of vessels of the United States in such trade. In substance the proposition but asserts that because by the law of the United States steam vessels in the coastwise trade have been exempt from pilotage regulations, therefore there is no power to subject vessels in foreign trade to pilotage regulations, even although such regulations apply without discrimination to all vessels engaged in such foreign trade, whether domestic or foreign."

In other words, the court held that there could be no discrimination where there was no competition, and that as by the law of the United States only American vessels can engage in the coastwise trade it was no violation of the treaty in the regulations applied to all vessels in the foreign trade. The reasoning of that decision applies equally well to the present situation.

In his very able minority report the gentleman from California, Mr. J. R. Knowlands, thus elucidates the decision:

"The remarkable similarity of the facts and conditions in the Olsen against Smith case and that under consideration is apparent. In that case as in this it was urged that a law of the United States granting an exemption in favor of vessels engaged in the coastwise trade was in violation of a treaty. The exemption in that case was from pilotage charges; in the present case it is from toll charges. Certainly it cannot be contended that there is any distinction between the cases in that regard.

"In that case the language of the treaty bound this country not to impose any higher 'duties or charges' on British vessels than on vessels of the United States in the same ports. But under the local law British vessels were required to pay pilotage charges while American vessels were completely exempt from such charges. 'A plain violation of the treaty,' the majority would say, but in effect the supreme court said: 'No; for what we do or omit to do with regard to our coastwise trade is of no concern to any nation, for they cannot complain with regard to a traffic in which they have no interest. No regulation, exemption or privilege which we see fit to grant to our coastwise trade is a just subject of complaint, for it does not concern vessels engaged in the foreign trade.'"

Certainly the president has never read the Olsen against Smith decision by our court of last resort or he never would have concluded that the exemption of tolls on our coastwise trade was in plain contravention of our treaty with Great Britain.

BOUND TO OBSERVE TREATIES

If we have entered into an engagement which forbids us to manage our own affairs, then we must abide by it, however foolish or unnecessary that engagement may have been. But have we? Here opinions—honest opinions—differ, and, mind you, not only American but British opinions. His majesty's government is quite certain now that exemption of tolls on our coastwise traffic violates the Hay-Pauncefote treaty, but it was very far from certain when its accredited representatives wrote to our secretary of state as late as July, 1912, that "if the trade should be so regulated as to make it certain that only bona fide coastwise traffic which is reserved for United States vessels would be benefited by this exemption it may be that no objection could be taken."

So far as our own judges are concerned, it is, I believe, quite safe to say that, with the exception of the learned senior senator from New York and our former highly respected ambassador, Mr. Choate, the weight of recognized legal opinion of the highest merit, from Mr. Olney, Mr. Taft, Mr. Knox, and to my mind, though I would make no invidious distinctions, most important by far of all, from the present chief justice of the United States, in a precisely similar case, is practically unanimous to the effect that neither legally in a broad sense nor technically in a narrow application does this treaty forbid us to regulate the transportation of our own goods in our own ships through our own canal between our own ports.

The president differs from the judgment of these and many other men of like understanding. He is convinced that the statute as it now stands does contravene our solemn obligation and should therefore be repealed. So believing, he does the only thing that an honorable and conscientious head of the nation could do; he asks us to reconsider our action in view of his conviction that we have violated a pledge. Whatever may be the difference of opinion respecting the merits of the case, I do President Wilson honor for his act. If I were in his place and believed as he believes, I should do as he has done. Moreover, I have such confidence in the president that I have not the slightest doubt that, if he were in my place and believed what I believe, he would do as I am doing. But I do not and cannot indorse his judgment in this matter. I think he is wholly in the wrong, at least so far as the treaty bears upon our own domestic situation, and consequently offers no just cause for the breaking of a well considered party pledge.

UPHELD BY TWO PRESIDENTS

In addition to the supreme court decision, as pointed out by Mr. Mann, the same view is held by two presidents, by two secretaries of state and by the house itself on three separate occasions.

While I have great respect for the opinions of the president and my three worthy colleagues aforementioned, the weight of authority is against them.

The plain, unvarnished truth of history is that from the beginning to the present hour, what we do about our domestic trade, which includes the coastwise trade, we have considered solely as our business, and that foreign nations have absolutely nothing to do with it. It is none of their business what we do with it.

The repeal means the practical abandonment of the Monroe doctrine, which we forced into the code of the international law and which the American people will maintain at all hazards. That is the only proposition they ever agreed upon; and the reason they agreed upon it was that it was a genuine American pronouncement, one to warm the cockles of the heart of every true American betwixt the two seas. It was the doctrine of self-defense. Touch that doctrine and the bristles of the American people rise instanter. Those who assert that the Monroe doctrine is dead reckon without their host.

HOW CLEVELAND WON FAME

No one can forget how, when we had our quarrel with Great Britain over the Venezuelan question, President Grover Cleveland thrilled the hearts of his countrymen, without regard to political affiliations, by a message on which his fame will rest far more than upon all his other acts and words in the coming time. His famous and courageous declaration, "Today the United States is practically sovereign upon this continent, and its fiat is law upon subjects to which it confines its interposition," made him for the first and only time a popular idol. Therein he bluntly and succinctly stated the opinion of 99 per cent of the American people.

James Monroe stated the Monroe doctrine very modestly. We were a modest folk then; but the Monroe doctrine has grown with our growth and strengthened with our strength, till now it is what Grover Cleveland said it was; and surely nobody will have the temerity to accuse him of being either a demagogue or a jingo.

Now may the God of our fathers who nerved 3,000,000 backwoods Americans to fling their gage of battle into the face of the mightiest monarch in the world, who guided the hand of Jefferson in writing the charter of liberty, who sustained Washington and his ragged and starving army amid the awful horrors of Valley Forge, and who gave them complete victory on the blood-stained heights of Yorktown, may He lead members to vote so as to prevent this stupendous folly—this unspeakable humiliation of the American republic.