

THE PEOPLE OF THE UNITED STATES ALONE HAVE THE CONSTITUTIONAL AND MORAL RIGHT TO DECLARE WAR.

From The New York American, Feb. 14, 1917

TO THE CONGRESS OF THE UNITED STATES:

The people of the United States are strongly opposed to war.

So are the majority of you, who represent the people.

And yet we stand tiptoe on the brink of war.

Senators and Representatives, shall we tell you WHY the country stands on the crumbling edge of this abyss of war?

It is because YOU have not been faithful to your oaths to uphold the Constitution of the United States.

Senators and Representatives, that is a hard saying, but it is absolutely true.

The whole world knows that our dispute with the German Government is over two radically different interpretations of international law.

The Government of Germany contends that a ship carrying cannon and gunners is an armed ship, and that it can be lawfully sunk without warning.

Our Department of State contends that a ship carrying cannon and gunners declared to be for use in defense is not an armed ship and that to sink it without warning is an offense against the law of nations.

We all know that submarine warfare is a new thing, concerning which there have been no antecedent agreements or definition of international law.

Therefore, when this war began to develop the use of submarines to destroy enemy commerce, it was necessary that our Government define what uses of the submarine would constitute an offense against the law of nations and what uses would not be offenses against the law of nations, in the opinion of the United States.

If the Government of the United States defined the sinking, without warning and visit, of a ship carrying defensive armament to be an offense against the law of nations, then each case of that kind would become a cause of war.

If the Government of the United States defined a ship carrying cannon and gunners for defense or offense to be an armed ship, then no case in which such a ship was sunk by a submarine without warning would be a cause of war.

That clearly and accurately states the situation, does it not?

Mr. Secretary Lansing first notified all the belligerents that our Government was inclined to hold that a ship carrying armament was armed, and could be lawfully treated as an armed ship by a submarine.

He subsequently revoked this decision and notified the belligerents that our Government would hold a ship carrying armament for defense only to be an unarmed ship and would consider her treatment as an armed ship by a submarine to be an offense against the law of nations; and that the incidental killing of any American by such an unlawful sinking would be an act of piracy and felony on the high seas which would cause our Government to break off diplomatic relations and seek further redress in its own way.

This also is a clear and accurate statement of that situation, is it not?

You agree that it is, do you not?

Well, then, Senators and Representatives, we impeach you before the high court of your own consciences, and charge you before the higher and far more august court of the people of these United States, with having openly disobeyed the Constitution of the United States, which you, every one, swore to obey and to uphold when you took your seats in the council chambers of the Nation.

And we charge and affirm that you have been derelict in your duty, imposed upon you by the Constitution, and that you have, unfaithfully to your sworn obligation, permitted and endorsed the unlawful exercise by a department officer of the sole powers granted to you by the Constitution, and to you alone.

And we charge and affirm

that our country is on the edge of war over a definition of felonies on the high seas and offenses against the law of nations unconstitutionally and unlawfully made by the usurpation of your sole powers by a Cabinet officer, with your illegal and unconstitutional assent.

For, Senators and Representatives, if our fathers wrote any grant or prohibition of powers clearly into our Supreme Law, they clearly commanded that you, and you alone, should have the power or exercise the power to define what acts of a submarine are and what are not felonies on the high seas and offenses against the law of nations.

Article I, Section 8, paragraph 10, of the Constitution says:

"The CONGRESS shall have power: "To define and punish practices and felonies committed on the high seas and offenses against the law of nations."

And paragraph 11, continuing, says:

"To declare war, grant letters of marque and reprisal and make rules concerning captures on land and water."

Now, it is impossible to make language more explicit than that.

Who is commanded by our Supreme Law to define how a submarine may attack a ship and how it may not, and whether a ship carrying cannon is an armed ship or not an armed ship, and how it may and may not be sunk without committing a felony on the high seas or an offense against the law of nations?

The CONGRESS—you, you Senators and Representatives. And who has performed this sovereign function of Government, solely confided by the Constitution to your hands?

Why, Mr. Secretary Lansing has performed that sovereign function.

And where did he get his authorization to perform a sole function of the Congress?

From you?

No.

You could not lawfully delegate that power to him if you tried to. The Constitution affords you no method of stripping yourselves of the sole authority it imposes in you and means you shall solely exercise.

Neither could you lawfully delegate that power to the President nor to the Supreme Court.

Mr. Lansing's notification to belligerents that our Government defined and would hold an armed merchant ship to be an armed ship under certain conditions and an unarmed ship under other conditions, and would hold certain submarine acts to be legal and others to be offenses against the law of nations, was a high-handed and impeachable usurpation of the power conferred solely upon yourselves, sitting as the Congress of the United States.

And when you consent to such an usurpation of your powers you are faithless to your oaths to uphold and maintain and obey the Constitution.

Consider, now, what has been the result of this dereliction of duty on your part, of this unconstitutional transfer of your authority and powers to a mere department head—a sort of hybrid office created by the Congress, with ill-defined powers and, unfortunately, with a strong tendency among those who occupy it to usurp functions of legislations as well as of administration.

Without any mandate from you, without even asking your permission, Mr. Lansing has assumed "to DEFINE and punish practices and felonies committed on the high seas, and offenses against the law of nations," with the result that we are face to face with war OVER MR. LANSING'S DEFINITIONS.

You, you who are the sole repositories of the powers to define offenses committed on the seas, as well as the only branch of our Government which can lawfully "regulate captures on land and sea," and make war—you have sat in

your chambers unconsulted, unheeded, and with as little weight in the serious discussions and decisions which have been influencing the nation's destiny as the janitors who sweep your halls.

You know, your people are opposed to Mr. Lansing's persistent policy of leading the country up to war as one of the allies—because that is exactly what Mr. Lansing has hoped to do and has striven to do ever since he was made Secretary of State.

And yet you do not enforce your people's will.

You have not even asserted your own rights or protected the dignity of the Congress.

Now, then, Senators and Representatives, you are that very body of men whom our fathers made a co-equal branch of our tripartite constitutional Government, and endowed with certain enumerated powers which you are sworn to obey and to maintain and to hand down to your successors unimpaired.

And each time you permit either of the other two branches of the Government to usurp your authority and to exercise powers which the Constitution expressly COMMANDS YOU, AND YOU ALONE, to exercise, you betray your trust, imperil our institutions and threaten the liberties of your children who are to be.

The nation has been dragged slowly toward entanglement in this insane European war solely because you have not insisted, and do not even now insist, upon exercising your rightful and sole authority and powers that you are sworn to exercise and commanded to exercise by the supreme, fundamental law of the land—the great Charter of Free Government which our fathers drew up for the protection of the land and its liberties through the ages.

At this tremendous hour, Senators and Representatives, we appeal to you in the name of the whole American people to resume, manfully and resolutely, your rightful place in the Government.

The President has come to the end of his constitutional authority with the dismissal of the German Ambassador.

That far he had a perfect right to go, and that is as far as he has any right at all to go.

From that moment the Constitution clothed you, Senators and Representatives, with the SOLE POWER to decide what next shall be done—you, you, not Mr. Lansing nor even Mr. Wilson, but you, THE CONGRESS.

Now, you should do your duty to your people, like men who know neither fear of enemies abroad nor of demagogues at home.

And your very first anxiety, and, indeed, your very first effort, should be to ascertain the will of the American people.

The man who tells you that the opinion of the country is united is either a knave or a fool, and you know it.

There is a wide division of public opinion.

There are Americans who do not believe that it is either necessary or sensible to involve the country in war with Germany.

There are Americans who think it is necessary and sensible to go to war with Germany.

There are Americans who think we have far more just causes of war with England than with Germany.

There are Americans who think we have no cause of war with England at all.

There are Americans who think that other Americans who voluntarily embark on belligerent ships and voyage into danger zones have no claim at all to be protected in their foolhardiness.

There are Americans who would have the country go to war over any American killed, even when on board a belligerent ship, armed and carrying tons of ammunition for enemy use.

There are Americans who think that an armed ship is an armed ship.

There are Americans who profess to think that an armed ship is not an armed ship.

Now upon these questions hangs the issue of peace or war, and since the COMMON PEOPLE must be the ones to pay for the war, to fight the war and to endure all the agonies of the war, if war happens, we insist that the common people have a right to be consulted

by you, who are their only representatives and their only voice; before they are plunged into war by any vote of yours.

Therefore, we most earnestly urge that you Senators and Representatives order a referendum of these questions to the people themselves, and that the majority of the votes cast in that election be considered binding upon you when you act IN YOUR OFFICIAL CAPACITY upon the questions so submitted to the people's decision.

That you have the power to go to the country for an expression of the people's will is beyond the question.

The Constitution both by implication and by direction, gives you the power to order and to regulate elections of all kinds.

The Constitution also expressly recognizes THE PEOPLE as the fountain of all power, including the power of deciding to make war or peace.

The Tenth Amendment reads: "The powers not DELEGATED to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, OR TO THE PEOPLE."

The Tenth Amendment was ratified in 1791, so that it is practically an integral part of the original Constitution.

The Declaration of Independence and the Constitution are rightly construed to recognize the inherent, inalienable right of the American People to instruct their Government to do the will of the people; and, even in emergencies grave enough to justify such an extreme measure, to unite in common or by referendum to change the forms and the personnel of their Government—a sovereign right which will never be exercised as long as their representatives truly represent them and maintain the time-tried Constitution in its original force.

It has been urged that the Constitution prescribes no form of holding a referendum election. But that is an ignorant objection.

The Constitutional grant of POWER to the Congress to do any act presupposes the power of Congress to prescribe the method of performing the act; and the recognition of the reserved sovereignty of the people presupposes the right to prescribe a method of ascertaining the sovereign will.

You have, Senators and Representatives, the undoubted power to take the suffrages of the American people as a guide to your representative action in this troubled and trying time—and we think that you should do that very thing, both to find sure guidance in your own perplexities, and to exhibit to a world being slaughtered and wasted by governmental folly and wickedness a noble example of what free government and representative rule can do for a free people.

If the people, by their ballots, claim protection as peaceful merchantmen; if they decide that Americans who go abroad and into danger zones must be protected even at the cost of war; if they decide that this nation should interfere in foreign wars and prescribe the methods by which belligerents may carry on war; if they decide that on these accounts we should declare war upon either belligerent group—why, then, the voice of the majority settles those matters, and we will all make ready for war and go to war, united and willing to fight our best.

And on the other hand, if the majority of the people say nay to these propositions, then we should NOT declare war and should not insist upon the "rules for captures" and the DEFINITIONS of "felonies on the high seas and offenses against the law of nations" which Mr. Lansing has formulated without any authority whatsoever and in direct derogation and IMPEACHABLE USURPATION of the sole functions of the Congress of the United States.

If the people of the United States do not agree with Mr. Lansing and by their votes say that they are averse to his unauthorized rules and definitions, and that they are opposed to a declaration of war against Germany on that score—why, then, the voice of the majority should settle those matters in that way, and you should refrain from hostile declarations and we should all keep the peace together as willingly as we should all fight together if the people's verdict was for war.

Senators and Representatives, is not this good sense, true patriotism and a right exercise of your representative functions which we now urge upon your consideration?

You come from the people. You are part of the people. You are the representatives of the people and the servants of the people.

Have you any moral right to plunge your people into this dreadful and murderous war without making SURE that such is the will of the majority of your people?

Senators and Representatives, there can be no possible need of haste in declaring war upon any country, especially Germany.

We would, indeed, go into the war just that much better prepared if we used several weeks in discussion and in taking a vote of the people.

We can see no possible objection to your taking the vote of the American people upon these propositions.

And we can see, and we think we have presented to you, weighty and powerful reasons why you should take the vote of your countrymen before you put the nation in a state of war.

Senators and Representatives, there lies before you the noblest opportunity to show the world the force and authority and beneficence of free government that ever came to any legislative body in all the tide of time.

You can, if you will, write the most momentous and the most splendid chapter of human history that has ever been written since history began.

For yourselves, you can reassemble and emphasize the rightful powers and dignity of your great assembly which have been, most unfortunately, trench upon and abated by a succession of Presidential encroachments, extending over a period of at least thirty years, and which OUGHT TO BE, and which must be, resisted and nullified if free, representative government under our Great Charter is to maintain its vigor.

For your people, you can emphasize their inherent liberty to govern themselves and their immortal and undoubted right to express their will and to have their will respected and obeyed by their public servants and chosen representatives.

For mankind, you can do an immense service by holding up to their gaze the fruitful and beneficent results of free government, which is, indeed, our high and rightful mission in the world.

And upon such a great deed, so nobly and so usefully performed, you can indeed with confidence invoke the same considerate judgment of mankind and the some approval of Divine Providence which our wise and valiant fathers invoked upon the declaration of our liberties and the firm establishment of that Constitution which still remains the Supreme Law of the Republic and the most glorious affirmation and protection of orderly freedom that ays ever devised by the wit of any of the children of men.

May that God who guided our fathers and our folk through all the perils and vicissitudes of our past, guide you, too, Senators and Representatives, in this hour of perplexity and danger to find the way in which your people can walk in honor and in peace.

"The Wave of Patriotism"

The New York Call says: "In America, within a day or two of the beginning of the present crisis, Congress, with the people not looking, did what the people have fought against for years, that is, passed an immigration bill with a literacy test over the veto of the President. It is safe to say that if it were not for the crisis it would not have gone through so smoothly."

"And now, in the spasm of so-called 'patriotism,' many other things are going to be done. Conscription was in the wind. But the crisis now makes it virtually certain, and the millions of former Russians and Germans and Austrians who have come here to escape military service will have it forced upon them here."

"The constabulary was about to be foisted upon the people. Certain interests were fighting hard to get such an organization. But the workers were solidly against it, and the chances of defeating it again were very good. But now comes a war crisis, and with it comes a great waving of flags; a great playing of patriotic anthems, and, as if by magic, those things that pertain to fighting become 'patriotic,' no matter what the circumstances. And the constabulary will be soldiers; they will carry guns and ride horses; and so this proposed troop of trained strikebreakers somehow assumes a martial, a patriotic, aspect. And we, who are going to fight against the establishment of the constabulary, will be called traitors and copperheads."

"It is a feature of all war, and

of war times. It is one of the great arguments against war. With war come so many things that are bad, under the guise of love of country! Civil peace, military training of school children; striking police; conscription; suppression of every form of freedom!"

"In this grave hour those who are fighting for the better day must look out; they must be careful that the wave of 'patriotism' does not engulf everything that they have striven for all these long, weary generations."

The "Consent of the Governed" and Latin America.

N. York saw a love feast at the National Arts Club, but it left an unpleasant aftertaste. A score of Spanish-Americans, all distinguished in the literary arts of their countries, were present, and an equally impressive company of North Americans was on hand to greet them. Theodore Roosevelt, Winston Churchill, Hamlin Garland, Ida M. Tarbell, Edwin Markham, Augustus Thomas and two dozen other names which would go as well on the outside cover of a magazine were there to cement the literary entente cordiale.

We copy the following from a Tribune report of the meeting:

"The literary fellowship of Pan-America had been toasted so often that nobody was thinking of politics, when at about 11 o'clock Professor Salomon de la Selva, of Nicaragua, was presented by Chairman Garland. It was announced that Professor de la Selva, an instructor in Spanish at Williams College, had a few words to add to the general sentiments of the evening. Then the audience was to hear Colonel Roosevelt adopt a harmony resolution and go home."

"A previous speaker referred to my country as 'little Nicaragua,'" began Professor de la Selva, and it wasn't so much his words—his tone that caused a general shuddering in chairs. The professor undoubtedly was in earnest. "My teeth gnashed at these words," he continued. "Nicaragua may be small in size, but it is mighty in pride. A land is as large as its thoughts are great, as large as its hopes and aspirations. A previous speaker (Mr. Thomas) said governments derive their just powers from the consent of the governed. Through the United States my country is ruled by a government which its people have not chosen."

The speaker was making gestures and looking right in the direction of Colonel Roosevelt, who was leaning forward in his chair taking in every word.

Col. Roosevelt declared afterwards that the speaker couldn't mean him, because he never did anything to Nicaragua. But, perhaps, Professor de la Selva thought of Colombia just as well.

The treatment of Colombia, Nicaragua and Mexico rankles in the breast of all Spanish-Americans. Yet our prominent men think that a few nice words will suffice to mollify the proud inhabitants of these countries.

No More Soldiers in Canada?

"Conscription is very much in the air in Canada just now, but whether it is in the hearts of the people may be greatly doubted," says the N. Y. Evening Post. "The Government has to deal on the one hand with a body of prominent and influential citizens, which for months past has been pressing for conscription. On the other hand, the Government is well aware that large numbers of Canadians—and not merely the Province of Quebec as is often supposed—are fundamentally opposed to the idea of conscription. Again Sir Robert thinks of the Australian referendum on conscription and doubly hesitates. Recruiting, however, had been falling off, and the conscription cry becoming correspondingly louder. What was the Government to do? According to the Liberal theory it hit upon the plan of national registration as a way out of the difficulty. The labor and pacifist forces of several cities set themselves directly to oppose the registration plan. In Winnipeg on three consecutive Sundays crowded anti-registration meetings were held. The strength of the movement showed itself in the definite stand of the Winnipeg trades and Labor Council, one of the largest in Canada, against registration. The trades and labor councils of several other important centres have likewise condemned the proposal and advised their members not to register. Two members of the Manitoba Legislature, one a Social-Democrat and the other a Single-Taxer, have stated publicly that they will not register. And, while their utterances have given rise to violent criticism and censure, it is incontestable that the two members have behind them a body of opinion which cannot be entirely ignored."

German Diet Rhyme.

Paper Napkins Remind Hotel Guests of Meatless Days.

London newspaper reports that some German hotel proprietors are trying to help their guests forget the meager fare placed before them by handing them paper napkins upon which is printed the following verse: Montag, kocht man ohne Fett; Dienstag, fleischlich, ganz nett; Mittwoch, darfst du alles essen; Donnerstag, das Fett vergessen; Freitag, nicht es fleischlich; Samstag, nicht; Sonntag hast du endlich Ruh; Denn dann sind die Läden zu.

As "roughly" translated by the London papers, this verse runs as follows in English: Monday, without any fat one must try; Tuesday, no meat! But we're not going to cry; Wednesday, just eat as in peace time you ate; Thursday, all fat food you'd better forget; Friday, your appetite's tempted with fish; No pork upon Saturday's seen in the dish; Sunday's the day for some tranquil repose; For then all the dealers their food-shops will close.

Wie das Blut gerinnt.

Das Gerinnen des Blutes kann an jeder kleinen Verwundung beobachtet werden oder noch besser, wenn man ein paar Tropfen des essigen Safts für sich in eine kleine Schale taucht. Er trennt sich bald in zwei verschiedene Bestandteile. Der eine ist rot, dicklich und fällt bald in Körnern zu Boden, der andere bleibt flüchtig und besitzt eine nicht gelbliche Farbe. Jenen nennt man den Blutkuchen, diesen mit einem Fremdwort das Serum. Infolgedieses Vorganges tritt die Verflüssigung einer Wunde ein und wird weiterer Wundverlust verhindert. Die geronnenen Teile des Blutes bilden eine Art von Fibrin, der die Wunde verklebt. Im einzelnen ist der Verlauf des Gerinnens ziemlich verwickelt. Es entsteht nämlich im Blute ein neuer Stoff, der im flüssigen Blute nicht vorhanden war, das sogenannte Fibrin oder, wie diese Bezeichnung sagt, ein Faserstoff. Er besteht demgemäß in sehr garten Fasern oder Häuten, die sich miteinander verwickeln und so durch ihre Gewicht nach unten sinken. Auch der Blutkuchen, der so entsteht, ist nicht einheitlich, sondern in ihm sind die roten von den weissen Blutkörperchen getrennt. Diese sind leichter und bleiben daher an der Oberfläche, dermischen sich dort mit dem Fibrin und bilden eine weisse Schicht, die den roten Blutkuchen zudeckt. Das Blut der verletzten Tiere verhält sich aber in dieser Hinsicht nicht gleich, je nachdem es langsam oder schneller rinnt. Der Vorgang löst sich auch allmählich beeinflusst, zum Beispiel durch Zufuhr von Zucker oder alkalischen Stoffen oder auch durch den Einfluß von Kälte, die nämlich das Gerinnen verzögert. Für manche Zwecke der Wissenschaft ist das besonders wichtig, weil es die Möglichkeit gibt, die einzelnen Bestandteile des Blutes in tabellarischer Sonderung zu gewinnen. Man bearbeitet nämlich das noch flüssige Blut mit feinsten Schläuchen durch eigene Apparate und trennt so das Serum von den Blutkörperchen und auch vom Fibrin. Auf diesem Wege ist das Studium des Fibrins erst möglich geworden. Aus einem Quart Blut erhält man etwa 2-3 Gramm dieses Faserstoffes in trockenem Zustande. Die vielen sorgfältigen Versuche, die mit dem Blute angestellt worden sind, haben ergeben, daß das Fibrin aus einer bestimmten Eiweißverbindung entsteht, die demzufolge den Namen Fibrinogen erhalten hat und einen regelmäßigen Bestandteil des normalen Blutes ausmacht. Nachdem das Blut geronnen ist, ist dieser Eiweißstoff bis auf den letzten Rest verschunden, aber nicht gänzlich in Fibrin verwandelt, sondern zum Teil in einen anderen Stoff, der dem Serum einverleibt bleibt. Diese Trennung ist wahrscheinlich für das Gerinnen des Blutes überhaupt bedingend und beruht auf einem chemischen Vorgang. Auch mit dieser Erkenntnis aber ist das Rätsel noch nicht gelöst, sondern es entzieht die Frage, von welcher Ursache die merkwürdige Veränderung des Fibrinogen erregt wird. Diese haben die Forscher in einem Gärstoff, einem Ferment, gefast, so daß auch das Gerinnen des Blutes ein Beispiel mehr für die ungeheure Verbreitung und Wichtigkeit der Gärungserscheinungen sein würde, und zwar können dabei die weissen Blutkörperchen die Hauptrolle zu spielen. Außerdem ist nach den bisherigen Ermittlungen die Gegenwart eines Elements noch unerklärlich, nämlich des Kalis. Der Mensch braucht also Kalis nicht nur zum Ausbau seiner Knochen, sondern auch zur Aufnahme ins Blut, um diesem die unentbehrliche Fähigkeit des Gerinnens zu verleihen.

Zierischen, der Gefeierte.

Ueber die Amerikanerinnen plaudert Kapitän Zierischen von dem in Philadelphia internierten deutschen Dampfer "Brig Eitel" in einem Interview, das er einer Mitarbeiterin eines englischen Blattes gewährte. Dabei stellte sich heraus, daß der Kapitän, ein Junggeselle, mit diesem Gefächelt eigenartige Erfahrungen gemacht hat. Ungezählte Briefe sind ihm von amerikanischen Damen zugegangen, und wenn eine Amerikanerin ihm zum zweiten Mal schrieb (so meinte er verstanden), rebete sie ihm "recht als ihren Verehrer" an und unterzeichnete "Jours affectionately". Die Mädchen, die ihm Americas Frauen gefast haben, sind nicht zu zählen, 26 hat er in seinem Wohnquartier; eine große Menge weiterer hat er wegen Platzmangels nicht behalten oder anderweitig weiter verschicken müssen. "Schiden Sie mir keine Kissen, mein Fräulein," so hat er dringend, "das müssen Sie mir verschreiben. Und um Stimmelsollen iriden Sie nicht für mich, denn auch mit gefasteten Dingen bin ich überreichlich versorgt. Es war sehr nett von all diesen amerikanischen Frauen, um mich zu denken, aber Sie sehen selbst, wie wenig Platz ich habe."