

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

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HOUSE

Thursday, February 20, 1919.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Phalen of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills in First Reading

A message was received from the Senate, through its secretary, proposing a joint convention of the two branches of the Legislature to be held in the hall of the House of Representatives this morning at 11 o'clock, for the purpose of listening to a discussion of the League of Nations by Hon. Courtenay Crocker of Boston, Massachusetts, and Dr. Talcott Williams of New York.

On motion by Mr. Barnes of Houlton, the House voted to concur in the proposition for a joint convention.

On further motion by the same gentleman, the clerk of the House was charged with a message to the Senate, signifying the concurrence of the House in the proposition for a joint convention.

The clerk of the House subsequently reported that he had discharged the duty assigned him.

From the Senate: An Act to incorporate the West Benton Village Corporation.

This was by the House referred to the committee on towns.

The Senate non-concurs in the reference and recommits it to that committee.

On motion by Mr. Plummer of Benton, it was voted to recede and concur with the Senate in this recommitment.

Senate 79: Resolve in favor of Harry S. Coombs for furnishing plans and specifications for four model school buildings for State

Board of Education as per contract with the Hon. Payson Smith.

Senate 80: Resolve in favor of J. Wilbur Day.

Senate 81: Resolve in favor of Perley J. Guptill of Machias.

Senate 82: Resolve in favor of the town of Union for the payment of additional state school funds for the year 1918.

Senate 83: Resolve in favor of Lydia M. Chadwick of Saco.

Senate 84: Resolve in favor of the town of Litchfield.

The following bills, petitions and resolves were presented and, on recommendation of the committee on reference of bills, were referred to the following committees:

Agriculture

By Mr. Alden of Gorham: An Act to provide for co-operation between the United States Department of Agriculture and the Maine Department of Agriculture in the collection and publication of statistics.

Education

By Mr. Barnes of Houlton: Petition of C. S. Lougee and 36 others in favor of the bill requiring superintending school committees and selectmen to approve all contracts for school supplies.

Inland Fisheries and Game

By Mr. Austin of Milford: Petition of D. C. Lawler and 7 others, praying for a law providing that all persons killing foxes or other fur-bearing animals shall place the name of the person so killing said animal on the flesh side of the pelt.

By Mr. Foss of Hancock; Remonstrance of George L. Stewart and 21 others against removal of foxes from protected list of fur-bearing animals.

By the same gentleman: Remonstrance of Francis L. Wilbur and 30 others against same.

Judiciary

By Mr. Murchie of Calais: An Act in relation to the duties of the state auditor.

By Mr. Baxter of Portland: An

Act relative to the quality of coal sold at retail. (1000 copies ordered printed)

By Mr. Holley of North Anson: An Act to amend Section 8 of Chapter 6 of the Revised Statutes, relating to ballots in primary elections, and providing that the order of the names of candidates on said ballots be determined by lot. (500 copies ordered printed)

Labor

By Mr. Doyle of Biddeford: An Act amending Public Laws of 1915, Chapter 350, entitled "An Act relative to the hours of employment of women and children. (500 copies ordered printed)

Public Health

By Mr. Macomber of Jay: Petition of Julia B. Kidder and 28 others in favor of the passage of the act prohibiting the manufacture and sale of cigarettes.

Sea and Shore Fisheries

By Mr. Perkins of Boothbay Harbor: Petition of Fred B. Higgins and 23 others of Boothbay Harbor for the repeal of the lobster license law.

Orders

My BAXTER of Portland: Mr. Speaker, I have an order which I wish to present, and I move that it be tabled for printing under the joint rules, and I would like to make a brief statement in regard to it.

This order is an order submitting five questions to the supreme court of this State, and these questions deal with the water power situation. Under the Constitution of Maine the Legislature has the right to propound certain questions to our supreme court, if these questions are questions of importance, and if it may be called a solemn occasion. I have drafted these questions, Mr. Speaker and gentlemen, having in mind the laying of a foundation for a definite policy by the State of Maine in regard to developing the water storage reservoirs of the State. The first two questions deal with this phase of the issue, and the questions asked the justices of the supreme court, whether it is legal for the state to do something in establishing stor-

age reservoirs, and, if so, whether or not the State would properly charge to the water power owners on the rivers below the dam a proportionate part of the expense, or in lieu thereof a tax, to be based upon the excess or additional amount of water which the water power owners would thereby take.

The third and fourth questions deal with the right of the State to tax those persons who have developed the water storage reservoirs of Maine and have thereby acquired very valuable rights in the great lakes and great ponds of the State. If the justices of the supreme court should answer these questions in the affirmative, this Legislature would then be in the position of taking some constructive action, and perhaps of finding some other sources of taxation which we sorely need at the present time.

The fifth question goes back many years to an old law of 1824 which reserved to the people of the State of Maine the best mill site in every township and an additional 200 acres of land in each township. I have been unable to find whether this law has ever been repealed or not, and it seemed to me to be well worth our while to ask the justices of our supreme court to enlighten us upon this subject.

Under the rules, Mr. Speaker, as I understand them, a resolve proposing questions to the supreme court must lie upon the table one day; and in order that everybody may understand these questions, I move that 500 copies of the order be printed for the use of the members of the House.

The SPEAKER: Does the gentleman from Portland, Mr. Baxter, wish to have the order read?

Mr. BAXTER: I should like to have it read.

The clerk then read the order as follows:

"In House of Representatives, February 20, 1919.

Ordered, that, according to the provisions of the Constitution of this State, the justices of the supreme judicial court are hereby respectfully

requested to give this House their opinion of the following questions:

Question No. 1. May the Legislature authorize the construction and development by the State of water storage reservoirs and basins for the purpose of controlling and conserving the waters of the public lakes and great ponds, of increasing and regulating the flow of the rivers flowing therefrom, and of increasing the value and capacity of the water powers of said rivers?

Question No. 2. In the case the construction and development of water storage reservoirs and basins as aforesaid is held to be legal, may the State charge to the owners of water powers located on rivers below such storage reservoirs and basins a proportional part of the cost of such construction and development, or in lieu thereof a sum in the nature of a rental or tax, based upon the increased power thereby made available for use of said water power owners?

Question 3. Where the Legislature has granted a private corporation the right to erect a dam to control the waters of a public lake or great pond without raising the natural high water level thereof, in order that the waters therein may be impounded and used for purposes of such corporation, may the Legislature subsequently impose a tax upon such corporation based upon the increased amount and use of water from said lake or pond which the corporation enjoys by reason of having erected such dam?

Question 4. Where the Legislature has granted a private corporation the right to erect a dam to control and also to raise the natural level of the waters of a public lake or great pond in order to impound additional waters to be used for the purposes of such corporation, may the Legislature impose a tax upon such corporation based upon the increased amount and use of water from said lake or pond, which the corporation enjoys by reason of having erected such dam and of having raised the natural level of the waters of said lake or pond?

Question 5. Has the reservation of a tract of land not exceeding 200 acres together with the best mill site in any such township, as provided in Section

5 of Chapter 280 of the Laws of 1824, been repealed, or is the said reservation still in full force and effect?

On motion by Mr. Baxter of Portland the order was tabled pending passage, and 500 copies ordered printed.

Reports of Committees

Mr. Barnes from the committee on judiciary reported ought not to pass on bill An Act to amend Section 52 of Chapter 82 of the Revised Statutes, relating to legal holidays.

Mr. Conary from same committee reported same on bill An Act to amend Section 33 of Chapter 40 of Revised Statutes, relating to bank holidays.

Same gentleman from same committee reported same on bill An Act to amend Section 82 of Chapter 86 of Revised Statutes, relating to exemption from arrest on certain holidays.

Mr. Weatherbee from the committee on legal affairs reported same on Resolve proposing an amendment to the Constitution granting the Legislature the right to enact legislation for compulsory voting at elections.

Mr. Forbes from the committee on library reported same on bill An Act in relation to records of legislative committees.

Mr. Rowell from same committee, reported same on An Act relating to detention of books from public libraries.

Reports were read and accepted and bills and resolve ordered printed under the joint rules.

Mr. Mathews, from the Committee on Military Affairs, reported same on resolve appropriating money for the erection of suitable memorials in Portland, Lewiston, Augusta and Bangor, commemorative of the bravery and valor of the soldiers and sailors of Maine in the late war.

(Tabled by Mr. Brann of Lewiston pending acceptance of report.)

Mr. Ridlon from same committee reported same on An Act to establish and maintain a nautical school.

The report was read and accepted and the bill ordered printed under the joint rules.

Mr. Chellis from the Committee on Public Health, reported same on

An Act to prohibit the manufacture, sale or smoking of cigarettes within the State of Maine.

(Tabled by Mr. Bean of Minot pending acceptance of report.)

Mr. Rounds from the Committee on Salaries and Fees reported same on An Act to amend Section 45 of Chapter 117 of the Revised Statutes, providing that the compensation of all clerks in county offices shall be fixed by the County Commissioners in the several counties of the State.

(Tabled by Mr. Lanphe of Sebec pending acceptance of report.)

Mr. Clason from the Committee on Inland Fisheries and Game, reported "ought to pass" on An Act to amend Section 86 of Chapter 33 of the Revised Statutes, as amended by Chapters 219 and 244 of the Public Laws of 1917, relating to the disposition of money collected under the provisions of the inland fish and game laws.

Same gentleman from same committee, reported same on An Act to amend Sections 2 and 6 of Chapter 66 of the Public Laws of 1917, as amended by Chapter 244 of the Public Laws of 1917, relating to non-resident fishing licenses.

Mr. Flint from same committee reported same on An Act to amend Section 38 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, relating to the protection of deer.

Same gentleman from same committee on An Act to amend Section 64 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, relating to the use of automobiles in hunting, reported same in new draft under title of An Act to amend Section 64 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, relating to the use of automobiles in hunting wild birds and wild animals, and that it ought to pass.

Mr. Clason from same committee, reported same on resolve for the purpose of operating the fish hatcheries and feeding stations for fish, for the protection of fish, game and birds,

and for printing the report of the commissioner of inland fisheries and game, and other expenses incident to the administration of the Department of Inland Fisheries and Game.

The reports were read and accepted and bills and resolve ordered printed under the joint rules.

Mr. Chaplin from the Committee on Judiciary, on An Act to amend Section 2 of Chapter 5 of the Revised Statutes, relating to qualifications of voters, reported that same be referred to the Committee on Legal Affairs.

The report was read and accepted and sent up for concurrence.

Mr. Conary from the committee on judiciary, reported same on An Act to amend Chapter 613 of the Private and Special Laws of 1893 as amended by Chapter 314 of the Private and Special Laws of 1895, entitled An Act to establish the Western Hancock Municipal Court.

(The rules were suspended and the bill given its two several readings.)

Mr. Forbes from the Committee on Library, reported same on resolve appropriating money for the purchase of traveling libraries for high schools.

Mr. Jones from same committee reported same on An Act to amend the law relating to the establishment of public libraries.

Same gentleman from same committee reported same on An Act in relation to publications of State departments and institutions.

Mr. Rowell from same committee reported same on resolve providing for the purchase of certain volumes of the Documentary History of Maine.

The reports were read and accepted and the bills and resolves ordered printed under the joint rules.

Mr. Berry from the committee on military affairs reported same on Resolve proposing an amendment to Article 7 of the Constitution, relating to military.

(The rules were suspended and the resolve given its first reading.)

Same gentleman from same committee reported same on Resolve appropriating money to provide offices for the ad-

jutant general's department and fire-proof apartments for the records and documents thereof.

The report was read and accepted and the resolve ordered printed under the joint rules.

Mr. Mathews from same committee reported same on Resolve in favor of an appropriation for the repairs of the castle at Fort William Henry in the town of Bristol, Maine.

(The rules were suspended and the resolve given its first reading.)

Mr. Ridlon from same committee reported same on bill An Act amending Chapter 205 of Private and Special Laws of 1911, relating to annual report of the Grand Army of the Republic of the State of Maine.

Same gentleman from same committee reported same on Resolve appropriating money for the care and maintenance of Fort William Henry in the town of Bristol.

Mr. Chellis from committee on public health on Resolve in favor of the State department of health, reported same in a new draft, under the same title, and that it ought to pass.

The reports were read and accepted and the bill and resolves were ordered printed under the joint rules.

Mr. Bragdon from the committee on public health reported same on bill An Act to amend Section 29 of Chapter 18 of the Revised Statutes, relating to the State Board of Dental Examiners.

(The rules were suspended and the bill given its two several readings.)

Same gentleman from same committee reported same on bill An Act to amend Chapter 268 of the Public Laws of 1917, relating to dental hygienists.

(The rules were suspended and the bill was given its two several readings.)

Same gentleman from same committee reported same on bill An Act to amend Section 25 of Chapter 18 of the Revised Statutes, relating to appointments of members of the Board of Dental Examiners.

(The rules were suspended and the bill given its two several readings.)

Same gentleman from same committee reported same on bill An Act to amend Section 36 of Chapter 18 of the Revised

Statutes, relating to the practicing of dentistry.

(The rules were suspended and the bill given its two several readings.)

Same gentleman from same committee on bill An Act to amend Section 37 of Chapter 18 of the Revised Statutes, relating to penalty for practicing dentistry without certificate, reported same in a new draft, under same title, and that it ought to pass.

The report was read and accepted and the bill ordered printed under the joint rules.

Mr. Chellis from same committee reported ought to pass on bill An Act amendatory and additional to Section 121 of Chapter 19 of the Revised Statutes, relating to public health.

(Tabled by Mr. Garcelon of Auburn pending acceptance of the report.)

Same gentleman from same committee reported same on bill An Act amending Section 9 of Chapter 19 of the Revised Statutes, relating to public health.

(The rules were suspended and the bill given its two several readings.)

Same gentleman from same committee reported same on bill An Act amending Chapter 301 of the Public Laws of 1917, an Act additional to Chapter 19 of the Revised Statutes, relating to public health.

(The rules were suspended and the bill given its two several readings.)

Mr. Crane from the committee on State lands and forest preservation on bill An Act for the care and preservation of shade and ornamental trees, reported same in a new draft, under the same title, and that it ought to pass.

The report was read and accepted and the bill ordered printed under joint rules.

First Reading of Printed Bills and Resolves

House 183: An Act to authorize the merging of the corporate existence of Aroostook Northern Railroad Co. with and into the corporate existence of the Bangor & Aroostook Railroad Co.

House 184: Resolve in favor of Mitchell M. Nicoliar, representative of Penobscot tribe of Indians.

Passed to be Engrossed

Senate 73: An Act to authorize the construction of a weir in the tidewaters of Pembroke river in the town of Pembroke.

Senate 74: An Act to amend Chapter 37 of the Private and Special Laws of 1917 entitled An Act to provide a police commission for the city of Lewiston and to promote the efficiency of the police department thereof.

Senate 76: An Act to amend Section 3 of Chapter 134 of the Public Laws of 1895 in relation to the judge and recorder of the municipal court of the city of Portland, acting as counsel or attorney.

(Tabled by Mr. Wilson of Portland pending third reading.)

Senate 77: An Act to amend Chapter 67 of the Revised Statutes, as amended by Section 1 of Chapter 133 of the Public Laws of 1917, relating to the notice of appointment given by registers of probate.

House 47: An Act to amend Section 18 of Chapter 51 of the Revised Statutes relating to the signing of proxies.

House 99: An Act to provide for the election of road commissioners of towns. (Tabled by Mr. Cunningham of Patten pending its third reading.)

House 74: An Act for the rating and standardization of schools. (Tabled by Mr. Allen of Sanford pending its third reading.)

House 176: An Act to amend Section 11 of Chapter 135 of the Private and Special Laws of 1917, entitled An Act to establish the Mount Desert Bridge District for the purpose of acquiring, freeing and reconstructing the Mount Desert toll bridge in the town of Trenton in Hancock county.

House 178: An Act to repeal Chapter 72 of the Private and Special Laws of the State of Maine of 1915, relating to the care and maintenance of the Mount Desert bridge in the town of Trenton.

House 179: An Act empowering the county commissioners of Penobscot county to sell surplus heat.

House 180: An Act to legalize and make valid the proceedings of the

town meeting of the town of West Gardiner held on the 12th day of March, 1917.

House 181: An Act relating to the education of deaf or dumb children.

House 175: Resolve making an appropriation for co-operative agricultural work between the College of Agriculture of the University of Maine and the United States Department of Agriculture.

House 177: Resolve in favor of the town of Washington, reported from committee on bills in the third reading under title of, Resolve in favor of the town of Washington reimbursing said town for payment of State aid for free high school.

Orders of the Day

The SPEAKER: This brings us to orders of the day, under which the first thing to be taken up is a matter specially assigned for today, an Act to make valid municipal elections of the city of Rockland.

Mr. BARNES of Houlton: Mr. Speaker, I move that we take this bill from the table; and, Mr. Speaker and gentlemen, this act will make valid the doings of the municipality of Rockland which are now under question in some minds because the polls at the city election in three different years were closed an hour earlier in the day than the statute provides. I make this explanation at the request of the gentleman from Rockland, Mr. Fuller, and at his suggestion I move that it be referred to the committee suggested by the committee of reference.

The motion of Mr. Barnes to refer this bill to the committee on legal affairs prevailed.

Mr. BEAN of Minot: Mr. Speaker, I move that we reconsider the vote taken yesterday whereby we voted to accept the report of the committee on judiciary on House bill No. 21, ought not to pass.

The SPEAKER: The Chair will rule that the motion is not in order because the papers are not in possession of the clerk. They were sent to the Senate.

Mr. BEAN: Do I understand that the matter cannot be recalled?

The SPEAKER: The Chair will state that the papers have gone to the Senate. Action may be taken there, but the Chair will rule that the papers must be in the possession of the House before action can be taken on them.

On motion by Mr. Bragdon of Perham, it was voted to take from the table House Document No. 107, an Act to amend Sections 53, 54 and 55 of Chapter 8 of the Revised Statutes, requiring a permit for the burning of brush or slash near woodlands and providing for the better enforcement of the slash law; and on further motion by the same gentleman the bill was re-committed to the committee on state lands and forest preservation by a viva voce vote of the House.

On motion by Mr. Garcelon of Auburn, it was voted to take from the table House Document No. 98, Resolve proposing an amendment to the Constitution of the State of Maine empowering the Legislature to authorize towns to have more than one voting place.

Mr. GARCELON: I now offer House Amendment A, as follows, and move its adoption:

House amendment A to House Document No. 98.

Amend Section 4 of Resolve proposing an amendment to the Constitution of the State of Maine empowering the Legislature to authorize towns to have more than one voting place, by striking out the entire section and inserting in place thereof the following:

Resolved, that the aldermen of cities, the selectmen of towns, and the assessors of the several plantations in this State are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations in the manner prescribed by law, at the next biennial meetings in the month of September, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be: "Shall the Constitution be

amended as proposed by a resolution of the Legislature granting to the Legislature power to authorize towns to have more than one voting place for all State and national elections?"

A viva voce vote being taken the amendment was adopted; and on motion by Mr. Garcelon of Auburn the resolve as amended received its second reading, and was passed to be engrossed as amended by House Amendment A.

On motion by Mr. Colcord of Searsport, it was voted to take from the table Senate Document No. 62, An Act to amend Section 32 of Chapter 33 of the Revised Statutes of 1916, relative to mill waste deposited in lakes and ponds; and on further motion by the same gentleman the bill received its third reading and was passed to be engrossed in concurrence with the action of the Senate.

Mr. BEAN: Mr. Speaker, I would like to introduce the following order out of order under suspension of the rules:

Ordered, that House Bill No. 21 be recalled from the Senate.

A viva voce vote was doubted.

Mr. BERRY of Waterville: Mr. Speaker, I have no interest in this matter, only for fair play. May I inquire through the Chair when an action is taken, same as was taken on this bill yesterday—as I understand we can vote to reconsider at the next session of the House, can we not? There must be some means provided whereby the papers can be put into our possession for reconsideration.

The SPEAKER: The Chair will state to the gentleman from Waterville, Mr. Berry, that the rules provide means for giving notice on the part of the man who wishes to reconsider. The Chair will rule that when the papers go from the House to the Senate, and no motion or suggestion has been made for reconsideration, they are in the hands of the Senate and are not here for action; and the motion is not in order.

Mr. BERRY: May I inquire that if this House votes to recall that it can-

not get the papers back? Can you act on the order as put in this morning?

The SPEAKER: The Chair will state that if the order is passed and the papers have gone from the hands of the Senate to the committee that it would appear to it that the order would not have very much force. If it is already in the hands of the Senate it can be returned to this body.

Mr. BERRY: Mr. Speaker and gentlemen of the House: It seems to me that in justice to any member of this House such an order should receive a passage. I think every member of the House is entitled to certain courtesies in regard to this matter. He may have desires of his own which he might wish to explain, and he should be given that privilege.

Mr. BARNES of Houlton: Mr. Speaker, this is on a report from the judiciary committee ought not to pass. Was the report received yesterday or today?

The SPEAKER: The Chair will state that, as it recalls it, it was yesterday.

At this point the Senate came in and a joint convention was formed.

IN CONVENTION.

The President of the Senate in the chair.

The Chair appointed Senator Deering of York and Representative Eaton of Rumford a committee to notify the speakers that the joint convention is now assembled and awaits their pleasure.

The committee retired and subsequently reported that they had attended to the duties with which they were charged, and asked leave to report that the speakers will attend upon the convention forthwith for the purposes named in the order.

Thereafter the Council and Speakers came in.

The Honorable Courtenay Crocker of Boston, Mass., Republican member of the Massachusetts House of Representatives in 1910-11-12-13, President of the Republican Club of Massachusetts in 1914 and 1915, member of the Massachusetts Civil Service Commission, director and trust officer of the Metropolitan

Trust Company of Boston, and Dr. Talcott Williams of New York, Director of the Political School of Journalism, Columbian University, then addressed the convention on the League of Nations.

SPEECH OF HON. COURTENAY CROCKER of Boston, Mass., delivered before Joint Convention at the State House:

Mr. President and Members of the Convention: It is a great pleasure to come here, even with the kind of a voice that I am obliged to come with today, to speak to this convention of the Maine Senate and House of Representatives. To those of us who have been in a legislative body and are now out of it, is a particular pleasure to be able to come again to speak in a legislative body.

We are living in a time of great changes, and we are living in a democracy where what those changes shall be depends in no small degree upon what we think and upon what we do. We no longer have a benevolent despot to tell us what is good and what is bad. We have got to think it out for ourselves and we have got to take appropriate action.

We have just finished a great war. That war cost in men and money a terrific amount. We are told that France alone in men killed lost over 1,200,000; that England lost in killed alone some 600,000 men; Italy 250,000; and the United States and Belgium over 50,000 each, not to mention at all the number of fine young men who were wounded, not to mention at all the misery that came to their families.

We are told that the cost to Great Britain alone of the war has come to the grand figure of some \$36,000,000,000, and that our own debt is somewhere in the neighborhood of twenty or twenty-five billion dollars. In other words, just to carry the interest on the debt that we have contracted for this war will cost as much as we ever spent before to run the United States Government in one year. It will cost a billion dollars just to pay the interest on the war debt.

Now these figures show just in a small way the horror of a great war

in this twentieth century. That is merely one war. The history of the past, even in the time of our own remembrance shows one war after another. Just think of it! The Spanish war and the Boer war and the Balkan war and the Russo-Japanese war, and the time that we almost had war over the Venezuela affair, and finally the Great War—just think of those in our own day, and perhaps others that I have not remembered, and then of the fact that the whole of history, all the way back through history is simply one war after another. And after each one of those wars come a peace, and after each one of those wars the people earnestly and devoutly prayed for peace and a lasting peace. And why was it that they did not get peace and a lasting peace?

They tried a balance of power many times and the balance of power got unbalanced. They tried combinations of armed force, thinking that those combinations of armed force could control the world and stop war. And those combinations were unsuccessful, because they brought other combinations of equally strong armed force, and the next war was a little bit more severe than the war before. They tried cutting the claws of the beast that had started the war, and that didn't work because the beast got strong again, or some other nation turned out a beast. They tried a careful neutrality. We tried it ourselves in this war. And that didn't work because as the means of intercommunication get greater and as the world gets smaller, it is impossible for any country to keep out of a great war simply by means of neutrality.

And finally, whether consciously or unconsciously, the peoples of the world, I believe, have tried to make war so horrible that no country would ever think again of going to war. The Russo-Japanese war seemed to be of that kind. We heard stories about an attack on a fortress where it was necessary to tell whether the shot went to the right or the left, or too far or too close, and how for three days and

three nights they sent men up ahead into the open ground to talk through the telephone and say whether the shot went to the right or to the left. They followed up there twenty yards behind one another, and every man went up and used that telephone for perhaps a minute, perhaps a half second, and was shot down, and the next man behind him would pick that telephone up and talk as long as he could, until he was shot down, and every one of those men coming up in a steady stream for three days and three nights knew they were coming to certain death. And we knew when we went into the great war that things of that kind were going to be duplicated. And yet our young men were willing to go, they were willing to fight, they were willing to be killed for a principle. That is one of the greatest compliments, I believe, to human nature today that there is enough courage in the world to stand any amount of danger and any amount of horror for a principle. Therefore we cannot rely on horror as a cure for war.

Now some people say that the thing that we ought to do is to keep our hands out of European affairs, keep our old isolation, avoid entangling alliances, have a great fleet second to none in the world, have a large standing army, have universal military training, send our ships all over the world to do commerce with the world, put the United States flag upon those ships, and then if we find any who dare to insult the American flag, or do anything contrary to our wishes, shake the mailed fist in their face, and that will be the way to stop war in the future.

But the American people do not believe it. They do not believe that that is the way to stop war. It has been tried and it has failed, and it has been tried again and it has failed; and the American people believe that, if that method is tried again, it will fail again.

Other people say, "Let us try something new. Let us form a League of Nations. Let us organize justice in the world." In the old days men had to fight duels to settle

their questions because there were no courts to settle their questions for them, and now it is recognized that a man is not an honorable man who fights a duel but rather a dishonorable man. They say, "Let us try by courts of arbitration to settle questions between nations, and have it understood that a nation that does not resort to that court of arbitration, but goes ahead and fights, is not an honorable nation but a dishonorable nation." They say, "Let us fix the terms on which nations can live together. Let us draw up definite rules of international law that all can understand and that all agree are for the benefit of mankind, and let us reduce our armaments to the lowest point consistent with public safety, or local safety, so that instead of being organized and ready for war we shall be organized and ready for peace."

They say that the colonies here in America joined together and formed a league of nations called the United States of America. Let the nations of the world, who are closer together now than the colonies were in the old days, let them join together and form a league of nations.

We have two great leaders who have been talking this league of nations idea day in and day out, in season and out of season, and they have got the ear of the American people, and those two leaders of course are President Wilson and ex-President Taft. (Applause) Two leaders, a Republican and a Democrat, President Wilson and President Taft. (Applause) And they have convinced the American people that the remedy for the present intolerable disease is some kind of a league of nations.

Now what kind of a league of nations? We have not been able to come down to details very much before this, because it was perfectly useless for us over here to discuss this and that and the other detail, which might not meet with any approval at all from the other nations that have got to form the league. But now we have a definite thing on

which we can base our efforts. We have a report of a committee of the Peace Conference, on which were representatives of fourteen powers, and that committee has reported unanimously in a preliminary draft of a league of nations. It provides for a league, beginning with nine nations, hoping later on to get other nations to come in. Those nine great nations will have the main control and direction of the league through an executive council, and we are to be one of the nine.

In addition, there is to be a body of delegates which will act as a legislative body and court of review, which will be composed of three delegates from each of the nations that joins the league. So far so good. Everybody, I think, is pleased with that, as a very simple and very desirable form of organization.

Then there is provision for an international court of arbitration. I think everybody approves of that. Then there are provisions for a commission on labor, and it seems to me that everybody must feel that that is a long step ahead. Think of an international commission of labor whose sole duty shall be to try to standardize labor conditions throughout the world, and try to improve the conditions, to shorten the hours of labor, and generally to make the conditions under which the laboring men live, fair and just and reasonable throughout the world. That, it seems to me, everybody must realize will be a good thing and a desirable thing and one that can only be accomplished through a league of nations. Then there is a possibility also of an international commission on education, and other international commissions which can do great work.

But then we come to certain other provisions, and there will come the debatable part of the league of nations. The report of the committee provides that all the nations which join the league shall covenant with each other, an absolute agreement with each other, that they will not

go to war on any matter until the matter has been left to a court of arbitration, and that they will stand by and carry out the decisions of the court of arbitration when made. And, furthermore, that if any nation breaks its covenant to leave the matter to arbitration, or does not carry out the decision of the court of arbitration after it is made, that all the other countries will, ipso facto, declare war upon that covenant-breaking state, will sever all diplomatic relations, will sever all financial relations, will sever all personal relations with that country, and absolutely cut that country out from the affairs of the world. That is a tremendous economic force to bring to bear upon any country that violates its covenant to leave matters to arbitration and to abide by the decision of the board of arbitration.

Now there are objections made to that provision of the league of nations. In the first place, it is suggested that it is unconstitutional for us to agree to leave matters to arbitration. The answer to that is, we have made a great many agreements in which we agreed to leave things to arbitration, a great many treaties. Under Mr. Bryan's leadership we made several, and they have been voted for by members of the Senate, and have been approved as being entirely constitutional. It is suggested in the constitution of the league that there should be a commission on disarmament, and that that commission should make recommendations about the disarmament of the various countries, and that their suggestions should be carried out by the members of the league—in other words, that we should reduce armament to the lowest possible point. Now some people say it would be unconstitutional for us to leave the question of the amount of armament

we would have to a commission of an international league. Why is that unconstitutional? Why is it so terrible? Just think what we did? We raised a great army. We sent it over to the other side of the ocean, and we put that army right under the command of a French general in time of war and told him to use our young men as he saw fit for the good of the allied cause. If we can do that, if we can raise our army and send it over to the other side and put it under the command of a Frenchman, cannot we leave to an international committee on which we are represented—leave it for them to determine what our armament shall be and what the armament of all the other nations of the world shall be? If we can put the control of our armies out of our hands for purposes of war, cannot we put them out of our control for purposes of peace?

It is suggested also that we are giving up the Monroe doctrine. Now it seems to me that instead of giving up the Monroe doctrine, we are getting the whole world to agree that there shall be a world Monroe doctrine, because one of the provisions in the constitution is that every country that is a member of the league shall guarantee the political and territorial integrity of every other nation that is a member of the league. And that is exactly what our Monroe doctrine means, as I understand it, that no other country shall come into our hemisphere here and break up the political integrity of any country and establish colonies of its own. In other words, we are getting the whole world back of our Monroe doctrine instead of giving up our Monroe doctrine.

It is objected that we may be called upon to use force in some distant part of the world at the call of this council. The answer to that is that the whole league is obliged to use economic force to bring any covenant-breaking state into line and only to use physical force as a last resort, and so instead of probably having to join in wars from time to time to preserve our rights, or because we are drawn into the maelstrom of the world war, we shall have the whole economic force of the world focused

in bringing any covenant-breaking country to terms without having to use any physical force at all.

Another objection is that in this league and in this council the vote of the United States would only be one vote as against eight. There will be nine in the Executive Council and we will only have one vote. And they say, can it be that we are going to be willing to have the other eight outvote us? Well, take it the other way round. Is it reasonable to suppose that we are going to have eight votes and the other nations of the world one vote? We cannot go into a league unless we are willing to take our burdens and to share our responsibilities. We cannot go into a league of the nations of the world that we are going to dominate. When we formed the United States of America, Maine did not say that it would not go in because it was only going to have a certain number of votes, two votes in the Senate, and that the other states were going to be able to outvote it. It went into the league because it thought it was for its good to go into the league, because it was willing to take up its burdens and responsibilities and willing to rely on the good sense and the justice of the others to protect its rights, and it was willing to do all it could to protect the rights of the others.

If we are going to get the benefits of this war we must take some of the burdens and some of the chances. Now the draft of the constitution as framed is probably not perfect. It would be entirely unreasonable to expect that fourteen nations could get together and make and put out a preliminary draft that would be in the best possible form. We are going to have a lot of discussion about this constitution of a league of nations in the next few weeks. They are going to have a lot of discussion down in the United States Senate, and probably as a result of the discussion in such meetings as this, and in other discussions, we are going to find things that are wrong about the constitution and things that could be suggested as improvements. But on the whole you know how your constituents feel about it. I think I

know how the people of Massachusetts feel and I think that on the whole the main body of our people believe that something in the nature of this kind of a league is desirable. They have been convinced that it is desirable, and they are more and more convinced every day. They believe in it because it is more than a Hague tribunal. It has some teeth in it. They believe in it because it offers at least a hope of doing away with the evils of war and preparation for war. And they believe in it because it is based on justice and because it gives us a chance to save ourselves and save the rest of the world at the same time.

Now, not only are the main body of the people in favor probably of some league of this kind that has been suggested, but the most conservative elements in the community are in favor of it. When the constitution for a league was published in the newspapers the other day, what did the stock market do? The business men and the people that deal in the stock market are notoriously afraid of their shadows, they are conservative in the extreme. The stock market did not take a slump when this suggestion was made for a league of nations, but rather the prices of stocks rose, and that it seems to me is conclusive proof that the business men, the most conservative elements in this country, believe that a league of nations of this kind, with teeth in it, is the very best thing that can possibly happen to the financial interests of the world. Now if it is for the benefit of the financial interests, if it is for the benefit of the laboring men, if it is for the benefit of the people of the United States, we cannot afford to miss it.

In Massachusetts we are proud of the part that we took in forming the United States of America, and we hope and we expect to be proud of the part that we take in forming a league of nations. I am a Republican. I have been a member of the Massachusetts House of Representatives for four years, and during that time I had the honor of voting for Hon. Henry Cabot Lodge as a member of the United States Senate (Ap-

plause.) I mention this fact of being a Republican and voting for Senator Lodge, not because it is of any importance as to whether one is a Republican or Democrat, because this is a bi-partisan matter, but because I have a great faith in Senator Lodge. He has been considered sometimes as a person who is opposed to a league of nations. I do not believe it. He is a conservative man but he is a constructive man. He is not a man whom you will ever find walking around whistling "I don't know where I'm going but I'm on my way." He will always look before he jumps. But he is not a fellow who stands still. He is not a fellow who will turn down something without thought just because it is something new and I believe that he is going to use his great powers in the United States Senate to try to suggest amendments to this constitution of a league of nations which will perfect it, and I believe that he and the other senators there talking it over will come to some conclusions and will be able to make some suggestions that will be beneficial and will perhaps make the constitution of the league of nations more workable and more effective.

But after they have made their suggestions, and those suggestions have gone over to the other side and have been considered by this committee of the Peace Conference, and the final treaty of peace is drawn up and sent back here to the United States, to be confirmed by the Senate of the United States, I expect then that we will find the senators from Massachusetts and the senators from Maine voting with the senators from all over the United States to ratify the treaty including the league of nations idea, because it is the only plan which has been suggested for safeguarding mankind which is based on reason, which is supported by history, and which is founded on justice.--the plan for a league of nations. (Applause.)

SPEECH OF DR. TALCOTT WILLIAMS of New York, Director of the Political School of Journalism on the Pulitzer Foundation in Columbia University, delivered in joint convention

at the State House, Augusta, Maine, February 20, 1919.

Gentlemen of the Convention: Let me speak my appreciation of your invitation to have the cause which we represent placed before you, and again this sovereign State justifies its motto of leadership in being the first to desire its Legislature to hear what can be said of a momentous step.

There was a fashion, gentlemen, a few short years ago of undervaluing the State Legislature. The passage of a Constitutional amendment in the last month or two, frustrating the belief in German beer, that it was strong enough to prevent the Maine principle from becoming national, has left the country aware that the State Legislature is itself close to the popular will, and is able to conceive and execute.

If you will allow me a personal reminiscence, which I venture upon since the laurels of this State for its most gifted son have been laid upon the grave, obliterating all partisan differences, I was last in Augusta 34 years ago last September, to share the hospitalities of the house, still standing. I rejoice to say, in which lived James Gillespie Blaine. (Applause.)

I know after this long lapse of time, particularly when speaking on this non-partisan issue, that I will be pardoned for saying that I was a Blaine man, I was a Blaine Republican. I was a Blaine Republican in 1884, when it cost me a break with all my reform friends. And one reason, which led me in my youth to be such, I heard Robert Ingersoll call him the "Plumed Knight" at Cincinnati. I chanced to be in the committee room when he smashed his hat because the tariff had provided nothing to carry our trade abroad, and I learned in the years that I knew him as a Washington Correspondent, and an associate editor of the Philadelphia Press, now close to his heart was the position of the great Republic, which he served so long and so well in a world wider than the Western hemisphere.

When the Geneva arbitration treaty had been first passed it was

attacked in the Senate—the first great step that was ever taken by two nations which had just cause for difference in order to arbitrate a great issue—it was attacked in the Senate by a Massachusetts senator. It seemed likely to be defeated, and the supplementary clauses of the Geneva Convention were negotiated, and the great statesman whom this State gave to the service of the Union was called into council—I am giving here unwritten history—Secretary Fish, and when the cabinet met, in order to pass upon these supplementary proceedings, so far as I know, for the only time in the history of our government, Speaker Blaine was asked to come and sit with the cabinet while these were adopted. And my friends and associates who are reporting the sessions of this Legislature, as I have reported sessions of legislature in Albany, Harrisburg and Washington, will be glad to know that having sat in the cabinet Speaker Blaine did not go home until he had come down to the newspaper offices of his various friends and given us the "beat" of the winter. I saw him when the Pan-American Congress was called, and he told me then that while he had hoped that public feeling would leave small states and large to act together, he found it impossible to bring them together without putting power in the hands of the larger states, with larger responsibilities, wider outlook, and broader wisdom; and, in the winter of 1882, when he had just resigned as Secretary of State after his difference with President Arthur, he asked me to come to his house, and I went there. As I look and see the image before me—and there are doubtless others who have been in that hospitable dwelling in Washington which was the center of aggressive action under his leadership—he had before him dispatches, and he said these are things which cannot be published now—they are confidential. He said, "I do not know when they are to be published, but I want to tell you because some day I believe they will be useful"; and I come in a sense with that testa-

mentary utterance of James G. Blaine to speak to you as to what that information was.

War had just lasted for two years between Chile and Peru, Chile aided at that early date by German drill-masters, German government, and German counsel had swept away three provinces from Peru and Bolivia. It was annexing those provinces, and Mr. Blaine showed me in those dispatches how, as Secretary of State, he had sounded Brazil and Argentine, and they had agreed to set their armies in motion if the United States would keep to its pledge. The little fleet we had then had been moved over to the Pacific, and Mr. Trescott, who was recalled before he had completed his mission, carried the instructions to Chile that the Republics of the West, the great Republic of the North, Brazil, then an empire, and Argentine, were determined that no territory should be shifted on the Western Hemisphere except by arbitration, and that those armies and the fleet of the United States would act together to enforce this claim. There was objection made in the Senate, and Senator Frelinghuysen, who became Secretary of State because he persuaded the President that this particular policy of Blaine's was perilous, and as he told me this, he showed me these papers which in the future will some time be published—they never yet have been published—I saw how he felt as to arbitration, as to the position of the Republic and as to the necessity that the Republic should have a wider vision and a broader view than in the past. That wider vision and broader view expands before you today.

A League of Nations is no longer a vision, a prediction, a dream; it exists. It was forged in war; it won the war which was to bring lasting peace, and the question today is whether that lasting peace shall be secure; and the decision upon that issue rests solely with the American people, and it is fitting that this issue should be presented before the Legislature of the most American of states, for patriotism is a virtue of the frontier—of the boundary. It

grows as you come closer to the frontier, and this State is the only State in the Union which is boundary on three sides; and I appeal to you from that side to consider well the wisdom of that step which will make boundaries no longer the seat of hostile operations. You alone had your very soil occupied during the war of 1812, and you alone stand exposed on three sides.

Five nations fought the war; five nations won the war; and these five nations have drawn what, let me remind you, is called in the felicitous diction with which we have become familiar, not a Constitution but a covenant. The term with which it is officially named is a covenant; it is not a Constitution. It does not establish a super-government; it does not destroy the freedom and action of the states within it. They pledge their honor to follow certain lines and certain conduct, and to build a certain covenant in which they shall act together to preserve the peace of the world—a covenant and not a Constitution, a covenant which when it has the advice and consent of the American people, will be established on a stronger foundation than any Constitution but one, our own.

The first and foremost objection which has been made is that it destroys our past isolation, and that we ought after the war to go back to the isolation of the past and stand alone. Why, gentlemen, go back to the isolation of the past? You might as well ask the question of Nicodemus: "Can a man enter the second time into his mother's womb and be born again?" The winds of the spirit of the war of freedom have carried us where they listeth. Thou canst not tell whence they come or whither they goest. They have launched us on a new sea with new destinies and new duties. Look back! Have we ever been able to return to the condition before any of our wars? The Revolutionary War, the War of 1812, whose dead lie buried in your soil! Was it possible to return to the condition in which we were? The Mexican War, the Civil War, the Spanish War! Has it been possible after any of them to

turn our backs on its triumphs and its responsibilities and return to the isolation of the past? Many voices speak, but let me remind you that the dead of every other war have been laid to rest and have lain at rest, knowing that the independence of their country, the freedom of the seas, new empires arising on the Pacific, the freedom alike of the slave and the Nation, the emancipation of subject colonies—that these all had been won through their efforts and remained won. And are you willing, close to the return of those who went out from you—not all of whom will return—are you willing when the poppies bloom again in Flanders, and the violets are odorous at Chateau Thierry, and the lilies whiten the valley of the Aisne, which your sons reddened with their blood—are you willing that the western wind should bring to them a message that the Republic for whom they died has gone back to the isolation of the past, and is unwilling to continue the world peace, the world freedom, and the world democracy by assuming the responsibilities of the World War in which they gladly gave their lives in sacrifice? World problems are upon us. We cannot discharge them without a World League. We have shared in establishing the boundaries of fourteen new countries. On five of those frontiers fighting is going on today—only just stopped because at Paris there is a World Council composed of the five nations which won the war. There are eighteen countries in all—new people—asking for their share in these things. Can you possibly leave them to be blotted out? No longer can you go back, however much you may desire to, to practice the isolation of the past. No longer can you go back to those days in which you heard that there was war in Europe and felt that it did not come near you; and saw Belgium boundaries crossed and imagined that it did not interest you, and saw all Europe aflame and thought that the fire could not come near you, or that later you would have to assume these responsibilities and this Covenant of Nations; but the Coun-

cil which is now sitting in Paris, proposes that these things shall not be once more, and this is no new standpoint. We have acted before with other countries. When China was in flames we shared in sending troops. If, for a moment, Japan had gone over, she would never have retired. If we had gone alone, we would have ended in a conflict with Japan; and how near, and how recently, we have come to a conflict with Japan over Siberia and its occupation, you will know when all the facts of the diplomacy and the protests of the United States come to be published; but going into a loosely devised league in which nations acted together, the same nations which are acting together now, except Russia, we were able to save China, and three hundred millions of human beings still have self-government. There are colonies to be considered. The first "mandatory" in history was when the first thirteen colonies took their western territories, colonies all, they having become free and independent states, and issued their mandatory to the united colonies, brought together under the Articles of Confederation, which did not make a nation, but which made, as its preamble says, a League of Friendship. That was the first instance—in Dane's Ordinances, the Northwestern Ordinances—that the principle was laid down that colonies should be considered with reference to the good of the people, and on that principle this Covenant of Nations takes those colonies. The mandatory in this Covenant is addressed solely to the colonies captured in the war. It establishes the principle that those colonies shall be a responsibility for all the nations, and that the nations shall receive them in order to raise them for civilization and prepare them for self-government. Never before in the history of the world has the example of the United States been publicly followed that the one duty of a nation which owns territory is to prepare it for self-government. You, yourselves, are here because that is the foundation of the principle of American politics. The idea

that a mandatory can be addressed to any country to take charge of another country does not exist in the covenant, and is purely the product of criticism in regard to this, and this principle, once established, of yearly reports from colonies which are placed in the hands of the nations which are to take charge of them, establishes for the first time what is necessary for the peace of the world—the conception of responsibility with reference to dependencies—the conception that no State is so great, no Empire so wide, and no Power so supreme, that it is responsible alike for its subjects and its dependents.

Now this is the first of the covenants in which the freed nations of the world, freed from the greatest peril which has attacked representative institutions in the ten centuries since Alfred laid their foundation—is this conception and this execution of responsibilities. We have adopted it; we adopted it in the Philippines. Our example there has forced Great Britain to recast the whole charter and government of its Anglo-Indian Empire, because every newspaper in the Anglo-Indian Empire was pointing to the Philippines as the fruit of what self-government can do.

Now can we afford to withdraw from a covenant between nations in order to establish this principle? And I now take the next great change which is proposed in this covenant between nations. Nations have treated the army and the navy as if it were a thing personal to themselves. They have treated it as the weapons which a man carries where danger is about and his life depends upon the sureness of his aim and the coolness of his eye; but in this covenant the nations agree that their armies shall be considered by a tribunal appointed by this Council of five nations, and that it shall be decided how large the army should be in order to do its share in preserving the peace of the world and peace at home; and still further provision is made that munitions shall nowhere be made except under international knowledge.

Now let me tell you what we now know took place in the ten years before this war. We now know that Germany entered the war with 12,500,000 rifles, kits and uniforms. In Germany there were more rifles, three-fold more rifles, than there were in Russia, France, England, Italy, and the United States put together, and I could include Japan and still leave it twice as large. They had in the munition works at Krupp and in munitions works in Austria the capacity for manufacturing one-half the munitions and arms of the world yearly. They had a contract with a mine in Australia, the largest lead producing mine in the world, and for five years they had been taking its whole product. England has since passed a law that no mine under its control shall sign such a contract again. They had built up a dye work industry with a capital of \$400,000,000 which could be turned into the manufacture of poison gas. From Chile, whose share in its management I have already touched upon in speaking of our great hero of the past, they had taken sixty per cent of its output of niter, where ordinarily they had taken thirty per cent, so as to provide themselves on that point; and they had from India 5,000,000 hides, which made 23,000,000 army shoes. These were preparations which could be carried on in secret for the army. The two empires together had forty-five per cent of the armed forces of Europe, with only thirty per cent of its population. These things made it possible for it to spring at the throat of civilization, and, if they had taken Paris in three weeks—and this was the nightly toast in every regiment on that march—if they had taken London in six weeks, the third part of that toast—and I have this directly from German officers—was New York in three months; and New York in three months would have been possible if they had achieved what they had been planning for.

Now this Covenant between nations proposes to make it impossible in the future that the assassin's work shall be done in that fashion.

Can we afford to break away from our brothers with whom we have fought to make the world safe for democracy when they came and asked us to preserve the world against the bullet of the assassin and the foul imagination which could disgrace humanity by the deeds that went on in Belgium?

Now from these broad and general views let me remind you of the specter which walks in the imaginations of Europe. They see there in the future of forty years 100,000,000 Germans in the center of Europe, united, sullen, revengeful, determined to prepare again for World Empire, and the Great Republic of the West stands apart when it is the only country that can mediate between the two halves of Europe, and the only one which can fill the world with hope that the Republic which brought together at Gettysburg, after fifty years, the soldiers of opposing states to rejoice alike in the defeat of one army and the victory of the other and, if it joins this Covenant of Nations, to breathe a new spirit into the minds and hearts of warring men. I turn from these wider things to consider our own constitutional limitations, already touched upon by the distinguished publicist, economist and banker who has preceded me.

With reference to the question of declaring war that has been touched upon, I want to remind you that those who are objecting to this Covenant of Nations are perpetually confusing two things. The declaration of war is a formal matter, such as we have to make in this great war, and the use of the forces of the country in order to carry out a policy without declaring war. We landed our troops in Alexandria in 1881 to keep the peace. We sent them to Peking in 1900. They have been engaged a score of times in this way in the past hundred years, and we have united with other countries to do it. As you have already been reminded, Foch commanded twice as many American soldiers as Grant ever did during his career; so I put aside war and the declaration of

war. Arbitration of treaties, as we now have, is all that is asked in this Covenant of Nations; and I only want to draw your attention to one great, supreme principle in the organization of the United States, and that is, that the United States is a nation, but it is a nation with international relations. It has whatever powers are necessary for that purpose. Every state legislature has in it men of the bar familiar with these subjects. They are perfectly familiar with the fact that the cases of *In Re Rose*, *Quinn vs. United States*, the acquisition of power under the Foster decision, and the *United States vs. a Package of Diamonds*, under which the right to hold colonies was established, all debate this principle, and I quote from one of these decisions this utterance: "The United States are a sovereign and independent nation and are vested by the Constitution with the entire control of international relations and with all the powers of government necessary to maintain that control and to make it effective. The only government of this country which other nations recognize, or treat with, is the government of the Union, and the only American flag known throughout the world is the flag of the United States"—that indivisible Union of indestructible states. When we found that we had to try men guilty of murder in countries like China and Turkey and condemn them to death without a jury, the Supreme Court decided that it was a just sentence in spite of the limitation in regard to a jury, because the United States as a nation must do as other nations had to do in foreign lands where consular trials were required. We are today deporting aliens in spite of any writ of habeas corpus, on the ground that the United States as a nation having international powers, has a right to remove undesirable aliens from its midst; and there is not a single person within the hearing of my voice who is not glad that that principle was established by our Supreme Court. Every one of these powers asked in this Covenant of Nations, each of them, the limitation of arma-

ments, the right to declare war, the conduct of treaties, the registry of every treaty at the secretariat of this Council—is there anybody here who wants the United States ever to ratify a treaty which cannot be published to the world, and which has some secret conspiracy against some country, or some people, or some classes, that are of pecuniary value to those who have urged it? Not one of us! And these things are all within the Constitution, because the United States is a nation with international rights and powers, and therefore it needs, in order to discharge those rights and powers, to protect its citizens, to extend its trade, to administer justice, and to keep the peace between nations, to have its flag on the seas the symbol alike of liberty and security. These are the powers which the United States possesses by virtue of its Constitution, and when you are told that here and there is this clause and that which limits these powers, you are met by an array of decisions of the Supreme Court, from those which deal with the purchase of Louisiana, which in an official dispatch Jefferson declared was an unconstitutional act, down to the deportation from the port of New York of those who had come to this country to endeavor to poison its life and destroy its institutions.

Now I turn to another point and another consideration. I put aside these things, and those who urge them are engaged in exactly the process I have seen enacted in the Senate of the United States when I sat in its gallery. The time would approach for the Senate to close the session of a Congress, and an aged servitor of the Senate would rise, walk to the clock and turn back its hands in order to give the Senate more time to get through with its business. The Senate, gentlemen, is the only place I have ever been in where sober, rational men turned back the hands of a clock; and what the Senate, or a few Senators, are trying to do today is to turn back the hands of the clock, and to do it without argument except an appeal to the isolation of the past, and to

constitutional issues which are answered in a long series of decisions.

Now I ask your patience while I present to you two things. What will the world be like if this is carried out? The Monroe Doctrine will remain. Each of the great nations has its sphere of influence. We have it in the Western Hemisphere with the rights and powers which we have had. England has it in Southern Asia, with the rights and powers which attach to its control there. France and Italy each has its sphere, and Japan. Neither one of them surrenders the right; no one parts with any authority; no one of them gives way at any point its position in the world; nothing can change it. If you have a Western Hemisphere with 165,000,000 of population, and 105,000,000 are within the boundaries of the United States, and the one efficient navy and the financial wealth of the western world is in a single power, that power is the Monroe Doctrine. Nothing can alter those facts; nothing can change them; and this Covenant of Nations at no point alters that. To declare and discharge these duties, the United States needs to continue, as it is, enthroned in the West, protected by its moral principles, and with an army, as this Covenant insists shall be the case, sufficient for the discharge of its responsibilities; and if the United States and England, two flags which were once opposed to each other in regard to the freedom of the seas, but now flying together in order to suppress the submarine—if these two nations cannot enforce the doctrine, and if the United States alone cannot maintain its authority and influence under a Covenant of Nations, which is not a constitution, and which is simply organized to prevent war, then the sooner the United States asks for a receivership and a guardian, the better; and anyone who imagines that facts are changed by any act of the sort proposed, mistakes the way the world is governed or the fashion in which events occur. And in order to prove this let me paint the world to you as it would be if this Covenant had been printed on the side of a

newspaper; and we have distributed copies here so that everyone of you can read them. What will the world be? In the first place, in every country there would be frankness as to military affairs, and a knowledge as to the forces; and a commission, on which that government is represented, which is deciding how military forces should be distributed and set apart; and it will not be possible to conspire against humanity as has been done in the past. In the second place, there will be five countries associated in an Executive Council. I saw yesterday in regard to it in a newspaper the statement that the body in which all the nations vote with one vote was the supreme body. It is not. The supreme body is an Executive Council in which five great nations exist and to which four other delegates are elected by the smaller nations. Now those five nations control, and it is the only way in which a World Peace can be gotten; and these five nations, and these covenanted nations, will carry out what I have already said. Now suppose a difference comes between two nations! Difference between two nations are of two orders. They are those which may be arbitrable in their character and those which both agree are arbitrable. Now all nations agree that difference of that kind they will arbitrate in a court. We have twenty-nine treaties, with half of the nations of the world agreeing to them already. In the next place, there are differences which one nation, or the other, or both, do not believe arbitrable. Of such differences we have already twenty-nine treaties in which we say that we will submit that question to a special court. Now what is proposed in this covenant? It is that any difference of that kind shall be submitted either to the Executive Council or the court. If it is not submitted to the court, it must be submitted to the Executive Council. All the nations covenanted here agree to do this; and, when it is submitted to the Executive Council, that Council investigates the matter, and, as a result of its investigation, publishes a report. If that report is

unanimous, every covenanted nation agrees to accept it. If not unanimous, the matter can be re-examined and carried before the House of Delegates, which includes a single vote from every nation, and there it is threshed out again. These proceedings take nearly six months, and, during that time, the Covenant of Nations agree that if any nation endeavors to make war, they will stop it exactly as a policeman takes a man by the collar and throws him into the "Black Maria" and takes him to the lockup if he finds him engaged in holding up somebody in the street. Now is any man afraid that a proceeding like this will interfere with the Monroe Doctrine, or with our authority, power and influence? Nor is this all. Let me lay before you the histories of twenty years and we will see what would have happened if this had been in existence twenty years ago. England got into its war with the Transvaal and the Orange Free State. The issue was whether the Transvaal was an independent State or a colony. After a long examination of every document published that I could find in one of the largest libraries of the United States, I saw it was one of those things which could be decided temperamentally. Those who believed in the letter of the law would have decided that it was a colony. Those who believed in the intent would have decided that it was not a colony, but an independent nation. Now if this Covenant of Nations had existed, it would have been possible to have threshed that thing out over six months, and it would have been possible, with the liberal sentiment of England, to have gotten it submitted to arbitration. Would not that have been better than the war which followed, which endangered Europe?

I pass on to the next war, the Manchurian War between Russia and Japan. The issue which brought on war between Russia and Japan turned upon the question whether a particular Russian company had the right to cut timber at the head of the Yalu river under the treaty which already existed and under

which that company was trying to act. It was a company made up of Archdukes, who were engaged in the venal corruption which has marked Russian politics through all its forms and shapes. Now what came was an ultimatum at Petersburg, and at the very hour when that ultimatum was handed by the Ambassador of Japan to the Foreign Minister of Russia, the clocks having been compared astronomically and the time having been taken that very second, the torpedo boats of Japan were at Port Arthur sinking one vessel after another, and war was declared. Now is anything to be lost to the United States, or any other country, if all the nations of the earth, with the five great nations, are ready to enforce acquiescence in this Covenant of Nations, and if they could have so forced Russia and Japan to stop and thresh that out before a court, with six months in which to do it? Is there any question which is the more desirable thing?

I will pass on to the next war, and that was the close approach to war over the Moroccan question between France and Germany. There was a conference held at Algeiras. Unless you follow closely European affairs, you will have forgotten it; but for the first time in history America sent a representative to a European Congress to pass upon a European issue, and this was done under the direction of Theodore Roosevelt, who never failed to break a precedent when he could thereby advance liberty and civilization. (Applause.) I trust that this applause shows that this Legislature is of the same mind as Theodore Roosevelt and that it is perfectly willing to break precedents if necessary to advance liberty and civilization. Henry Smith, who represented us at Paris, was the representative of the United States; but at the end the decision was made by Theodore Roosevelt in Washington, submitted to both sides, and they agreed to it and it was adopted. It had brought France and Germany, however, to the very edge of war; and those of us who were following these things closely from 1906 to 1911 knew that

war could not be long deferred, and in May 1914, I told my class in International Relations that I thought the great war was coming that summer, and that was the opinion the world over of those who had studied the matter. Now that decision which was reached in the White House at Washington, and adopted by both warring parties, was torn up by Germany. It was Germany that set Chile in arms; it was Germany that started the Transvaal war; it was Germany that set Japan upon Russia. One of the reasons of this Covenant of Peace is that in time it will be possible to bring justice to such malefactors, because the Executive Council possesses all the powers until war or peace has been declared. I hope that the firing party and the scaffold will show that justice can still be exercised. If the United States had been a member of a Covenant of Peace like this, it would have been possible for the nations to say to Germany, "Thus far shalt thou go and no farther; and if you come to stir up trouble in America, it will be stopped."

There were two wars in the Balkans, both caused by the intrigues of Austria and Russia, that were the prologue to the great war, and they both could have been prevented; and there is not the slightest doubt with the great fleets of the United States and Great Britain, if the United States had had the fleets she ought to have had, could have prevented those two wars; and so with the great war of 1914. I speak on the authority of Earl Gray, who was the Foreign Minister of England at that time, and who says that if anything like this had existed in July and August 1914, the war would never have come; and the reason it would not have come is because if we had been parties to such a Covenant of Nations—a Covenant and not a Constitution—and behind the Triple League and the Triple Entente, there had stood the statue representing the great republic, as it stands on our capitol at Washington, with the sheathed sword in its hand, the sheathed sword that is only drawn for liberty and justice, neither power

would have dared to go to extremes, and the \$180,000,000,000 of capital and 5,000,000 of lives would have been saved. Are you ready to go on and bequeath to your children's children the same disaster and the same division, for the division still continues? Unless you have a Covenant of Nations, you cannot prevent war from following.

Now I speak of one other thing! The debt is \$180,000,000,000. Our own interest charge will be larger than our entire expenditures before the war. These things press upon labor. Labor in every land desires this Covenant. We are at the threshold of great changes. In the last one hundred years we have won political equality and political democracy. Economic equality and economic democracy still remain to be won; but the same surging forces which, like a tidal wave, sweep through every country, and are making themselves marked in every newspaper, these are demanding economic equality and economic democracy. If you go on piling up arguments as you must if there be not this Covenant of Nations, no taxation and no effort can provide for the development of economic democracy; but in the future, if you devote the revenue which has fruitlessly heretofore been expended for the lack of a Covenant of Nations like this, you will be able from the savings of the exchequers of the world to begin that amelioration of labor, that advance in education, and that opening of opportunity to all men without distinction, and secure and crown the political democracy of the past with the economic democracy of the future; and I appeal to this State, a State of small farmers, a State of manufacturers, a State in which equality has been more complete, I have felt as I have come here year after year, than in any other State in the Union,—I appeal to this Legislature to see by its influence that its representatives at Washington, and its Senators, shall so vote that this Covenant of Nations shall keep war from the world and bring us peace and justice forevermore. (Great applause.)

The Council and Speakers then retired.

The CHAIRMAN: The purpose for which this Joint Convention was called having been accomplished, the Senate will retire to its chamber.

Whereupon the Senate retired.

IN THE HOUSE

The Speaker in the Chair.

Mr. ALLAN of Portland: Mr. Speaker, I rise to a question of privilege. I would like to inquire whether that State of Maine is conserving coal to such an extent that the senators and representatives in this part of the hall cannot sit here in comfort for the space of two hours.

Mr. BARNES of Houlton: Mr. Speaker, if the House pleases, I can answer the question that I propounded at the time of the intermission. The matter brought up under the order by the gentleman

from Minot (Mr. Bean) is upon the acceptance of the report of the judiciary committee on a question of highways. The report was accepted in this branch of the Legislature yesterday. It went in due course to the other chamber, and, if my information is correct, it is probably upon the table in there. Whatever our position on the matter may be, it seems to me, Mr. Speaker, well, if the parliamentary situation is such as to make it possible, that we give the gentleman from Minot (Mr. Bean) a chance to be heard. If the paper is on the table in the Senate it can be returned to this body on the order of the gentleman from Minot.

The SPEAKER: The Chair will suggest that if the House passes the order that House Bill No. 21 be recalled from the Senate, that that will bring the matter back here for the action of the House.

A viva voce vote being taken, the order received a passage.

Mr. HINCKLEY of South Portland: Mr. Speaker, I do not know anything about the bill, but we all desire fair play. Now what good will it do to bring that bill back unless it comes back today? Today is the last day when it can be reconsidered, and unless it is brought back now, and the motion to reconsider is put before the House before we adjourn, it is useless to bring it back at all.

The SPEAKER: The Chair will state that a motion to suspend the rules, which I trust the House would grant Mr. Bean, would take care of the proposition, and I hope the House will extend that courtesy. If the Senate is not already adjourned, and the

clerk would take the order over at this time, we could have the paper back immediately.

(At this point a recess was declared to give the clerk an opportunity to carry the order over to the Senate chamber).

The SPEAKER: The Senate having adjourned, the clerk reports, the matter will be taken care of tomorrow by consent of the House on reconsideration and suspension of the rules.

On motion by Mr. Hinckley of South Portland,

Adjourned until tomorrow morning at 10 o'clock.