duty of setting up a Permanent Court of International Justice, and while Article XIV of the covenant of the league provides that the court so to be established should have jurisdiction of any controversy the parties may agree to submit to it, there can be no doubt that it was not intended that it should take cognizance of political controversies, the league itself being quite appropriate to the settlement of such and equally inappropriate to the settlement of those justiciable in character. And the same general language in the statute must be understood in the same restricted sense. So Justice Baldwin, for the Supreme Court of the United States, pointed out in Rhode Island *v.* Massachusetts that "though the Constitution does not in terms extend the judicial power to all controversies between two or more States, yet it in terms excludes none whatever may be their nature or subject." Nevertheless, the court can not take cognizance of a dispute between States political in character rather than juridical.

The further history of the effort leading up to the organization of the Permanent Court of International Justice, to which reference will be made later, leaves no room for doubt that the distinguished lawyers who collaborated in the preparation and perfection of the statute and the eminent statesmen who reviewed their work and submitted the completed constitution of the court for the approval of the powers understood the general language of the grant of jurisdiction to be subject to the restriction heretofore indicated. Accordingly, it was provided therein that the judges of the court "should possess qualifications required in their respective countries for appointment to the highest judicial offices," or that they should be "jurisconsults of recognized competence in international law." They went further and provided that in the determination of causes before them they should apply:

1. International conventions, whether general or particular, establishing rules expressly recognized by the contesting states.
2. International custom, as evidence of a general practice accepted as law.
3. The general principles of law recognized by civilized nations.
4. Subject to the provisions of article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.

Inasmuch as the rule by which the court is so governed is wholly inapplicable to the resolution of controversies political in character and entirely appropriate to determination of justiciable disputes, it is necessarily restricted to the consideration of the latter class.

It is said, however, that the very article last above quoted, article 38, vests the court with the power to entertain political disputes. It reads:

This provision shall not prejudice the power of the court to decide a case ex aequo et bono, if the parties agree thereto.

Such a contention would not be seriously advanced by anyone familiar with the terminology of the law. If there is any one proposition that is settled in American or English law it is that courts have no power to determine political controversies. Yet under both relief is granted to which a party may appear to be entitled ex aequo et bono. The elementary works teach that the action for money had and received lies for money which ex aequo et bono the defendant should refund. The expression simply means "in equity and good conscience" or "in justice and good dealing." (Bouvier.) Boards of arbitration, which, as stated in Blood *v.* Bates (31 Vt. 147–150), are not courts, decide ex aequo et bono. When the Duke appealed to the Jew to forgive to Antonia a moiety of the principal of the debt, "glancing an eye of pity on his losses," he asked leave to decide the case before him ex aequo et bono. The commissions of foreign lands coming to our Capital to adjust the loans made of the United States during and immediately subsequent to the war urged that ex aequo et bono they should be relieved in part from their obligation. The clause in question does not expand the jurisdiction of the court.

It merely relieves it of the obligation felt by the "strict court of Venice" to follow the law, however harsh may be the judgment to which it leads The parties may, if they see fit to do so, unite its hands. Perhaps the newspaper reporter, presumably unlearned in the law, may be excused for raising a hue and cry against the court as a political organ and not a court being empowered to decide ex aequo et bono if the parties, not the League of Nations, so stipulate. One is shrewdly led to suspect, however, that his observations were inspired by some one who knows better and by some one who knows that 25 years ago we joined in setting up the Permanent Court of International Arbitration, the tribunal generally referred to in the past as The Hague court, which not only has power to decide causes which may be submitted to it (unless the parties stipulate otherwise) ex aequo et bono, but may entertain causes which are nonjusticiable—that is, political in character—as well as those presenting legal questions only. It was that the latter might be segregated that the effort was made at the Second Hague Conference to set up a purely judicial body.

I am not to be understood that though a court has no power to decide political controversies courts are never actuated by political considerations. Everyone agrees that when they do they violate their oaths and disgrace their offices. The only guaranty there is against such transgressions is in the character of the men elevated to the bench and in a wholesome public opinion that sustains the righteous and condemns the unjust judge. Whether we may safely confide in the rectitude of the men now constituting or likely hereafter to constitute the Permanent Court of International Justice is reserved for consideration later.

Let me repeat, though it be damned iteration, that we undertake nothing by adhering to the protocol; that we acquire no rights we do not now enjoy; that the court can hear no cause to which we or any other nation are a party except by consent; and that it can hear no dispute between nations that is political in character, the kind that is most fruitful of wars.

I now address myself to the relationship between the court and the league. Despite any objection to the pending resolution heretofore considered or others less tenable hereafter to be canvassed, there is but one real ground of opposition, namely, that the court was instituted on the initiation of the league, which may secure some access of prestige by our indorsement of its offspring. The two institutions—the league and the court—while they are associated, are built and rest

upon two separate treaties, the former upon the treaty of Versailles, promulgated June 28, 1919, of which the covenant of the league is the initial article, and the other upon the protocol of signature of the Permanent Court of International Justice, bearing date December 16, 1920, a separate treaty altogether. The court is organized and it functions by virtue of no provisions in the treaty of Versailles, but by virtue of its own statute or constitution, to which life is given by the treaty (protocol) of December 16, 1920.

The treaty of Versailles and the statesmen responsible for it recognized the desirability of an international court of justice to which justiciable controversies might go, just as the statesmen assembled at The Hague conference recognized the wisdom of the creation of a similar tribunal supplementary to the Permanent Court of Arbitration, which they had set up, seeing that it might entertain controversies of a political character. The covenant of the League of Nations will be searched in vain for any provision telling how the court of justice contemplated by it should be organized, and the provision concerning the jurisdiction it should have, as set forth in Article XIV of the covenant, heretofore quoted, must, as will hereafter be shown, be considered only as in the nature of a recommendation to the council of the league, which was charged with the preparation of a draft of a constitution or statute for such a court. The only authority conferred upon the league or any branch of the league by the covenant was to draw up and submit, not to the league for its approval and adoption, but to the members of the league, to the several states comprising it, a new treaty setting up the court being contemplated, as was in effect subsequently entered into. I deem it important that the terms of Article XIV be kept in mind and accordingly reproduce it here. It reads:

> The council shall formulate and submit to the members of the league for adoption plans for the establishment of a permanent court of international justice. The court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it. The court may also give an advisory opinion upon any dispute or question referred to it by the council or by the assembly.

I repeat that the court looks to the protocol and the accompanying statute for its powers and procedure, and not to the covenant. It is the former alone to which we are asked to subscribe. The statute or constitution of the court was, indeed, after having been drafted by a committee of eminent jurists, as hereafter told, and amended by the action of both branches of the league, submitted for the signature of the nations interested, but it became effective only by virtue of the signatures to the protocol submitting it. The situation would have been in no respect different had some institute of international law drafted the statute and caused to be opened up negotiations as a result of which the protocol was signed by governments in sufficient number to bring the court into being. I am sure that no Senator who believes a World Court to be desirable will avow, however he may feel, any antipathy to the one now functioning because the statute was drafted by or under the auspices of the league any more than if it was drafted by the American Society of International Law. What difference does it make to us by whom it was drafted if there is no valid objection to the instrument itself, or none of such weight as ought to cause its rejection? In due course I shall attempt a critical analysis of the statute, but for the present I am concerned only in the question of how intimately it is associated with the league.

The council, proceeding to the task imposed upon it by Article XIV, recognizing that its members were politicians rather than international lawyers, called to its aid a committee of eminent jurisconsults to prepare a draft of a statute. It disregarded the fact that the United States had rejected the treaty of Versailles as well as the covenant and requested Hon. Elihu Root to serve on the committee. He accepted the invitation and rendered conspicuous service in its work. He had long been associated in the effort to establish a court of justice before which causes appropriate for judicial determination might be heard and decided upon the law rather than upon consideration of political expediency. He had, as heretofore stated, as Secretary of State, eloquently impressed upon our delegates to the Second Hague Conference the urgent necessity for such a tribunal and charged them with the duty of securing, if possible, the establishment of it as an achievement of the conference. It would be meaningless here to recite the qualifications individually of the other members of the committee. Suffice it to say that they were all eminent in the field of international law. Most of them had been in one way or another associated with earlier efforts to establish a court such as that whose foundation they were now called upon to build. Like the convention which framed our Constitution, the committee did not regard the limitations on its work which the call under which it assembled sought to impose.

Article XIV, it will be remembered, proposed a plan which was to be submitted for the approval only of the members of the league. The committee reported one to be submitted not only to the members of the league for approval and signature but to states mentioned in the annex to the covenant, whether members of the league or not, including the United States. Article XIV provided that the court should be competent to hear any dispute of an international character, which would, of course, include controversies between a state and a citizen of another state, or possibly suits between individuals presenting a question of international law. The committee draft restricted causes that might be brought before the court to those between states or members of the league, thus opening the way to the court for members of the British Empire, quite likely against even the "parent" country. It gave to the court compulsory jurisdiction over four classes of cases, covering substantially the whole field of justiciable controversies, while Article XIV contemplated that it should have jurisdiction only of causes voluntarily submitted. In at least three important particulars the draft reported by the committee differed in respect to the jurisdiction the court should have from the outline found in Article XIV. The draft of the statute accompanying the report of the committee was subjected to the scrutiny of both the council and the assembly of the League of Nations, by which it was amended, without disturbing its general framework, the most important change being that the compulsory jurisdiction feature was eliminated, and instead the signatory nations were accorded an option to subscribe to the compulsory jurisdiction or not, as they saw fit.

It was a source of great disappointment to many of the ardent friends of the judicial settlement of international disputes that the nations, and particularly the great powers, were unwilling to agree to submit to the court all justiciable controversies in which they should be involved, and the failure in that respect is not infrequently urged in the United States in criticism of the statute and the court, as a rule emanating from the very persons who would most loudly protest were it possible under the statute to summon this Nation to answer nolens volens before any world court.

As heretofore stated, 23 nations in all have signed the optional clause giving the court compulsory jurisdiction, France among them, but no other leading nation has, and it is not proposed that the United States shall.

By another important change made by the two branches of the league the court was given jurisdiction to hear "all matters specially provided for in treaties and conventions in force." This has proven a fruitful source of activity for the court. Not only the Versailles treaty, but not less than 20 negotiated since contain stipulations requiring controversies arising under specific provisions of such treaties to be submitted to the court for resolution. As so finally perfected it was appended to the protocol of signature and became the vital part of a new treaty between the nations signatory to it. It is accordingly to the statute of the court one must look for the jurisdiction it may exercise, not to the covenant of the League of Nations or to the Versailles treaty. I repeat the court is not a creature of the covenant or of the Versailles treaty, but of the protocol to which the pending resolution proposes the United States shall subscribe and to the protocol only, a treaty which came into existence in 1920, 18 months after the Versailles treaty and after the League of Nations had been launched.

By the statute the council and the assembly of the league are constituted electoral bodies by which the judges of the court are chosen, one of the conditions upon which the United States subscribes to the protocol, as set forth in the resolution before us, being that when those bodies are engaged in making a choice the United States shall be entitled to participate. We attend when that business is before either body; we retire when it is finished. We participate in none of its deliberations or proceedings save such as relate to the choice of judges.

When the committee of jurists set about the task for which it was assembled, it faced the rock upon which the Second Hague Conference split in its effort to set up an international judicial tribunal, namely the method by which the judges were to be selected. The great powers balked at the application of the principle of equality in the choice. They asserted that it was absurd that Honduras or Liberia should have the same voice as Great Britain or the United States, and they protested that a majority of small states, representing only a small fraction of the people of the world, might impose upon

the powers a candidate unacceptable to some or all of them. The genius of Mr. Root came to the rescue. He proposed that the judges be elected by the council and the assembly of the league, a majority of both branches being requisite for a choice.

It will be recalled that all members of the league, 55 in number, the great and the small, are equally represented in the assembly, the great powers only in the council, 10 in number, 4 permanently—Great Britain, Italy, France, and Japan—and the others selected annually by the assembly. The idea secured acceptance without serious opposition, was carried into the completed draft, and is now a feature of the statute. The principle of this solution must command universal approval—that is, the making of the choice by two electoral bodies, one in which all or substantially all of the nations shall be represented, the other in which only the leading powers shall be represented.

It will be borne in mind that the committee of jurists who proposed this plan was comprised of men most of whom had been struggling for years with the problem then before them. None of them had the ingenuity to devise any plan which even he himself thought better. No one on this side of the water has ventured seriously to propose anything different in principle. Two distinguished members of this body, impressed with the antagonism aroused against the league and yielding to a desire to accommodate themselves to it, proposed in substance the election of judges not by the council and the assembly of the league but by two electoral bodies which for convenience may be denominated A and B, A being constituted substantially as is the assembly of the league, of representatives of all nations signatory to the protocol, and B of representatives of certain leading powers identical with or approaching identity to those having membership in the council, a device which avoided the hated name of the league but left the substance of the machinery for the election in every material particular unchanged.

The idea of proposing to the 50 nations, approximately, that have already subscribed to the protocol that the statute be so amended that electoral bodies quite identical in their composition be set up merely to appease a sentiment eventually appeared even to its proponents so preposterous that it is understood they now both concur in the wisdom of the arrangement wrought out so happily by the committee of jurists on the initiative of the distinguished member from America. The committee found at hand a world organization convenient for its purpose and made it an agency to accomplish the end that had theretofore been unattainable.

In the same way, when it came to making provision for the payment of the salaries of the judges and meeting the other expenses of the court, use was made of the league treasury to which the 55 nations being members of that organization contribute upon a plan worked out on a basis deemed by them to be equitable, each paying in the same proportion as it does to the treasury of the International Postal Union. So it was agreed that out of the fund so assembled the expenses of maintaining the court should be met.

It may be sufficiently accurate for ordinary purposes to say that the judges of the court are elected by the league and paid by the league, but the actual facts are that the money comes from the members of the league, except for inconsequential states identical with the states signatory to the protocol, and that the electors of the judges are representatives of the same states. This tendency to utilize the machinery of the league to accomplish ends in which all nations are interested, social, humanitarian, sanitary, and the like, grows with the passing years.

Whatever problem faces the world requiring concert of action, the idea immediately presents itself to those countries having membership in the league to utilize it. Why set up a multiplicity of independent organizations through which all nations may work for the suppression of the traffic in opium, in women and children, in circulation of obscene literature, the traffic in arms, or for the codification of international law? So reason the advocates of efficient means for the betterment of mankind, not affected with a settled hatred of the league. It has come to such a pass that the United States must work with the league in such fields as those mentioned or have no part whatever in them. Fortunately the Department of State has come to realize the alternative which confronts us in that regard and the ignominy of holding aloof from such world movements, with the result that the repugnance once so distinctly in evidence of associating with that organization in any enterprise, however commendable, is fading away, a subject to be dwelt upon later.

In one other particular the statute associates the court with the league. A controversy was precipitated before the jurists' committee over the number of judges of which the court should be composed, another phase of the conflict between the few great powers and the many small states, the latter apprehensive that with a very limited number of judges no citizen of any of them would ever be chosen. The result was a compromise on 11, with a provision that the number might at any time be increased to 15 on the proposal of the council of the league, concurred in by the assembly—that is, by the concurrence of all of the powers and of the leading powers. That, I may say, notwithstanding any assertion to the contrary, is the only case in which the council or the assembly can modify the statute of the court in any particular whatever. They can increase the number of judges from 11 to 15. With substantial accuracy it may be said that the only relation between the court and the league is that the judges are chosen by the council and the assembly and paid out of the treasury of the league.

Among many perfectly reckless statements made in opposition to the resolution before the Senate it is asserted that by reason of this arrangement the court is controlled by or more or less under the domination or influence of the league. In the first place, the league, as such, has no controversies before the court, and can, under the statute, have none. It can neither be a suitor nor a party before the court. The controversies there heard are between states which may or may not be members of the league. It has never been heard, by counsel or otherwise, before the court in connection with any decision or opinion, for that matter, the court has been called upon to render. It has no interest in any such opinion or decision, however profound may be the interest of any individual members. Even in the matter of advisory opinions, to be the subject of some extended comment in a later address, the conclusion at which the court arrives is a matter of perfect indifference to the league as such. Such opinions are requested in connection with some pending or potential controversy with which the league is or may be called upon to deal. The views expressed by the court may be of immense concern to certain nations members of the league, but the organization itself must ordinarily, if not always, be entirely indifferent as to the result.

In the case of the matter on which the court was last asked for an advisory opinion, namely, whether the league was empowered by the convention between Turkey and Great Britain to make such an adjustment as the commission appointed by the league recommended, those two countries were deeply interested in the outcome, but it would have been wholly improper in the league to take sides, and it is inconceivable that it should take sides and endeavor either openly or secretly to influence or control the court in its decision. Regardless of that consideration which ought to dispose of the contention it is unthinkable that the league should in any wise control the action of the court, even if it desired to do so simply because it, so to speak, elects the judges and pays them. If it is to be assumed that the men so elevated, chosen as judges of the most august tribunal in the world, will or may be influenced by dread of defeat through the machinations of the league should they aspire to a second election, or that their pay may be stopped if they rule contrary to what is expected of them by that organization, the idea of the organization of any kind of a world court may as well be abandoned. Except a life tenure shall be granted the same peril is inherent in any plan for a world court, and the disturbing influence of the salary would remain under almost any that could be devised.

But why indulge in any such outrageous assumption or supposition? It is quite likely that under any other plan for a world court, had such been successfully set on foot, most of the men now sitting as judges of the Permanent Court of International Justice would have been chosen as members of the court so set up. In all probability some of them at least would be, and there is no reason for believing that the others would be men of higher character. The argument is an argument, as many others put forward are, not against this particular World Court but against any world court.

A sudden admiration has been developed among opponents of adherence for a Third Hague Conference to establish a world court. But it tried once and failed, and failed because no one had thought, apparently, of a plan in principle like that developed by the jurists' committee for the selection of the judges. Assuming the nations now supporting the court were willing to scrap it and join in setting up another, would the judges be free from temptations of the character indicated to which the members of the court now functioning are subject? If we indulge such ungenerous and unjust suspicions about the judges of any possible world court, of course we should hold aloof from any and let the world go hang.

But who are these judges who are subject to the domination, the control, or the influence of the league upon the considera-

tions canvassed or any others? Certainly not John Bassett Moore. Not even the most uncompromising irreconcilable will dare assert that in the discharge of his duties he ever has been or ever will be swayed by any improper influence or unworthy motive. Had the present Chief Justice of the United States or his predecessor been selected as one of the judges of the Permanent Court of International Justice, or any man at the American bar whose name might be seriously considered in connection with the place, would any doubt trouble the mind of any citizen of this country about him? Yet some of us are ungenerous and unjust enough to suspect that judges coming from other nations would be less scrupulous than one owing allegiance to the United States; that while our State Department would not venture to insult him by expressing any desire it might have touching any controversy before the court, except publicly at its bar in the presence of the court, the foreign office of any other nation would not hesitate to approach privately and improperly a judge being a national of such country, or that without suggestion from that source his decision would be in conformity with its interests and desires. Such a pharasaical attitude I am proud to say finds a very limited indorsement among the American people. I protest that the League of Nations does not and will not, and in the nature of things can not, control or influence the decisions or opinions of the Permanent Court of International Justice.

The purpose of this address was to make clear that the court rests on its own bottom, that it has its foundation not in the treaty of Versailles or in the covenant of the League of Nations, but is built upon a separate treaty we are asked to approve, promulgated December 16, 1920; that by that treaty we assume no obligations whatever, either under the Versailles treaty or the covenant of the League of Nations or otherwise; that our status toward the league is in no wise affected by adherence contemplated by the pending resolution; that we acquire no rights by adhering and incur no risk of any kind; that the idea that all controversies between nations likely to lead to war will go before the court, and that it with our support will usher in an era of perpetual peace is a delusion, the fact being that by adhering to the protocol we take but a feeble, halting step in the direction of promoting world peace, as said by a Frenchman, a polite gesture. Staggering as it may seem, there are those who maintain we should not even make a gesture toward cooperation to that end.

Having tried to make clear what the court is not, I shall in a later address tell what the court is, how it is constituted, and how it functions, and in another I shall endeavor to meet some of the more common objections to our giving it the moral support of this Nation, whose people are haters of war and passionately attached to the cause of peace. I have failed in my purpose if I have not demonstrated that the league and the court are different institutions, acting in entire independence of each other, that there is occasion neither for hopes nor fears that we are going in or are getting into the league by subscribing to the protocol; that all either the friends of the league may hope from action favorable on the resolution or its foes fear is that it would be evidence that the insensate hatred of the league undergoing progressive amelioration was in its decline and that the time is approaching when dispassionate consideration may be given to the relation our country should bear to that organization through which the nations generally find it most convenient to deal with problems vitally affecting the welfare of their own people respectively, a satisfactory solution of which requires concurrent action on the part of all of them.

LEGISLATIVE SESSION

The Senate resumed its legislative session.

DEBT SETTLEMENTS WITH FRANCE AND ITALY—CORRECTION

Mr. SMOOT. Mr. President, I notice an error in the different leading papers of the country in articles giving an account of what I stated in the discussion on the debt of Italy and France. The newspapers state that I made this statement:

> What happened when the Caillaux committee came over here and made a gesture of a settlement? At that time the franc was about 12¾ cents. I made the statement then in conference that unless a settlement were made there would be but one result, that their financial affairs would be unbalanced and unsafe and that the franc would decline.

Of course that is an error on the part of the press reporters. What I did say was this:

> What happened when the Parmentier commission came over here and made a gesture of a settlement? At that time the franc was at about 12¾ cents.

In other words, I do not want it understood by the American people that I said that Mr. Caillaux stated that the French people did not intend to pay, or virtually repudiated their obligation. I did, however, say that Mr. Parmentier, when he was here in 1922, made a statement before the commission that France did not consider that she owed America anything. Of course the very fact that the franc is not 12¾ cents to-day, and was not when Mr. Caillaux came over, goes to show that the error was made in the papers, and the RECORD so shows.

I did not want Mr. Caillaux to feel that I had made any such statement, for he had made a public statement before he came to America that France acknowledged her debt to the United States, and that he and his commission were coming here to settle it, but no question of terms was ever mentioned by Mr. Caillaux, nor did he or any other member of his commission at any time make the statement that France did not owe the Government of the United States the principal amount shown and published by our Treasury Department.

ADJOURNMENT UNTIL MONDAY

Mr. JONES of Washington. Mr. President, some Senators have expressed a desire that when the Senate adjourns to-day it adjourn to meet on Monday. If there is any Senator who is prepared to go on to-morrow, and desires to do so, I understand it will be perfectly agreeable to the Senate to adjourn until to-morrow. Otherwise, I shall submit a unanimous-consent request that when the Senate adjourns to-day it adjourn until Monday.

Mr. WALSH. I shall offer no objection to that course, but I give notice that on Monday I shall continue my address to the Senate.

Mr. JONES of Washington. I submit that request.

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). The Senator from Washington submits a proposed unanimous-consent agreement that when the Senate adjourns to-day it adjourn to meet on Monday next.

Mr. BRUCE. Mr. President, I do not want to object to such a proposition; but I should like to know just why the Senator from Washington proposes it. What special reason does he think there is for an adjournment until Monday.

Mr. JONES of Washington. If there is any Senator who desires to go on to-morrow, I shall not press the request.

Mr. BRUCE. No; I just wanted to know the reason. I thought the Senator had in mind some special reason why the public interests would not suffer by our adjourning. I do not know that they would ever suffer, for that matter; but I thought perhaps the Senator had some special matter in mind.

Mr. JONES of Washington. No; I have not.

Mr. BRUCE. None at all?

Mr. JONES of Washington. No; none at all.

Mr. BRUCE. Very well. I shall not object.

Mr. JONES of Washington. I hope the Senator will not be suspicious of my request.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request proposed by the Senator from Washington? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION

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

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 45 minutes p. m.) the Senate, under the order previously made, adjourned until Monday, December 21, 1925, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate December 18, 1925

AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY

Ogden H. Hammond, of New Jersey, to be ambassador extraordinary and plenipotentiary of the United States of America to Spain.

UNITED STATES MARSHALS

Albert White, of Alaska, to be United States marshal, first division, District of Alaska, vice George D. Beaumont, term expired.

Charles D. Jones, of Alaska, to be United States marshal, second division, District of Alaska, vice Morris W. Griffith, deceased. (Mr. Jones is now serving under appointment by the court.)

Lynn Smith, of Alaska, to be United States marshal, fourth division, District of Alaska, vice Gilbert B. Stevens, term expired.

PROMOTIONS AND APPOINTMENTS IN THE NAVY

Rear Admiral Arthur L. Willard to be a rear admiral in the Navy from the 5th day of June, 1924, to correct the date from which he takes rank as previously nominated and confirmed.

Rear Admiral Henry H. Hough to be a rear admiral in the Navy from the 16th day of September, 1924, to correct the date from which he takes rank as previously nominated and confirmed.

Rear Admiral Harley H. Christy to be a rear admiral in the Navy from the 27th day of November, 1924, to correct the date from which he takes rank as previously nominated and confirmed.

Rear Admiral Noble E. Irwin to be a rear admiral in the Navy from the 2d day of December, 1924, to correct the date from which he takes rank as previously nominated and confirmed.

Capt. Thomas J. Senn to be a rear admiral in the Navy from the 23d day of February, 1925.

Capt. Richard H. Leigh to be a rear admiral in the Navy from the 4th day of June, 1925.

Capt. George W. Laws to be a rear admiral in the Navy from the 4th day of June, 1925.

Capt. George C. Day to be a rear admiral in the Navy from the 18th day of July, 1925.

Capt. Luke McNamee to be a rear admiral in the Navy from the 16th day of November, 1925.

Commander Ralph M. Griswold to be a captain in the Navy from the 5th day of January, 1925.

Commander Gilbert J. Rowcliff to be a captain in the Navy from the 23d day of February, 1925.

Commander James P. Lannon to be a captain in the Navy from the 24th day of May, 1925.

The following-named commanders to be captains in the Navy from the 4th day of June, 1925:

Henry C. Dinger (additional number in grade).

Rufus Z. Zogbaum, jr.	Henry G. S. Wallace.
Roe R. Adams.	Ralph P. Craft.
Adolphus Staton.	David A. Weaver.
Nell E. Nichols.	Otto C. Dowling.
Frederick R. Naile.	

Commander Charles W. Early to be a captain in the Navy from the 27th day of June, 1925.

Commander Julius C. Townsend to be a captain in the Navy from the 18th day of July, 1925.

Commander Wilson Brown, jr., to be a captain in the Navy from the 16th day of August, 1925.

Commander Robert Henderson to be a captain in the Navy from the 26th day of August, 1925.

The following-named commanders to be captains in the Navy from the 16th day of September, 1925:

Joseph O. Fisher (additional number in grade).

William T. Conn, jr.

The following-named commanders to be captains in the Navy from the 2d day of October, 1925:

Roscoe C. Davis (additional number in grade).

William D. Puleston.

The following-named commanders to be captains in the Navy from the 16th day of November, 1925:

Walter S. Anderson.

Henry D. Cooke.

The following-named commanders to be captains in the Navy from the 23d day of November, 1925:

Samuel M. Robinson (additional number in grade).

William W. Smyth.

Commander William J. Giles to be a captain in the Navy from the 1st day of December, 1925.

Lieut. Commander Edmund D. Almy to be a commander in the Navy from the 17th day of October, 1924.

Lieut. Commander Newton H. White, jr., to be a commander in the Navy from the 2d day of December, 1924.

Lieut. Commander Richard F. Bernard to be a commander in the Navy from the 1st day of January, 1925.

Lieut. Commander Richmond K. Turner to be a commander in the Navy from the 4th day of January, 1925.

Lieut. Commander John W. Rankin to be a commander in the Navy from the 5th day of January, 1925.

Lieut. Commander Henry F. D. Davis to be a commander in the Navy from the 8th day of January, 1925.

Lieut. Commander Oscar Smith to be a commander in the Navy from the 8th day of January, 1925.

Lieut. Commander Henry T. Markland to be a commander in the Navy from the 19th day of February, 1925.

Lieut. Commander William R. Smith, jr., to be a commander in the Navy from the 23d day of February, 1925.

The following-named lieutenant commanders to be commanders in the Navy from the 12th day of April, 1925:

Joseph J. Broshek.

Frank J. Wille.

Eugene E. Wilson.

Lieut. Commander John F. Connor to be a commander in the Navy from the 15th day of May, 1925.

Lieut. Commander Herman E. Welte to be a commander in the Navy from the 24th day of May, 1925.

The following-named lieutenant commanders to be commanders in the Navy from the 4th day of June, 1925:

Abel T. Bidwell.	Harold W. Boynton.
Walter K. Kilpatrick.	Edward J. Foy.
Clyde G. West.	George H. Emmerson.
Harry B. Hird.	Harry A. Badt.
Francis W. Rockwell.	Sydney M. Kraus.
Charles C. Ross.	Howard M. Lammers.
Archer M. R. Allen.	Francis J. Comerford.
Howard H. Crosby.	William C. Owen.
Francis Cogswell.	James M. Irish.
Charles H. Davis.	Paul E. Speicher.
Arthur S. Carpender.	James L. Kauffman.
Robert A. Burg.	William D. Brereton, jr.
Harrison E. Knauss.	William R. Munroe.

Lieut. Commander Albert M. Penn to be a commander in the Navy from the 27th day of June, 1925.

Lieut. Commander William F. Gresham to be a commander in the Navy from the 27th day of June, 1925.

Lieut. Commander Paul H. Bastedo to be a commander in the Navy from the 17th day of July, 1925.

Lieut. Commander Philip Seymour to be a commander in the Navy from the 18th day of July, 1925.

Lieut. Commander Frank R. Berg to be a commander in the Navy from the 16th day of August, 1925.

Lieut. Commander Stuart O. Greig to be a commander in the Navy from the 2d day of October, 1925.

Lieut. Commander James C. Van de Carr to be a commander in the Navy from the 4th day of October, 1925.

Lieut. Commander William J. Larson to be a lieutenant commander in the Navy from the 5th day of June, 1924, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Commander Alfred P. H. Tawresey to be a lieutenant commander in the Navy from the 1st day of July, 1924, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Commander John H. Buchanan to be a lieutenant commander in the Navy from the 9th day of July, 1924, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Commander Herman A. Spanagel to be a lieutenant commander in the Navy from the 21st day of July, 1924, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Commander Frank L. Lowe to be a lieutenant commander in the Navy from the 30th day of August, 1924, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Commander Theodore D. Westfall to be a lieutenant commander in the Navy from the 12th day of September, 1924, to correct the date from which he taxes rank as previously nominated and confirmed.

Lieut. Commander Andrew H. Addoms to be a lieutenant commander in the Navy from the 16th day of September, 1924, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Commander George B. Wilson to be a lieutenant commander in the Navy from the 17th day of October, 1924, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. William K. Harrill to be a lieutenant commander in the Navy from the 4th day of November, 1924.

Lieut. Alfred H. Balsley to be a lieutenant commander in the Navy from the 16th day of November, 1924.

Lieut. William E. Malloy to be a lieutenant commander in the Navy from the 27th day of November, 1924.

Lieut. Greene W. Dugger, jr., to be a lieutenant commander in the Navy from the 2d day of December, 1924.

Lieut. Commander John M. Creighton to be a lieutenant commander in the Navy from the 16th day of December, 1924,

to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Charles D. Swain to be a lieutenant commander in the Navy from the 17th day of December, 1924.

Lieut. Edmund W. Burrough to be a lieutenant commander in the Navy from the 18th day of December, 1924.

Lieut. Albert H. Rooks to be a lieutenant commander in the Navy from the 23d day of December, 1924.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of January, 1925:

Byron B. Ralston.

Stanley L. Wilson.

Lieut. Thomas N. Vinson to be a lieutenant commander in the Navy from the 4th day of January, 1925.

Lieut. Herbert J. Ray to be a lieutenant commander in the Navy from the 5th day of January, 1925.

Lieut. Commander Charles E. Rosendahl to be a lieutenant commander in the Navy from the 5th day of January, 1925, to correct the date from which he takes rank as previously nominated and confirmed.

The following-named lieutenants to be lieutenant commanders in the Navy from the 8th day of January, 1925:

John G. Moyer.

Robert W. Hayler.

Lieut. Archibald N. Offley to be a lieutenant commander in the Navy from the 22d day of January, 1925.

Lieut. Richard L. Conolly to be a lieutenant commander in the Navy from the 30th day of January, 1925.

Lieut. William A. Corn to be a lieutenant commander in the Navy from the 1st day of February, 1925.

Lieut. Thomas L. Nash to be a lieutenant commander in the Navy from the 16th day of February, 1925.

The following-named lieutenants to be lieutenant commanders in the Navy from the 19th day of February, 1925:

Edwin T. Short.

William A. Teasley.

Lieut. John B. W. Waller to be a lieutenant commander in the Navy from the 23d day of February, 1925.

Lieut. Thomas J. Doyle, jr., to be a lieutenant commander in the Navy from the 13th day of March, 1925.

Lieut. Alexander R. Early to be a lieutenant commander in the Navy from the 21st day of March, 1925.

Lieut. Vincent A. Clarke, jr., to be a lieutenant commander in the Navy from the 26th day of March, 1925.

Lieut. Kemp C. Christian to be a lieutenant commander in the Navy from the 28th day of March, 1925.

The following-named lieutenants to be lieutenant commanders in the Navy from the 12th day of April, 1925:

Philip W. Yeatman.

William J. Hart, jr.

Lieut. Charles F. Martin to be a lieutenant commander in the Navy from the 22d day of April, 1925.

Lieut. Allan W. Ashbrook to be a lieutenant commander in the Navy from the 15th day of May, 1925.

Lieut. Raymond A. Deming to be a lieutenant commander in the Navy from the 24th day of May, 1925.

The following-named lieutenants to be lieutenant commanders in the Navy from the 4th day of June, 1925:

Charles T. S. Gladden.	Charles H. Mecum.
Robert A. Dyer, 3d.	Rudolph F. Hans.
William A. Heard.	Wilder DuP. Baker.
George T. Howe.	Jesse H. Smith.
Lewis H. McDonald.	Harold J. Nelson.
Thomas F. Downey.	Ralph O. Davis.
George S. Arvin.	Martin Griffin.
Frank P. Thomas.	Malcolm W. Callahan.
Francis K. O'Brien.	Stuart D. Truesdell.
Marion Y. Cohen.	Robert W. Cary.
Thomas C. Slingluff.	Lloyd J. Wiltse.
Thomas C. Latimore.	Paul W. Fletcher.
Karl F. Shears.	Joseph C. Arnold.
Leon O. Alford.	Robert P. Luker.
Robert C. Starkey.	William H. Porter, jr.
Charles A. MacGowan.	Wallis Gearing.
Oliver O. Kessing.	Lewis J. Stecher.
John F. Moloney.	Harry J. Reuse.
John H. Brown, jr.	Haiden T. Dickinson.
Ralph G. Pennoyer.	Lynde D. McCormick.
Walter D. Snyder.	Arthur C. Davis.
Morris J. Lenney.	Walter A. Hicks.
Benjamin S. Killmaster.	Arthur D. Struble.
James E. Boak.	Warner P. Portz.

Lieut. Benjamin F. Perry to be a lieutenant commander in the Navy from the 24th day of June, 1925.

The following-named lieutenants to be lieutenant commanders in the Navy from the 27th day of June, 1925:

Richard W. Bates.

Louis R. Moore.

Lieut. Gerard H. Wood to be a lieutenant commander in the Navy from the 17th day of July, 1925.

Lieut. Melville C. Partello to be a lieutenant commander in the Navy from the 18th day of July, 1925.

Lieut. Robert O. Glover to be a lieutenant commander in the Navy from the 16th day of August, 1925.

Lieut. Archie E. Glann to be a lieutenant commander in the Navy from the 4th day of September, 1925.

Lieut. John C. Lusk to be a lieutenant commander in the Navy from the 2d day of October, 1925.

Lieut. Scott Umsted to be a lieutenant commander in the Navy from the 16th day of November, 1925.

Lieut. John P. Millon to be a lieutenant in the Navy from the 14th day of December, 1922, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. James D. Brown to be a lieutenant in the Navy from the 16th day of December, 1922, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Alfred Doucet to be a lieutenant in the Navy from the 19th day of December, 1922, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. James MacDonnell to be a lieutenant in the Navy from the 26th day of December, 1922, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Everest A. Whited to be a lieutenant in the Navy from the 31st day of December, 1922, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Samuel E. Lee to be a lieutenant in the Navy from the 6th day of January, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. George T. Campbell to be a lieutenant in the Navy from the 8th day of January, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Frank Kinne to be a lieutenant in the Navy from the 16th day of January, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Frank Kerr to be a lieutenant in the Navy, from the 19th day of January, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Elmer J. McCluen to be a lieutenant in the Navy from the 1st day of February, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Cornelius J. O'Connor to be a lieutenant in the Navy from the 2d day of February, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Warwick M. Tinsley to be a lieutenant in the Navy from the 9th day of February, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Francis P. Brewer to be a lieutenant in the Navy from the 16th day of February, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. John F. Piotrowski to be a lieutenant in the Navy from the 26th day of February, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. William K. Johnstone to be a lieutenant in the Navy from the 8th day of March, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Emmette F. Gumm to be a lieutenant in the Navy from the 18th day of March, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Clarence H. Fogg to be a lieutenant in the Navy from the 1st day of April, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. George C. Neilsen to be a lieutenant in the Navy from the 10th day of April, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Thomas G. Shanahan to be a lieutenant in the Navy from the 11th day of April, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. George Schneider to be a lieutenant in the Navy from the 26th day of April, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Frank V. Shepard to be a lieutenant in the Navy from the 27th day of April, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Abram L. Broughton to be a lieutenant in the Navy from the 9th day of May, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Harry F. Gray to be a lieutenant in the Navy from the 1st day of June, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. (Junior Grade) Walter M. Blumenkranz to be a lieutenant in the Navy from the 8th day of June, 1923.

Lieut. Francis E. Matthews to be a lieutenant in the Navy from the 8th day of June, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Philip H. Taft to be a lieutenant in the Navy from the 13th day of June 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Henry L. Burmann to be a lieutenant in the Navy from the 16th day of June, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Arthur P. Spencer to be a lieutenant in the Navy from the 20th day of June, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. John S. Hawkins to be a lieutenant in the Navy from the 23d day of June, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Charlie S. East to be a lieutenant in the Navy from the 29th day of June, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

Lieut. Reuben F. Davis to be a lieutenant in the Navy from the 30th day of June, 1923, to correct the date from which he takes rank as previously nominated and confirmed.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 31st day of December, 1924:

Charles H. Gordon.
Theron S. Hare.
Robert H. Barnes.
Frank R. Wills.
Rudolph Oeser.
William M. McDade.
John C. Redman.
Ewell K. Jett.
Rudolph P. Bielka.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of January, 1925:

William R. Dolan.
Thomas O. Brandon.
Maxemillian B. De Leche.
James R. Harrison.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 31st day of January, 1925:

Roger K. Hodsdon.
Alfred G. Scott.
Howard L. Clark.
Ernest V. Abrams.
Lloyd K. Cleveland.
Raymond St. C. Beckel.
William N. Thornton.
Burton E. Rokes.
Donald R. Comstock.
Andrew M. Harvey.
Edgar V. Carrithers.

Lieut. (Junior Grade) Ove P. O. Hansen to be a lieutenant in the Navy from the 15th day of February, 1925.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of March, 1925:

Ashton B. Smith.
George Walker.

Lieut. (Junior Grade) Frederick A. Smith to be a lieutenant in the Navy from the 15th day of March, 1925.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 22d day of April, 1925:

Wallace H. Gregg.
James P. McCarthy.
William G. Dow.
John P. Bowling.
Albert McI. Wright.
Fred J. Barden.
Herbert H. Taylor.
Ralph W. Floody.
George K. G. Reilly.
Charles R. Will.
Joseph A. Guard.
Glenn S. Holman.
Ralph L. Lovejoy.
James S. Warner.
James C. Taylor.
William M. M. Lobrano.
Jackson R. Tate.
Alan F. Winslow.
Milton P. Wilson.
Charles R. Price.
Thomas J. Bay.
Harold B. Herty.
Samuel S. Fried.
Paul L. Mather.
Floyd J. Nuber.
Charles H. K. Miller.
Edwin C. Millhouse.
Leon G. DeBrohun.
Paul G. Wrenn.
Clarence L. Waters.
Myron T. Richardson.
Paul G. Haas.
Harold W. Alden.
John A. Sedgwick.
Clarence H. Pike.
Howard W. Bradbury.
George E. Twining.
Charles C. Ferrenz.
Henry L. Naff.
Clyde A. Coggins.
Sidney L. Huff.
George E. Kenyon.
Hugo F. Sasse.
Carl E. Wiencke.
James M. Fernald.
Maurice A. O'Connor.
Albert R. Buehler.
Thomas F. Hayes.
Benjamin C. Purrington.
Harold J. Walker.
Arthur H. Small.
James H. Foskett.
Malcolm D. MacGregor.
James J. McGlynn.
Joseph H. Sayfried.
Donald McK. Weld.
Irvin M. Hansen.
Floyd Gills.
Edward R. J. Griffin.
Albert L. Prosser.
William L. Hickey.
Russell D. Bell.
Joseph W. Mullally.
James B. Bliss.
Robert W. Boughter.
Otto F. Johanns.
Harry Redfern.
John F. Wegforth.
Frederick L. Farrell.
Benjamin S. Henderson.
Clifford B. Schiano.
William B. Coleman.
Elder P. Johnson.
Robert F. Stockin.
Florentine P. Wencker.
Ralph W. Bowers.
Harry D. Goldy.
Anton L. Mare.
John D. Murphy.
William L. Travis.
Cyril E. Taylor.
Robert E. Permut.
Harold B. Corwin.
John A. Pierson.
Joseph S. Donnell, jr.
Emanuel Taylor.

Lieut. (Junior Grade) Karl Sommerfield to be a lieutenant in the Navy from the 1st day of May, 1925.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 2d day of May, 1925:

Laurence Bennett.
Albert M. Van Eaton.
George C. Weldin.
Harold J. Bellingham.
John E. Gabrielson.
Walter O. Roenicke.

Lieut. (Junior Grade) Nelson H. Eisenhardt to be a lieutenant in the Navy from the 9th day of May, 1925.

Lieut. (Junior Grade) Sumner C. Cheever to be a lieutenant in the Navy from the 10th day of May, 1925.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of June, 1925:

John L. Albice.
Meinrad A. Schur.
William W. Behrens.
Russell C. Bartman.
Harold R. Holcomb.
Joseph E. Jackson.
Forrest A. Rhoads.
Lewis R. McDowell.
Raymond A. McClellan.
Nullet F. Schneider.
Gordon T. House.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 7th day of June, 1925:

Roscoe F. Good.
Thomas H. Robbins, jr.
Joseph H. Severyns.
Roscoe H. Hillenkoetter.
George M. Dusinberre.
Raymond W. Holsinger.
Henry S. Dunbar, jr.
Paul Miller.
Virgil E. Korns.
William E. A. Mullan.
Frank Rorschach, jr.
George H. Dana.
William B. Goggins.
Kendall S. Reed.
Raymond C. Ferris.
Moultrie Moses.
Emmet P. Forrestel.
Horatio G. Sickel, 4th.
Clarence J. Ballreich.
Clarence V. Lee.
William Sinton.
Abel C. J. Sabalot.
Asel B. Kerr.
Reinhard C. Moureau.
William I. Leahy.
Allen P. Mullinnix.
Henry S. Nielson.
Earl LeR. Sackett.
Edmund T. Wooldridge.
Charles B. Momsen.
Donald T. Whitmer.
Roger Brooks.
Ernest W. Litch.
Edgar P. Kranzfelder.
Burton L. Hunter, jr.
William H. Galbraith.
Sam L. La Hache.
Norman R. Hitchcock.
Warner U. Hines.
Thomas A. Gaylord.
John P. Curtis.
Charles H. Murphy.
Edward E. Pare.
Herbert C. Rust.
Charles S. Beightler.
William W. Fife.
Peter F. Hunt.
Robert D. Threshie.
Mead S. Pearson.
Oberlin C. Laird.
Thomas S. Combs.
Clarence F. Swanson.
Lewis Corman.
George P. Kraker.
Edwin F. Conway.
Robert E. Robinson, jr.
Chester L. Walton.
Delmer S. Fahrney.
Kenneth E. Brimmer.
John N. Kelty.
Harold E. Peifer.
Lemuel P. Padgett, jr.
Marcy M. Dupre, jr.
Elwood M. Tillson.
Marion E. Crist.
Alexander J. Couble.
Alva J. Spriggs.
John W. Marts, jr.
Donald R. Osborn, jr.
Benton W. Decker.
La Rue E. Lawbaugh.
Warner W. Angerer.
Richard S. Morse.
William A. P. Martin, jr.
Richard Highleyman.
Walter H. Roberts.
George A. Seitz.
John Perry.
Felix L. Baker.
Harold R. Parker.
Leo B. Schulten.
Frederick V. Barker.
Hugh E. Haven.
Brook S. Mansfield.
Robert E. Melling.
Frederick B. Kauffman.
Frederick C. Sachse.
Ernest E. Stevens.
George C. Haeberle.
John B. Longstaff.
George E. Rosenberry.
Karl J. Christoph.
Lunsford Y. Mason, jr.
Frederick W. McMahon.

Carroll L. Tyler.	Harry H. Hill.
Jack E. Hurff.	Royal A. Houghton.
Robert Holmes Smith.	Darrough S. Gurney.
Charles B. Gary.	Paul W. Steinhagen.
John F. Gillon.	Robert C. Warrack.
Eugene W. Kiefer.	Douglass P. Johnson.
Rockwell J. Townsend.	Joseph T. Talbert.
John E. Whelchel.	William H. Wallace.
Dudley M. Page.	Beverly A. Hartt.
Charles C. Hartman.	Maurice E. Hatch.
Alf O. R. Bergesen.	Joseph U. Lademan, jr.
Henry N. Mergen.	Benjamin P. Ward.
Barnett T. Talbott.	John F. Rees.
Frank C. L. Dettmann.	Valentine M. Davis.
Robert P. Erdman.	Robert P. Cunningham.
Edward H. McMenemy.	Charles C. Anderson.
Paul R. Heineman.	Charles D. Edmunds.
Ellsworth D. McEathron.	James B. Carter.
Maurice E. Curts.	Jesse B. Goode.
Winfield S. Cunningham.	John B. Mallard.
Eugene F. Burkett.	James L. Wyatt.
Earl R. DeLong.	Clarence McM. Head.
Jerome F. Donovan, jr.	John M. Thornton.
Clyde W. Smith.	William H. Hutter.
Francis Taylor.	Roy W. M. Graham.
Robert Bolton, jr.	William J. Strother, jr.
Herbert G. Hopwood.	Stephen C. Dougherty.
James H. Chadwick.	Julian McC. Boit.
Augustus J. Wellings.	Francis B. Stoddert.
Stanley E. Martin.	John W. Higley.
James B. Donnelly.	John F. Crowe, jr.
Samuel W. Canan.	William G. Tomlinson.
John P. Vetter.	John E. Gingrich.
Thomas B. Brittain.	Emanuel C. Beck.
Harold C. Fitz.	William A. Swanston.
Royal W. Abbott.	Edwin H. Tillman, jr.
Fridthjof W. Londahl.	Frederick J. Cunningham.
Robert W. Bockius.	Francis P. Old.
Harry Corman.	Paul S. Slawson.
Richard R. Hartung.	Norman B. Hopkins.
Frank W. Schmidt.	Melvin H. Bassett.
Lyman S. Perry.	Maurice E. Browder.
Robert H. Hargrove.	Forrest M. O'Leary.
Maurice Van Cleave.	Martin J. Gillan, jr.
Carleton C. Champion, jr.	Edmond P. Speight.
Charles R. Skinner.	Raleigh B. Miller.
Drayton Harrison.	Charles B. McVay, 3d.
Fred B. Avery.	Carroll T. Bonney.
Allen Hobbs.	James R. Tague.
William H. Buracker.	William A. P. Thompson.
Charles T. Wootten.	Harris C. Aller.
Oscar A. Weller.	Richard H. Cruzen.
Walter H. Weed, jr.	George W. Mead, jr.
Lawrence W. Curtin.	Hugh W. Turney.
Theodore G. Haff.	George D. Morrison.
Jennings B. Dow.	Harry D. Power.
Samuel H. Arthur.	Howard C. Rule, jr.
Dixwell Ketcham.	Thomas S. Thorne.
Mark H. Crouter.	Willard M. Downes.
Cato D. Glover, jr.	Myron A. Baber.
Harold F. Fick.	Austin K. Doyle.
Charles M. Huntington.	Hugh D. Lyttle.
Frank M. Maichle.	George H. Gregory.
Oliver W. Gaines.	Charles R. Woodson.

Lieut. (Junior Grade) Marshall A. Anderson to be a lieutenant in the Navy from the 11th day of June, 1925.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 16th day of June, 1925:

Elmer S. Stoker.

John B. Lyon.

Lieut. (Junior Grade) Campbell Cleave to be a lieutenant in the Navy from the 17th day of June, 1925.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 24th day of June, 1925:

William E. Miller.

Charles M. Abson.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 27th day of June, 1925:

James H. Doyle.

Harry E. Padley.

Lieut. (Junior Grade) Neill D. Brantly to be a lieutenant in the Navy from the 1st day of July, 1925.

Lieut. (Junior Grade) Charles D. Murphey to be a lieutenant in the Navy from the 4th day of July, 1925.

Lieut. (Junior Grade) Elmer F. Helmkamp to be a lieutenant in the Navy from the 18th day of July, 1925.

Lieut. (Junior Grade) William P. Hepburn to be a lieutenant in the Navy from the 1st day of August, 1925.

Lieut. (Junior Grade) Charles L. Surran to be a lieutenant in the Navy from the 11th day of August, 1925.

Lieut. (Junior Grade) Philip R. Kinney to be a lieutenant in the Navy from the 24th day of September, 1925.

Lieut. (Junior Grade) Harold Coldwell to be a lieutenant in the Navy from the 1st day of October, 1925.

Lieut. (Junior Grade) William G. Livingstone to be a lieutenant in the Navy from the 1st day of November, 1925.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 3d day of June, 1924:

Ernest H. Webb.	Ward C. Gilbert.
Logan McKee.	Edward C. Kline.
John A. Upshur.	Wiley N. Hand.
Walter P. Ramsey, jr.	Thomas C. Brownell.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 3d day of June, 1925:

Ruthven E. Libby.	William F. Jennings.
John J. B. Fulenwider.	Jesse R. Wallace.
Robert N. Hunter.	Hubbard F. Goodwin.
Richard W. Dole.	William L. Holm.
Harvey T. Walsh.	Bradford Bartlett.
Wilson P. Cogswell.	Joyce C. Cawthon.
Peter G. Hale.	Corydon H. Kimball.
Adelbert F. Converse.	John A. Hollowell, jr.
William L. Ware.	Ellwood E. Burgess.
William A. Finn.	Thomas J. Raftery.
Robert E. Blue.	John J. O'Donnell, jr.
Adolph E. Becker, jr.	Henry L. Shenier.
Bruce B. Adell.	Edward C. Forsyth.
Harry T. Smith.	Robert L. Johnson.
Alvin I. Melstrom.	Robert E. Blick, jr.
Lysle E. Ellis.	Hyman C. Rickover.
Henri H. Smith-Hutton.	Humphrey W. Toomey.
John C. Lester.	Albert L. Toney.
Woodson V. Michaux.	Howard R. Healy.
John H. Schultz.	Lucien Ragonnet.
Roger E. Nelson.	Marion E. Murphy.
Herbert E. Regan.	Preston S. Tambling.
Warren K. Berner.	George W. Bauernschmidt.
Clarence E. Voegeli.	Frank T. Watkins.
John J. Pierrepont.	Clarence L. C. Atkeson, jr.
Harold G. Hazard.	John M. Higgins.
Walter E. Zimmerman.	James P. Clay.
Leon J. Huffman.	Edward C. Metcalfe.
John S. Harper.	Francis M. Adams.
Ralph C. Kephart.	Robert B. Rothwell.
Ralph R. Gurley.	Wilfred J. Holmes.
Milton E. Miles.	Roy R. Darron.
William S. Parsons.	John P. Whitney.
Harold D. Baker.	Anthony L. Danis.
Cornelius S. Snodgrass.	Arthur A. Clarkson.
Raymond A. Hansen.	Harry C. Garrison.
Bradford E. Grow.	Frederick B. Vose.
Kenneth L. Forster.	Frank R. Walker.
Edwin A. Taylor.	Hugh H. Goodwin.
John R. Hume.	Albert V. Kastner.
Armand J. Robertson.	Robert W. Morse.
Charles L. Ashley.	Thomas F. Christie, jr.
James E. Craig.	Donald R. Eldridge.
Thomas B. Dugan.	Earl V. Sherman.
Thomas M. Stokes.	Edmonston E. Coil.
George W. D. Covell.	John Connor.
Alfred R. Taylor.	George F. Watson.
William J. Sebald.	Charles C. Phleger.
Alan R. McCracken.	James B. McVey.
Paul H. Wiedorn.	Rogers Elliott.
Otto C. Wierum.	Frank C. Sutton.
George P. Hunter.	Douglas P. Stickley.
Arthur LeR. Hamlin.	Perry M. Fenton.
Harold F. Pullen.	Herschel A. Smith.
Archibald E. Uehlinger.	Harold E. Parker.
David J. Studabaker.	Maurice J. Strong.
Donald S. Evans.	Willard J. Suits.
Charles J. Cater.	Owen Rees.
Tom B. Hill.	John A. Smith.
Carl F. Espe.	Marion N. Little.
Ehrwald F. Beck.	Edward J. O'Kane.
John H. Leppert.	Frederick L. Riddle.
George E. Nold.	Whitaker F. Riggs, jr.
Fulwar S. Halsell.	Henry F. MacComsey.

Howard E. Orem.
Eugene E. Elmore.
Clarke H. Lewis.
Howard L. Jennings.
Alvin L. Becker.
Robert McC. Peacher.
Edward R. Frawley.
William L. Freseman.
Donald H. Johnston.
George E. Palmer.
Lloyd D. Follmer.
Walter E. Gist.
Edward R. Gardner, jr.
Robert W. Bedilion.
Austin S. Keeth.
Edgar A. Cruise.
Edward A. Solomons.
Herbert S. Duckworth.
William B. Holden.
John S. Hedrick.
Charles J. McWhinnie.
Isaiah Olch.
Samuel K. Groseclose.
Leo P. Pawlikowski.
Ignatius J. Haley.
Michael J. Malanaphy.
William B. Ault.
Vernon O. Clapp.
Russell G. Sturges.
Robert Hall Smith.
Robert B. Higgins, jr.
Bates H. Johnston.
Howard D. McIntosh.
Aaron R. Lyon.
William B. Terrell.
David B. Justice.
Lowe H. Bibby.
Eaton A. Boothe.
John E. French.
William S. Campbell.
Charles F. Hooper.
Clifford M. Alvord.
Emory P. Hylant.
Thomas C. Ryan, jr.
Thomas T. Beattie.
Charles O. Humphreys.
Charles A. Dodge.
Valvin R. Sinclair.
Augustus D. Clark.
Edward B. Arroyo.
Horatio D. Smith.
Peter J. Neimo.
Howard B. Hutchinson.
Henry L. Parry.
John P. Cady.
Edwin E. Woods.
Edward H. Pierce.
John E. Murphy.
William R. Terrell.
Thomas H. Ochiltree.
John E. Stephens, jr.
Charles M. Furlow, jr.
Harold T. Dawson.
Leon J. Manees.
James E. Baker.
Rudolf L. Johnson.
Arthur L. Pleasants, jr.
Herbert E. Berger.
Roland P. Kauffman.
Worthington S. Bitler.
Alexander F. Junker.
Delbert S. Cornwell.
Byron S. Anderson.
Kenneth O. Ekelund.
Karl A. Thieme.
Charles A. Havard.
Alfred R. Mead.
George R. Cooper.
George T. Boldizsar.
Harry Keeler, jr.
Charles O. Comp.
Malcolm M. Goussett.
Vernon Huber.
Sherman R. Clark.
Halstead S. Covington.
Horace B. Butterfield.
Thomas A. Cory.
Hubert W. Chanler.
Raymond H. Tuttle.
Frank Akers.
William B. Whaley, jr.
Henry J. Schmidt.
Robert C. Strong, jr.
Edward R. Durgin.
Frederick J. Eckhoff.
Robert A. Knapp.
Louis D. Libenow.
Henry E. Eccles.
Beverly E. Carter.
James A. McBride.
James G. Sampson.
Harry St. J. Butler.
Thomas H. Kehoe.
Hugh W. Hadley.
Gerald U. Quinn.
Robert A. J. English.
Thomas Aldred.
William C. Cross.
Frederick S. Hall.
Malcolm W. Pemberton.
John M. Cox, jr.
Edward B. Curtis.
Carlos J. Badger.
John L. Pratt.
Richard C. Scherrer.
Mellish M. Lindsay, jr.
Charles D. Garvin.
Joseph B. Dunn.
Clarence L. Atkinson, jr.
Francis B. Johnson.
Hallock G. Davis.
Matthew S. Q. Weiser.
Hugh W. Lindsay.
Harold R. Stevens.
William V. Saunders.
William P. Davis.
John P. Bennington.
William F. Hurt.
Carlton C. Dickey.
Luther B. Stuart.
Ralph Earle, jr.
John L. Nestor.
Charles W. Crawford.
John P. W. Vest.
John Y. Dannenberg.
Albert K. Morehouse.
Kenmore M. McManes.
George L. Menocal.
Donald W. Gardner.
Richard S. Waggener.
Ralph H. Wishard.
Alfred J. Homann.
Walter W. Rockey.
Daniel W. Harrigan.
Francis J. Mee.
Albert E. Chapman.

Chief Machinist Wilfred G. Lebegue to be an ensign in the Navy from the 25th day of February, 1925.

Chief Boatswain Henry Plander to be an ensign in the Navy from the 25th day of February, 1925.

The following-named boatswains to be ensigns in the Navy from the 25th day of February, 1925:

Howell Hedrick.
Paul S. Crandall.
James J. Cunningham.
George H. Charter.
Charles J. Naumilket.

The following-named midshipmen to be ensigns in the Navy from the 4th day of June, 1925:

Harry E. Hubbard.
Clifford J. Collins.
William H. Benson.
Ernest S. L. Goodwin.
Charles H. Anderson, jr.
Clifton G. Grimes.
William C. Straub.
William J. Marshall.
Henry Crommelin.
Daniel Stubbs.
George L. Todd.
James B. Harlow.
Edward H. Edmundson.
Dundas P. Tucker.
Frederick K. Loomis.
Martin R. Peterson.
Edward N. Parker.
Ernest M. Eller.
Richard G. Voge.
Robert L. Dyer.
William P. McGirr.
Paul W. Hord.
Willis H. Pickton.
William A. Eaton.
Austin W. Wheelock.
Stanley P. Moseley.
Edward K. Walker.
Richard A. Larkin.
Lingurn H. Burkhead.
Wilbur N. Landers.
Fremont B. Wright.
John H. Sides.
Delbert A. Ross.
Carlton H. Moore.
Harold V. B. Madsen.
Victor D. Long.
James M. Robinson.
Alexander Sledge.
Schuyler N. Pyne.
Philip S. Creasor.
Redfield Mason.
Thomas B. McMurtrey.
John W. Murphy, jr.
Robert L. Adams.
David Goldenson.
Lewis Wallace.
Thomas M. Brown.
William Sihler.
Leslie F. Hoag.
Claire C. Seabury.
William H. Beers, jr.
John H. Long.
Willis A. Lent.
Horace G. Trainer.
George L. Purmort.
Sherry T. McAdam, jr.
Edmund B. Taylor.
Paul A. Hartzell.
John L. Melgaard.
Robert E. Cronin.
Elmer C. Buerkle.
Charles D. McDaniel.
Waldo Tullsen.
Francis J. Thomas.
David R. Hull.
Thomas C. Thomas.
Morgan A. Powell.
Eugene E. Paro.
John A. Charlson, jr.
Richard E. Elliott.
James A. McNally.
John R. van Nagell.
William C. Latrobe.
Fred C. Billing.
Bruce D. Kelley.
Morton C. Mumma, jr.
David A. Hurt.
Jeane R. Clark.
Byron C. Wanglin, jr.
Chester C. Smith.
David M. Tyree.
Homer O. Dahlke.
Dwight M. Allgood.
William B. Colborn.
De Vere L. Day.
Jackson S. Champlin.
Terrence R. Cowie.
James M. Miller.
Alexander Jackson, jr.
Philip D. Compton.
Lee T. Weston.
George W. Bains.
James S. Smith, jr.
Eugene D. Sullivan.
Frederick B. Warder.
Stanton H. Harcourt.
William G. H. Lind.
John H. Spiller.
Joe W. Stryker.
Cecil B. Gill.
William B. Howard, jr.
Stephen A. Hammond, jr.
George L. Phillips.
Persifor F. Gibson, jr.
Malcolm G. Dunlop.
John W. Brennan.
Franklin W. Slaven.
Franklin D. Karns, jr.
Charles F. Miller.
Stirling P. Smith.
Horace W. Blakeslee.
Anthony L. Rorschach.
George C. Wright.
Harry N. Lyon.
Aubrey G. Lanston.
Robert H. Gibbs.
Ernest St. C. von Kleeck, jr.
Wallace S. Newton.
Richard E. Nellis.
Clarence C. Ray.
Clarence E. Haugen.
Charles H. O'Neil.
Rodmon D. Smith.
Wilfred B. Goulett.
Harman B. Bell, jr.
Kenneth V. Dawson.
Lermond H. Miller.
William H. Putnam.
Harold C. Pound.
Willard K. Goodney.
Frank S. Timberlake.
Joseph W. Ludewig.
Merle Van Metre.
James P. Knowles.
Knowlton Williams.
Douglas E. Smith.
William C. Schultz.
Herbert McNulta, jr.
Herbert P. Rice.
Cameron Briggs.
William L. Messmer.
Henry T. Brian.
Fred C. Barnhart.
Harry A. Simms.
John D. Reppy.
Charles V. Broadley.
Thelman Lester.
William J. O'Brien.
Jesse C. Sewell.
Edward L. Schleif.
John F. French.
Monroe Y. McGown, jr.
Everett P. Newton, jr.
Harry F. Miller.
Thomas Burrowes, jr.
Claude A. Dillavou.
Lewis S. Parks.
Donald C. Beard.
Roland W. Charles.
Clinton H. Sigel.
Alwin D. Kramer.
Roger B. Nickerson.
Edmund Tweedy.
Frank A. Munroe, jr.
John S. Blue.
Richard H. Gingras.
Thomas G. Reamy.
George E. Fee.
Donald D. Parke.
Theodore W. Johnson, jr.

Francis R. Stolz.	James O. Banks, jr.
Charles A. Bond.	George F. O'Keefe.
Ralph P. Kimzey.	Herman E. Schieke.
John H. Broadbent.	John G. Moore.
Clement R. Criddle.	Shane H. King.
Richard W. Reither.	Robert I. Coleman.
Frederick F. Sima.	Aubrey B. Leggett.
Arthur H. Graubart.	Alexander C. Thorington.
Charles E. Tolman, jr.	George B. Fowler.
Glenn M. Cox.	John J. Hourihan.
Frederick N. Kivette.	Joseph Leicht.
Ira E. Hobbs.	Thomas M. McGraw.
Hubert T. Waters.	William G. Beecher, jr.
William O. Gallery.	Charles S. Silsbee.
Harold O. Larson.	Tillett S. Daniel.
Lew W. Roberts.	Charles M. Ryan.
John O. Lambrecht.	Austin C. Behan.
Donald C. Varian.	Harold F. Dearth.
Carleton C. Hoffner.	James B. O'Hara.
Harry H. Henderson.	David G. Greenlee, jr.
Charles S. Weeks.	Hamilton L. Stone.
George C. Hirst, jr.	Charles F. Chillingworth, jr.
William L. Wright.	Joseph H. Nevins, jr.
Rex S. Caldwell.	George J. King.
William L. Turney.	Richard Davis, jr.
Russell S. Smith.	William H. Standley, jr.
Albert E. Jarrell.	Frank P. Tibbitts.
Robert N. Allen.	John G. Brown.
John B. Robertson, jr.	Adolph Hede.
James D. Taylor, 3d.	Harold H. Pickens.
Thomas H. Tonseth.	Walter S. Mayer, jr.
Creighton K. Lankford.	Linwood S. Howeth.
James B. Cash.	Warren P. Mowatt.
Everett E. Mann.	Carter A. Printup.
John J. Laffan.	James R. Hanna.
Roland B. Vanasse.	Cecil L. Blackwell.
William R. Headden.	Theodore Wolcott.
Eugene S. Lee.	Carroll D. Reynolds.
Paul C. Crosley.	Harry L. Ferguson, jr.
James M. Hicks.	Bennett W. Wright.
Robert S. Clark.	Robert N. Gardner.
George J. Dufek.	Joseph M. Scruggs.
John G. Blanche, jr.	Samuel D. Simpson.
Edward L. Beck.	George F. Kershner.
John M. Scott.	Frank D. Owers.
Carl H. B. Morrison.	Ashby J. Badger.
William H. Truesdell.	Walter B. Davidson.
Vernon D. Wickizer.	Joseph M. Carson.
Lee F. Sugnet.	Reginald C. Johnson.
Haralson F. Smith.	Herbert E. Schonland.
Kenneth C. Hurd.	Francis B. McCall.
Warren W. Johnson.	William S. Howard, jr.
John H. Griffin.	Byron B. Loomis.
James H. Carrington.	John B. Brown.
Malcolm D. Sylvester.	William S. Veeder.
Howard T. Orville.	Thomas C. Parker.
Oliver F. Naquin.	Joseph E. Wilson.
John W. Steele.	George Gellhorn, jr.
James W. Haviland, 3d.	Harvey N. Marshall.
John M. Miller.	Frederick P. Williams.
William L. Benson.	William B. Krieg.
Waldeman N. Christensen.	Andrew E. Harris.
Hunter Wood, jr.	William W. Agnew, jr.
Clyde F. Malone.	Max H. Bailey.
Joseph H. Wellings.	John E. Florance.
Barton E. Bacon, jr.	John G. Hughes, jr.
Watson T. Singer.	Charles S. McKinney.
John S. Day.	Clarence E. Gregerson.
Donald A. Bush.	Lynn C. Petross.
John B. Cleland, jr.	Martin J. Drury.
Harry Wagner.	Arthur R. Quinn.
John B. Poore.	Virgil F. Gordinier.
George A. Leahey, jr.	John G. Johns.
Raymond R. Lyons.	Edward D. Crowley.
William A. New.	Clifford L. McAuliffe.
William W. Graham, jr.	Thomas J. Kimes.
John F. Goodwin.	John R. Lawrence.
Cornelius M. Sullivan.	Graham C. Gill.
Brenton H. Field.	Roy R. Ransom.
Fremont B. Eggers.	Marvin J. West.
John S. Chitwood.	George P. Biggs.
Fred R. Stickney.	Percy H. Lyon.
Reuben T. Thornton, jr.	Norman W. Sears.
Edward G. Muth.	Jack P. de Shazo.
Julian B. Jordan.	James V. Query, jr.
Paul M. Clyde.	Charles W. Truxall.
Clyde M. Jensen.	Richard A. Guthrie.
Thomas J. McGeoy.	Benjamin May, 2d.
Albert S. Moore.	Walter C. Ford.
Edward A. McFall.	Bennett S. Copping.
Phillip H. FitzGerald.	David C. Dreier.
Harry B. Heneberger.	John H. Lewis.
Warren F. Porter.	Paul M. Lion, jr.
Robert J. K. Mensing.	Julian J. McShane.
Thompson F. Fowler.	Frank L. Durnell.
Robert N. McFarlane.	William H. Shahan.
Edwin R. Swinburne.	Donald A. Peterson.
Karl H. Nonweiler.	William K. Rhodes.
Ronald M. MacKinnon.	William Culbert.
John F. Delaney, jr.	Rene S. Wogan.
William K. Thompson.	Winthrop E. Terry.
Alexander MacIntyre.	John C. Hammock.
Edwin V. Brant.	Gordon B. Rainer.
Gelzer L. Sims.	Henry H. Love.
David G. Roberts.	Warren B. Sampson.
Hugh P. Thomson.	Robert G. Norman.
Arthur B. Thompson.	William Kirten, jr.
Arthur D. J. Farrell.	Lewis M. Markham, jr.
Paul B. Tuzo, jr.	George F. Mahoney.
James M. Smith.	Isaac S. K. Reeves, jr.
Thomas J. Hickey.	Alfred J. Benz.
William E. Hank.	Clanton E. Austin.
George R. Phelan.	Frank W. Fenno, jr.
Cecil L. Smith.	Richard K. Gaines.
Ralph A. Sentman.	Robert C. Palmer.
Ernest J. Davis.	Julian K. Morrison, jr.

Medical Inspector Charles N. Fiske to be a medical director in the Navy, with the rank of captain, from the 5th day of April, 1925.

Medical Inspector John J. Snyder to be a medical director in the Navy, with the rank of captain, from the 17th day of April, 1925.

Medical Inspector Richmond C. Holcomb to be a medical director in the Navy, with the rank of captain, from the 30th day of June, 1925.

Surg. Frank E. Sellers to be a medical inspector in the Navy, with the rank of commander, from the 5th day of April, 1925.

Surg. Edward H. H. Old to be a medical inspector in the Navy, with the rank of commander, from the 17th day of April, 1925.

The following-named surgeons to be medical inspectors in the Navy, with the rank of commander, from the 30th day of June, 1925:

Paul R. Stalnaker.	Edward C. White.
Thurlow W. Reed.	Edward U. Reed.

Surg. Edgar L. Woods to be a medical inspector in the Navy, with the rank of commander, from the 1st day of September, 1925.

Passed Asst. Surg. William R. Levis to be a surgeon in the Navy, with the rank of lieutenant commander, from the 5th day of June, 1924.

Passed Asst. Surg. Howard E. Gardner to be a surgeon in the Navy, with the rank of lieutenant commander, from the 5th day of December, 1924.

The following-named passed assistant surgeons to be surgeons in the Navy, with the rank of lieutenant commander, from the 4th day of June, 1925:

Frederick L. McDaniel.	Travis S. Moring.
John H. Chambers.	Lynn N. Hart.
Joel J. White.	Robert H. Collins.
Lyle J. Roberts.	James A. Fields.
Frederick R. Hook.	James F. Hooker.
Percy W. Dreifus.	Deane H. Vance.
Ladislaus L. Adamkiewicz.	Brython P. Davis.
William H. H. Turville.	James E. Potter.
Gilbert H. Mankin.	Joseph H. Durrett.
Benjamin F. Norwood.	Morton D. Willcutts.
Robert P. Henderson.	Philip S. Sullivan.
Eben E. Smith.	Paul T. Crosby.
James W. Ellis.	Julius F. Neuberger.
John M. McCants.	Clarence J. Brown.
George P. Carr.	William W. Behlow.
Lewis W. Johnson.	Arthur H. Dearing.
Harold S. Sumerlin.	Robert B. Miller.
John M. Huff.	Paul M. Albright.
Walter M. Anderson.	James E. Houghton.
Robert T. Canon.	Roger M. Choisser.
Sterling S. Cook.	Walter A. Fort.
Bertram Groesbeck, jr.	Felix P. Keaney.

Frank W. Ryan.
Paul V. Greedy.
Leslie B. Marshall.
Robert P. Parsons.
John G. Powell.
Harry B. LaFavre.
Raymond B. Storch.
Otto W. Grisier.
Martin L. Marquette.
Joseph E. Malcomson.
Hutchens C. Bishop, jr.
Wilfred M. Peaberdy.
Claude E. Brown.
Lewis G. Jordan.
Jack S. Terry.
Albert N. Champion.
John L. Frazer, jr.
Harold E. Ragle.
Horace R. Boone.
Stephen R. Mills.
James A. Brown.
Rollo W. Hutchinson.
George A. Eckert.
Ransom H. Holcomb.
Hardy V. Hughens.

The following-named citizens of the States indicated opposite their names to be assistant surgeons in the Navy, with the rank of lieutenant (junior grade), from the 4th day of June, 1925:

Fred D. Heegler, a citizen of California.
Frederick A. Heinsath, a citizen of Massachusetts.
James R. Fulton, a citizen of Washington.
Herman D. Scarney, a citizen of New Jersey.
Harry L. Goff, a citizen of Pennsylvania.
Ralph H. Hofler, a citizen of North Carolina.
Clifford A. Swanson, a citizen of Michigan.
Harry V. Thomas, a citizen of Illinois.
John Q. Adams, a citizen of Virginia.
John N. C. Gordon, a citizen of Kentucky.
James C. Drybread, a citizen of Indiana.
Frank M. Townsend, jr., a citizen of Michigan.
Frederick S. Foote, a citizen of California.
Bernard S. Pupek, a citizen of New York.
Harold W. Naeckel, a citizen of Iowa.
John D. Keye, a citizen of North Dakota.
Henry W. Patton, a citizen of Tennessee.
Baxter A. Livengood, a citizen of North Carolina.
Elmer G. Wakefield, a citizen of Arkansas.
Marion T. Rosser, a citizen of Virginia.
Newman K. Bear, a citizen of California.
Gunnar Jelstrup, a citizen of North Dakota.
Walter S. Mountain, a citizen of Pennsylvania.
Ocie B. Morrison, jr., a citizen of Virginia.
John P. Brady, a citizen of Michigan.
Edward E. Jones, a citizen of Utah.
Robert F. Hague, a citizen of Michigan.
Raymond C. Lindholm, a citizen of California.
Clamor H. Gavin, a citizen of Idaho.
David W. Lyon, jr., a citizen of Ohio.
Hugo O. G. Wagner, a citizen of Missouri.
Ebon B. McGregor, a citizen of Indiana.
Rufus A. Schneiders, a citizen of Wisconsin.
Harold M. F. Behneman, a citizen of California.
Carroll O'Rourke, a citizen of Indiana.
Adolphus A. Berger, a citizen of Missouri.
Charles G. McCormack, a citizen of Missouri.
Melvin D. Abbott, a citizen of Michigan.
John R. Phillips, a citizen of Indiana.
Samuel J. Roberts, a citizen of Missouri.
Hurschell D. Kindell, a citizen of Indiana.
Ray W. Oldenburg, a citizen of Colorado.
Willard B. Pierce, a citizen of Minnesota.
Anthony E. Reymont, a citizen of Illinois.
Bruce V. Leamer, a citizen of Nebraska.
Hanford Phillips, a citizen of Missouri.
Bartholomew W. Hogan, a citizen of Massachusetts.
Benjamin R. Ross, a citizen of Indiana.
LeRoy F. Farrell, a citizen of Massachusetts.
Ralph R. Ploughe, a citizen of Indiana.
Louis A. Hitzeman, a citizen of Missouri.
Sobisca S. Hall, a citizen of West Virginia.
David L. Beers, a citizen of Ohio.
Clark T. Alexander, a citizen of Colorado.
David O. Zearbaugh, a citizen of Indiana.

The following-named citizens of the States indicated opposite their names to be assistant surgeons in the Navy, with the rank of lieutenant (junior grade), from the 5th day of June, 1925:

Harold O. Cozby, a citizen of Texas.
James H. McGranahan, a citizen of Minnesota.

The following-named passed assistant dental surgeons to be dental surgeons in the Navy, with the rank of lieutenant commander, from the 4th day of June, 1925:

Louis F. Snyder.
John E. Herlihy.
Charles C. Bockey.
Clark E. Morrow.
Lou C. Montgomery.
Joseph A. Tartre.
James I. Root.
Harold A. Daniels.
Paul W. Yeisley.
Lawrence E. McGourty.
Hubert J. Lehman.
Howard R. McCleery.
James C. Lough.
Sidney M. Akerstrom.
Errol W. Willett.
DeWitt C. Emerson.
Robert S. Maxwell.
Robert S. Davis.
Charles C. Tinsley.
Hubert F. Delmore.
Harold A. Badger.
Spry O. Claytor.
David L. Cohen.

Daniel W. Ryan, a citizen of Iowa, to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade), from the 21st day of August, 1925.

William R. Burns, a citizen of Pennsylvania, to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade), from the 2d day of December, 1925.

Pay Director Thomas H. Hicks to be a pay director in the Navy, with the rank of rear admiral, from the 25th day of May, 1925.

Pay Inspector Ray Spear to be a pay director in the Navy, with the rank of captain, from the 25th day of May, 1925.

Pay Inspector Cuthbert J. Cleborne to be a pay director in the Navy, with the rank of captain, from the 10th day of July, 1925.

Paymaster William G. Neill to be a pay inspector in the Navy, with the rank of commander, from the 14th day of January, 1925.

Paymaster Benjamin H. Brooke to be a pay inspector in the Navy, with the rank of commander, from the 10th day of July, 1925.

Paymaster Harry E. Collins to be a pay inspector in the Navy, with the rank of commander, from the 26th day of July, 1925.

The following-named passed assistant paymasters to be paymasters in the Navy, with the rank of lieutenant commander, from the 4th day of June, 1925:

Ralph W. Swearingen.
William V. Fox.
Charles L. Austin.

The following-named assistant paymasters to be passed assistant paymasters in the Navy, with the rank of lieutenants, from the 31st day of December, 1924:

Letcher Pittman.
Archie B. McKay.
Charles T. Flannery.
Josephus M. Lieber.
Carl L. Biery.
Harry H. Hines.
Frank Humbeutel.
Harrison W. McGrath.
Robert H. Whitaker.
Calvin W. Schaeffer.
Harry C. Mechtoldt.
Charles W. Fox.
Everett W. Brown.

The following-named assistant paymasters to be passed assistant paymasters in the Navy, with the rank of lieutenant, from the 1st day of January, 1925:

William H. Phillips.
John L. H. Clarholm.
George H. Crofut.
Matthew T. Betton.
John Ball.
Carl W. Seitz.
Percy Briggs.
Lamar Lee.
Andrew C. Shiver.
Theodore W. S. Runyon.
Joseph G. Hagstrom.
Cyrus B. Kitchen.

The following-named assistant paymasters to be passed assistant paymasters in the Navy, with the rank of lieutenant, from the 1st day of February, 1925:

Edward W. Hawkes.
Earl F. Codding.
Charles D. Kirk.
Charles S. Bailey.

Assistant Paymaster Clark H. Miley to be a passed assistant paymaster in the Navy, with the rank of lieutenant, from the 15th day of February, 1925.

Assistant Paymaster Guy J. Cheatham to be a passed assistant paymaster in the Navy, with the rank of lieutenant, from the 1st day of March, 1925.

The following-named assistant paymasters to be passed assistant paymasters in the Navy, with the rank of lieutenant, from the 15th day of March, 1925:

Harold T. Smith.
Charles J. Lanier.
John H. Davis.

Assistant Paymaster David W. Robinson to be a passed assistant paymaster in the Navy, with the rank of lieutenant, from the 1st day of May, 1925.

Ensign Reed T. Roberts to be an assistant paymaster in the Navy, with the rank of ensign, from the 1st day of May, 1925.

The following-named midshipmen to be assistant paymasters in the Navy, with the rank of ensign, from the 4th day of June, 1925:

James P. Dowden.
Paul J. Kiel.
Philip White.
Preston G. Locke.
Robert L. Grove.

Pay Clerk Don L. Merry to be an assistant paymaster in the Navy, with the rank of ensign, from the 11th day of June, 1925.

Chaplain Robert D. Workman to be a chaplain in the Navy, with the rank of captain, from the 25th day of August, 1924.

Chaplain Edward A. Duff to be a chaplain in the Navy, with the rank of captain, from the 11th day of September, 1925.

The following-named chaplains to be chaplains in the Navy, with the rank of commander, from the 3d day of November, 1924:

William A. Maguire.
William N. Thomas.

Chaplain Ernest L. Ackiss to be a chaplain in the Navy, with the rank of commander, from the 5th day of January, 1925.

Chaplain Maurice M. Witherspoon to be a chaplain in the Navy, with the rank of commander, from the 3d day of November, 1924.

Chaplain Thomas L. Kirkpatrick to be a chaplain in the Navy, with the rank of commander, from the 11th day of September, 1925.

The following-named assistant naval constructors to be naval constructors in the Navy, with the rank of lieutenant commander, from the 6th day of June, 1925:

Edward Ellsberg.	Edward L. Cochrane.
Robert W. Ferrell.	George C. Manning.
Donald Royce.	Adrian R. Marron.
Gordon W. Nelson.	Joseph L. McGuigan.
Fred M. Earle.	John I. Hale.

The following-named assistant naval constructors to be naval constructors in the Navy, with the rank of lieutenant commander, from the 30th day of June, 1925:

Robert N. S. Baker.
William Nelson.

The following-named ensigns to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), from the 3d day of June, 1925:

Leonard Kaplan.	Carlyle L. Helber.
Francis H. Whitaker.	Dale Quarton.
Harry W. Pierce.	Henry A. Ingram.
Nicholas A. Draim.	Edward C. Craig.
Leslie A. Kniskern.	Alden R. Sanborn.
Leland D. Whitgrove.	Milo R. Williams.
Bernard E. Manseau.	Irving L. Lind.
John A. Sweeton.	

The following-named ensigns to be assistant civil engineers in the Navy with the rank of lieutenant (junior grade), from the 3d day of June, 1925:

Henry P. Needham.
Beauford W. Fink.

The following-named boatswains to be chief boatswains in the Navy, to rank with but after ensign, from the 20th day of June, 1924:

John W. Thrunk.
Benjamin B. Johnson.
George M. Coryell.

The following-named boatswains to be chief boatswains in the Navy, to rank with but after ensign, from the 20th day of July, 1924:

George L. Kennedy.
Lewis W. Adkins.

The following-named boatswains to be chief boatswains in the Navy, to rank with but after ensign, from the 20th day of August, 1924:

William G. Baker.	Frank Harder.
John A. Muelchi.	John J. Smith.
George J. Duck.	

The following-named boatswains to be chief boatswains in the Navy, to rank with but after ensign, from the 21st day of October, 1924:

Claude Tucker.
Conrad Motz.

The following-named boatswains to be chief boatswains in the Navy, to rank with but after ensign, from the 20th day of November, 1924:

William J. Smith.
Walter C. Fitzpatrick.

Boatswain Albert E. Baker to be a chief boatswain in the Navy, to rank with but after ensign, from the 20th day of February, 1924.

Boatswain Frederick W. Filbry to be a chief boatswain in the Navy, to rank with but after ensign, from the 20th day of December, 1924.

Boatswain Forest A. Cole to be a chief boatswain in the Navy, to rank with but after ensign, from the 20th day of January, 1925.

Boatswain Hubert George to be a chief boatswain in the Navy, to rank with but after ensign, from the 24th day of March, 1925.

Boatswain Walter J. Daly to be a chief boatswain in the Navy, to rank with but after ensign, from the 21st day of April, 1925.

The following-named boatswains to be chief boatswains in the Navy, to rank with but after ensign, from the 20th day of May, 1925:

Robert C. West.
Farrell N. C. Overall.

The following-named boatswains to be chief boatswains in the Navy, to rank with but after ensign, from the 20th day of June, 1925:

Herman C. Fredericks.
John T. Sunderman.

Gunner Carl J. Nerdahl to be a chief gunner in the Navy, to rank with but after ensign, from the 2d day of July, 1923.

Gunner Alvin W. McCoy to be a chief gunner in the Navy, to rank with but after ensign, from the 20th day of August, 1924.

Gunner Frederick G. Weilenmann to be a chief gunner in the Navy, to rank with but after ensign, from the 21st day of October, 1924.

Gunner Fred Jordan to be a chief gunner in the Navy, to rank with but after ensign, from the 14th day of November, 1924.

Gunner George A. Cruze to be a chief gunner in the Navy, to rank with but after ensign, from the 20th day of November, 1924.

The following-named gunners to be chief gunners in the Navy, to rank with but after ensign, from the 20th day of December, 1924:

Robert W. Morrison.
Harrison H. Blevins.

Gunner George A. Collette to be a chief gunner in the Navy, to rank with but after ensign, from the 20th day of January, 1925.

Gunner Edwin C. Jepson to be a chief gunner in the Navy, to rank with but after ensign, from the 11th day of July, 1925.

Machinist Axel E. Tangren to be a chief machinist in the Navy, to rank with but after ensign, from the 15th day of November, 1923.

Machinist Eduard G. Jahnke to be a chief machinist in the Navy, to rank with but after ensign, from the 24th day of March, 1924.

Machinist Robert Farris to be a chief machinist in the Navy, to rank with but after ensign, from the 1st day of June, 1924.

Machinist Zemp W. Cornwell to be a chief machinist in the Navy, to rank with but after ensign, from the 20th day of July, 1924.

The following-named machinists to be chief machinists in the Navy, to rank with but after ensign, from the 20th day of September, 1924:

Raymond O. Deitzer.
Mark A. Savelle.

Machinist Frank D. Butler to be a chief machinist in the Navy, to rank with but after ensign, from the 21st day of October, 1924.

The following-named machinists to be chief machinists in the Navy, to rank with but after ensign, from the 20th day of December, 1924:

Joseph J. Ouwelant.
Paul L. Henneberg.

Machinist Henry W. Price to be a chief machinist in the Navy, to rank with but after ensign, from the 20th day of March, 1925.

Machinist George L. McMullen to be a chief machinist in the Navy, to rank with but after ensign, from the 20th day of April, 1925.

Machinist John A. Lowe to be a chief machinist in the Navy, to rank with but after ensign, from the 20th day of May, 1925.

Machinist Burr W. Sommer to be a chief machinist in the Navy, to rank with but after ensign, from the 20th day of July, 1925.

Machinist Douglas H. West to be a chief machinist in the Navy, to rank with but after ensign, from the 1st day of September, 1925.

Carpenter Samuel Butrick to be a chief carpenter in the Navy, to rank with but after ensign, from the 24th day of September, 1923.

Carpenter Lars J. Larson to be a chief carpenter in the Navy, to rank with but after ensign, from the 20th day of April, 1924.

Carpenter Milton DeMilt to be a chief carpenter in the Navy, to rank with but after ensign, from the 20th day of September, 1924.

Carpenter Paul J. Lynch to be a chief carpenter in the Navy, to rank with but after ensign, from the 21st day of October, 1924.

The following-named carpenters to be chief carpenters in the Navy, to rank with but after ensign, from the 20th day of November, 1924:

Gustave A. Gillgren.
Harry C. Klopp.

Carpenter David Somers to be a chief carpenter in the Navy, to rank with but after ensign, from the 12th day of March, 1925.

Carpenter William J. Kennedy to be a chief carpenter in the Navy, to rank with but after ensign, from the 28th day of March, 1925.

Carpenter William H. Berry to be a chief carpenter in the Navy, to rank with but after ensign, from the 20th day of May, 1925.

Pharmacist Carson A. Nelson to be a chief pharmacist in the Navy, to rank with but after ensign, from the 21st day of October, 1924.

Pharmacist Herbert S. Lansdowne to be a chief pharmacist in the Navy, to rank with but after ensign, from the 20th day of November, 1924.

Pay Clerk Cabell R. Berry to be a chief pay clerk in the Navy, to rank with but after ensign, from the 14th day of September, 1922.

Pay Clerk John J. MacDonald to be a chief pay clerk in the Navy, to rank with but after ensign, from the 20th day of February, 1924.

Pay Clerk James F. Yoes to be a chief clerk in the Navy, to rank with but after ensign, from the 20th day of July, 1924.

Pay Clerk Edward W. Hume to be a chief pay clerk in the Navy, to rank with but after ensign, from the 21st day of October, 1924.

The following-named pay clerks to be chief pay clerks in the Navy, to rank with but after ensign, from the 20th day of December, 1924:

Arthur H. Fletcher.
Thomas S. Lowry.
John P. Wilson.
Alma E. Salm.
Raymond C. Ball.

Pay Clerk Arthur S. Wrenn to be a chief pay clerk in the Navy, to rank with but after ensign, from the 21st day of December, 1924.

Pay Clerk John J. McGrath to be a chief pay clerk in the Navy, to rank with but after ensign, from the 20th day of January, 1925.

Pay Clerk Dale A. Palmer to be a chief pay clerk in the Navy, to rank with but after ensign, from the 19th day of February, 1925.

Pay Clerk George W. Dean to be a chief pay clerk in the Navy, to rank with but after ensign, from the 20th day of February, 1925.

The following-named pay clerks to be chief pay clerks in the Navy, to rank with but after ensign, from the 20th day of March, 1925:

Carlile Reid.
Harry L. Creswick.

Pay Clerk Archie J. McDaniel to be a chief pay clerk in the Navy, to rank with but after ensign, from the 28th day of March, 1925.

Pay Clerk Chauncey J. Buckley to be a chief pay clerk in the Navy, to rank with but after ensign, from the 6th day of April, 1925.

Pay Clerk James A. Harris to be a chief pay clerk in the Navy, to rank with but after ensign, from the 6th day of May, 1925.

Pay Clerk Crawford T. Folsom to be a chief pay clerk in the Navy, to rank with but after ensign, from the 28th day of May, 1925.

Pay Clerk Norris D. Whitehill to be a chief pay clerk in the Navy, to rank with but after ensign, from the 5th day of September, 1925.

Lieut. Joseph H. Hoffman to be a lieutenant commander in the Navy from the 5th day of June, 1924.

Lieut. (Junior Grade) John W. Dillinder to be a lieutenant in the Navy from the 15th day of July, 1925.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 31st day of July, 1925:

Lannis A. Parker.
Harold F. Hale.

Lieut. (Junior Grade) Harold J. Kircher to be a lieutenant in the Navy from the 1st day of June, 1925.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 3d day of December, 1924:

Kenneth R. Hall.
Cecil Paine.
Hiram P. Shaw.

Passed Asst. Surg. Park M. Barrett to be a surgeon in the Navy, with the rank of lieutenant commander, from the 5th day of December, 1924.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 18, 1925

ASSISTANT SECRETARY OF THE TREASURY

Lincoln C. Andrews to be Assistant Secretary of the Treasury.

DIRECTOR OF THE BUREAU OF MINES

Scott Turner to be Director Bureau of Mines.

MEMBER OF THE BOARD OF CHARITIES OF THE DISTRICT OF COLUMBIA

William J. Kerby to be member of the Board of Charities, District of Columbia.

COAST AND GEODETIC SURVEY

Byron Williams to be junior hydrographic and geodetic engineer.

UNITED STATES DISTRICT JUDGE

Fred M. Raymond to be United States district judge, western district of Michigan.

UNITED STATES ATTORNEYS

Fred Cubberly to be United States attorney, northern district of Florida.

Paul W. Kear to be United States attorney, eastern district of Virginia.

UNITED STATES MARSHALS

Clarence G. Smithers to be United States marshal, eastern district of Virginia.

S. Green Proffit to be United States marshal, western district of Virginia.

Hugh L. Patton to be United States marshal, district of Wyoming.

POSTMASTERS

ALABAMA

Charles O. Johnson, Ensley.
Thomas A. Carter, Grove Hill.

FLORIDA

Walter R. McLeod, Apopka.
Fred H. Gibbons, Archer.
John H. McLain, Auburndale.
James E. Still, Bonifay.
Charles W. Pierce, Boynton.
Latrelle W. Greason, Brewster.
Grace M. Mashburn, Caryville.
Fred Brett, Crestview.
Charles A. Miller, Crystal River.
Frank Dean, Delray.
Edna F. Hope, Dunedin.
Glenna J. Pedrick, Dunnellon.
Elwyn B. C. Nichols, Ellenton.
Pauline F. Colley, Florence Villa.
Fred W. Jacques, Fort Lauderdale.
Wesley S. Moe, Fort Pierce.
Jesse E. Franklin, Glen Saint Mary.
James T. Phillips, Greenville.
Walter O. Brooks, Gulfport.
Emma S. Fletcher, Havana.
Louis F. Randall, Hialeah.
William H. Downing, High Springs.
Wylie L. Buchanan, Hopkins.
William L. Bryan, Jasper.
James L. Richbourg, Laurelhill.
John F. Stunkel, Leesburg.
John H. Hildreth, Live Oak.
Daniel H. Petteys, McIntosh.
Florence M. Wackerle, Melbourne.
Daniel H. Laird, Millville.
John H. Collins, Milton.
David S. Simpson, Mount Dora.
Edna L. Goss, Mulberry.

Nathan J. Lewis, Newberry.
Charlotte E. Henry, Nocatee.
Walter N. Gray, Okeechobee.
Goldie B. Helm, Oneco.
Ethel C. McPherson, Passagrille.
Henry A. Drake, Port St. Joe.
Louis B. Ritch, Raiford.
Dudley H. Morgan, River Junction.
Abraham H. Lasher, Safety Harbor.
Charles M. Loy, Stuart.
Bessie T. Austin, Sulphur Springs.
Harriet R. Bishop, Tampashores.
Annie B. Locke, Titusville.
Arthur L. Stevens, Waldo.
Lonie M. Watkins, Webster.
George W. Smith, West Palm Beach.

GEORGIA

Leila W. Maxwell, Danville.
John H. Hendrix, Hawkinsville.
William N. Casey, Kingsland.
Benjamin N. Walters, Martin.
John T. Bird, Oxford.
Mary E. Everett, St. Simons Island.
William H. Flanders, Swainsboro.

ILLINOIS

Hazel Hayes, Armington.
Charles C. Hamilton, Arthur.
Henry E. Petersen, Ashkum.
John P. Kopp, Baldwin.
Carl M. Crowder, Bethany.
Nancy Jamison, Biggsville.
Matthew G. Yarnell, Bowen.
Fred Wilson, Broughton.
Tice D. Mason, Browns.
Harold M. Brown, Brownstown.
Myrtle A. Blackward, Bush.
James E. Voorhees, Bushnell.
Ralph W. Colver, Cherry.
John Reineke, Cissna Park.
John A. Bateman, Clay City.
J. H. Shaefer, Cross Point.
Mae E. Laughery, Cuba.
Bertha I. Askey, Dakota.
Edward J. Tabor, Earlville.
Joseph D. Nutt, East Alton.
Mercy Thornton, Elkville.
Chalon T. Land, Enfield.
Nellie T. Lindstrom, Fairview.
William W. Harbert, Findlay.
William C. Borger, Freeburg.
Charles W. Meier, Freeport.
Elizabeth Titter, Glen Carbon.
Lewis M. Crow, Grand Tower.
Maurice E. Murrie, Grayslake.
James F. Mill, Hillsdale.
Leslie K. Valentine, Hinckley.
Frank P. Cowing, Homewood.
Lora Johnson, Hudson.
William E. Ford, Karnak.
James F. Harrison, Leaf River.
George F. Dickson, Little York.
Clyde F. Clester, Loda.
Anna C. Boyer, Logan.
Anna E. Paramore, Loraine.
Lela Killips, Lyons.
James M. Pace, Macomb.
Bailey H. West, Makanda.
William L. Beebe, Manito.
Ellis H. Jones, Minooka.
Emily M. Erickson, Mount Greenwood.
Ruth J. Hodge, Mundelein.
Samuel E. Shelton, Nason.
Junius A. Beger, Nauvoo.
William J. Thornton, Nebo.
Harvie D. Harris, New Boston.
Edwin L. Griese, Northbrook.
Joseph L. Przyborski, North Chicago.
William D. Abbaduska, Odell.
Edzard Johnson, Oglesby.
Robert B. Ritzman, Orangeville.
James W. Alexander, Patoka.
Mary E. Lister, Percy.
Albert S. Tavenner, Polo.
Jefferson Louk, Prairie City.
Ralph R. Larkin, Prairie du Rocher.
Willis M. Hoag, Princeville.
Emma H. Howe, Ravinia.
Edna G. Mallette, Reynolds.
Willis J. Huston, Rochelle.
Harry L. Johnson, Rockport.
Herman B. Schmidt, Roselle.
Charles G. Brainard, Round Lake.
Forrest E. Mattix, St. Elmo.
Harry E. Gemmill, Shannon.
William C. Kelley, Simpson.
William H. Conkling, Springfield.
Homer J. Spangler, Stanford.
William Faster, Strasburg.
Katherine Maloy, Summit.
John W. Vangilder, Sumner.
Polona H. Callaway, Tallula.
John E. Miller, Tamms.
Elijah Williams, Tonica.
Arthur W. Shinn, Toulon.
Fred S. Edwards, Troy.
Olin L. Browder, Urbana.
Priscilla Crandal, Ursa.
Hervey E. Broaddus, Varna.
Roy C. Tarrant, Versailles.
August Treu, Villa Park.
Fred E. Schroeder, Warrensburg.
Jay B. Hollibaugh, Waynesville.
Lizzie M. Burch, Western Springs.
William C. Ohse, Yorkville.

IOWA

John Daly, Alta Vista.
Frank J. Wuamett, Alvord.
Oltman A. Voogd, Aplington.
Harriette Olsen, Armstrong.
Arthur A. Dingman, Aurelia.
Harry R. Grim, Belle Plaine.
Gayle A. Goodman, Birmingham.
Henry W. Pitstick, Boyden.
Anton C. Jaeger, Brandon.
Wheaton A. MacArthur, Burt.
Earle Miller, Cantril.
Gustav H. Hackmann, Clermont.
Edward W. Teale, Davis City.
Robert B. Light, Deep River.
Edna B. Wylie, Derby.
Ernest T. Greenfield, Douds.
William C. Rolls, Dow City.
Herman Ternes, Dubuque.
Edwin T. Davidson, Duncombe.
Andrew N. Jensen, Elk Horn.
Ole A. Cragwick, Ellsworth.
Amel F. Wunn, Everly.
Dean Taylor, Fairfield.
James E. Carr, Farmington.
Charles S. Parker, Fayette.
John A. Martin, Floyd.
E. Ray Morrell, Grand River.
Arthur M. Burton, Grinnell.
Walter B. Luke, Hampton.
John H. Nicoll, Harris.
Clyde E. Wheelock, Hartley.
William S. Ferree, Hillsboro.
Nettie B. Mullan, Hopkinton.
Louis H. Severson, Inwood.
Fred O. Parker, Ireton.
Jesse O. Parker, Keosauqua.
Joseph F. Higgins, Keswick.
Lillian M. Cochran, Lake City.
Jessaline M. Weinberger, Ledyard.
Irene Goodrich, Lehigh.
Winfield Cash, Leon.
Benjamin F. Shirk, Linn Grove.
Walter E. Prouty, Lockridge.
Thomas E. Halls, Lucas.
Charles F. Brobeil, Lytton.
Austin C. McKinsey, Maquoketa.
Purley Jennison, Maynard.
John P. McNeill, Melcher.
Roy L. Day, Melrose.
George Kraft, Melvin.
W. Serenus Peterson, Missouri Valley.
Hugh L. Smith, Montezuma.
Charles P. McCord, Nevada.
Bruce C. Mason, New Market.

Everett H. Moon, New Providence.
George W. Graham, Oakville.
James E. Graves, Osceola.
Theodore E. Templeton, Paton.
Fred H. Seabury, Pisgah.
Oscar Smith, Plainfield.
Oscar M. Green, Prescott.
George A. Fox, Quimby.
Alva V. Gillette, Randolph.
George A. Bennett, Redfield.
Carroll A. Richardson, Renwick.
Matilda Johnson, Ridgeway.
Nettie Lund, St. Ansgar.
William W. Simkin, Salem.
William H. Moore, Shelby.
George J. Bloxham, Sheldon.
Alfred Jones, Shenandoah.
Allan Muilenburg, Sioux Center.
William H. Jones, Sioux City.
Andrew Maland, Slater.
Elsie N. Morgan, Smithland.
Grace Severson, Soldier.
William N. Horn, South English.
Henry A. Falb, West Bend.
Eric L. Ericson, Story City.
Arthur T. Briggs, Sutherland.
Leona B. Garrison, Swea City.
Howard W. Edwards, Tingley.
Mayme L. Petersen, Titonka.
Clifford C. Clardy, Valley Junction.
Howard D. Peckham, Villisca.
Donald C. Gearhart, Washta.
B. Frank Jones, Waukee.
Charles W. Tyrrell, Waverly.
Roy O. Kelley, Westside.
Seth B. Cairy, Whittemore.
Elsie Lowe, Woodburn.
Pauline W. Hummel, Yale.

KENTUCKY

Bell Gray, Corbin.

LOUISIANA

Leo A. Turregano, Alexandria.
Lee O. Taylor, Bogalusa.
Florence L. Harris, Bonami.
John B. Smith, Cheneyville.
Charles C. Subra, Convent.
Henry Johnson, Cravens.
Ernest B. Miller, Denham Springs.
John S. Pickett, Fisher.
Elias F. Kelly, Gilbert.
James O. Adams, Good Pine.
Marian E. Thomas, Grand Cane.
Mamie S. Kiblinger, Jackson.
Mrs. Edwin L. Lafargue, Marksville.
James H. Leech, Mer Rouge.
Sallie D. Pitts, Oberlin.
Sylvester J. Folse, Patterson.
Helen W. Allen, Peason.
Ada Allums, Plain Dealing.
John A. Burleigh, Port Barre.
Ida H. Boatner, Rochelle.
William S. Montgomery, Saline.
Monroe Erskins, Sikes.
Delsa G. Hudgens, Slagle.

MICHIGAN

Patrick H. Schannenk, Chassell.
Charles Hallman, Iron Mountain.
George E. Meredith, Minden City.
Volney R. Reynolds, Waldron.
John F. Krumbeck, Williamston.

MINNESOTA

Thorwald O. Westby, Avoca.
Cora O. Smith, Bayport.
John N. Peterson, Beltrami.
Arthur B. Paul, Big Falls.
Elmer E. Putnam, Big Lake.
Adolf Wernicke, Bingham Lake.
Ross Knutson, Bird Island.
Edward H. Hebert, Bricelyn.
Anna E. Baker, Brownton.
Alice G. Doherty, Byron.
Ida M. Strawsell, Callaway.
Benjamin Baker, Campbell.
Mabel L. Markham, Clear Lake.
Frank H. Nichols, Comfrey.
Emil A. Voelz, Danube.
Delmar J. Carruth, Danvers.
Alwyne A. Dale, Dover.
August Wenberg, Dunnell.
Louis A. Dietz, Easton.
William O'Brien, Eden Valley.
Frank H. Beyer, Elgin.
George H. Emmons, Emmons.
John Lohn, Fosston.
Matilda Blodgett, Ghent.
Frank H. Griffin, Good Thunder.
Herbert L. Day, Graceville.
Albert Myhre, Grand Meadow.
Charles L. Engelhorn, Greenbush.
Genevra E. Ristvedt, Hanley Falls.
Dwight C. Jarchow, Harris.
Henry W. Koehler, Hector.
Charles E. Cater, jr., Herman.
Myrtle M. Rogness, Hills.
Ambrose Holland, Holland.
Erna H. Benjamin, Kasota.
Anton Malmberg, Lafayette.
Elmer W. Thompson, Lismore.
Charles S. Jameson, Littlefork.
Ida Dickerson, Lucan.
Emil M. Blasky, Mahnomen.
Fred E. Joslyn, Mantorville.
Lawrence B. Setzler, Maple Plain.
Haldor G. Johnson, Minneota.
Ernest G. Haymaker, Motley.
Edward F. Koehler, Mound.
Ole Kleppe, Newfolden.
Louis E. Olson, Nicollet.
Winnifred L. Batson, Odessa.
George W. Shipton, Ogilvie.
Arvid J. Lindgren, Orr.
Minot J. Brown, Owatonna.
Nels J. Amble, Peterson.
Lee M. Bennett, Pillager.
George H. Tome, Pine Island.
Anna Barnes, Randall.
Amelia J. Rajkowski, Rice.
David L. Williams, Rochester.
Minnie W. Hines, Roosevelt.
James E. Ziska, Silver Lake.
Ella S. Engelsen, Storden.
Gertrude A. Muske, Swanville.
Frank B. Clarine, Tamarack.
George E. Brockman, Triumph.
August W. Petrich, Vernon Center.
Iver Tiller, Wanamingo.
Ole N. Aamot, Watson.
Laurence A. Weston, Waubun.
Pearl C. Heigl, Winsted.
Mathias J. Olson, Wolverton.
Charles Lindsay, Woodstock.

MISSOURI

Harvey R. Imboden, Arcadia.
Margaret E. Matson, Barnard.
Robert M. Tirmenstein, Benton.
Henry C. Oehler, Bismarck.
Samuel F. Wegener, Blackburn.
Bethel W. Eiserman, Branson.
Constant A. Larson, Bucklin.
Lea K. Glines, Cainsville.
Walter A. Brownfield, Calhoun.
Earl M. Mayhew, Callao.
Henry H. Haas, Cape Girardeau.
Edward Burkhardt, Chesterfield.
Edgar H. Intelmann, Cole Camp.
Henry E. Martens, Concordia.
Bessie A. Grotjan, Dalton.
Charles E. Leach, Deepwater.
Abraham L. McElvain, Elmo.
Edward Beall, Eolia.
Ross A. Prater, Essex.
John W. McGee, Ewing.
Orville J. White, Fairfax.
Robert C. Wommack, Fair Grove.
S. Harvey Ramsey, Flat River.
Warren D. Berkey, Fortuna.
Frederick D. Williams, Fulton.

Frederick M. Harrison, Gallatin.
Lola L. Shumate, Gilliam.
Henry A. Scott, Gilman City.
Robert C. Remley, Grain Valley.
Gordon E. Guiles, Green Castle.
Charles F. Boon, Greentop.
Grace C. Moore, Holland.
Thomas E. Sparks, Holliday.
John R. Wiles, Jamesport.
Harry F. Gurney, Kidder.
Jacob B. Marshall, La Monte.
Edward Baumgartner, Linn.
Dwight A. Dawson, Lowry City.
Charles L. Farrar, Macon.
Lulu M. Williams, Marston.
Enoch W. Brewer, McFall.
Nathan J. Rowan, Meta.
John Kerr, Newburg.
Robert L. Jones, New Cambria.
Fred E. Hart, Norwood.
Mattie D. Farmer, Pomona.
Edward E. Whitworth, Poplar Bluff.
Roy D. Eaton, Powersville.
Earl A. Blakely, Revere.
Phillip M. Beesley, Robertsville.
J. Herbert Hunter, Russellville.
William M. Johns, Sedalia.
Asbury L. Williams, Seymour.
Washington D. Barker, Shelbina.
George W. Hendrickson, Springfield.
John S. Gatson, Vandalia.
Joseph O. Bassett, Vienna.
Orville H. Hamsted, Walnut Grove.
William H. Jackson, Winfield.

NEW HAMPSHIRE

Sarah J. Moore, Alstead.
Waldo C. Varney, Alton.
Harry B. Burtt, Amherst.
Thomas J. Donovan, Ashuelot.
Warren W. McGregor, Bethlehem.
Reuben S. Moore, Bradford.
Ambrose P. McLaughlin, Bretton Woods.
Fred A. Hall, Brookline.
Albert A. Bennett, Center Harbor.
Arthur H. Wilcomb, Chester.
Ernest L. Abbott, Derry.
Reginald C. Stevenson, Exeter.
Arthur W. Sawyer, Franconia.
Edward E. Cossette, Gonic.
Arthur G. Robie, Hooksett.
Anna B. Clyde, Hudson.
Ben O. Aldrich, Keene.
George E. Danforth, Nashua.
Harriette H. Hinman, North Stratford.
Frank J. Aldrich, Pike.
Daniel A. Abbott, Salem.
Edna C. Mason, Tamworth.
Alfred S. Cloues, Warner.
Chester B. Averill, Warren.
Harry E. Messenger, West Lebanon.

NEW MEXICO

John H. Evans, State College.

NORTH CAROLINA

Ollie C. McGuire, Zebulon.

NORTH DAKOTA

Elizabeth Multz, Alice.
Clifford E. Kelsven, Almont.
Michael J. Wipf, Alsen.
John Brusven, Barton.
Niels E. Sorteberg, Bowdon.
Clara J. Leet, Brocket.
Harold R. McKechnie, Calvin.
Laura A. Kline, Crystal.
Belle Elton, Deering.
Otto S. Wing, Edmore.
Meeda McMullen, Forest River.
Jacob Omdahl, Galesburg.
Rose M. Morrison, Granville.
Albert E. Thacker, Hamilton.
William C. Forman, jr., Hankinson.
Chester A. Revell, Harvey.
Olaf N. Hegge, Hatton.
Hattie E. M. Dyson, Haynes.
Edwind L. Semling, Hazelton.
Tom S. Farr, Hillsboro.
Norton T. Hendrickson, Hoople.
Elizabeth I. Connelly, Hurdsfield.
Samuel N. Rinde, Lankin.
Ruth L. Gibbons, Lawton.
Edith M. Will, Leith.
Mathew Lynch, Lidgerwood.
Dorothea L. Haugen, Maddock.
Anton M. Jacobson, Makoti.
James F. Dunn, McClusky.
Carl Quanbeck, McVille.
Lorena S. McDonald, Medora.
Charles P. Thomson, Minto.
James A. Elliott, New England.
John A. Halberg, Park River.
Bennie M. Burreson, Pekin.
John J. Mullett, Perth.
John H. Gambs, Pettibone.
Harry Solberg, Portland.
Bernard E. Rierson, Regan.
Ernest C. Lebacken, Reynolds.
Edmund C. Sargent, Ruso.
Donald G. McIntosh, St. Thomas.
Mons K. Ohnstad, Sharon.
Wanzo M. Shaw, Sheldon.
Jennie E. Smith, Steele.
Cornelius Rowerdink, Strasburg.
Lydia R. Schultz, Tappen.
Elizabeth M. Gillmer, Towner.
Mary E. Freeman, Verona.
Elmer H. Myhra, Wahpeton.
Will H. Wright, Woodworth.
Goldia J. Smith, Zahl.
Henry Walz, Zeeland.

OKLAHOMA

Charles W. Youngblood, Hanna.
Odessa H. Willis, Pittsburgh.

RHODE ISLAND

Ralph Chapman, Esmond.
John C. Sheldon, Hillsgrove.
Beatrice M. Kelly, Little Compton.
Walter A. Kilton, Providence.
Lyra S. A. Cook, West Barrington.

SOUTH CAROLINA

Lewis J. Goodman, Clemson College.
Paul M. Davis, Donalds.
Lemuel Reid, Iva.

HOUSE OF REPRESENTATIVES

FRIDAY, *December 18, 1925*

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, again Thou hast given voice to the day, and Thy hand, so mighty and yet so gentle, is upon us. We would respond to Thy claim. Open our minds and hearts to a knowledge of Thyself, for to know Thee is life eternal. This is the gift of the Father of us all, who is the light and the glory forever. As life is so often difficult and discipline is hard, open our lives for the reception of Thy wisdom and direct them with its nourishment. Thus may they be as treasures held in trust for God and our fellow men. May the sense of fear or dejection have no rule over us. Amen.

The Journal of the proceedings of yesterday was read and approved.

CONTESTED-ELECTION CASES

The SPEAKER laid before the House a communication from the Clerk of the House of Representatives, transmitting the contested-election case of William I. Sirovich *v.* Nathan D. Perlman, from the fourteenth district of the State of New York, which was read and, with accompanying papers, referred to the Committee on Elections No. 1 and ordered printed.

The SPEAKER also laid before the House a communication from the Clerk of the House of Representatives, transmitting the contested-election case of Warren Worth Bailey *v.* Ander-