

APPROVAL SHEET

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The Political Career of Joseph I. France of Maryland,
1906-1921.

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THE POLITICAL CAREER OF JOSEPH I. FRANCE OF MARYLAND
1906-1921

by
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TABLE OF CONTENTS

Chapter	Page
I BACKGROUND	1
II CAREER IN THE MARYLAND SENATE.	11
III THE PRIMARY AND ELECTION CAMPAIGNS OF 1916	34
IV POLITICAL ACTIVITY--THE SIXTY-FIFTH CONGRESS 1917-1919 .	66
V POLITICAL ACTIVITY--THE SIXTY-SIXTH CONGRESS 1919-1921 .	101
VI LATER LIFE AND APPRAISAL	136
BIBLIOGRAPHY	145

CHAPTER I

BACKGROUND

Joseph Irwin France, United States Senator from Maryland from March 4, 1917 to March 3, 1923, was one of the most controversial figures in Maryland politics during the first part of the twentieth century. He was a Republican party leader in a strongly Democratic state who advocated unpopular and even radical policies with irritating directness and honesty, and with little interest in compromise. He was one of the first and most vigorous opponents of the prohibition amendment to the U. S. Constitution. He attempted to develop trade with Russia during the early post-revolutionary years, and early recommended partial recognition of the new government. An ardent advocate of federal government measures to improve the condition of the poorer classes and to provide social security and educational opportunities for all deserving citizens, he opposed Herbert Hoover when the latter was at the peak of his power in the Republican Party.

Previous to his service as U. S. Senator, France served in the Maryland Senate from 1906 to 1909, representing Cecil County. He was prominently mentioned as a candidate for representative of his district in the United States House of Representatives and as Governor of Maryland. He was also a candidate for the nomination for the Presidency in 1920, and indicated receptivity to the nomination in 1924, and again in 1932.

France was a fifth generation Marylander, his immigrant ancestor in the male line, William France, having arrived at Baltimore before

the Revolutionary War.¹ William's son, James France, lived in Baltimore. He married Marguerite Boyle, daughter of Captain Thomas Boyle, famous privateer who sailed out of the port of Baltimore, making that harbor famous on every sea during the War of 1812. Boyle was one of the most conspicuous figures in early American naval history. His vessels, the Comet and the Chasseur, often encountered and overcame larger and more heavily armed men-of-war.² He captured more than eighty prizes during this period.³

France's grandfather was Joseph Henry France, a native of Baltimore but for a time a resident of Washington, D. C., where his son Joseph Henry France, Jr., was born in 1849.⁴ Joseph Henry France Jr. was graduated from Columbia University and its Law School (now George Washington University), Washington, D. C. He married Hannah Fletcher James, daughter of Col. William James of Richmond, Virginia, a Union sympathizer who had moved to Baltimore with his family after the outbreak of the Civil War.

France's father decided to seek his fortune in the West, and began the practice of law in Kansas City, Missouri. Later he entered the Presbyterian ministry, and served for many years as a minister,

¹ The Cecil Whig (Elkton), July 19, 1905.

² St. Joseph Gazette (Missouri), May 10, 1906.

³ Robert G. Albion, "Thomas Boyle," Dictionary of American Biography, ed. Allen Johnson (1929), Vol. II, p. 534.

⁴ St. Joseph Gazette (Missouri), May 10, 1906. Also see Matthew Page Andrews, Tercentenary History of Maryland (Chicago, S. J. Clarke Publishing Company, 1925), Vol. III, pp. 677—78.

first in Kalamazoo, Michigan, and for more than thirty years in Lowville, Johnstown, Canandaigua and Naples, small towns in Northern New York State. It was while the family resided in Missouri that their first son, Joseph Irwin, was born--the place, Cameron in Clinton County, the date, October 11, 1873.⁵

His place of birth was the cause of some embarrassment to France at the beginning of his political career, and he remained somewhat reticent about it during the years he held public office. He was always conscious that "In Maryland, they say, you must be a Marylander to get anywhere."⁶ His career, however, conclusively disproved the truth of the saying.

Joseph France grew up in Michigan and New York State, where his father moved from Kalamazoo to the Lowville pastorate about 1880. The family also lived in various other small New York towns during Joseph's boyhood. His formative years were spent in the wholesome atmosphere of a minister's family. The character training he received here had a profound influence upon him throughout the course of his whole life.

Joseph's early education was in the common schools of New York State. These were adequate at first but as it became apparent to him that the family means were not sufficient to provide him with a

⁵ Who Was Who in America 1897-1942, (A. N. Marquis Co., Chicago: 1942), Vol. 1, p. 421.

⁶ The Evening Star (Washington, D. C.), October 10, 1950. Lowell Mellett, columnist, recalled an interview held with France many years before, when France was U. S. Senator. Mellett asked the Senator about his birthplace which he had not reported in the Congressional Directory, and received the reply given above.

preparatory and college education he set out to earn money for this purpose. At the age of eleven he worked as a messenger boy. Later he learned telegraphy and at odd seasons worked at this occupation to procure his tuition for school.⁷ In this way he was able to prepare for college by attending Canandaigua Academy in Clinton, N. Y. He likewise was able to earn part of his way through Hamilton College, also in Clinton, from which he took the A.B. degree in 1895. At that time his home address was Johnstown, where his father was pastor of the Presbyterian church.

Although France was not on the honors list announced at the time of his graduation, he was awarded the Elihu Root foreign scholarship in physical science by his alma mater. He was also awarded a scholarship in anatomy and physiology at Cornell University. He accepted the foreign scholarship and spent a fruitful year at the University of Leipzig, 1895-96. The next year, 1896-97, he did graduate work at Clark University, Worcester, Massachusetts, pursuing biological studies.

By this time France had decided that he wanted to be a doctor. In order to pay for his medical training he accepted in 1897 a position as teacher and head of the department of natural science at the Jacob Tome Institute, Port Deposit, Maryland. This institute had been jointly founded in 1889 by Jacob Tome, millionaire lumberman and banker, and his wife,⁸ the former Evalyn Smith Nesbitt of Port Deposit, as a school for

⁷ The Public Ledger (Philadelphia), November 19, 1916.

⁸ The New York Times, April 23, 1927.

orphans of Cecil County and for the children of other people of poor or moderate means living in the vicinity. Although located in a small town, the Institute had grown rapidly to an enrollment of several hundred day pupils of both sexes, in grades from kindergarten through high school. The Institute in 1897 had a highly trained faculty and was housed in several substantial buildings on the main street of the town. It was heavily endowed by its founders who continued to provide heavy financial support in the form of current operating funds.

Tome had been born in 1810 in Pennsylvania, but early removed to Port Deposit. He had grown wealthy as the forests of the Susquehanna River watershed were cut over. He also had created and supported banks in the vicinity and was one of the developers of lumbering in Michigan as the eastern forest yields became reduced.⁹ At the time of his death in 1898 Tome had already given the Institute an endowment of nearly two million dollars. In his will he further supplemented this fund with the assistance of Mrs. Tome, who sacrificed her dower rights in his estate for this purpose. As a result of these gifts, the Institute in 1898 had an endowment of \$2,500,000.¹⁰ It was more heavily endowed than a large number of colleges and universities of the period and was the most heavily endowed private elementary and preparatory school in the

⁹ Works Project Administration, Maryland, A Guide to the Old Line State, Oxford University Press, New York: 1940, p. 303.

¹⁰ Sargent, Porter E., A Handbook of the Best Private Schools of the United States and Canada (Boston: 1915), p. 371. Also see the Tome School for Boys, a prospectus printed for the school, Port Deposit, 1913, p. 13.

country. At the time of the Institute's creation in 1889, Mrs. Tome was made President of the Board of Trustees, a position she retained at the time France joined its faculty.

Mrs. Tome was Jacob Tome's second wife and younger than he by more than forty years. She had been a next door neighbor of Tome during her childhood and girlhood. As a little girl she had been his favorite, and had formed a kind of daughter-father attachment for him.¹¹ Her father was a wealthy merchant, whose store in Port Deposit had several branches in nearby towns. Mrs. Tome had been among the first women of the state to seek a college education. She was granted the degree of Mistress of English Literature by Wesleyan College, Wilmington, Delaware, in 1873, the year of France's birth. She and Tome were married in 1884.¹² She was completely devoted to Tome and in sympathy with his plans for Tome Institute. Under her husband's influence, she also developed strong financial interests. She was the first woman president of a national bank, holding this position in the Cecil County National Bank of Elkton and the Port Deposit National Bank. She also became a trustee of various other corporations.¹³ Encouraged by her husband, however, Mrs. Tome held youthful aspirations and ideals, and formed a group of associates of her own age and interests.¹⁴

¹¹ The Public Ledger, (Philadelphia), November 19, 1916.

¹² The New York Times, April 23, 1927; and The Sun (Baltimore), April 23, 1927.

¹³ The New York Times, April 23, 1927.

¹⁴ The Public Ledger (Philadelphia), November 19, 1916.

France's position on the faculty of the Institute changed the course of his life. The interest of the school's founders in the free education of ordinary people made an indelible impression on his mind, reinforcing his early religious training. He became well acquainted with Mrs. Tome, and joined the circle of young people who were her intimate associates. She became interested in the young man's plans for a medical education and encouraged him to pursue them as rapidly as possible.

In the fall of 1899 France began his medical studies in Baltimore, attending the College of Physicians and Surgeons.¹⁵ He resigned his post at the Institute, but retained his association with Mrs. Tome and his other friends at Port Deposit. France also retained a voting residence in Cecil County and during the last period of his medical education paid court to the wealthy Mrs. Tome.

During his medical school years France had extensive experience in the dispensaries of Baltimore, and his practice brought him into close contact with the poor of the city. He also made a scientific study of health problems of the community during this period. The information and experience gained at this time, added to the philanthropic ideals of Jacob Tome and Mrs. Tome, had much influence upon him when he was chosen to serve the people of his state and nation in the capacity

¹⁵ This school was a forerunner of the University of Maryland Medical School. Maryland School of Medicine absorbed Baltimore Medical College by merger in 1913; and repeated the process with the College of Physicians and Surgeons in 1915.

of legislator.¹⁶

Immediately after receiving his degree in medicine France and Mrs. Tome were married.¹⁷ He also began the practice of medicine in Baltimore where a lucrative clientele was developed among the well-to-do classes. The Frances established a winter residence in Baltimore and entered Baltimore social life. In addition, France took post-graduate medical training at the Johns Hopkins University Medical School, and served as professor on the faculty of the Woman's Medical College of Baltimore.

Mrs. France retained her administrative, financial and sentimental interests in Tome Institute for some years after the wedding. France became Vice-President of the Institute's Board of Trustees and served in that capacity for a number of years. Meanwhile, the Institute's character began to change. Soon after Tome's death in 1898 the trustees had decided to establish a private boarding school for boys, to be called the Tome School for Boys. A tract of land overlooking the Susquehanna River near Port Deposit was purchased, several buildings were erected, and in 1900 this part of the Institute was first opened.¹⁸ This institution represented a significant departure from Tome's ideal of a school for those unable to pay tuition, and for a time was opposed

¹⁶ The Elkton Appeal (Maryland), January 25, 1906; The Public Ledger (Philadelphia), November 19, 1916; The Baltimore News, August 21, 1916; The Cecil Whig (Elkton), August 5, 1905; Baltimore American, July 25, 1905.

¹⁷ Who Was Who in America 1897—1942 (A. N. Marquis Co., Chicago: 1942), Vol. II, p. 421.

¹⁸ Sargent, op. cit., p. 371.

by Mrs. Tome. As the years passed, however, the private school absorbed the interests and resources of the Institute, and the original day schools were finally turned over to the town of Port Deposit to be operated as public schools.

The Frances retained the Tome residence in Port Deposit and spent at least part of each year there. France also purchased a farming estate in Cecil County, Mount Ararat, overlooking the Susquehanna River. He operated this farm as a business, and adapted scientific principles to restoring its fertility and increasing its yield. He firmly held to the Jeffersonian belief that the future of a nation rests in the prosperity of its agrarian class. He contended that all wealth came from the soil.

France also engaged in business in Baltimore. There, in Cecil County and elsewhere, he became a director in a number of business and banking institutions. His entry into finance occurred upon the death of his wife's brother, Harry Nesbit. For years Nesbit had been the manager of Mrs. France's extensive properties, many of which were banks that Jacob Tome had either started or had retrieved from financial difficulties. When Nesbit died, France began to prepare himself to take over the administration of his wife's properties. At the time of his marriage he had little knowledge of large financial transactions, but he remedied the defect by thorough study under the guidance of Baltimore financial experts. The proof of application was soon apparent in the steady enhancement of the value of Mrs. France's properties under his control.

France's own fortune, which remained modest in comparison with that of his wife, also grew satisfactorily during the passage of the years, through investments similar to those made in the management of his wife's properties. He became director of various banks and was made a trustee of Hamilton College; but with all his success as a financier, not once did his viewpoint become warped. He continued to believe in the rights of the common man, and his belief that property rights should not interfere with human prerogatives was strengthened.¹⁹ He entered Maryland politics in defense of the rights of the ordinary man when threatened by large financial interests and partisan political organizations, and he continued to fight against exploitation of the rank and file of citizens by public utilities. He advocated what later became known as the rural resettlement program of the 1930s and was a strong supporter of the ideas of federal health and welfare legislation that came to fruition in the social security program of the New Deal.

As his financial interests and responsibilities increased France gradually gave up his medical practice. He never, however, gave up his professional interests entirely. When elected to the U. S. Senate in 1916 he was Secretary of the state medical society of Maryland.²⁰ And in his later years he was a contributor to some of the better periodicals of the country, writing on political matters.²¹

¹⁹ The Public Ledger (Philadelphia), November 19, 1916.

²⁰ The official name of this society was The Medical and Chir-
urgical Faculty of Maryland.

²¹ Including The Nation, The New Republic, and The Annals of the
American Academy of Political and Social Science.

CHAPTER II

CAREER IN THE MARYLAND SENATE

France's interest in politics prior to 1905 was merely academic in character, but he quickly became a recognized leader of the Republican Party in Maryland. This change can be credited to the attempts made by a controlling faction of the Democratic Party in the state, known by its opponents as the Gorman-Rasin-Poe machine, to extend and perpetuate its control by ~~disfranchising~~ a large number of voters. The disfranchisement plan had been launched several years before by the enactment of technical changes in the voting laws that would prevent thousands of citizens from voting on an amendment to the constitution. A constitutional amendment, known as the Poe Amendment, was then approved in the 1904 legislature for referendum to the voters in the 1905 general election. The amendment provided that officers of registration would determine the qualifications of each registrant to cast a ballot. In determining qualifications the registrant could be asked to explain the state constitution. Such a provision could easily lead to widespread ~~disfranchisement~~ of the more ignorant voters, particularly of the large Negro population which was traditionally Republican. But, as many Democrats realized, including Governor Edwin Warfield and the Attorney General, the suffrage of any Democrat not acceptable to the state-wide machine would also be put in jeopardy.

When the Cecil County Republican nominating convention met on July 25, 1905, it adopted a platform supporting definite reforms and honest and pure elections. At the same time, it condemned the proposed amendment. A resolution was adopted declaring that the amendment was

intended to place in the hands of illiterate and corrupt election officers the power to disfranchise fully forty per cent of the foreign born and native white voters. It would thus insure control by a faction of the Democratic Party and thereby perpetuate the power of the ring which for more than a generation had dominated that party.¹

It is readily understood that a man of France's religious background and interest in the welfare of ordinary people would feel a strong antipathy for the proposed amendment. Some months before the convention he decided to throw in his lot with the Republicans and enter actively into politics. When the convention met he appears already to have been recognized as a likely choice for nomination to the party ticket as a Senatorial candidate, if retiring Senator Henry M. McCullough maintained his refusal to again be a candidate. France attended the convention with the intention of supporting McCullough if the latter were nominated.² McCullough, however, prevented his name from being submitted to the convention, whereupon France was nominated. McCullough seconded the nomination and asked that France be supported, with the result that no other names were put forward.

On McCullough's suggestion, France was invited to address the convention. He made a popular acceptance speech, described by a local newspaper as easy, frank and forceful.³ He said he accepted the nomination

¹ The Ontario County Times (Canandaigua, New York), August 2, 1905.

² The Cecil Whig (Elkton), July 26, 1905.

³ Ibid. Also see The Elkton Appeal, July 26, 1905.

in order to become better acquainted with the county. He claimed Maryland ancestry for five generations. He pledged a strong campaign for party victory in the election and for protection of the state constitution, stating that the proposed amendment would leave a despotism like that of Czarist Russia. He also stated that he was a Roosevelt Square Deal supporter.

The Cecil County Democratic Party convention, meeting the day after France was nominated, selected former state senator Austin L. Crothers to oppose France. Crothers was a former state senator but had been defeated four years previously by a member of his own party. Thus, in a traditionally Democratic county, and confronted with a seasoned opponent, the Republicans found themselves with a candidate who was a political novice, and politically unknown to the voters of the county.⁴

The ensuing campaign was hard fought. France, as good as his word, traveled everywhere in the county and made a number of convincing speeches. He made friends everywhere and impressed all who heard him as an honest and able man.⁵ The Maryland Republican campaign was ably assisted by Secretary of the Navy Charles J. Bonaparte, who spoke in Baltimore and also spoke at a rally in the village of Rising Sun, Cecil County, where France also made an address.

⁴ The Cecil Democrat (Elkton), July 29, 1905. This paper on the same occasion referred to France's statement in his acceptance speech that he "intends to make Cecil County his future home." This is significant in the light of future events, cf. page 4.

⁵ The Elkton Appeal, October 11, 1905.

A local issue of some importance in this campaign was the proposed control of the water rights of Octoraro Creek by the Pennsylvania Railroad for use as a pumping station. This corporation had retained candidate Crothers as its local counsel during the previous legislature when such legislation failed of passage. Under the plan the water of the creek would not be available to local residents to operate their mills. It was noted by the Republicans that the three Democratic candidates for the House of Delegates from Cecil County were chosen from southern parts of the county, areas not adjacent to Octoraro Creek.⁶

The effectiveness of France's campaign was surprising. In spite of the fact that Crothers was a former senator from the county, a man in his prime, backed by a powerful political machine, and known as an almost invincible personal adversary and an aggressive fighter, France, with the further handicap of a nominal Democratic majority of 400 or more votes, was elected by a majority of 355, along with two of the three members of the House of Delegates, one County Commissioner and the Sheriff. Even so, his majority was surpassed by the opposition to the Poe Amendment, which was defeated in Cecil County by 443 votes, and in the state by 28,650.⁷ At the same time, the state as a whole voted the control of the legislature into the hands of the Democrats.

A few weeks after the election it appeared that France's victory

⁶ Letter published in The Cecil Whig (Elkton), written by William M. Pogue, July 29, 1905.

⁷ The Public Ledger (Philadelphia), November 19, 1916.

might be contested by Crothers on the ground that France was not a bona fide resident of Cecil County as required by the state constitution.⁸

The basis of the contest was stated to be France's residence for the last four years and medical practice in Baltimore, and the fact that the certificate of his marriage to Mrs. Tome in 1903 gave his residence as Baltimore.⁹ It was further argued that France was planning to abandon his claimed residence in Port Deposit.¹⁰ In defense of France, it was admitted by Crothers that France was a registered voter of Cecil County. Also, Republicans in Cecil County claimed he spent most of his time there. He habitually lived in Port Deposit during the summer months. It was also pointed out that several prominent Democrats in the state had as ambiguous residences as France, without serious challenge from the Republicans.¹¹

In view of the fact that the Democrats controlled both houses of the state legislature, a contest by Crothers might have been successful in unseating France on the basis of the charge of non-residence, although the Republicans argued that a new election would have to be held to fill the vacant seat. After consideration of the pros and cons, however, Crothers apparently decided not to press the matter, for the contest was not made.

⁸ The Sun (Baltimore), December 2, 1905.

⁹ Baltimore American, December 5, 1905.

¹⁰ The Cecil Democrat (Elkton), December 9, 1905.

¹¹ The Sun (Baltimore), December 5, 1905.

When the legislature met in January, 1906, France was assigned to serve as a member of four standing committees: Militia, Public Institutions, Sanitary Conditions of the State, and Judicial Proceedings.¹² He performed faithfully on these committees as a newcomer under more experienced legislators, being noted for regular attendance and participation in the proceedings.¹³ Through the bills he sponsored and his votes on legislation during the session, he revealed his political philosophy as being a combination of Jeffersonian doctrines with the anti-monopoly ideas of Theodore Roosevelt and other progressive Republican leaders. He strongly supported public health and education, and a secure agricultural base for the body politic, and repeatedly showed himself opposed to monopolistic practices, extravagance in government, lobbying, government dishonesty and secrecy in the legislative process. He also strongly supported the civil service as a means of breaking the power of political rings and the lobbyists. As evidence of his interest in government efficiency, one of the first measures he supported was a motion on January 3 to reconsider the provision that the President of the Senate appoint without limitation employees to assist the members. This provision, in effect since 1896, had resulted in such a large increase in such employees that their salaries were greater than those of all 128 members

¹² Journal of Proceedings of the Senate of Maryland, January Session, 1906 (Annapolis, King Brothers, 1906) pp. 82-85.

¹³ Journal of Proceedings of the Senate of Maryland, passim, January Session, 1906.

of both houses of the legislature. France was among sixteen senators supporting this motion, which was defeated.¹⁴

During this first session of his four year term France introduced several progressive measures for consideration. Those of greatest importance were the amendment of the law for promotion of public libraries and public school libraries in the state, a law to create a state forestry commission,¹⁵ a bill to regulate the use of narcotics in proprietary medicines,¹⁶ and a bill to appropriate money for the Union Hospital of Cecil County.¹⁷ Most of these bills were never reported from committee and consequently died.

Senator France's voting record on other legislation reveals his long-standing interest in the progressive policies of improving health, education and welfare conditions of the poorer citizens. He supported appropriations for Maryland Agricultural College¹⁸ (later the University of Maryland), extension of the secondary school system of Wicomico County,¹⁹ protection of infants and young children from being placed in improper homes,²⁰ improvements in the general laws regarding education

¹⁴ The Sun (Baltimore), January 4, 1906.

¹⁵ Journal of Proceedings of the Senate of Maryland, January Session, 1906, pp. 260-261.

¹⁶ Ibid., March 19, 1906, p. 1101.

¹⁷ Ibid., March 7, 1906, p. 851.

¹⁸ Ibid., March 31, 1906, p. 1683.

¹⁹ Ibid., March 31, 1906, p. 1685.

²⁰ Ibid., March 19, 1906, p. 1120.

and health,²¹ improvements in penal institutions for women in Maryland,²² and the improvement of sewerage systems.²³ He also supported legislation for the publication of laws enacted by the legislature,²⁴ so as to provide for greater public understanding of why the people's interests were not being better served by the legislature.

France also gave early evidence of a strong anti-monopoly point of view. He here joined the main stream of progressivism that was developing in many parts of the country and which was championed by President Roosevelt both when elevated to the Presidency by McKinley's death and after his 1904 election. The progressive movement in government had originated as a reaction against the domination of government by business and banking interests and the use of government to benefit a minority possessing the great economic power of the country. The reaction was fed also by panics and periodic collapses of prosperity in small business and agriculture, and by discontent of workers with job insecurity and high prices while a few families and the bigger business organizations became stronger and richer. Various political movements originated as expressions of discontent with the situation, including the Gragers, the Greenback Party, the Greenback-Labor Party, the Farmer's Alliance, the Socialist-Labor Party, the Populists, and the Socialists. Muckraking

²¹ Ibid., p. 1126.

²² Ibid., p. 1130.

²³ Ibid., March 31, 1906, p. 1690.

²⁴ Ibid., p. 1695.

newspaper reporters and magazine writers turned their attention to the methods by which business controlled government through patronage and corrupt political machines.

Reforms against these evils were begun in municipalities and then in state governments, and many important changes were made in state constitutions to provide for more control of the government by the citizens for the benefit of all the citizenry. Direct primaries replaced nomination for high state office by state legislatures. The secret ballot and short ballot became the rule rather than the exception. The initiative, referendum and recall were instituted in a number of states, with Wisconsin and Oregon taking the lead in initiating reforms. Corrupt practices acts were passed in various states. Senators came to be elected by popular vote. Publicity for campaign expenditures was required by law in many states. Monopolies were attacked in states by the creation of regulatory commissions, and conservation commissions were set up to protect natural resources for all the people. Workers were protected by sanitation and safety codes, and child labor and workmen's compensation laws were enacted. Women's suffrage became a reality in various states.

The progressives found that business had grown so large, however, that state controls and legislation were not enough. The Federal government had to act in regard to interstate commerce, equalization of taxes, currency reform, tariff reform, assistance to the aged, food and drug inspection and monopoly. Progress at the Federal level was slow, but under Theodore Roosevelt the first successful attack was made on monopolistic practices; a few trusts were broken up, and the Interstate

Commerce Commission was strengthened in the regulation of interstate commerce.

Robert M. LaFollette of Wisconsin was the outstanding progressive figure in the country. He had begun the fight for better and newer government processes in the last years of the nineteenth century. As governor of Wisconsin from 1901 to 1906, he succeeded in obtaining the enactment of a direct primary law; the creation of a legislative reference bureau to improve the drafting of legislation; and enactment of legislation to end special railroad privileges for state officials, for conservation of natural resources, and tax-paying by railroads and other corporations. LaFollette also made a personal attempt to introduce his philosophy into other states by speaking tours. He visited Maryland on one occasion to speak on representative government.

Maryland, however, was slow to change its ways. At the time that France entered the legislature, a railroad commission was in existence, but there was no public utilities commission in the state. Lobbying in Annapolis was an open practice; big business was bold and unashamed in Baltimore and Western Maryland and had many leading political figures among its legislative counsel in Annapolis. Progressive measures were being discussed; but, except for an experiment with employer's liability legislation, now generally called workmen's compensation, which was begun in 1902 in the state, no concrete progress had been made. France's philosophy on monopoly was not as firmly established at the time of his election as was his position on health, education and general welfare. But he immediately began to find out that the lobbying

system operated by means of controlling committee chairmen and committee members who, in turn, could decide what legislation would be enacted, without informing members of the legislature or the public of the reasons for their decisions. Henceforth he tried in every way at his command to bring about changes in the method of operation of the legislature, but without appreciable success.

His first anti-monopoly battle in the legislature was in connection with the canal joining Chesapeake Bay to the Delaware River.²⁵ The enabling legislation for this canal had been enacted by a previous legislature; the new proposal submitted by France was a supplement to existing law, providing that the canal company could increase its revenue by charging twenty-five cents toll to every passenger carried through its waterways, and could enter the transportation business. This bill thus would have the effect of restoring competition to the transportation business by challenging the control of the Pennsylvania Railroad and the Baltimore and Philadelphia Steamship Company over Baltimore's transportation network. The bill was defeated after Committee action and floor debate, France crediting its defeat to the illegal use by lobbyists of large sums of money both by the Pennsylvania Railroad Company and the Baltimore and Philadelphia Steamboat Company.²⁶

France's opposition to the machinations of big business interests, and his desire to have the actions of powerful economic interests placed

²⁵ Ibid., February 21, 1906, p. 621.

²⁶ The Cecil Democrat (Elkton), February 24, 1906.

under surveillance and control are exemplified in several of his votes during the 1906 legislative session. He opposed liberalization of statutes regulating railroad companies (casting the only negative vote),²⁷ legislation intended to amend the charter of a Baltimore corporation so as to increase its freedom from competition,²⁸ and a law relaxing regulation of the Girdle Electric Railroad Company.²⁹ He voted against amendments in election laws of the state favored by the Democratic legislature, because he thought they did not provide the needed reforms.³⁰ He also opposed a bill to grant the Glencoe Power Manufacturing and Supply Company of Harford County, road and condemnation rights in both Harford and Cecil Counties. This was probably the most important legislation presented during this session, so far as the interests of his Cecil County constituents were concerned, and would have had an effect similar to that of the Octoraro Creek bill presented in the previous session.³¹

By his actions on these matters France clearly revealed his political character of vigor, steadfastness, and persistence in support of measures he considered to be for the general welfare rather than for the benefit of specific industries or corporations. He showed intense interest in publicity concerning legislative procedures, economy in administration, and needed reforms in administrative organization of

²⁷ Journal of Proceedings of the Senate of Maryland, March 31, 1906, p. 1682.

²⁸ Ibid., p. 1681.

²⁹ Ibid., p. 1687.

³⁰ Ibid., p. 1655.

³¹ The Cecil Democrat (Elkton), February 24, 1906.

both the legislature and the executive branch of the state government. He also demonstrated himself to be without fear and quite willing to stand alone when his principles indicated such a position was right.

Although France did not have to stand for reelection in 1907, he was active in the campaign to increase Republican strength in the legislature, making several speeches in Cecil County on the main issues of the election. This was a Democratic year, however. Austin L. Crothers, France's unsuccessful opponent for State Senator in 1905, was elected Governor by more than 9,000 votes, and the Democrats returned to the control of Cecil County's government with the usual majority of over 300 votes. The Republicans lost their two Cecil County seats in the House of Delegates, as well as some strength in the representation of other counties.³²

During the 1908 session of the legislature France was a member of the standing committees on Militia, Sanitary Conditions in the State, and Judiciary Proceedings, and served on committees dealing with Constitutional amendments and the re-valuation of assessments. He again faithfully carried out his obligations of attendance, being present at all but three meetings of the Senate.³³ His work in this session was, however, mainly concentrated on improving government procedures in line with his philosophy of government as a servant of all the people. This

³² The Midland Journal (Rising Sun, Maryland), November 8, 1907.

³³ Journal of Proceedings of the Senate of Maryland, passim, January Session, 1908 (Annapolis, King Brothers, 1908).

is demonstrated by his participation in several major legislative battles, including (1) the effort to obtain full publicity on the legislative process, by having copies of both public and private bills made available to the members during the period of their consideration by committees; (2) an attack on lobbying and lobbyists at the legislature; and (3) an attack on a new disfranchising amendment presented to the legislature. He also interested himself in improving the civil service laws of the state, and introduced legislation for this purpose.

When the legislative session began on January 1, 1908, France's first act was to introduce a bill to provide for the printing of all local bills, as well as general bills, together with amendments as they were made. This bill was referred to the Joint Committee on Printing and Finance. During the January 14 session of the Senate France called for an early report by the Committee on his motion, and presented a resolution that no local bills should be introduced until the Committee had reported on the bill and it had been voted on by the Senate. This resolution was defeated after spirited debate by a vote on party lines 17 to 8.³⁴

The Committee still did not act on France's bill, and he returned to the attack when a local bill came up for debate on January 29 authorizing the Dorchester County Commissioners to issue \$12,500 worth of tax exempt bonds to build a schoolhouse. These bonds were to be perpetually

³⁴ Ibid., January 14, 1908, p. 94.

exempt from taxation. France opposed the referment of such bills to committee for recommendation to the whole Senate unless Senators who were not members of such committee had a chance to give the bills some scrutiny. He pointed out that a bill concerned with two counties had recently been referred to a committee of one county, which favorably reported on it before passage, without consultation with members from the second county.³⁵ His efforts were futile, however. On February 13 the Joint Committee reported adversely on France's motion, explaining that printing costs would be too great to justify the proposal. On this occasion France received some support from Senator Blair Lee (Democrat, Montgomery County) of the Printing Committee of the Senate, and the objection of excess expense was overcome by a plan to print local bills at \$1.25 a page, equivalent to a cost of only about \$1,500 for the entire previous session. This proposal was, in turn, referred to the Finance Committee of the Senate.³⁶ Some time later when it was reported out unfavorably it was quietly defeated.

The new amendment to the Constitution regarding elections was known as the Straus Amendment. It was not essentially different from the Poe Amendment, and was, as its predecessor, intended to disfranchise voters unable to interpret the Constitution so as to meet the approval of an organized political clique. The Democratic caucus in the legislature

³⁵ Baltimore American, January 29, 1908.

³⁶ Ibid., January 31, 1908.

agreed in February to give this measure priority over other business, and by the slimmest of margins in the Senate was able to obtain the required two-thirds vote.³⁷ The Republicans in the legislature were helpless to obstruct its progress. The issue was thus again thrown into the hands of the voters in a general election. France, although not standing for reelection in 1909, took the stump against the amendment and was able to contribute to its defeat.

France's fight on the influence of lobbies in the state government was the fiercest of all his state battles. A law was on the statute books requiring registered legislative agents to render an account of their expenditures, but France discovered that none of these accounts had been filed. On January 28 he introduced a bill prohibiting legislative counsel from attempting "personally and directly" to influence votes. This bill carefully defined and limited the activities permitted to such agents so as to provide publicity for what was advocated by them, and to prevent their appearance on the floor of either house of the legislature without explicit permission from that house. This bill was referred to the Committee on Judicial Proceedings.³⁸

At the same time France introduced an order directing the Attorney General to notify the various corporations that they had failed to comply with the law requiring the filing of a statement of the expenses of their

³⁷ Baltimore American, February 10, 1908.

³⁸ Journal of Proceedings of the Senate of Maryland, January 28, 1908, p. 160.

legislative agents in Annapolis. This order would require a report within ten days and authorized prosecution of those companies failing to comply. The existing statute defined failure to report these expenditures as a misdemeanor, but did not specify the penalty. Some people believed that France was most interested in the lawyers involved in the canal toll fight of the previous legislative session, but he asserted his paramount interest was in the present and future.³⁹ At the time he introduced his motion for this order France moved that the order be made the special order of business for the next day. In debate on this motion some Senators argued that the Secretary of State should be formally asked by both houses of the legislature for a list of persons who had and had not complied with the legal requirements. France disagreed with the change in procedure, considering it but a delaying action, but he finally was forced to agree to have his order submitted to the Committee on Judicial Proceedings, only, however, after pointing out that this committee had not always acted promptly on matters submitted by him.⁴⁰

Among the legislative counsel registered during the year 1907 were Governor Austin L. Crothers; George R. Gaither, his Republican opponent in the election; Judge Thomas Ireland Elliott of Baltimore; Gaither's law partner, Leon E. Greenbaum; Ex-Congressman Harry Welles Rusk and Baltimore City Councilman A. C. Binswanger. Another was

³⁹ The Baltimore News, January 30, 1908.

⁴⁰ Baltimore American, January 29, 1908; The Baltimore News, January 28, 1908.

Albert C. Ritchie, who later became Governor of Maryland. Legislative counsel in the canal toll fight also included Crothers; Henry M. McCullough, France's predecessor in the Senate; and Ex-Senator Thomas H. Robinson.⁴¹ It is apparent that in this controversy France was opposing the practices of outstanding leaders of both political parties.

The Committee on Judicial Proceedings made an unfavorable report on France's order on February 4, 1908, and this report was adopted.⁴² France then tried a new move, introducing a new order requiring the Secretary of State to report on the expenditures of legislative agents at the legislatures of 1902, 1904 and 1906. This order was referred to the Committee on Judicial Proceedings, and was reported on unfavorably and defeated February 11, 1908.⁴³ Although France lost his battle and became more isolated from his fellow senators of both parties, the wide publicity given his attempts at curbing lobbying enhanced his reputation as a fighter against careless and corrupt practices in the administration of governmental affairs.

France's attempt to improve the public educational system of the state was in the form of a bill prescribing the qualifications of the state Superintendent of Education. In this proposal France was

⁴¹ The Baltimore News, January 30, 1908.

⁴² Journal of Proceedings of the Senate of Maryland, February 4, 1908, p. 215.

⁴³ Ibid., February 11, 1908, p. 293.

also trying to extend and strengthen the civil service system of the state and reduce political patronage in the public school system. The bill was unfavorably reported from committee and France then offered a substitute which he hoped to have passed without referment to committee. After acrimonious debate with Democrats about the civil service, in which France charged Senator Gorman with being a second generation opponent of the civil service, the substitute bill was defeated by a vote along party lines.⁴⁴

At every opportunity France showed an interest in holding expenditures of the state government to reasonable limits, and in providing information on such expenditures to all interested parties and to the public. Early in the session he asked for a report from the Committee on Rules concerning limiting the number of Senate employees.⁴⁵ He also introduced an order requiring the President of the Senate to submit to the Senate a detailed statement of any expenditures considered necessary for conducting legislative business before the expenditures were made. Under this order, a list of employees required would have to be submitted to the Senate.⁴⁶ Consistent with his view, he voted against a blanket appropriation bill for legislative expenses.⁴⁷

⁴⁴ The Sun (Baltimore), March 13, 1908.

⁴⁵ Journal of Proceedings of the Senate of Maryland, January 14, 1908, p. 93.

⁴⁶ Ibid., January 22, 1908, p. 136.

⁴⁷ Ibid.

The only important bill dealt with during the 1908 session that was of particular interest to medical men was one originating in the House of Delegates which would prohibit anyone "to practice healing for pay" without taking a medical examination. The House passed the measure unanimously, and the majority of the Senate favored it, but it was strongly opposed by a stubborn minority, led by Senator Gorman. The majority voted to keep the bill out of committee and it was finally passed. France was not active in the debate regarding referment to the committee, but did support the majority with his vote.⁴⁸ It may be supposed that he refrained from expressing his views because the majority was sufficiently strong to protect the interests of the medical profession and the public without his assistance.

There was another reason, however. Three weeks before, and immediately after France was defeated in his campaign against lobbying in Annapolis, he told a reporter he would not seek reelection, because he was unable to accomplish results he considered for the best interest of the state. He pointed out that a conservative element in the Senate invariably opposed him and that he considered it impossible to carry out his plans for legislation. He said he liked the work but felt he should leave and return to his business interests.⁴⁹

In the Maryland Senate France was respected by his associates for his consistency, courage and ability, and he was recognized as an

⁴⁸ The Sun (Baltimore), March 13, 1908.

⁴⁹ Ibid., February 21, 1908.

asset to his party because of his ruggedness, youth, disinterest in personal profit and interest in good government.⁵⁰ His lack of training in the law was not at all responsible for failure to obtain approval of the legislation he introduced. The simple fact is that France was a member of a weak minority party which enacted no legislation of importance and he was the most uncompromising member of that minority. His strength with the people lay in their belief in his integrity, sincerity and devotion to the best civic ideals. The Cecil Whig stated that "Senator France stands 'four square', a man who cannot be bought or bossed or budged in any way from his single-minded devotion to the public interest The politicians of a 'practical sort' hate him cordially. Such hatred is a badge of honor."⁵¹

After the legislature adjourned France continued to serve what he considered to be the interests of his constituents. In 1909, in a letter to The Baltimore News he directed strong charges against the gas lobby for the behavior of its agents at the 1908 legislative session. He also expressed his appreciation for the fight the paper was making against a proposal to exempt Consolidate Gas Company from future supervision by a public utilities commission.⁵² To emphasize the necessity of such supervision, he cited a number of observations he had recently made of how the Democratic "ring openly and brazenly countenanced and

⁵⁰ Baltimore American, January 24, 1908.

⁵¹ The Cecil Whig (Elkton), July 10, 1909.

⁵² The Baltimore News, June 30, 1909.

encouraged the violation" of the law of 1900 which required legislative agents to file reports of their expenses. As a result of the influence of lobbyists a bill introduced in the House of Delegates to establish a public utilities commission for Baltimore city had been permitted to die in committee. France also showed how a clause, "No gas company except any now actually engaged in business shall have any right to lay any mains or sell any gas in Baltimore city, Baltimore County or Anne Arundel County," was introduced into a local bill and made law without opponents having an opportunity to learn it was there before final floor debate. Thus, not only were other companies which desired to sell manufactured gas in the areas named prevented from competing with Consolidated, but natural gas could not be brought into the area on a competitive basis.

France went on to show how competition between Consolidated Gas Company and electric power companies in the lighting and heating industry of Baltimore had been prevented by the insertion of clauses in general legislation. The competition of electricity with gas was further limited by adding a similarly restrictive clause in the Susquehanna Power Company bill, regulating the company formed to produce electric power for dams erected in Maryland and Pennsylvania reaches of the river. In this case the company was prohibited from selling electric power in the city of Baltimore.⁵³ France also charged the ring with preventing two bills advocated by Western Maryland natural gas interests from being voted out

⁵³ The Baltimore News, June 30, 1909. The next day this paper published a long lead editorial supporting the position taken in France's letter.

of committee. In this letter France not only summarized much of his personal struggle as a member of the state Senate, but he also presented one of the most revealing pictures on record of how selfish interests are served by legislative maneuvers.

After his term as Senator expired, France dropped out of active politics for several years and resumed his private professional, business, and social interests. He had been a delegate to the Republican Convention in 1908 and was a supporter of Taft's nomination on that occasion, following the lead of President Theodore Roosevelt. In 1910 his party attempted to persuade him to run for Congress in the First District, but he rejected the nomination. The Baltimore Sun, in reporting the refusal, stated that Republicans were surprised and discomfited, since France was the only man of large enough financial means to make the kind of race required for a victory for his party.⁵⁴ By refusing the nomination France followed the pattern of his independent thinking.

When a member of the State Senate from Cecil County for two sessions, 1906-1908, he was rashly sincere and conscientious throughout the entire period of his service there. In fact, although a Republican, he was out of harmony with the Senators from his own party to a greater extent than he was out of harmony with the Republican members of the United States Senate when a member of that body. So thoroughly was he out of touch with his Republican colleagues at Annapolis that they almost unanimously voted with the Democrats against every measure proposed by him. That he was unpopular with the State Senators was evident every time he arose to his feet to take part in any discussion that took place on the floor, and even the simplest motion made by him was generally voted down, solely because it emanated from him. But to his credit it can be truthfully said he was oftener right than wrong, and several of the measures introduced and advocated by him were clearly in the public interest and should have been passed without question.⁵⁵

⁵⁴ The Sun (Baltimore), June 19, 1910.

⁵⁵ Paul Winchester, Men of Maryland Since the Civil War, (Baltimore, Maryland County Press Syndicate, 1923) I, p. 221.

CHAPTER III

THE PRIMARY AND ELECTION CAMPAIGNS OF 1916

As the 1916 election year approached the Republican Party had high hopes of regaining the presidency, which they had lost to the Democrats in 1912 when the Republican Party split into two factions, the regular Republicans under William Howard Taft and the Bull Moose Party under Theodore Roosevelt. This split broke a series of four terms as the controlling party, and even then the Democrats won by a very narrow margin. If the Republicans could reunite, they had every reason to expect victory.

Another important fact was the closeness of the division of party strength in the United States Senate, and the resulting crucial nature of every senatorial contest. The Democrats held 56 seats compared to 40 for the Republicans. Thirty-two seats would be contested, 14 of them held by Republicans, 16 by Democrats. The Republicans represented states that were normally Republican, but 9 of the Democrats were from states with normal Republican majorities. If the Republicans could win 8 of these 9 states, they would tie the Democrats, and if they could take Maryland's normally Democratic seat they could then control the new Senate. Maryland could be pivotal in the election, both in regard to Senate control and also in the electoral vote.

If, moreover, a candidate for the Senate on the Republican ticket in Maryland could be selected who could unite the Bull Moose faction with the regular Republican group, there would be much greater hope for his election. This, in turn, would hurt the chances of the Roosevelt faction

in the national party and help to bring about the nomination for President of a man acceptable to both factions. On the other hand, if the Maryland candidate were either so reactionary or so radical as to widen the schism over progressivism, the chances of electing a Republican President would be greatly reduced. Maryland Republicans, therefore, sought a man who was not strongly factional and one who could appeal to both extreme groups and to independents and dissident Democrats in the general election.

The political situation in Maryland was somewhat more simple than in the nation. In Maryland the Republican party was a minority group. There had been only two Republican Senators in its history, and one of these had been appointed by a Republican governor to fill an unexpired term. There was a strong progressive faction in the state, but the party's minority nature encouraged factions to unite if a non-factional candidate were nominated, and if the more powerful leaders would forget their differences. Republicans also hoped to capitalize on factionalism among the Democrats, found to some extent in Baltimore, and also between the agricultural counties and the metropolitan counties. Another item of some slight significance was the fact that the Governor, Emerson C. Harrington, and the Senator whose seat was not a matter of contest in 1916, John Walter Smith, were from the Eastern Shore. Although these men were Democrats, the Republicans naturally would be disposed to avoid selecting their candidate from a purely rural Eastern Shore background.

The procedure by which Maryland selects its candidates also had a bearing on the ultimate outcome. The primary election, as is true of

many states, is almost as important as the general election. Party nomination is accomplished in a party convention, the date of which is set by the state chairman of the party. Previous to the meeting of the convention, however, the candidates for the nomination wage campaigns for support and a primary election is held in which party nominees are selected and delegates to the convention are chosen by popular vote. Each delegate is pledged in advance to vote in the convention to ratify the candidate winning the preferential primary contest in his district, much as is true of presidential electors. At the convention the delegates also elect delegates to the party's national convention, and adopt a platform for the party to use in the general election campaign. In the case of Senate nominees the unit rule is effective in the convention, in which the candidate receiving the largest number of votes in any city, legislative district or county receives one vote representing all the delegates to the convention from that city, district or county, regardless of the number of registered voters. This rule makes it possible for a Senatorial candidate to win the nomination by a majority of unit votes without obtaining a majority of the popular vote in the state.

The first Republican to announce he was a candidate in the race for Senator was Col. Edward C. Carrington, who announced his intentions prior to December 8, 1915.¹ Phillips Lee Goldsborough, whose term as Governor of Maryland expired in January 1916, was also expected to be a

¹ The Sun (Baltimore), December 8, 1915.

candidate. France was mentioned as a possible candidate in December, based on an unconfirmed report that former Collector of Customs William F. Stone, who was known to be opposed to Carrington and Goldsborough, had urged France to enter the race.² At the time that France was first approached concerning the campaign, he had tentatively decided to seek the seat of representative from the first Maryland district.³ Even when his attention was turned to the Senate, however, he still deferred to Ovington E. Weller, last and unsuccessful Republican candidate for governor, who did not wish to make the race.⁴

France did not make up his mind quickly. He talked to Goldsborough and asked him to withdraw from consideration, because he could not hope to unite the party. Goldsborough refused; whereupon France, early in January, decided to seek the nomination, again, however, not until he had tried and failed to persuade former Senator William P. Jackson to run.⁵ France's decision was first made public in a report by the Annapolis correspondent of the Baltimore American on January 13, 1916. A formal announcement was published in the same paper on January 17.⁶

In his speech France sounded a clarion call for honesty in

² Ibid.

³ Baltimore American, April 24, 1916.

⁴ Ibid.

⁵ Baltimore American, January 18, 1916.

⁶ Ibid., January 17, 1916.

government. "Let us . . . unselfishly take up anew the weighty responsibilities of our political duties." He affirmed his beliefs in "the high destiny of the Republican Party to promote . . . true progress, good government and humanity."

Once again he expressed his ideal of a government functioning under the tenets of "our perfectly balanced constitutional democracy." His philosophy was in complete agreement with the principles set forth by the framers of our Constitution. France's hope was "a governmental system as one so essentially rational as to be indestructible, and so pliable as to be fully capable of being shaped to achieve all the proper and legitimate ends of government under any possible set of conditions."

The reactions to the announcement of candidacy were varied. The Baltimore Sun was not immediately critical but published an unfavorable comment made by candidate Carrington concerning France's support by Stone, his chief backer at the time. The Philadelphia Public Ledger was non-committal, while the Washington Evening Star mentioned the probable support of Jackson, and Carrington's criticisms. The Baltimore American, from the beginning offered France the strongest support. The Cecil County newspapers reacted on a purely partisan basis; the Cecil Whig was favorable, the Cecil Democrat was critical. The Baltimore Star reported that France's support was strong in the state legislature, because he was not identified with factional quarrels, did not have a part in the national party split in 1912, and was respected for his ability and efficiency.⁷

⁷ The Baltimore Star, January 21, 1916.

Favorable comments on his candidacy came from smaller newspapers on both the Eastern and Western Shores.⁸

The first action taken by France after announcing his candidacy was to pay a visit to Annapolis on January 26 and 27, where he visited the legislature and renewed acquaintances with members of the 1906 and 1908 legislatures. An informal reception was held for him and he received promises of support from various members of the Republican party in the legislative bodies.⁹ France also made a direct appeal to legislators not yet willing to commit themselves.¹⁰

France filed his official candidacy papers in Annapolis on February 1, the first Republican to take this step. On this occasion, too, he made himself available for conferences with legislators.¹¹ Goldsborough, learning that France was making some headway as a candidate, consulted on January 31 with his Baltimore supporters¹² and then filed his candidacy papers, the recorded date being February 2.¹³ He also

⁸ Including the Ledger-Enterprise (Pocomoke City), January 22, 1916; Union News (Towson), January 22, 1916; The Times (Westminster), January 21, 1916; Oakland Republican, January 20, 1916; The Enterprise (Chestertown), January 26, 1916; The Havre de Grace Republican, January 22, 1916; The Progress (Ellicott City), January 22, 1916; and Montgomery Press (Kensington), January 21, 1916.

⁹ The Baltimore Star, January 26, 1916; January 27, 1916; Baltimore American, January 27, 1916; and The Sun (Baltimore), January 27, 1916.

¹⁰ Baltimore American, January 27, 1916.

¹¹ The Baltimore News, February 1, 1916; and The Baltimore Star, February 1, 1916.

¹² Baltimore American, February 1, 1916.

¹³ The papers were filed first on February 1, but his residence was given as Cambridge on that occasion, while his voting residence was actually Annapolis; Baltimore American, February 3, 1916.

visited the legislature and conferred with Republican leaders.¹⁴

France's campaign developed slowly, for several reasons. The winter season was not favorable for campaigning; the election was scheduled for May 1; it was more important to get the support of recognized Republican leaders in the state than to plunge ahead into personal canvassing. He also had to select a manager and set up a headquarters. In the meantime, he made his first speech after filing at a Lincoln's Birthday dinner at Baltimore's German-American Lincoln Club. Carrington was also a speaker on this occasion.¹⁵

France's campaign began to gain appreciable momentum soon afterward as he received public support of some of the most influential Republicans in the state. The first active supporters was Frank E. Williams, Editor of the Cecil Whig. Next to declare their support publicly were William F. Stone, William P. Jackson and O. E. Weller.¹⁶ Stone, former Collector of Customs in Baltimore and Sergeant-at-Arms of the Republican National Committee, took over the organization of France's campaign in Baltimore. Jackson, U. S. Senator from 1912 to 1914 and Republican National Committeeman, was considered the strongest member of the party in the state. Weller, although unsuccessful as candidate for governor in 1915, had made a strong race against his Democratic opponent.

¹⁴ The Baltimore Star, February 2, 1916; The Sun (Baltimore), February 2, 1916.

¹⁵ The Baltimore Star, February 12, 1916.

¹⁶ The Baltimore News, February 28, 1916.

Harry S. Cummings, Baltimore Councilman, and an important Negro leader, influenced by Jackson's and Weller's endorsements, announced his support early in March, stating that France would poll 90 per cent of Negro votes in the city and state.¹⁷ Shortly afterward, Charles H. Heintzeman, former candidate for mayor of Baltimore, and of a different faction from Stone, threw his support behind France,¹⁸ demonstrating what several of his supporters said of France: all factions will unite behind him.

Other important supporters included Col. Harry Wilcox, President of the First National Bank of Baltimore;¹⁹ John H. Cunningham, prominent Republican of Westminster and candidate for Comptroller on the same ticket with Ex-Governor Goldsborough;²⁰ Charles J. Bonaparte, Secretary of the Navy under Theodore Roosevelt;²¹ George L. Wellington of Cumberland, former United States Senator, who endorsed France on April 12 as a man acceptable to Progressives;²² A. W. W. Woodcock of Salisbury, Chairman of the Republican State Central Committee; Levi A. Thompson of

¹⁷ Baltimore American, March 5, 1916.

¹⁸ The Baltimore Star, March 9, 1916; The Sun (Baltimore), March 9, 1916.

¹⁹ Baltimore American, March 4, 1916.

²⁰ Ibid., March 7, 1916.

²¹ The Baltimore News, March 7, 1916.

²² Baltimore American, April 13, 1916.

Baltimore;²³ Dr. A. R. L. Dohme of Baltimore;²⁴ Sydney L. Mudd and Fred N. Zihlman, candidates for nomination to the House of Representatives; A. A. Blakeney; A. L. Morehead; John J. Hanson; George W. Padgett; Robert F. Duer of Princess Anne, Candidate for the nomination to the House of Representatives; Thomas M. Bartlett; William M. Day;²⁵ and Col. Joseph Baldwin of Harford County.²⁶ Mudd and Baldwin were prominent spokesmen for the progressive wing of the party, the latter being a former National Committeeman, and a fervent Roosevelt supporter. France's supporters thus represented every point of view among the Republicans of Maryland, and all sections of the state, with very strong support in Baltimore. The ordinary voters of the party, as well as many of its most prominent figures, were favorable to his candidacy. In contrast, Goldsborough was relying on the support of office holders in the state government during his term as Governor, together with the fact that he had held public office for many years in various positions and was well known throughout the state.

France set up his campaign headquarters in the Maryland Trust Building in Baltimore in February, choosing as his campaign manager A. W. W. Woodcock, manager of Weller's campaign for Governor in 1915. Woodcock planned to utilize the Weller forces in France's campaign and to pursue

23 The Baltimore News, March 14, 1916.

24 The Baltimore Star, April 26, 1916.

25 The Cecil Whig (Elkton), April 15, 1916.

26 Baltimore American, April 26, 1916.

the same general strategy. He planned to set up an organization in every precinct throughout the state.²⁷

After such important men as Stone, Jackson and Weller announced support of France, Carrington, deciding that he had no chance to win the nomination, withdrew early in March and announced his support of Goldsborough.²⁸ Other Goldsborough supporters included Clarence J. T. Gould; Thomas Parran; Albert G. Towers; John B. Hanna; Clay Timonus; and Henry M. McCullough, France's supporter in Cecil County in 1905. All of these men had held office in Goldsborough's administration of the state government.²⁹ Other Goldsborough support included W. Bladen Lowndes of Western Maryland James McEvoy.³⁰ Of special interest is the fact that both France and Goldsborough claimed the support of Mayor J. McPherson Scott of Hagerstown.³¹ Later events showed that Western Maryland did not support France as well as his managers expected.³² There was also a strong supposition that financial support from a member of the DuPont family of Delaware was being given to Goldsborough.

²⁷ Baltimore American, February 28, 1916. Woodcock also had been private secretary to William P. Jackson when the latter had been in the United States Senate (Baltimore American, March 4, 1916).

²⁸ Baltimore American, March 4, 1916.

²⁹ Cecil Whig (Elkton), April 15, 1916.

³⁰ Cecil Democrat (Elkton), March 4, 1916.

³¹ Ibid., and Cecil Whig (Elkton), April 15, 1916.

³² Baltimore American, May 3, 1916.

The campaign for the nomination was contested on the high level promised by France. Before either candidate began to make canvasses in the counties they appeared together as guests of the Young Men's Republican Club of Highlandtown, in Baltimore County's twelfth district. On this occasion both men pledged themselves to eliminate bitterness from the campaign.³³ Both camps honored this pledge for the most part, with the result that it was possible to unite the party in the November election contest against the Democrats.

During the campaign France particularly stressed several themes. He favored better development of agricultural resources in the state and nation; more efficient aid to the agricultural colleges; improvement in education so as to eliminate illiteracy; improvement of state and national departments of health; reduction of stream pollution; conservation of national natural resources;³⁴ fairer and more equitable treatment of Negroes; legislation for industrial and health insurance in state and nation. He also stressed adequate government organization as well as individual freedom, subscribing to the Jeffersonian doctrine of "the least government is the best government." He also expressed antipathy to class legislation, graft and wastefulness.

Although he did not begin a tour of the counties until late in March, France kept in touch with the development of support throughout

³³ The Sun (Baltimore), March 17, 1916.

³⁴ Baltimore American, April 18, 1916.

the state by visits with legislative leaders in Annapolis up to the middle of the month.³⁵ He visited the Eastern Shore (Kent, Caroline and Wicomico Counties) the last week of March, deliberately avoiding a contest in Goldsborough's home county, Dorchester, a decision that helped party unit later and gained him some support elsewhere. Jackson accompanied him on this trip. France then quickly shifted to Western Maryland, and was in that part of the state at the end of the month. Here he received pledges of support in Washington and Frederick Counties.

France returned to Baltimore about the first of April and remained in and near the city for about ten days, visiting Cecil County on April 6 and 7. He then made a second swing through Western Maryland during the second week in April and again returned to Baltimore. He spent part of the third week in Baltimore, and also made short trips to Calvert County, Anne Arundel, St. Marys and Caroline Counties, the latter a Goldsborough stronghold. The final days of the campaign were spent in vigorous campaigning in Baltimore.

From the beginning France's campaign moved along successfully throughout the state. Early in April the Baltimore American claimed he was leading in all counties except Dorchester.³⁶ All Baltimore districts were claimed for him.³⁷ Goldsborough made a strong fight in Cecil County,

³⁵ The Baltimore Star, March 16, 1916.

³⁶ Baltimore American, April 6, 1916. Also see Harro de Grace Republican, April 8, 1916.

³⁷ Baltimore American, April 11, 1916.

but France received the public endorsement of more than 500 citizens. By the last week in April, his manager was claiming six of the nine Eastern Shore counties,³⁸ and his backers expressed complete assurance of victory.

Goldsborough made a vigorous campaign for the nomination, and developed considerable strength in the Eastern Shore, in Harford County and in Western Maryland. But he faced serious difficulties in Baltimore, where he had powerful political enemies. He had also alienated the Progressives whose cause he had vigorously opposed in the 1912 Republican National Convention, although he now reversed himself and claimed to support Roosevelt. Goldsborough was a skilled and vigorous campaigner. He proudly boasted that he had held office for 25 years, while France was much less experienced. He said he "had always held office and . . . ought to be permitted to continue to hold office."³⁹ This claim was used against him by some of France's supporters, notably Wellington in a speech at Elkton, Maryland, reported in the Cecil Whig.⁴⁰

France, following the advice of his supporters, defended himself against Goldsborough's charges in a speech delivered at Federalsburg late in the campaign. He said he sought office to serve the people. He claimed Goldsborough was unfair in stating that a man who has not spent his life holding office was not eligible to be a candidate. He also

³⁸ The Baltimore Star, April 21, 1916.

³⁹ Cecil Whig (Elkton), April 15, 1916.

⁴⁰ Ibid., April 29, 1916.

gave an account of his own legislative service in the 1906 and 1908 legislatures. Then he pointed out the factional splits of the Republicans when he entered the race, and recounted his attempts to get Jackson to run, their failure, and his own final decision to enter the contest. He claimed support from party regulars (Stone, et al), the "anti-Stone" organization, the "Bull Moose," and a majority of the county delegations.⁴¹

The predictions of France's supporters were somewhat overoptimistic, but the vote on May 1 demonstrated that the claims of his backers were generally sound. The contest was close in the popular vote, with France ahead by a small margin, but the tally in unit votes was 73 for France to 56 for Goldsborough.⁴² He swept Baltimore City, but his margin was smaller than 300 votes in Districts 3 and 4. He won Carroll, Cecil, Kent, Prince Georges, Queen Annes, St. Marys, Somerset, Talbot, Wicomico and Worcester Counties. But the early promises of support in the west proved ill-founded, as he lost all except Washington County. France's victory was due chiefly to Stone (Baltimore's 28 votes) and Jackson (29 votes mainly from the Eastern Shore). At least half of the Negro vote went for Goldsborough, in Baltimore as well as elsewhere in the State.⁴³ The popular vote and unit vote as reported in the press was as follows:

⁴¹ Baltimore American, April 26, 1916.

⁴² Ibid., May 3, 1916.

⁴³ Ibid.

County or City District	Popular Vote ⁴⁴		Unit Vote ⁴⁵	
	France	Goldsborough	France	Goldsborough
Allegany	1,431	2,511	-	7
Anne Arundel	-	650 *	-	5
Baltimore City - Dist. 1	2,143	1,338	7	-
Baltimore City - Dist. 2	2,730	2,256	7	-
Baltimore City - Dist. 3	2,346	2,097	7	-
Baltimore City - Dist. 4	2,564	2,251	7	-
Baltimore County	2,083	2,319	-	7
Calvert	395	776	-	3
Caroline	-	66 *	-	4
Carroll	1,196	753	5	-
Cecil	715	642	4	-
Charles	441	724	-	3
Dorchester	173	1,110	-	5
Frederick	1,631	1,734	-	6
Garrett	509	574	-	4
Harford	417	568	-	4
Howard	270	467	-	3
Kent	664	471	3	-
Montgomery	-	500 *	-	5
Prince Georges	117 *	-	5	-
Queen Annes	728	207	3	-
St. Marys	715	151	3	-
Somerset	1,205	478	4	-
Talbot	821	83	4	-
Washington	1,542	1,354	6	-
Wicomico	1,067	250	4	-
Worcester	500 *	-	4	-
Total	26,403	24,330	73	56

* Indicates majorities

Goldsborough's margin of defeat was so small in Districts Three and Four of Baltimore that he decided on May 6, against the judgment of

⁴⁴ The Sun (Baltimore), May 3, 1916.

⁴⁵ Baltimore American, May 3, 1916.

some of his supporters,⁴⁶ to ask for a recount there. The Republican Convention met, as scheduled, on May 9, and proceeded to select delegates to the national convention and to adopt a platform, but delayed making a decision concerning the nominee for Senator. France made additional friends by requesting his supporters to postpone a vote on the Senatorial candidate pending the results of the recount.⁴⁷

The Republican convention met in Ford's Opera House in Baltimore, May 9. The platform adopted by the convention stressed a protective tariff, military and naval preparedness, constitutional government, the encouragement of business, and a firm foreign policy aimed at upholding American honor. The platform also congratulated the national party on its reunification. The platform in full read as follows:⁴⁸

THE MARYLAND REPUBLICAN PLATFORM

1. We, the delegates of the Republican party of the State of Maryland, in convention assembled, send our greetings to the Republicans of the nation, and declare our purpose to conduct, with full confidence of success, an aggressive campaign on behalf of the great principles for which our party stands.

2. We reassert our faith in the American system of representative constitutional government as the most perfect governmental agency so far conceived for the protection of human rights and the promotion of human happiness. The history of our country proves the pre-eminent capacity and fitness of the Republican party for wise administration, constructive statesmanship and the practical achievement of the largest measure of prosperity.

⁴⁶ Ibid., May 6, 1916.

⁴⁷ Baltimore American, May 6, 1916.

⁴⁸ Ibid., May 10, 1916.

The Republican party has stood and still stands for safeguarding the wages and standard of living of American workingmen. It inaugurated the policy of a tariff commission, with ample power to investigate questions of cost, production and labor conditions in this and other countries, in order that Congress might intelligently formulate a tariff that would adequately protect American labor and serve and develop American natural resources and American industry. We condemn the Democratic party's repudiation of this policy of a nonpartisan tariff commission, and we arraign the Democratic tariff now in force as wholly inadequate either to provide sufficient revenue for the support of the government or to protect American labor and industry upon the farm, in the factory or in the mine. The war in Europe has only temporarily obscured these effects. They were severely felt in 1914 before that war began, and will be severely felt when that war shall have ended.

3. Believing as we do in the wisest and widest encouragement of our agricultural, industrial and commercial prosperity, we hold that business shall be encouraged, not harassed; should be regulated, not stifled. Honestly conducted business, whether great or small, is a blessing to be appreciated and encouraged, but special privileges and unfair tactics are wrongs against society not to be tolerated. Governmental supervision of public utilities is the people's right and is for their just protection. Governmental ownership or management of all such business enterprises without distinction is an impractical and unsound suggestion. Such a theory is not only contrary to sound business judgment, but is inimical to the constitutional adjustment of our whole governmental system.

4. The Republican party loves peace and hates war; but we deplore the feeble and vacillating foreign policy of the present Democratic administration at Washington. We believe in maintaining our friendly relations with all nations, and that such relations can be maintained without sacrificing the life or property of our citizens on that nation's dignity and honor, by that proper provision for the common defense which is the government's constitutional duty. We condemn the present Democratic administration at Washington for its failure to take any steps toward the fulfillment of this plain duty. No temporary excitement should lead us to forsake the advice of Washington to "avoid overgrown military establishments which are inauspicious to liberty." But we believe our vast extent of coastline, as well as our widening sphere of influence, demands an enlarged and better organized Navy and the prompt upbuilding of an American merchant marine by the methods which have given us industrial independence, and without the economic waste and international embarrassments of government ownership. We believe it only wise and foresighted to substantially strengthen our military establishment, both in men and equipment, while emphasizing the "gospel of patriotic service to our country by every citizen according to his

ability in peace or in war." We believe this increased provision for the common defense can be met out of the resources at our command by a just revision of the tariff in accordance with Republican principles without an increased burden of taxation upon the people or any resort to the fiction of a "war" tax.

5. We believe that this country should be provided with such military and naval equipment as will not only provide for a common defense, but will also enable us to secure a respectful hearing when it may become our time to call or to speak in that conference of all the nations which we trust will soon be assembled in the interest of a permanent world peace.

6. Meeting as we are on the eve of the great Republican National Convention, we congratulate our party that it enters upon the forthcoming campaign reunited and full of high courage. We believe that our delegates to the National Convention, unfettered by instructions, will support as a candidate for the high office of president of the United States one who will have the approval and support of the united Republican party and whose election will be thus assured. We realize the responsibility which rests upon us, Republicans of Maryland. We are entering upon a campaign which promises to be a momentous one. We promise to wage it vigorously and loyally for those great constructive governmental principles and policies by which our party has been able to carry out nation safely through former periods of storm and stress. Resolved to avoid all personal and national prejudices, all hysteria bred by unreasoning fear and all temptation to enact hasty and ill-considered experimental legislation, we again pledge our loyalty to those distinctive principles of representative government which form the fundamentals of our party doctrine.

The convention was the scene of a hard fight over the selection of delegates to the national convention. France desired to send an unpledged delegation,⁴⁹ agreeing on this point with many other leaders of the party, although some sentiment existed for pledging the delegation. The convention, as shown in the platform it adopted, agreed with France's desires. France's supporters also wanted to select as many delegates as

⁴⁹ Baltimore American, May 14, 1916.

possible, and desired to prevent Goldsborough from controlling the delegation. Again the France backers were successful. They selected Dr. A. R. L. Dohme, a France supporter as temporary chairman, and A. A. Doub as permanent chairman.⁵⁰ They also named all the four delegates at large, but only after lengthy attempts at harmony with the Goldsborough forces had failed and the issue had been taken to the floor of the convention. France leaders tried to avoid a fight by presenting a plan for Goldsborough to select one of the four, but when Goldsborough chose E. C. Carrington, the attempt at harmony was cast aside. The Goldsborough delegates fought against all of the France selections, but lost when Goldsborough partisans began to shift their support in the interest of harmony.⁵¹ France backers thus dominated the final selections. The complete slate of delegates and their alternates, together with the presidential electors chosen was as follows:⁵²

Delegates-At-Large

Walter B. Miller, of Wicomico County. Alternate, Fred P. Adkins,
of Wicomico County.
Ovington E. Weller, of Baltimore County. Alternate, A. A. Elakeney,
of Baltimore County.
General Felix Agnus, of Baltimore County. Alternate, Edmund Budnitz,
of Baltimore city.
Dr. J. McPherson Scott, of Washington County. Alternate, Albert A.
Doub, of Allegany County.

District Delegates

First District--John D. Urie, of Kent County, and Thomas M. Bartlett,
of Talbot County. Alternates, John D. Carter, of Caroline County,
and Albert C. Hayden, of Queen Annes County.

⁵⁰ Ibid., May 9, 1916.

⁵¹ The Sun (Baltimore), May 10, 1916.

⁵² Ibid.

Second District--Laban Sparks, of Baltimore County, and Henry A. Whittaker, of Harford County. Alternates, T. Irvin Zimmerman and A. R. L. Dohme, of Baltimore County.

Third District--John Philip Hill and John A. Janetzke, Sr., of Baltimore city. Alternates, Edward W. Klein and Frank Hughes (colored), of Baltimore city.

Fourth District--George W. Cameron and H. B. Wilcox, of Baltimore city. Alternates, Charles E. Williams and Dr. Walter E. Knickman, of Baltimore city.

Fifth District--Charles H. Heintzeman, of Baltimore city, and Francis S. Carmody, of Prince Georges County. Alternates, Remus Dorsey (colored), of Howard County, and Alonso Wade.

Sixth District--Gist Blair, of Montgomery County, and Leo Weinberg, of Frederick County. Alternates, George R. Dennis, of Frederick County, and W. L. Sperry, of Allegany County.

Presidential Electors

At-Large--Ernest A. Ackerman, of Baltimore city, and Howard T. Kefauver, of Frederick County.

First District--E. S. Furbush, of Worcester County.

Second District--Walter R. Rudy, of Carroll County.

Third District--George Wille, of Baltimore city.

Fourth District--William G. Albrecht, of Baltimore city.

Fifth District--Arthur W. Dowell, of Calvert County.

Sixth District--Frank L. Hewitt, of Montgomery County.

The recount of votes in the third district of Baltimore was proceeding while the convention was in session, but no definite results were made public until May 11. The recount revealed a gain of 21 votes for Goldsborough but left France a clear majority of 224, whereupon Goldsborough requested that the recount be discontinued and conceded France's victory.⁵³ He sent a telegram of congratulations and best wishes for success to the successful candidate and France, in reply, sent Goldsborough a telegraphic message thanking him for his message of congratulations.⁵⁴ On the call of Republican State Chairman Tait, the convention

⁵³ Baltimore American, May 11, 1916.

⁵⁴ The Baltimore News, May 13, 1916.

reconvened at the Rennert Hotel in Baltimore on May 24 and formally ratified France's nomination by a unit vote of 73 to 56. Senator Frank E. Williams placed France's name in nomination in a laudatory speech, and the convention completed its business in a spirit of harmony.⁵⁵ On a motion of Laban Sparks, who earlier had nominated Goldsborough, France's nomination was made unanimous.⁵⁶ The convention lasted only an hour.⁵⁷

As their candidate the Democrats of Maryland on May 1 selected David John Lewis, a member of the United States House of Representatives, from Allegany County. Lewis was labeled a "radical" and a "socialist" by his enemies, but was considered a forceful and practical politician. He stood for government ownership of the telephone, telegraph and railroad industries, and had at one time been a member of the Socialist Party.⁵⁸ Lewis also was an avowed prohibitionist. He was nominated with the assistance of the unit rule, although he polled a smaller popular vote than incumbent Senator Blair Lee, and in spite of the presence of a third candidate, William Cabell Bruce, who received nearly 8,000 votes in the primary. Lee's popular vote was more than 3,000 greater than that of Lewis, but Lewis won 15 units to Lee's 12. In Baltimore Lewis won only the third district but led in 14 of the 23

⁵⁵ Baltimore American, May 24, 1916.

⁵⁶ The Sun, (Baltimore) May 24, 1916.

⁵⁷ Baltimore American, May 24, 1916.

⁵⁸ Baltimore American, October 19, 1916.

other counties, where the state organization was strongest.⁵⁹ The split between Baltimore and the counties in this primary was assessed by the Republicans as a favorable omen for France's election.⁶⁰

At its national convention in Chicago in June all factions of the Republican Party united in opposition to Wilson's administration. The Progressives joined with the regulars to nominate Associate Supreme Court Justice Charles Evans Hughes for the presidency, with Charles W. Fairbanks of Indiana as his running mate. The platform, with regard to the foremost problem of the day, declared for complete neutrality between the belligerents in the Great War in Europe. In the domestic sphere the platform declared for a protective tariff and for a reversal of several of the innovations made by the Wilson Administration. The Maryland delegation lined up solidly behind Hughes and the party platform.

France's campaign for the general election began slowly. His first widely publicized appearance was a visit to Camp Harrington, near Laurel, on June 27, where he was enthusiastically received. His partisans reminded the public that France had long been greatly interested in the militia and had expressed strong beliefs in preparedness in times of peace.⁶¹ It was also recalled that he had served on the standing committee on the Militia when he was State Senator 1906 to 1909.

⁵⁹ Baltimore News, May 2, 1916; The Sun (Baltimore), May 3, 1916.

⁶⁰ Baltimore American, May 3, 1916.

⁶¹ Ibid., June 28, 1916.

Considering Western Maryland a Lewis stronghold that had to be attacked repeatedly and with vigor, France made his first speeches there during the third week of July and visited a coal mine to become directly informed about working conditions.⁶² Lewis was a native of the region and had previously been supported there for that reason. However, the financial condition of the coal miners in Allegany County, Lewis's home county, was so serious that it was believed they were in a mood to shift to the Republican candidate.⁶³

After his appearance in the West, France returned to Baltimore and remained there until the end of the month completing his plans for a more intensive campaign in the remaining weeks. Early in August he visited Barnesville in Montgomery County, and then attended a picnic of the Grange held at Cooptown, Harford County. Here he found the farmers dissatisfied with the Democratic Administration in Washington. In his speech here he took a firm stand for a protective tariff, linking the business and industrial prosperity that would result from such a policy to the welfare of the farmers.⁶⁴ He was in Harford County again a week later to attend a tournament at Pylesville, where both he and Lewis spoke to a crowd of 3,000. Here he made a favorable impression and gained supporters.⁶⁵

⁶² Baltimore American, July 22, 1916.

⁶³ Ibid., July 18, 1916.

⁶⁴ Ibid., August 8, 1916.

⁶⁵ Ibid., August 16, 1916.

On August 17 France made a strong speech at Taneytown, stressing the American ideal as the service of the individual by the state. He said the individual should be given the greatest possible freedom of action consistent with the public welfare, and that government should regulate, not own or otherwise completely control. He stated that better social conditions should be brought about by making the state perform its social function so well that a finer and truer individualism would result.⁶⁶

On August 18 the candidate spoke at a meeting of the Women's Hughes Alliance in Baltimore. Here France advocated woman's suffrage, greater attention to health and educational problems, and personal and social preparedness.⁶⁷ He also spoke in Carroll County August 18, and then returned to Western Maryland, where he spent several days, during which he spoke at Braddock Heights on August 23,⁶⁸ talked to workers in the Baltimore and Ohio Railroad shops in Cumberland, and visited business men and miners.

Turning eastward, France next spoke in Rockville, another Democratic stronghold, and then returned to Baltimore and nearby counties for a few days. Another westward swing was begun with a major speech at Rockville on August 30. Here he attacked Lewis as an advocate of government ownership, stating that the Democrats had drifted a long way from the teachings of Jefferson. He stated his firm opposition to paternalism

⁶⁶ Ibid., August 18, 1916.

⁶⁷ Baltimore American, August 18, 1916.

⁶⁸ Ibid., August 24, 1916.

in government, socialism and the heavy burdens of taxes combined with governmental waste and extravagance.⁶⁹ The candidate then paid a visit to Washington County and on September 2 campaigned in Garrett County. He was in Frederick County again on September 9 and then turned eastward to canvass counties near Baltimore on September 11 and 12.

The most important single event of France's campaign was the formal notification ceremony held in Baltimore on the evening of September 15 in Albaugh's Theater. The meeting began with laudatory remarks by Chairman C. J. T. Gould who said France had fairly won the nomination. Republican State Chairman Tait also spoke briefly. France's speech on this occasion was brief but aggressive and well-received. He stated that the Republican Party stood for the protection of America and the American ideal of government against every form of foreign or hostile aggression. He stressed individualism properly regulated, criticized the Underwood tariff for revenue only and defended the Republican protectionist doctrine. Near the end of his speech, he said of Lewis and himself, "He stands for government ownership. I stand for governmental control. He stands for socialism. I stand for Americanism and Individualism. He stands for more government. I stand for better government. He stands for the narrow appeal which brings misunderstandings and divisions. I stand for a broad brotherhood which knows no class distinction."⁷⁰

⁶⁹ The Baltimore News, August 30, 1916; and The Sun (Baltimore), August 30, 1916.

⁷⁰ Baltimore American, September 16, 1916; The Sun (Baltimore), September 16, 1916.

France then appealed for support from all Republicans and Democrats who put principles above party labels.

After France's speech General N. Winslow Williams, spokesman of the state Progressive Republican faction, was prevailed upon to speak and convincingly stated that 90 per cent of the Progressives would vote for France in the election. Senator William E. Borah of Idaho, announced as the principal speaker of the evening, gave an excellent speech, which was enthusiastically applauded. It consisted primarily of a vigorous criticism of the performance of the Wilson Administration.⁷¹

The France campaign, although already very vigorous, thenceforward was accelerated, especially with regard to the formation of France clubs throughout the state. The candidate spoke at a big rally in Hagerstown on September 16, in St. Marys County on September 19, in Frederick County on September 21, in Harford County again early in October and also in the Eastern Shore. During the last two weeks of the campaign he remained near Baltimore, visiting Charles County and Ellicott City, and Cecil County in the final week in October, and making numerous appearances in Baltimore. The final campaigning was in Port Deposit and France then returned to Baltimore to await the vote tally.

The Maryland campaign's national importance is amply demonstrated by the large number of important Republicans from other states who assisted France from time to time. In addition to Borah, who also spoke in Hagerstown on September 16, the list included Nicholas Longworth, Congressman

⁷¹ Ibid.

from Ohio; Samuel M. McCall, Candidate for Congress, York, Pennsylvania; former President William Howard Taft; Congressman W. R. Wood of Indiana; Congressman Walter M. Chandler of New York, a Progressive; and Senator J. W. Wadsworth of New York, who helped in the final days in Baltimore. Also appearing in the state on his own behalf as well as France's, the Presidential candidate, Hughes, made one trip to Western Maryland accompanied by France, and on another occasion spoke in Baltimore.

Lewis's campaign was as vigorous as that of France, and it was obvious to experienced politicians that the result would be close. Lewis made an appeal to the Progressive faction of the Republicans with the argument that they were actually Democrats who were attached to the Republican Party label by tradition rather than by conviction.⁷² His supporters claimed Lewis originated the popular, recently enacted parcel post law, but the Republicans proved that Lewis did nothing more than vote for it at the end, as it was first advocated by others and he did not at first take a stand on it.⁷³ Lewis was particularly strong in the West and in the rural counties, and had strong support in some parts of Baltimore. But the Democratic Mahon machine, which was anti-prohibitionist and which felt that Blair Lee deserved the nomination, turned on Lewis and, according to the Baltimore Sun, jeopardized the success of the Lewis effort.⁷⁴

⁷² The Sun (Baltimore), September 16, 1916.

⁷³ Baltimore American, August 19, 1916.

⁷⁴ The Sun (Baltimore), October 28, 1916.

At the beginning of the campaign the Republicans appeared to be completely united. Goldsborough had pledged his support to France, if France were nominated. But as the campaign moved towards its conclusion the Goldsborough partisans remained disinterested observers. Finally, in October Goldsborough's supporters assisted to some extent in the campaign. Goldsborough and Jackson were brought together for dinner with the hope of developing more complete unification of Republican strength. This move undoubtedly helped France in a few of the counties, but was not decisive in crucial Baltimore.

As expected by impartial observers, the vote for the Senate was very close, with France the winner by 111,585 to 108,134, a plurality of 3,451. The victory was made possible by a margin of 8,683 votes in Baltimore, where the normal Democratic margin was about 2,000. France won in Baltimore County, Calvert, Caroline, Cecil, Charles, Dorchester, Garrett and Somerset Counties, but Lewis ran ahead in fifteen counties. The county returns were as follows:

	<u>France</u>	<u>Lewis</u>
Allegany	4,720	5,384
Anne Arundel	2,428	3,226
Baltimore	50,370	41,687
Baltimore County	11,585	11,485
Calvert	968	713
Caroline	1,642	1,640
Carroll	3,361	3,418
Cecil	1,956	1,893
Charles	1,342	1,132
Dorchester	2,226	2,156
Frederick	5,009	5,356

	<u>France</u>	<u>Lewis</u>
Garrett	1,535	950
Harford	2,060	2,949
Howard	1,298	1,643
Kent	1,616	1,757
Montgomery	2,725	3,427
Prince Georges	2,573	2,793
Queen Annes	1,263	2,052
St. Marys	983	1,083
Somerset	2,398	1,544
Talbot	1,762	1,980
Washington	4,631	5,231
Wicomico	2,207	2,788
Worcester	<u>927</u>	<u>1,847</u>
Total	111,585	108,134

The Republicans were disappointed in the Presidential contest, however, both in Maryland in the nation. Wilson took Maryland by nearly 20,000 votes, equal to his margin in Baltimore.⁷⁶ The results may thus be interpreted as a personal defeat for Lewis who ran nearly 25,000 votes behind the national leader of his party, while France's victory was considered a personal triumph for a man of strong and forthright character, although of limited experience as an office holder and political campaigner. Comments on the campaign and election pointed out, however, that Lewis was deserted by a large part of his Baltimore strength, particularly the Mahon faction, who supported Wilson, but did not vote in the Senatorial race. France ran ahead of Hughes in Baltimore by only 1,300 votes, while Wilson ran ahead of Lewis in the city by only 17,000. Furthermore, France received 2,000 fewer votes in the state than did Hughes, and the combined vote for the senatorial candidates was some 26,000 less than in the presidential race.⁷⁷ It was also claimed by

⁷⁶ Ibid.

⁷⁷ The Cecil Whig (Elkton), November 11, 1916.

some that France won because he opposed prohibition.⁷⁸ This is no more than partially true. France did not campaign on the issue of prohibition or anti-prohibition, but Lewis was an outspoken "dry." Although the Baltimore "wets" did not vote for Lewis, they apparently did not vote for France either. It is only fair to say that France's victory was made possible by the abstention from voting of a number of confirmed Democrats who voted for Wilson, but refused to vote in the Senate race because they did not like Lewis' stand on prohibition or his avowed socialistic beliefs.

The Philadelphia Public Ledger, in a feature article on Senator-elect France published shortly after the election, summarized his background and record and described what appeared to be his salient political characteristics. France was said to stand for a national guarantee of equality of opportunity for every youngster growing into manhood; the rights of states to their own governmental functions, and retention of the constitution as the bulwark of paramount importance in the national life. He was characterized as a man unspoiled by success, undaunted by opposition, and filled with an overwhelming belief that in the greatest good for the greatest number every unit of the nation would find its largest measure of satisfaction. It was apparent that no man controlled France, but his friends found him amenable to reason and suggestions. He appeared to be passionately devoted to his fellowmen. He favored women's suffrage, and adequate national defense as exemplified in a

⁷⁸ Minneapolis Tribune, November 9, 1916.

larger Army and Navy. He indicated that he would tackle evil when it was apparent to him. In response to queries from the Public Ledger reporter, France made the following statement about his political creed,⁷⁹ which showed him to be a Roosevelt Progressive, but with some reservations that reflected a partial retention of his earlier emphasis on Jeffersonianism:

"I believe that the charity of the nation should be federalized. There are 3,000,000 unfortunates in this country who must be supported through charitable means. It is all right to term these poor people 'social lame ducks,' but they constitute a problem just the same--one that we ought to put to ourselves for a solution. Here we have a soil that is able to support five times our population without overcrowding. The United States, with a population of 500,000,000, would not be any more densely populated than the European belligerents are at the present time.

. . . Our health system should be federalized. I don't mean that a national Board of Health should be substituted for the State and municipal bodies, for I am a passionate believer in the Constitution. I will follow Roosevelt in his progressive theories until he stretches out his hands toward the Constitution; he and I part company right there. But I do believe a great national advisory council to study our national health and to furnish methods whereby it may be conserved would be a national blessing.

The prevention of tuberculosis is one of the most pressing questions of the day. Many high-minded men and women are seeking to solve the white plague by devious methods, but it is a national question, and one to be treated by the Government. Typhoid fever alone costs this nation \$350,000,000 annually. We should get at the root of this disease, if only to save this stupendous sum. Armies and navies can be created without additional taxation by the sums that we can save on our national health. Preventable diseases alone cost us nearly \$1,500,000,000 yearly. There are 500,000 men injured in this country yearly by accidents coming from improper safety appliances or the lack of them. These are two questions that well might be treated by the National Government and some solution found.

⁷⁹ The Public Ledger (Philadelphia), November 19, 1916.

There should be health, industrial and old-age insurance. Not that it should be taken over by the Government, invading the rights of private capital, but provision should be made for a Federal law that will insure all of these humanitarian measures as matters of legislation.

We should have a national system of education--one that will fit every boy and girl for the battle of life. Our education, too, should be systematized to meet the conditions as they arise. Of what benefit is an education along professional lines to a boy who in the workaday world will have to become a machinist? Vocational education is a blessing which we cannot ignore or fail to comprehend. Train our boys and girls along lines that are practical--that is the great answer. And it cannot be done, and done properly, with forty-eight different systems in as many States. Education should be federalized in such a manner as to compel the various communities to train and educate the young along lines that are available to them in getting out in the world.

That is what I believe--to expand the powers of Government, but perfect its performance. We should stand for the improvement of social conditions--not by further socializing the Government and limiting individual opportunity, but by making the Government do its work so well that every citizen will be given the greatest freedom and largest opportunities for self-development and achievement. Equality of opportunity is the very breath in our nostrils on this side of the water. The American spirit is such that it asks no special privileges at the hands of the Government; it only asks a fair field and a free chance."

CHAPTER IV

POLITICAL ACTIVITY IN THE SIXTY-FIFTH CONGRESS

France began his service in the Senate officially on March 5, 1917, when the Senate began a sixteen day special session called by President Wilson to confirm some 2000 interim appointments.¹ The party line-up in the Senate was 53 Democrats and 43 Republicans. The National situation was one of extreme tension and had been progressively worsening since the re-election of the president and the party that "kept us out of the war." Unrestricted submarine warfare was forcing the United States closer and closer to war and many observers believed that the momentous decision was long overdue. The times were not propitious for furtherance of the Progressive movement, which had made Wilson's first administration so notable. Fear for the nation's permanent security and independence in a world dominated by a victorious Germany was gnawing at the minds of many who, a short while before, had believed that the Western Hemisphere was permanently protected by the broad Atlantic from any further attempts at domination by European states.

From the outset France showed himself to be a very earnest, diligent, fertile minded man. Too, despite his position as a freshman senator, he did not hesitate to perform with forthright independence. This was

¹ France's Credentials were presented to the Senate February 3, 1917. U. S. Congress, Congressional Record, 64 Congress, 2nd Session (1915-1917), p. 2538.

apparent in his attitudes and actions on the two main currents of public questions that flowed through the Senate chamber-- the war issue and domestic reform. It was likewise apparent in his approach to such always present problems as government efficiency and economy.

On questions involving the role of the United States in World War I, from the outset France demonstrated a willingness to cooperate with the Wilson administration, and to take an active part in working out solutions for problems involving national defense, war and peace. On matters of purely domestic concern he continued with his earlier approach of leaning in the direction of progressivism, but being careful not to stray too far away from his devotion to old fashioned Jeffersonianism. That, as was the case with some other progressives, served as something of a check on extending the power of the national government, which was especially a tendency in war times.

On the international situation, France very early had an opportunity to indicate what course he would follow, for the question of arming merchant ships was involved in the first order of business that confronted the Senate session in which he was initiated.

After the Senate participated with the House of Representatives in hearing the President's message, it began to wrangle over the rules under which it was to operate. At the end of the previous session a small group of Senators had refused to allow a vote on the bill to arm American Merchant ships. A five hundred million dollar appropriation bill had also failed of passage because of the controversy over the arming of merchantmen. Without some limitation on debate it was again

apparent that this session would end without action or the threatened fillibuster would be tried, but fail through exhaustion of its speakers. After several days of parliamentary maneuvers, the way was opened for action by the passage of a modified cloture rule, providing that on a vote of two-thirds of the members voting debate could be limited to a maximum of one hour per senator. It passed on March 8, by a surprisingly one sided vote of 76 to 3. Although France had taken an anti-cloture position while in the state legislature, he voted with the majority this time. He gave as his reason, "I feel inclined to pursue a course helpful to the administration."² Apparently, he favored arming merchant vessels. Shortly after this action, but not before it confirmed Wilson's appointments, the Senate concluded the business of this session. It adjourned on March 16.³

On March 19, the day after the sinking of the three American ships Wilson conferred with Robert Lansing the Secretary of State and told him that he opposed immediate action by the United States.⁴ Two days later, however, after conferring with his cabinet, he called Congress into extraordinary session for April 2⁵ to receive communication concerning grave matters of policy.⁶

² Baltimore American, March 8, 1917.

³ U. S. Congress, Congressional Record, 65 Congress, Special Session, March 16, 1917, p. 50.

⁴ Arthur S. Link, Woodrow Wilson and the Progressive Era, 1910-1917 (New York: 1954), p. 276.

⁵ James Truslow Adams, The March of Democracy, (New York: 1936), II, pp. 339-340.

⁶ Woodrow Wilson, The Public Papers of Woodrow Wilson, eds. Ray Standard Baker and Wm. E. Dodd (New York, 1927), I, p. 6.

On this occasion the President said:

We shall fight for the things we have always carried closest to our hearts, for democracy for the right of those who submit to authority to have a voice in their own governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free.⁷

The idealistic aims so eloquently expressed by the scholarly gentleman from Princeton found ready acceptance by Maryland's new Senator. He was with the majority on the April 6 vote for war. This spirit of cooperation also extended to some of the other measures presented by the President, notably the selective draft plan, although France's deep study of the problem impelled him to offer a more far-reaching and comprehensive one.

The selective service was one of the questions to which France gave especial attention and to which he brought evidence of independent and advanced thinking. After Wilson's April 16 appeal to the nation to cooperate with the Government in the war effort, France, on the same day, in a statement to the press, unqualifiedly supported the President's plan to raise an army by selective draft. He had begun to make a study of this problem as soon as the declaration of war had been made, but did not openly support the plan until he had explored other alternatives. When he announced his support, it was therefore on a broader and more carefully reasoned basis than was true of many less thoughtful members. He

⁷ Link, op. cit., p. 282. Also, Wilson, op. cit., I, p. 16.

said:

This war has conclusively demonstrated that, under modern conditions, national preparedness means vastly more than the mere possession of a considerable army and navy. Scientifically conducted warfare, on so huge a scale, calls for a thorough and comprehensive organization of all the varied activities of the national life Back of the forces in the field must be national unity and social solidarity which comes when a people animated by a common patriotic purpose and imbued with the spirit of service, labor and sacrifice together in a great cause.

France praised the German nation's war organization and said it could not be conquered except by a similarly thorough organization. He therefore favored the selective draft and a principle akin to universal training and service:

A properly directed selective draft will not only leave our present industrial organization largely intact, but it may also be utilized for supplementing and strengthening the weak places by calling men, when imperative need arises, to labor in particular fields I believe that some form of universal military training should be adopted for the younger men, who should be formed into a cadet corps and, wherever feasible, for the older men of military age who form the industrial and agricultural reserve corps. I believe that plans should be promptly formulated for the enrollment of all our citizens who are engaged in the professions, in the industries and particularly in agriculture, for national service with a complete organization for efficiency, and with a system of governmental recognition for loyalty and proficiency in these lines of work.⁸

The Administration's draft bill was brought out of the Senate Armed Services Committee on April 21, after unusually rapid committee action. When several of the progressive and liberal groups in the Senate tried to prevent its further consideration France voted with the majority

⁸ The Sun (Baltimore), April 17, 1917.

of 53 to proceed.⁹ He also on April 26, 27 and 28, by the presentation of amendments, attempted to carry out his already expressed ideas to extend the draft ages and to give the President authority to institute national service enrollment. He tried to get Senator Hitchcock, Democrat from Nebraska, to raise the upper age limit in the latter's amendment from 40 to 45 years.¹⁰ However, these attempts failed. He continued on subsequent days to stand for the same ideas and repeatedly opposed attempts to increase age limits without working out an integrated manpower bill. Thus he opposed the use of older men in order to protect the youngest from obligation,¹¹ and opposed attempts to try a volunteer for 90 days before resorting to the draft,¹² but was willing to permit the limited use of volunteers so long as the draft began.¹³ He supported passage of the final bill, and, later, of the conference.¹⁴ He also opposed exemptions for religious conscientious objection and prohibition on the sending of draftees to Europe.¹⁵

France's "maiden speech" in the Senate, delivered on May 10, was an elaboration of his national organization and manpower philosophy. In

⁹ U. S. Congress, Congressional Record, 65 Congress, 2nd Session, (1917-1919), p. 907.

¹⁰ Ibid., pp. 1169, 1367, and 1465.

¹¹ Ibid., p. 1467.

¹² Ibid., p. 1489.

¹³ Ibid., p. 1493.

¹⁴ Ibid., pp. 1500, 2457.

¹⁵ Ibid., pp. 1624, 1625.

this speech he vigorously urged adoption of his joint resolution (S. J. Res. 59) providing for the enrollment, according to age, status and occupation, of all male citizens between the ages of 18 and 45. He originally wanted it as an amendment to the draft bill, but did not press strongly for its inclusion, because he thought some of the draft legislation was needed quickly without prolonged debate. His resolution provided for enrollment in four age classes with the following designations: 18-20, "Cadet Corps;" 21-27, "First Line of Defense;" 28-35, "Second Line of Defense;" and 36-45, "First Reserve Corps." He favored enrollment of all these classes as soon as possible so as to provide information on national manpower resources. France pointed out that age group distinctions were used in various fraternal and other organizations in the United States, and in Germany, and also pointed out that the Military Establishment bill, as passed, which limited the militarily liable group to 21 to 30 years of age was too narrow for proper training of the youngest men and excused too many older males from liability for any service during the war.¹⁶ The resolution was referred to the Committee on Military Affairs, but was not reported out of committee.

France's plan for selective service was notable for the advanced thinking it represented on the part of its proponent and the sweeping economic reforms it would entail. These did not meet with very wide approval. Such provisions as "the enrollment of all our citizens who

¹⁶ Ibid., pp. 2048-2052.

are engaged in the professions, in the industries and particularly in agriculture, for national service," conflicted with American theories of individualism. The people would not easily surrender their personal economic endeavors to a far-off Washington bureaucracy. As citizens, they were willing to join the armed forces, but, as workers, they did not favor economic control by the government. Free enterprise triumphed, and France's proposal, sound though it was in many respects, was destined for defeat.

Almost at the outset of the next Congressional session, which convened in December, following a brief two months' adjournment, France again pressed his manpower ideas. His measure, entitled "a bill to authorize the President to further mobilize the Federal forces and to increase temporarily the Military Establishment of the United States," was introduced on January 9, 1918.¹⁷ It was referred to the Military Affairs Committee. Its provisions, although very similar to those advocated in his speech of May 10, 1917, were more specific with regard to the kinds of service to be rendered by each age group. Youths from 18 to 20 were to be part of a "Federal Cadet Corps," subject to call for military or non-military training or for other noncombatant national service. Other groups were designated as before, except that each was to be called a "Federal Corps."

Continuing registration for those attaining age 18 was to be mandatory, and progressive transfer of all enrollees to other corps, according to their years, was to be automatic. Also authorized was the

¹⁷ U. S. Congress, Congressional Record, 65 Congress, 2nd Session, (1917-1919), p. 702.

classification of enrollees by occupational qualification for operations necessary for successful prosecution of the war. Those selected for national service were to be entitled to wear insignia of corps, class, service or rank, and to receive Federal pay. The bill also provided for service by unemployed males in the 18-45 year span.

The selective service machinery set up under the 1917 act was to be utilized in the next act, although the administrative organization was to be a part of the War Department. A high ranking national service staff, similar to the army command, was to be created to give advice directly to the President. Merit orders for national corps personnel were to be initiated. Extension of the President's power was planned by permitting him to place armed forces personnel in shipyards, on ships or in other commercial or industrial emergency activities.

The measure received wide and generally favorable comments throughout the country. In February the New York Times ran a feature article on it and praised it as a carefully worked-out measure.¹⁸ But again, as with France's first proposal, the bill was not reported out of committee.

France wrote a letter to President Wilson concerning his manpower bill, and on February 14 received a very courteous reply in which the President stated that he had read France's bill with very close attention. "It amounts, does it not, to a universal draft, industrial as well as military, and constitutes a departure from the policy of the Government,

¹⁸ The New York Times, February 10, 1918.

and indeed of the governments of other free states, which is so radical that I take the liberty of saying that I do not think it would be wise even if it were possible."¹⁹

On April 2, France spoke on his manpower ideas in an hour long speech on "America Organized for Justice, Liberty and Victory."²⁰ The Baltimore American reported the speech well received and predicted that France's ideas would eventually become law.²¹ The publicity given this speech around the country resulted in numerous commendatory letters to France, several of which were read by him in the Senate on April 30, inserted in the Congressional Record.²²

Disheartening as the failure of the bill to leave the Committee must have been, France evinced his characteristic persistence by attempting to gain consideration of his plan by offering amendments to other bills. The first such move was made on June 7, 1918, when he offered the main provisions of his resolution as a rider to the Army Appropriations Bill for the fiscal year ending June 30, 1919. The Amendment was referred to the Committee on Military Affairs and France was invited to testify on it at a subcommittee hearing, which he did on June 15,

¹⁹ Ray Stannard Baker, Woodrow Wilson's Life and Letters, (New York: 1939) VII, p. 545.

²⁰ U. S. Congress, Congressional Record, 65 Congress, 2nd Session (1917-1919), pp. 4432-9.

²¹ Baltimore American, April 3, 1918.

²² U. S. Congress, Congressional Record, 65 Congress, 2nd Session, (1917-1919), p. 5805-7.

1918. This rider was not, however, accepted by the Committee.²³

On June 24 and June 25 he introduced additional clauses to the same bill. One of these provided for education and training and for military service for men 19-21 years of age. This amendment was rejected without a record vote.²⁴

The Senator from Maryland then presented an amendment for a manpower census which was accepted for review in the conference committee with the House of Representatives.²⁵ Having been invited by the Conference, he defended his manpower views--but when the bill came from the Conference, his words had been struck out. Eventually the Conference report was passed, but without the inclusion of the census.

During the consideration of this bill, other Senators attempted to raise and lower the age limits in the 1917 draft act. As a rule, France supported these efforts, however, he believed that the youngest men were entitled to deferment from immediate military service for further education and training. In order to do this, he favored upward extension of the draft age, although none of the measures presented went along with his ideas of national service.²⁶ Under the pressure of the

²³ U. S. Congress, Senate, Hearings before the Committee on Military Affairs, June 10, 15, 17, 18, 1918, pp. 13-20.

²⁴ U. S. Congress, Congressional Record, 65 Congress, 2nd Session (1917-1919), pp. 8409-8410.

²⁵ Ibid., p. 8474.

²⁶ Ibid., pp. 8414, 9572.

increased submarine menace and agonizingly slow development of American military strength in Europe, the draft age was lowered to 18. France had been against such drastic action, but possibly because of the urgency of the situation he voted for the final passage of the bill.²⁷

His interest in the draft law was also evidenced by his support of an amendment to this law which had been introduced by Republican Senator Cummins of Iowa. This work or fight provision was applicable in the case of strikers who had been exempted from service in the armed forces because of production needs.²⁸

France's tenacity was again shown by another attempt to gain consideration for his manpower ideas in the introduction of an amendment to a bill to raise and lower the draft ages. This section provided for national service insignia, badge or uniform for men obtaining exemption from military service, but it was not adopted.²⁹ However, his amendment to provide a badge for essential workers was passed,³⁰ thereby winning for its author some prestige in the Senate for its inclusion.

On January 15, 1919, he returned to his idea for a census of the nation's manpower. This time he offered an amendment to the bill authorizing the 1920 population census. His proposal called for a continuing census, of the nation's manpower resources. Then he spoke for two hours,

²⁷ Ibid., p. 9573.

²⁸ Ibid., p. 9514.

²⁹ Ibid., p. 9560.

³⁰ Ibid., p. 9514.

digressing to give an account of his philosophy of government, problems of reconstruction, the espionage repeal bill, the functions of Congress and educational facilities. The broad scope of his interests, his keen observation of present conditions and the versatile skill of his mind made it possible for him to range over many fields, yet never seem to lessen his energy in pursuit of a course to follow in each.

France's long speech received a great deal of attention from his colleagues and from the nation's press.³¹ Several other Senators debated certain points with him, asked questions, and disagreed with each other over the policies he was discussing. At the beginning of the speech, chamber was almost empty, but the speech gradually attracted an audience of Senators, and France's earnestness and care in explaining his idea of a permanent card file on the working population attracted support.³²

The amendment was accepted and the bill, thus amended, was passed and sent to conference.³³ Later, on February 28, when the bill returned from conference without any of France's provisions, he again addressed the Senate and gave the history of his amendment. Having appeared before the Conference Committee in its support, he thought he had influenced the group to accept his provisions. He inferred that expense was the main

³¹ For example, the Baltimore papers, the New York Times, The Philadelphia Record, the St. Louis Globe Democrat, the Minneapolis News and the Boston Traveller, January 13, 16, 18, 1919.

³² U. S. Congress, Congressional Record, 65 Congress, 3rd Session, 1919, pp. 1536 ff.

³³ Ibid., pp. 1546, 1586.

reason for the rejection. For a time France refused to permit the conference report to be brought to a vote, but finally he relented and the bill was passed without a record vote.³⁴

As a national figure, on April 15, 1919, he spoke in New York City at a meeting of a special committee appointed by the Chamber of Commerce. There he restated his advocacy of a national survey of employment, and the creation of a federal employment agency to assist business and industry.³⁵ One cannot but admire his unfailing persistence in the reiteration of his plan in the face of so many setbacks that would have discouraged a lesser man.

The most outstanding example of France's devotion to the rights of individuals occurred in connection with the espionage acts under consideration during the first regular session of his term in the Senate. Although the nation was largely absorbed in a war that was now being rapidly brought to a conclusion, there was a noticeable increase of nationalistic feelings and hostilities toward spies, saboteurs and pacifists. The liberal and progressive ideas of France's earlier life began to reassert themselves strongly during this period. Again in this direction he showed a stubborn pursuit of his own views regardless of the national "climate" at the time. He refused to be stampeded into support of a policy of drastic curtailment of free speech, just because of the

³⁴ Ibid., p. 4586.

³⁵ Baltimore American, April 15, 1919.

disclosure of the operation of spies and saboteurs or because many Americans expressed hatred toward pacifists.

France engaged in a brief but heated debate with Senator William Borah, Republican of Idaho, over a remark that he, France, had made, that he was glad Victor Berger, a Wisconsin opponent of the war, had been a candidate for election to Congress on a Socialist ticket.³⁶ He explained he did not fear for the American system of government. In his opinion, the best way to handle Berger was to let him run and be elected.

Early in the year, after the bond issue of April 17 had been passed, Congress enacted the Espionage Act, which provided heavy penalties for any offender who should be convicted of making false statements intended to interfere with the operation of our military forces or who should obstruct recruiting and in certain other ways interfere with the prosecution of the war.³⁷

The far reaching aspect of this law was not fully realized by the public in general, for many people thought of espionage as concerning chiefly our foreign enemies. But in fact, according to such individuals as France and La Follette, it violated some of our freedoms guaranteed in the Bill of Rights. LaFollette considered this "the worst legislative crime of the war, because it menaced freedom of press, freedom of assembly,

³⁶ U. S. Congress, Congressional Record, 65 Congress, 2nd Session (1917-1919), p. 4634.

³⁷ Belle and Fola La Follette, Robert M. La Follette (New York: 1953), II, p. 731-733.

freedom from unwarranted search and seizure, and other rights which had been won by generations of struggle and sacrifice."³⁸ He, with France, supported every amendment which sought to prevent such drastic restrictions of free speech, free press, and free assembly.

France attempted to limit the penalties for espionage in wartime to a maximum sentence of ten years in prison or a \$10,000 fine.³⁹ Along with most progressives, he voted to protect the citizens privacy by making the opening of mail unlawful except in the dead letter office,⁴⁰ and he also voted to strike out the entire section on the control of mail.⁴¹ Maryland's idealistic Senator helped in the successful effort to soften some of the language in the bill,⁴² and with wide support he defeated an attempt to limit freedom of the press.⁴³

He opposed a conference report on a measure which would have inflicted severe punishment for sabotage in connection with war material production, and shipment--a position on which 34 Republicans were in agreement.⁴⁴ He also introduced several amendments to a Bill to tighten the espionage laws, most of which came to naught. He, however, was able to have the act amended to protect the speech of those who speak the truth

³⁸ Adams, op. cit., II, pp. 353-354.

³⁹ U. S. Congress, Congressional Record, 65 Congress, 1st Session, (1917-1919), p. 887.

⁴⁰ Ibid., p. 2072.

⁴¹ Ibid., p. 2270.

⁴² Ibid., p. 2166.

⁴³ Ibid., p. 2167.

⁴⁴ Ms., in Senator France's scrapbook of clippings (1918), in possession of Horace S. Merrill, Department of History, University of Maryland.

"with good motives and justifiable ends."⁴⁵ As with his manpower views, the language was struck out by the conference committee. France tried to save his amendment in debate but failed, even though his speech in the Senate on April 30 was a vigorous effort, entitled "Sedition or Patriotism? America Answers." When the conference report came to a vote in May the bill passed with France voting against it.⁴⁶

On May 16, 1918, an amendment was added to the espionage act which extended the original offenses to others in such broad and uncertain terms as to make prosecution possible by over-zealous officials against citizens who might be honestly criticizing the inefficiency of the government or the officials in conducting the war.⁴⁷

France renewed his resistance to the espionage act with a bill to repeal the existing law. His bill was not reported out of Committee⁴⁸ during the third session and consequently died. He stated in a speech that he had "sought to be a liberal in politics, and it is for that reason that I am opposed to the assumption by the Government of functions which are non-governmental."⁴⁹ He then stated his opposition to government control

⁴⁵ U. S. Congress, Congressional Record, 65 Congress, 2nd Session (1917-1919), p. 4897.

⁴⁶ Ibid., pp. 6040-50, 6057.

⁴⁷ Adams, op. cit., II, pp. 353-354.

⁴⁸ U. S. Congress, Congressional Record, 65 Congress, 3rd session, (1917-1919), p. 1159.

⁴⁹ Ibid., p. 1529.

of communication. Throughout his career in politics, it might be said that he was a militant supporter of the freedoms guaranteed to the people by the Constitution and that he maintained a singularly level-headed attitude with regards to punishment for espionage and sabotage. Despite the near-hysteria induced by the war in the minds of many Americans who clamored for extreme penalties he attempted "to make the punishment fit the crime."

France consistently proved himself to be a friend of agriculture. His own background of success as a gentleman farmer made him an excellent advocate for improvements and reform in the utilization of the agricultural resources of the country. He voted for a Senate resolution to increase food crops--a measure overwhelmingly supported by both parties.⁵⁰ He opposed reduction of appropriations for eradication of diseases in cattle, supported free seed distribution, and a plan to permit food storage in hopes of higher prices on a free market.⁵¹

But in some matters concerning food production and agricultural price fixing, he returned to the Jeffersonian principle of "best government--least government" and his devotion to economic laissez faire. He alone of the entire Maryland delegation in the Congress opposed a resolution "to provide further for the national defense by stimulating agriculture and facilitating the distribution of agricultural products."⁵² France was

⁵⁰ U. S. Congress, Congressional Record, 65 Congress, 1st session, (1917-1919), pp. 2048-2052.

⁵¹ Ibid., pp. 2985, 3054, 3162.

⁵² The Sun (Baltimore), May 26, 1917.

opposed to control of commodity exchanges as a governmental function. On May 14 he voted against an amendment to suspend future trading on grain exchanges, because he opposed governmental interference in the commercial activities concerned in the ratio of supply and demand. In a ten minute Senate speech on June 2, 1917, he attacked the proposal to control the activities of grain exchanges, arguing that a free market in food would result in more production and that the operation of the law of supply and demand would reduce consumer prices, which was the real purpose of the bill. He also pointed out the need for redistribution of land use on farms so as to increase food production. Such a policy, which would involve the reduction of acreage in tobacco and fibre (cotton, wool, flax) would be unpopular and impractical in much of Maryland without immediate stimulation of prices to farmers to encourage the changeover. He failed on this occasion, however, to beat the grain exchange amendment. He was one of seventeen who opposed it.⁵³

Even so, France continued to attack the control principle. In a speech, "Price Fixation and Food Production," he further elaborated his proposal for a free market in agricultural products.⁵⁴ After full debate and substitution of a new bill that met the Administration's general requirements, the issue was overwhelmingly settled by a vote of 81 to 6, France

⁵³ U. S. Congress, Congressional Record, 65 Congress, 1st session, pp. 3225-3226.

⁵⁴ Ibid., pp. 5091-9.

being one of four Republicans in opposition.⁵⁵

France's firm belief in each individual's right to freedom within moral bounds and the right to be unrestricted within these bounds by the benevolent despotism of the government influenced him against prohibition. On this question the Senator was consistently opposed to prohibition of the manufacture and sale of all alcoholic beverages. Here he diverged from one part of the Progressive group, which was strongly in favor of national Prohibition. By his votes, and in one instance, by his actions in committee, it was clear that he would not go along with prohibition of light wines and beer. He voted with two other Senators in the Senate Committee on Agriculture against a prohibition amendment to the food production bill.⁵⁶ This so-called Norris amendment would have prohibited the sale of alcoholic beverages after June 30, 1919. The clause also provided for discontinuance of the manufacture of beer three months after enactment of the bill. In addition to his advocacy of leaving light wines and beer free of Federal control, France also was in favor of the local option principle for control of other alcoholic beverages.

France's opinions on prohibition were similar to those of President Wilson, who favored eliminating the prohibition clause from the food production bill, on the grounds that otherwise it would cause "protracted and heated debate" and thereby delay passage of the bill indefinitely.⁵⁷ The

⁵⁵ Ibid., p. 5357. He also voted against the conference report, p. 5927.

⁵⁶ Reported in Financial America (New York City), June 28, 1918.

⁵⁷ Wilson, op. cit., VII, p. 137; also VIII, pp. 175-176.

President also felt that the continued insistence on the prohibition question would introduce an element of disturbance in the labor situation.⁵⁸

On August 1, 1917, France voted against the 18th amendment to the Constitution. However, due to the exigencies of wartime, France did not make a personal fight against the adoption of the dry law in 1917, although his feelings against it were well known.⁵⁹

Throughout his term in the Senate, France endeavored to protect the nation against an excess of power in the federal government. When President Wilson asked for authority to reorganize departments and war agencies in the interest of greater efficiency in the prosecution of the war, a strong group of Republicans opposed the request, mainly because they feared concentration of power even for a short time. As it became apparent that the Senate majority would grant the request for reorganization when the President insisted upon action, the opponents of the plan attempted to exempt the Federal Reserve Board and the Interstate Commerce Commission from the proposal. They attracted some support, but the amendment was defeated by a close vote, with France voting to exclude the two agencies.⁶⁰ On the same issue he later voted to restrict the President's reorganization powers to war activities. This attempt was also defeated.⁶¹

⁵⁸ Ibid., VIII, p. 45.

⁵⁹ U. S. Congress, Congressional Record, 65 Congress, 1st session, (1917-1919), p. 5666.

⁶⁰ U. S. Congress, Congressional Record, 65 Congress, 2nd session, (1917-1919), p. 3144.

⁶¹ Ibid., pp. 5757, 5762; also, Ibid., p. 5766; France voted against final passage of the bill.

His votes on war-time economic measures shed important light on France's philosophy of government under war conditions. Although many liberals voted against a bill to regulate export trade, because they considered it an aid to big business, he voted against recommending it to committee⁶² and for its final passage.⁶³ He voted with the Progressives to put foreign trading companies under the Federal Trade Commission, but this provision was defeated.⁶⁴ He also voted with the liberals and Progressives on various provisions of a bill for federal operation of transportation. He voted for rate fixing by the government,⁶⁵ to support the Interstate Commerce Commission's control of railroad rates during wartime operation,⁶⁶ and for a substitute to this on several of the amendments limiting compensation to the railroad owners.⁶⁷

France's voting record on labor legislation raises questions concerning his liberalism with regard to labor. He opposed an amendment to the Post Office Appropriations bill to allow overtime pay or compensatory time for Sunday or holiday work,⁶⁸ but tried to prevent the referral to

⁶² U. S. Congress, Congressional Record, 65 Congress, 2nd session, (1917-1919), p. 180.

⁶³ Ibid., p. 186.

⁶⁴ Ibid., p. 184.

⁶⁵ U. S. Congress, Congressional Record, 65 Congress, 2nd session, (1917-1919), p. 2509.

⁶⁶ Ibid., p. 2510.

⁶⁷ Ibid., pp. 2437, 2508-9, 2811.

⁶⁸ Ibid., p. 6594.

the Committee on Finance of a bill to tax products of child labor as means of regulating it.⁶⁹ He opposed passage of a bill to regulate the conditions of work of women and children, a measure supported by all Liberals and Progressives who cast votes.⁷⁰ He also helped defeat an amendment to the Agriculture Department Appropriation Bill to provide an eight hour day for Government employees,⁷¹ and he voted against an amendment to strike from the Navy Appropriation Bill a provision prohibiting the use of the Taylor system of time study and similar improvements of productive efficiency.⁷²

As the long second session of the Sixty-fifth Congress drew to a close, and it appeared that victory in the war would be won either late in the fall or early in the spring of 1919, the interests of many Senators turned to the problems of a peace treaty, an international organization to prevent future wars, and procedures for reconstruction. The Senate, with its attention on the ratification of a peace treaty involving attempts to prevent future wars, which President Wilson had advocated early in 1918, discussed the possibility of considering treaties in legislative session rather than in executive session. Senator Borah offered an amendment to a bill on limitation of debate--the amendment providing that debate on treaties would be carried on in legislative session. France voted for this, but it was defeated.⁷³

⁶⁹ Ibid., p. 8341.

⁷⁰ U. S. Congress, Congressional Records, 65 Congress, 2nd Session, p. 10285.

⁷¹ Ibid., p. 3546.

⁷² Ibid., p. 6908.

⁷³ Ibid., p. 7657.

The Maryland senator was preoccupied with the problem of a peace treaty and problems of reconstruction. He desired to plunge at once into reconstruction legislation and voted against adjournment of the Session, in spite of the fact that the new Session of Congress was required by law to convene on December 2.

France was disappointed in the President's address at the opening of the third session of Congress on December 2, 1918. He said, "I had hoped he [the President] would discuss some of the great and serious problems of national reconstruction which now confront us while he merely said that he had not seen 'any general scheme' emerge which would be acceptable."⁷⁴ On January 14, the Senator from Maryland had introduced a resolution to provide for immediate negotiation for a peace treaty, to bring American troops home, to call a conference of the American republics to develop an organization to improve conditions in the Western Hemisphere and to call another conference for promotion among all nations of the world a basis for solving problems concerning them all.⁷⁵ This resolution had been referred to the Committee on Foreign Relations. At the time he introduced it, France had not openly attacked the President's plan for a League of Nations, but he was restless at the slow and deliberate procedures of the peace conference. He emphasized the same point of view in a Lincoln Day speech delivered in New York City.⁷⁶ On numerous occasions France referred

⁷⁴ The Sun (Baltimore), December 3, 1918.

⁷⁵ U. S. Congress, Congressional Record, 65 Congress, 3rd session, (1917--1919), pp. 1382-3.

⁷⁶ New York Evening Mail, February 12, 1919.

to popular unrest and the necessity of eliminating its causes. He pointed out that revolutions stemmed from such unrest. He predicted revolution in Europe, if peaceful conditions could not be quickly restored, and production of necessities increased.⁷⁷ He was disturbed at the undue prolongation of the peace conference and pleaded for return of soldiers of all nations to productive work.

As the next few weeks passed, France became recognized more clearly in the press as a bitter opponent of the League of Nations. In his speech of January 15, he had repudiated the stand-pat Republicans and henceforth he was considered by the newspapers as a member of the progressive faction in his party. His votes in the Senate also bore this out. Thus, on January 29, he voted with the liberals for an amendment to legalize informal contracts. The Conservatives originally had omitted such contracts because big business interests did not enter into such arrangements as freely as the smaller concerns.⁷⁸ He voted with the liberals in February to suspend the rules of the Senate so that an amendment to repeal the Espionage Act could be added to the Post Office Appropriation bill.⁷⁹ A few days later he voted with most of the liberals to approve a resolution to amend the Constitution to provide women's suffrage, but the vote fell short of the required two-thirds.⁸⁰ He voted several days later

⁷⁷ U. S. Congress, Congressional Record, 65 Congress, 3rd session, (1917-1919), p. 1535.

⁷⁸ Ibid., p. 2277.

⁷⁹ Ibid., p. 2969.

⁸⁰ Ibid., p. 3342.

with the Progressives against tabling an amendment to a bill that favored immediate withdrawal of American troops from Siberia.⁸¹

One of the last events of the Sixty-fifth Congress was a foretaste of what was to happen in the Sixty-sixth Congress, when the Senate was asked to ratify the peace treaty being negotiated in Paris. Due to the 1918 election victory, the Republicans had gained a majority in both houses of Congress. Senator Lodge (Republican, Massachusetts) who was expected to be named majority leader in the Senate when the next Congress convened, introduced on March 4, a resolution which opposed the League of Nations in its proposed form. It advocated peace with Germany first and development of a world league at some later date. The resolution had the backing of 37 Senators, including France, consisting of 32 members of the Sixty-fifth Congress who would return, and five Senators-elect. The number was four more than the one-third needed to defeat a treaty. When Lodge presented the resolution he attempted to get unanimous consent for its immediate consideration, but objection was made to the request. Lodge, however, read into the record the names signed to the resolution.⁸² Several Progressive Senators were among those listed, as were several other men whose backing was usually given to liberal legislation.

On the final treaty vote on March 19, 1920, all Republicans voted affirmatively, except the following fifteen 'irreconcilables,' who voted

⁸¹ Ibid., p. 3342.

⁸² Ibid., p. 4974. The resolution was not given a number.

negatively or were paired against the treaty: Borah, Brandegee, Fall, Fernald, France, Gronna, Johnson, Knox, La Follette, McCormick, Moses, Norris, Penrose, Poindexter, and Sherman. In the previous November, all these, except Penrose, had voted against or had been paired against the "Lodge resolution of ratification."⁸³

It is important to understand the legislative situation in the Sixty-fifth Congress at this time. As provided in the Constitution, the Congress would go out of existence without a vote to adjourn at 12:00 noon on March 4, 1919. Legislation was moving much too slowly through the various steps required to make it possible for all important measures to be passed unless all Senators agreed to cooperate. Many regular appropriation bills were still not approved late in February, including regular funds for the Post Office, Army, Navy, and Department of Agriculture, and the legislative, executive and judicial departments appropriation bill. There were many other important measures to be considered, including the 1920 census bill, a general deficiency appropriation bill, and a bill authorizing a large victory bond issue.

Long speeches, such as that of France in January, already had contributed to the jam of legislation, and new bills continued to be added to the accumulation of measures to be considered. On February 26, France further slowed down proceedings in an attack on the proposed League of Nations, criticizing it as not being an instrument of both peace and justice.

⁸³ Thomas A. Bailey, Wilson and the Peacemakers, (Macmillan; 1947), p. 405.

He said it was being written by reactionary leaders of other countries who were not interested in helping weak nations.⁸⁴

On the next day France set in motion the final legislative obstruction by introducing a resolution, to ask the President to summon Congress into extra session of March 5 to consider reconstruction legislation.⁸⁵ Vice President Marshall refused on this occasion to let France speak immediately on the resolution, ruling that it would have to go over, since there was objection to France's request for its immediate consideration.

President Wilson, who had returned from the Peace Conference in Paris to counsel with the Democratic leaders during the final days of the session, opposed this resolution because he knew it would be impossible for him to have a free hand in further negotiations in Europe if Congress were in session. Having conferred with his Congressional leaders on the possibility of breaking up the apparent filibuster that was developing, Wilson discovered that nothing could be done to circumvent it.

Thinking that they would succeed in forcing the President's hand by refusing to pass vital appropriation bills, unless he consented to a special session, the Republicans made no attempt to stem the flow of words which began in earnest on February 28. At this time, France, stung by the rebuff to his resolution, spoke more than four hours, stopping only when he was promised that a vote would be taken on the conference report on the

⁸⁴ U. S. Congress, Congressional Record, 65 Congress, 3rd Session, (1917-1919) pp. 4324-5.

⁸⁵ Ibid., p. 4393.

census bill, even though it did not contain his amendment.⁸⁶ Another reason for the Republican policy was that the new Senate would be under Republican control having won the November elections.

During his long speech France spoke on many subjects. His exposition was a telling expression of the versatility of his interests, the fine principles he held, and the fervency of his hope for a better world. He advocated the so-called Americanization bill to provide for educating the illiterates of the country.⁸⁷ His position on the census was reviewed, and he spoke out strongly against the Plumb Plan for control by the government of transportation and communication. Mentioning a bill to outlaw the flying of the Bolshevik flag in the United States, he asked, "Are we to blame for some Americans having a red flag in their hearts?"⁸⁸ He condemned the sedition law. Attacking the slowness of the Administration in arranging a peace treaty, he strongly advocated bringing American servicemen home and arranging international conferences.

The Republican leaders met in caucus on February 28 to determine their policy with regard to the filibuster. On this occasion France made a motion to filibuster the bond bill to death, but this motion was defeated. In turn, the caucus refrained from voting to interfere with the debate in any way, leaving the way clear for France, La Follette and Sherman (Republican, Illinois) to continue.⁸⁹ The filibuster was briefly interrupted on

⁸⁶ Ibid., pp. 4580-5.

⁸⁷ Ibid., p. 4582.

⁸⁸ Ibid., pp. 4582.

⁸⁹ The Sun (Baltimore), March 1, 1919.

March 1, to permit passage of the Victory Loan bill,⁹⁰ but then the speeches were resumed.

The last night and morning of the session witnessed a continuous filibuster. La Follette took the floor at 1:30 a.m. and talked until 5 a.m. Then France spoke until 8 a.m., to be followed by Sherman. No other legislation could be passed and the session ended in a complete stalemate.⁹¹

Wilson did not appear bitter or worried by the turn of events, but Senator Martin (Democrat, Virginia), majority leader, was described as "white with bitterness and exhaustion."⁹² France said in justification of his actions, "I do not believe that the American people ever condemned men who have the courage to do their duty as they see it. I believe it is apparent to the whole nation that the interests of the country demanded that Congress be in session in order to deal with the pressing reconstruction problems which are upon us, and which have not as yet received that careful consideration which would have resulted in constructive action."⁹³

During his last filibuster speech France again commented on a variety of things. He attacked President Wilson's conception of a League of Nations. He spoke at length about conditions in Russia, opposing American intervention there, as he had earlier.⁹⁴ He justified the division of the Russian estates and the gift of land to the peasants on the ground that land ownership by

⁹⁰ U. S. Congress, Congressional Record, 65 Congress, 3rd session, (1917-1919), p. 4756.

⁹¹ La Follette, op. cit., II, pp. 946--947.

⁹² The New York Times, March 5, 1919.

⁹³ Ibid.

⁹⁴ U. S. Congress, Congressional Record, 65 Congress, 3rd Session, (1917-1919), p. 3340.

those who work it is not socialism but individualism. He warned against forcing the Germans and Russians to seek help from one another, because other nations would not befriend them. He proposed that the Senate study how to make friends with the Russian people.⁹⁵ France also spoke out strongly for trying to help backward African people to advance and obtain assistance from the more civilized and prosperous nations, stating that this policy could be put into operation through the international conferences he had already proposed.⁹⁶

France's pending resolutions and bills were caught in the legislative stalemate of which he was cooperating architect and engineer. But of even more importance, the following appropriating bills failed to be passed: The Army Appropriation bill; the Navy Appropriation bill; the Agriculture Department Appropriation bill; the general deficiency Appropriation bill; the sundry civil bill; carrying appropriations for the Shipping Board; the District of Columbia Appropriation bill; and the Indian Service bill. Also failing to be considered were the civil service retirement bill, a bill for the control of telephone and telegraph companies, a bill to authorize the construction of public buildings, a bill to regulate water power development, a coal and oil lands leasing bill, a bill for prohibition enforcement, and a number of others.

His name was mentioned widely in the country as one of the filibustering group that talked around the clock and France, at this time,

⁹⁵ Ibid., pp. 5001-4.

⁹⁶ Ibid., pp. 5004-5.

was near the peak of his political career. He was in the middle of many floor debates, and had proved himself as an endurance speaker. He gladly identified himself as a liberal and progressive, a foe of all who were satisfied to stand still or merely return to prewar conditions. He was, however an individualist rather than a follower of any one progressive or group of progressives. He was an internationalist, and a friend of weak and subject nations. He believed in Federal action on welfare matters, but not in government control or operation of industry.

Although he was strongly criticized in letters to editors of Maryland newspapers and in some editorials, partly on the ground that Maryland suffered greatly in loss of appropriations, France was invited to speak in several cities and to lend his name to various organizations. On March 10, 1919 he joined with several other senators in agreeing to be a member of the Advisory Council of the newly organized League for the Preservation of American Independence, a New York organization intending to make a nationwide campaign against ratification of the League of Nations, "in its present objectionable form," and offered to speak or otherwise help in its campaign of education.⁹⁷

On March 17, he addressed a weekly forum of the Church of the Messiah in New York City, urging repeal of the espionage act, but refused in a question and answer period after his speech to state whether he believed that the conviction of Eugene V. Debs was a miscarriage of justice. When he asked the rhetorical question, "What better government anyone could

⁹⁷ The American (New York City), March 10, 1919.

want than that of the United States," he received cries of "Soviet, Soviet."⁹⁸ On April 9, he promised a delegation from the International Uplift League to promote legislation against lynching, segregation and Jim Crowism.⁹⁹ And on April 15, he spoke in New York City at a meeting of a special committee appointed by the Chamber of Commerce, restating his advocacy of a national survey of employment, and the creation of a federal employment agency to assist business and industry.¹⁰⁰

During the same period France showed his progressivism by statements to reporters, in which he stressed the importance of a national educational system to eliminate illiteracy and to provide educational opportunities for those not able to obtain them from private sources, and a great national university in Washington. He advocated the creation of a national medical center at Walter Reed Hospital in Washington, with research laboratories, and the incorporation into the center of the Army Medical Museum. He also predicted that the Federal Government would eventually have Departments of Health and Education of cabinet rank.

He expressed himself as in favor of larger Federal expenditures for the national capital, including construction of Federal office buildings on the south side of Pennsylvania Avenue between the Capitol and the White House, as well as some construction on the north side. He stated that the District of Columbia was not big enough for the Federal City, pointing out

⁹⁸ The Times (New York City), March 17, 1919.

⁹⁹ Baltimore American, April 9, 1919.

¹⁰⁰ Ibid., April 15, 1919.

that Virginia should not have been ceded its part of the District. He also supported the principle that the Federal government should contribute more than fifty percent of government costs of the District of Columbia Government.¹⁰¹

France, meanwhile had been assigned to serve on eight committees: to Audit and Control the Contingent Expenses of the Senate, Conservation of National Resources, Disposition of Useless Papers in the Executive Department, Expenditures in the Department of Agriculture, Post Offices and Post Roads, Public Buildings and Grounds, Public Health and National Quarantine, and Railroads.¹⁰²

He was not particularly outstanding in his committee work. Perhaps the reason for this was that he was a freshman senator. During his first full session in the Senate, however, he became interested in the records retention and disposal problem. As a member of the Committee on Disposition of Useless Papers in the Executive Departments, he learned that an accumulation of old pension records at the Pension Bureau was a serious threat to efficiency of the bureau and would either require added space and more personnel or the records would have to be studied, classified and progressively destroyed. He asked officials of the bureau what could be done about it, but they were slow and cautious in making reply, with the result that he did not press matters further at the time, because of the necessity of dealing with other matters directly connected with the war.

¹⁰¹ The Evening Star (Washington, D. C.), March 26, 1919.

¹⁰² U. S. Congress, Congressional Record, 65 Congress, Special Session, March 12, 1919, p. 50.

He participated in an investigation made in New York City by the Senate Agriculture Committee, with which he charged the meat packers were trying to interfere.¹⁰³ He was quoted by the press as criticizing Herbert Hoover, wartime Food Administrator, for meeting with representatives of the packers behind closed doors.¹⁰⁴ On June 27, 1918 he voted with two other Senators in this same Committee against a prohibition amendment to the food production bill.¹⁰⁵ This so-called Norris Amendment would have prohibited the sale of alcoholic beverages after June 30, 1919.

Since then a remarkably large number of France's suggestions have been realized or become more popular. Joseph I. France was a man with ideas and programs well in advance of the time in which he was politically most active. His forward thinking might be said to have, in part, laid the groundwork for present and future progress in government administration.

¹⁰³ New York Evening Mail, February 12, 1919.

¹⁰⁴ The Chicago Tribune, January 19, 1919.

¹⁰⁵ Reported in Financial America (New York City), June 28, 1918.

CHAPTER V

POLITICAL ACTIVITY - THE SIXTY-SIXTH CONGRESS, 1919-1921

After the stormy filibuster which ended the Sixty-fifth Congress, March 4, 1919, the capital quieted down for a time. The President returned to the Paris peace conference and members of Congress went home to await the President's summons to a special session or the passage of time until the reconvening in December, 1919. Despite the fact that many important appropriation bills needed to be acted on before the new fiscal year began on July 1, Wilson was adamant on completing the treaty draft before summoning Congress. He made good progress in this endeavor in March and April and issued a proclamation for the new Congress to convene on May 19.¹ Unexpectedly, at the last moment, he then found it necessary to compromise on some of the provisions, because the Allied premiers meeting with him demanded some changes. He was, therefore, forced to send his message to the new Congress by cable from Paris on May 20, while he continued the treaty negotiations.

The new Senate was organized by the Republicans who had 49 seats to 47 for the Democrats, and Senator Lodge, the leading foe of the treaty and League of Nations, was named the majority leader and chairman of the vitally important Foreign Relations Committee. As a result of the shift in party power, France was named chairman of the Committee on Public Health and National Quarantine, placed on the important Committee on order

¹ La Follette, op. cit., II, p. 955.

of Business, commonly known as the Steering Committee, and on the standing committees on Agriculture and Forestry, Expenditure in the Department of Justice, and Transportation and Sale of Meat Products. At the same time, he lost his membership on the committees on Expenditures in the Agriculture Department, and on Railroads, but retained membership on the Committee to Audit and Control the Contingent Expenses of the Senate, and Committees on Conservation of National Resources, on Disposition of Useless Papers in the Executive Departments, on Post Offices and Post Roads, and on Public Buildings and Grounds.² His selection as chairman of a committee was unusual for one so young and a member of the Senate for such a short time, but the Committee on Public Health and Quarantine was one from which little in the way of legislation was expected.

This first session of the Sixty-sixth Congress passed a great deal of legislation, including many appropriation bills, and it dealt with a wide variety of progressive measures, but it will be longest remembered as the session in which the Versailles Peace Treaty and the League of Nations received its death blow, and during which President Wilson suffered a collapse which almost took his life and certainly reduced his effectiveness.

Before the Congress convened it was recognized that the peace treaty and League would be a major issue. As the new session approached it was reported by what later became known as "the isolationist press" that further

² U. S. Congress, Congressional Record, 66 Congress, 1st session, May 28, 1919, p. 314.

amendments in the Covenant of the League would be forced by the Republicans. A majority of the new Senate was said to be in favor of amendments, including all Republicans.³

The Versailles Treaty was signed on June 28 and transmitted to the Senate for action on July 29, 1919. Soon after it was signed, France attacked it in a statement to the press as an alliance of European rulers and governments by which their conquered enemies could be kept in subjugation and exploited to the utmost. In his view it was not a true league of nations.⁴

On the day of the treaty's presentation to the Senate, he charged that the Department of Justice was suppressing anti-League meetings, and that censorship was being exercised over publications unfriendly to the League.⁵

The Senate moved with deliberation to consider the treaty. Committee hearing began on July 31, 1919, but the treaty did not reach the floor for debate until the end of August. Many Senators desired to make amendments to it and a number of these were in the form of reservations, in which the United States was to reserve the right to disagree with certain actions of the League or even to withdraw from the organization without notice or explanation. A large number of such reservations were

³ For example, The Tribune (Chicago), May 1, 1919 and May 16, 1919.

⁴ The Sun (Baltimore), July 15, 1919.

⁵ The Tribune (Chicago), July 30, 1918.

agreed to by the Foreign Relations Committee, under the leadership of Senator Lodge.

During the early part of the treaty debate France's contribution was limited to questions asked of other speakers and to votes on various issues. But on October 8 and 9 he made a 35,000 word speech against the League, which lasted some four hours, with few interruptions. On October 8 the treaty had not even been read in its entirety to the Senate, which had begun to debate it and attempt amendments as soon as it was reported from the committee. The Shantung provision of the treaty, to cede this rich Chinese province to Japan, had just been read when Lodge made a unanimous consent request to postpone debate until the reading of the treaty was completed, but France objected and began his speech.

This speech was probably the most carefully prepared speech of France's Senate career. It began with a reference to his resolution of January 14, 1919, for an immediate treaty of peace with Germany, the return of the Army to the United States, and the calling of conferences to develop a concert of nations. He then reviewed the faith of the founding fathers and Washington's philosophy of foreign relations. His attack on the League was that it was fraudulent, because it provided spoils for the victors and would cause injustices and resentments not conducive to permanent peace. Twenty-five defects in the Covenant of the league were listed. He pointed out that the British masses were opposed to the League, and that the British Labor Party desired amendments. In detail he pointed out the repressive effects of this treaty on backward peoples, condemning British rule in India and Africa, the dismemberment of China,

and the injustice to Korea. Concerning Africa, France pointed out that white suppression of African interests in freedom and self-determination was as unjustified as outright exploitation. He suggested that Americans, both whites and Negroes, should help the African people to rise to a higher level of life.

France attacked the Shantung provision in prophetic language, "The day will certainly come if this treaty is signed, when China perhaps aided by Germany, Russia and India, will rise in her might to demand her freedom and the return of her ancestral territory, and then, under the provisions of this treaty, we shall be expected to call the American youth to fight, perhaps by the side of Japan, for perpetuation of the cruel wrongs that have been done China."⁶ France ended this speech with an appeal for America to take the lead in obtaining international justice and helping to solve the underlying causes of war.

The Shantung provision debate was long and bitter. The majority report on the Foreign Relations Committee as presented by Lodge had proposed an amendment that Shantung, which had been given by the Council of Four at Paris to Japan in conformity with a secret treaty with Great Britain and France, should remain with China.⁷ Senators LaFollette and Borah also spoke at length on the matter, and Borah successfully led a fight to block a vote on this part of the treaty until Hiram Johnson returned from

⁶ U. S. Congress, Congressional Record, 66 Congress, 1st session (1919-1921), p. 6611.

⁷ LaFollette, op. cit., II, p. 975.

an anti-League speaking tour in the West. The delaying action resulted in postponement of a vote until October 16, at which time the amendment was defeated by a 55 to 35 vote.⁸

Next to come up was Senator Hiram Johnson's amendment to insure a parity vote in the League between the United States and the British Empire, instead of the 6 to 1 advantage written into the agreement at Paris. This amendment was defeated by a close vote. France supported Johnson.⁹ The shift in the vote on these two amendments was indicative of a shift in sentiment on the part of the Senate. Support for the President's views was rapidly waning. He had been speaking all over the country, since his return from Europe in defense of the treaty, but he became ill on September 26 and returned to the White House, where his condition became worse for a time. Although he had many loyal supporters in the Senate, Wilson had never depended strongly on any of his own staff for liaison work with Congressional leaders and he now had nobody available to provide the vigorous leadership required to save the treaty. Beginning with the recognition of the seriousness of the breakdown in the President's health, the opposition gained an increasing advantage.

When opponents of the treaty failed in efforts to amend some of the provisions of the treaty, they turned again to the reservations, which were thought to be less destructive to the treaty. But Wilson would not at first compromise on his principles and refused to accept any of them.

⁸ U. S. Congress, Congressional Record, 66 Congress, 1st session, (1919-1921), p. 2013.

⁹ Ibid., p. 7548.

By November 7, however, he informed his Senate leader, Nebraska's Senator Hitchcock, that he would accept reservations that would not destroy the treaty's fundamental provisions.¹⁰ On this same day France presented an amendment to Reservation 2, by which he wanted to give the United States the privilege of nominating non-member nations for inclusion and also of offering at any time an amendment to the Covenant of the League, and if the League acted unfavorably, the United States would have the right to withdraw immediately and without notice or condition. Later the same day he withdrew this amendment, intending to offer it as a separate reservation at a later time.¹¹

Events on November 7 and 8 constituted an important turning point in consideration of the treaty. The first two of the fifteen reservations of the Foreign Relations Committee were adopted by the Senate, France voting with the majority.¹² On November 11, 1919, with the session nearing its end, because of the constitutional necessity of adjournment prior to the beginning of the new session in December, it was feared that another filibuster might develop, carried on by Senator Reed (Democrat, Missouri), La Follette, Gronna (Republican, North Dakota), Norris (Republican, Nebraska) and France, all of whom were irreconcilably opposed to the League.¹³ All five had indicated support of the Walsh amendment to

¹⁰ The Tribune (New York), November 8, 1919.

¹¹ U. S. Congress, Congressional Record, 66 Congress, 1st session, (1919-1921), p. 8079.

¹² Ibid., pp. 8068-8213.

¹³ The Plain Dealer (Cleveland, Ohio), November 12, 1919.

the Lodge Reservation on Article X of the Covenant. The Walsh Amendment would relieve all nations from obligations to the United States in the event of threats to political and territorial integrity of the United States, and in turn, provided that the United States should take no part in the proceedings of the Council of the League with regard to Article X.¹⁴ This amendment was defeated on November 13, after which the Lodge reservation, relieving the United States of obligations to other nations under Article X, was passed.¹⁵ Such a long debate on each reservation was a threat to final action, however, and a cloture rule was proposed on November 13 by Senator Hitchcock, floor leader of the Democrats. This failed on a point of order by the Presiding Officer.¹⁶ But on November 15, a similar move by Senator Lodge was successful, and a limit was set on remarks by each Senator of one hour on each reservation.¹⁷ France opposed the cloture rule.

After cloture was agreed to, the Senate moved rapidly to approve most of the reservations of the Committee on Foreign Relations, and to defeat most of the liberalizing reservations. On November 17 France spoke at length against Reservation No. 14, which concerned the disposition of former German colonies in Africa. He took the position that the United States should insure an open door policy in Africa, rather than to permit

¹⁴ Ibid. The United States insisted on not interfering with the political and territorial integrity of other nations.

¹⁵ U. S. Congress, Congressional Record, 66 Congress, 1st session, (1919-1921), pp. 8420-1.

¹⁶ Ibid., p. 8417.

¹⁷ Ibid., p. 8556.

individual nations to have outright mandates over any of these territories. France's speech was the only long one on this reservation, which was defeated, although most liberals voted for it.¹⁸ On the next day France presented two reservations for consideration. The first embodied the provisions of his amendment of November 7 to Reservation 2, to provide the United States with the privilege of immediate withdrawal from the League, if the League opposed the United States' nomination of a new member or a change in the League Covenant. This reservation was rejected without a record vote. He then presented a reservation for the United States to be given mandates over the former German colonies and territories in Africa in order to civilize, educate, and fit the people for self determination. In this endeavor the United States would agree to cooperate with Great Britain, France, and Belgium to build up all peoples and resources of Africa. This reservation was defeated overwhelmingly on a roll call.¹⁹

Hopes for a compromise on the treaty were strong as late as November 17, if the President would agree to accept the reservations that had been passed by the Senate. But Wilson, considering the treaty to be worthless when so severely hampered, defied the Senate to pass it thus, announcing that the reservations would either have to be modified or he

¹⁸ Ibid., p. 8634.

¹⁹ Ibid., p. 8764.

would lock the treaty up and forget it. The Senate leaders refused to retreat. On November 19 the vote was taken. First, the treaty was defeated by a vote of 55 to 39.²⁰ Only 33 were required in opposition, since on a final vote two-thirds were required to ratify a treaty. But on a vote to reconsider the question was reopened. The proponents of the treaty then tried every maneuver known to the Senate to avert a final rebuff to the President. Parliamentary rulings of Vice-President Marshall were three times renewed on roll call votes and the treaty was defeated with reservations and without reservations, and a motion to reconsider was defeated. The Senate then adjourned sine die.²¹ France voted consistently and irreconcilably against the treaty and against all parliamentary moves to save it.²² Except for his speech against the fourteenth Committee reservation, already referred to, he diverged only once from the position of Senator Lodge. This was on a motion to adjourn sine die, made by Lodge, but defeated because a short executive session had been promised to some other senators. During the progress of this vote, France was apparently unaware of this fact.

On February 20, France introduced a resolution for an immediate peace with Germany, which also provided for bringing the United States Army home as soon as the peace was signed, and to call two conferences in Washington, the first to include representatives of all the western

²⁰ Ibid., p. 8786.

²¹ Ibid., pp. 8786-8809.

²² Ibid.

hemisphere republics, the second to include representatives of all people of the world to discuss fundamental problems, such as population pressure, education and economic matters, with the intention of developing a concert of nations that would eliminate war.²³ This was essentially the same resolution he had offered in the previous Congress, and again it was too far advanced for general acceptance, although there was much sentiment for several of its provisions. It was referred to the Committee on Foreign Relations. A few days later (February 26) he introduced a more limited resolution, which provided for an international conference as a step toward a concert of nations. He stated in a brief speech on it that he was assisted in its preparation by Alpheus Henry Snow, author of The Administration of Dependencies, and The Question of Aborigines in the Law and Practice of Nations.²⁴ This resolution was also referred to the Committee on Foreign Relations. Neither was reported out of committee.

Late in the session the Senate adopted the Knox resolution calling on the President to negotiate a peace treaty with Germany and Austria immediately and to bring the American Army of Occupation home. France supported this.²⁵ The House of Representatives, which had already passed a similar resolution, accepted the Senate version, but President Wilson

²³ U. S. Congress, Congressional Record, 66 Congress, 2nd session, (1919-1921), p. 3161.

²⁴ Ibid., pp. 3500-2.

²⁵ Ibid., p. 7102.

vetoed it on May 27.²⁶ On the same day France made a one hour speech in the Senate against Wilson's proposal for a United States mandate over Armenia. In this speech he condemned the President for his veto of the Knox resolution. He referred to his own resolution also, and charged Wilson with autocracy, saying that the President would be described in the future as the man who "kept us out of peace," rather than "kept us out of war." France asked for a positive peace action instead of a policy of drift.²⁷ On May 28, Wilson's veto was sustained by failure of the House of Representative to obtain the two-thirds vote required,²⁸ and the Senate had no opportunity to cast its vote.

France's interest in international affairs extended also to the practical field of disarmament. He presented a disarmament resolution which came to naught.²⁹ But when the Naval Appropriation Bill was being debated near the end of the session he presented the substance of his resolution in the form of an amendment providing for the establishment of a naval commission to meet in Washington to arrive at a disarmament formula. The Commission would be comprised of representatives of the United States,

²⁶ W. Stull Holt, Treaties Defeated by the Senate (Baltimore: The Johns Hopkins Press, 1933), p. 279. Also, New York Times, June 22, 1919. Also, Wilson, op. cit., III, pp. 492-494.

²⁷ U. S. Congress, Congressional Record, 66 Congress, 2nd session, (1919-1921), pp. 7916-20.

²⁸ Ibid., p. 7809.

²⁹ U. S. Congress, Congressional Record, 66 Congress, 3rd Session, (1919-1921), pp. 1727.

Great Britain, and Japan. The scheduled disarmament was to be such as to have the three nations decrease their navies to 75 percent of their July 1, 1921 strength by July 1925, to 50 percent by January 1, 1930; and to 25 percent by January 1, 1935. This amendment was strongly opposed and rejected without a roll call vote.³⁰ Later the same day, however, France voted in the affirmative when another amendment for a naval disarmament conference was submitted by Senator Edge, (Republican, New Jersey), the Senate accepting without a dissenting vote.³¹

During this same period France took a firm stand on trade with Russia, a position in which he found himself alone and far ahead of his day. On February 27, 1920, he introduced a resolution for the lifting of the embargo on goods to Russia. The resolution also called for the withdrawal of American forces which had been operating in Siberia in an attempt to assist the resistance movement against Bolshevism.³² This resolution was referred to the Committee on Foreign Relations, but was not reported out of Committee.³³ Senator France received newspaper publicity on a speech he made before the convening of the last session of the Sixty-sixth Congress, in which he told the newspapers' reporters of plans to present a resolution designed to open up and facilitate trade with Soviet Russia.³⁴

³⁰ Ibid., p. 4158.

³¹ Ibid., p. 4172.

³² La Follette, op. cit., II, pp. 921-924.

³³ U. S. Congress, Congressional Record, 66 Congress, 2nd session (1919-1921), p. 3554.

³⁴ The Call (New York City), November 24, 1920.

France was more outspoken on questions concerning Russia during the last days of the Sixty-sixth Congress. On January 22, 1921 he spoke at length against a bill for deportation of aliens, and in favor of Russian trade, denying that this meant trade with the Soviet Government, but only with Russian traders. He argued that the Soviets would be weakened if trade was increased, because trade would bring competitive economic ideas to the attention of the Russian people. He also stated that Russia was no longer a pure communist state, because the communist philosophy did not permit good government administration. He argued that Russia and China were the natural friends of the United States in Europe and Asia. France deplored the fact that the United States would not mint Russian gold and that, therefore, the Russians could not buy American goods. He charged that the United States policy was influenced by Great Britain, which wanted to make the United States afraid to trade with the Russians in order to retain the Russian market for British businessmen. He admired the British citizen for his willingness to trade with Russians, but not the British government. In this speech he reiterated his lack of fear of Russian agents in the United States.³⁵ On this occasion he was severely criticized by Senator Robinson (Democrat, Arkansas) for pro-Russian views.³⁶

On January 29, 1921, in debate on a bill to amend the trading with the Enemy Act of October 6, 1917, France made an even longer speech on the

³⁵ U. S. Congress, Congressional Record, 66 Congress, 3rd session, (1919-1921), pp. 1861-5.

³⁶ Ibid., pp. 1866-67.

Russian question.³⁷ He expressed doubt that Russia aided the Germans after the 1917 revolution, and that there was any justification on that ground for the Siberian expedition. He denied that he was pleading for the Soviets and said, "I am always thinking of my own country's interests." He said he was merely opposed to driving Russia and Germany together. He also defended the American Federation of Labor against the charge that it was heavily influenced by foreigners or had a large proportion of members from among the foreign-born.

I think we have drifted into a very unfortunate habit of assuming that every American who advocates any policy with reference to Europe is advocating it because of some particular or personal interest which he has in that portion of Europe involved in that policy . . . I think we have a right to assume that every American who advocates a policy with reference to Europe is advocating that policy because he is an American and because it would be a policy which in his judgment . . . would advance American interests.³⁸

Again France was criticized by other Senators and appeared to be somewhat on the defensive. He was, however, attempting to become informed on Russia and was at the time working on plans for a visit there to study the possibility of developing trade relations with Russian export-import firms.

As in the previous Congress, France was a strong advocate of Civil rights. On May 27, he made an attack on the espionage statute at a meeting of the National Popular Government League in Washington.³⁹ After attacking the espionage statute on the floor of the Senate, he introduced a bill

³⁷ Ibid., pp. 2202-11.

³⁸ Ibid., pp. 2206.

³⁹ The Evening Star (Washington, D. C.), May 27, 1919.

calling for its repeal as being unnecessary in the post-war period and a violation of free speech.⁴⁰ The Judiciary Committee did not report on his bill until November and then the report was unfavorable.⁴¹ Once again France's effort at repeal of the espionage provision was of no avail. France was not alone in his attack on the espionage law. La Follette, in commenting on it, called it the "greatest crime of this war," and he, too, introduced a bill to amend the act and "enlarge the right of free speech."⁴²

France spoke briefly in the Senate in presenting a memorial from a group of leading Protestant ministers of New York City to Congress, regarding the New York bombings and other acts of violence, making a plea for a fair trial and against repressive legislation. He strongly urged freedom of speech and of the press and gave examples of repressive measures employed by municipal governments and the Department of Justice.⁴³ He spoke at the Garden Theater in Baltimore, favoring the release of Eugene V. Debs and Victor Berger from prison.⁴⁴

France did not hesitate to criticize the federal judiciary. He condemned what he considered judicial tyranny in the case of Edward Leech,

⁴⁰ U. S. Congress, Congressional Record, 66 Congress, 1st session (1919-1921), p. 8357.

⁴¹ Ibid., p. 8357.

⁴² La Follette, op. cit., pp. 936-937, 939-994.

⁴³ U. S. Congress, Congressional Record, 66 Congress, 1st session (1919-1921), p. 3323-4.

⁴⁴ The Sun (Baltimore), September 8, 1919.

editor of the Memphis Press, sent to jail for writing an editorial about political conditions. He stated his belief that Congress should impeach judges guilty of exceeding their proper authority, and stated that the remedy already existed in the Constitution.⁴⁵

France continued his fight against sedition laws and other curbs on free speech. He debated a bill in the Senate to amend the sedition statutes by claiming it included further repressive measures. The liberals fought against this bill along with France. In January, in an address advocating free speech, he was interrupted many times by proponents of harsher repressive measures which were passed without a record vote.⁴⁶

Two months later he made a longer formal speech in the Senate on the general subject of American liberty in which he attacked the curbs on freedom during the war, asked for a return to the constitutional republic, for a curb on executive power, for repeal of war statutes giving large powers to the President, for reorganization of the Executive Department, an improved budget system and the restoration of free speech.⁴⁷

In March and April he went further with the idea of freedom of expression in introducing resolutions for amnesty or pardon of political prisoners.⁴⁸

Both of these resolutions were referred to the Committee on Judiciary, but were not reported to the Senate for further action.

⁴⁵ The News (Toledo, Ohio), August 19, 1919.

⁴⁶ U. S. Congress, Congressional Record, 66 Congress, 2nd session V (1919-1921), p. 1162, 1164, 1263-1270, 1328-32.

⁴⁷ Ibid., pp. 4683-9.

⁴⁸ Ibid., pp. 4112, 6202.

Near the end of the second session, he delivered a speech on invisible government, "big business," and "big money," the speech which strongly smacked of Presidential aspirations. The New Republic, on April 7, contained an editorial complimentary to France, whom it credited with the theme that the first step forward is a restoration of authentic Americanism and of its two ancient landmarks: (1) a fear of encroachments on liberty, and (2) a fearlessness of change, however radical, with free institution.⁴⁹ The particular occasion of the New Republic statement was France's speech on January 18 against Bourbonism in the United States, in which he attacked the leaders of both parties for their conservatism.

On this occasion France said:

We, hold it to be an elemental and self-evident truth there can be no free government without practical and absolute freedom of speech, an uninfluenced and unfettered press, and the unabridged right of the people to assemble, to petition for a redress of their grievances. We demand the immediate restoration of these rights.⁵⁰

France attempted, via Senate Joint Resolution 378, to have the Department of Justice investigated for its suppression of freedom of speech and freedom of assembly.⁵¹ This resolution had no chance of passage during the session and he knew it was unlikely to be acted on in the "lame duck" session which would convene in December.

⁴⁹ Editorial, "Senator France," The New Republic (April 7, 1920), p. 173.

⁵⁰ Ibid.

⁵¹ U. S. Congress, Congressional Record, 66 Congress, 2nd session, (1919-1921), p. 8075.

In July, 1919 France presented the first group of bills which he considered the most important evidence of his progressive philosophy. This was a bill to create a Federal Department of Public Health, whose head would have cabinet rank. The bill also provided for the selection of a woman as one of the assistant secretaries of the new department. The bill was favorably commented on in an editorial in the Baltimore American.⁵² This bill was referred to the Committee on Public Health and Quarantine,⁵³ of which France was chairman, but he was not able to obtain enough support for it in the Committee to have it reported favorably for action by the Senate.

France also introduced a bill to provide federal aid in the prevention and control of drug addiction. This bill provided for the expenditure of five million dollars for the program of hospitalization of drug addicts.⁵⁴ It was also referred to the Committee on Public Health and National Quarantine, and on this occasion France succeeded in having it reported to the Senate with a recommendation for passage, but with its appropriation reduced to one million dollars. The bill was placed on the calendar, but was never acted upon.

In October, France tried another tack to call attention to public health problems, this time limited to federal government department

⁵² Baltimore American, July 19, 1919.

⁵³ U. S. Congress, Congressional Record, 66 Congress, 1st session (1919-1921), p. 2696.

⁵⁴ Ibid., p. 3885.

activities. He sought through a concurrent resolution⁵⁵ to create a congressional committee to make a survey of the activities of government departments and bureaus which related to public health.⁵⁶ France hoped that the information obtained would show that a new Federal Department of Health was needed to reduce duplication and overlapping of these various federal health programs. This resolution was referred to the Committee to audit and control the Contingent Expenses of the Senate. France was a member of this Committee and in late October he succeeded in having one of the resolutions reported back favorably without amendment. Like other measures he had proposed, it was placed on the calendar⁵⁷ and was not acted on further during this session. In the next session this resolution was debated and amended by extending the date of the report of the investigating committee, and agreed to.⁵⁸ In the debate the attempt was made by its opponents to have it referred to the Appropriations Committee, but this was beaten. In the House of Representatives the Senate resolution was referred to the Committee on Interstate Commerce and Foreign Commerce,⁵⁹ and then to the Rules Committee,⁶⁰ which made all decisions concerning what

⁵⁵ Ibid., p. 6989.

⁵⁶ Ibid., p. 7355.

⁵⁷ Ibid., p. 7478.

⁵⁸ Ibid., 66 Congress, 2nd session (1919-1921), pp. 640-1.

⁵⁹ U. S. Congress, Congressional Record, 66 Congress, 2nd session (1919-1921), p. 830.

⁶⁰ Ibid., pp. 1670-1.

measures could be debated. This committee never reported it and the investigation was never made. The counterpart resolution originating in the House of Representative also died in the Rules Committee.

Health legislation remained a major interest of France and during this session he introduced a bill to revive the act to incorporate the Medical Society of the District of Columbia, but it did not receive favorable committee action.⁶¹ In January 1920 he introduced a bill to provide for use of army hospitals and sanitarium facilities for servicemen requiring treatment for certain diseases and disabilities. The Committee on Buildings and Grounds,⁶² to which it was referred, never reported it to the Senate. In April of the same year he introduced a resolution calling for the holding of hearings by France's Committee on Public Health and Quarantine on anything pending before the Committee to Audit and Control the Contingent Expenses of the Senate. France being a member of this committee was able here to obtain support for the hearings. The committee reported favorably on the resolution and the Senate agreed to the report without a roll call.

Again in May, France attempted to assist the veterans in obtaining hospital benefits. He introduced a bill to authorize the Secretary of the Treasury, the cabinet official responsible for the Public Health

⁶¹ Ibid., p. 7084; also, op. cit., 66 Congress, 1st session, (1919-1921), p. 2911.

⁶² Ibid., 66 Congress, 2nd session (1919-1921), p. 1699.

⁶³ Ibid., 66 Congress, 2nd session, p. 5080.

⁶⁴ Ibid., p. 5645.

Service, to provide medical, hospital, and surgical services to discharged soldiers and sailors.⁶⁵ It was referred to the Committee on Public Health and National Quarantine, which held hearings and reported it favorably with amendments.⁶⁶

In December, 1920, when a bill for the protection of maternity and infancy was reported to the Senate for debate, France was the official committee spokesman and manager of the bill. He strongly supported the measure as filling a need to improve the country. The bill reached the floor on December 15, was debated on December 17 and passed on December 18 without a record vote, apparently to everyone's satisfaction, after a number of small amendments had been added which did not substantially change the provisions.⁶⁷ In this debate France revealed qualities of judgment, affability, and a conciliatory spirit quite different from the traits he showed when a member of the opposition on any legislation-- a position in which he usually was to be found. This was his first experience in leading a floor debate with responsibility for passage of a measure, and he revealed that he could be a skillful floor manager of legislation when given the opportunity.

⁶⁵ Ibid., p. 6795.

⁶⁶ Ibid., p. 1861. This bill was put on the calendar and was never called up for action.

⁶⁷ U. S. Congress, Congressional Record, 66 Congress, 3rd Session (1919-1921), pp. 377-9, 415-7, 454-62, 472, 474, 498-512.

In January, France attempted to have action completed on his bill providing for use of Government hospitals for the treatment of disabled American soldiers and sailors, which had been introduced previously and on which hearings had been held and a report made to the Senate. In this instance, he was informed that the bill's provisions would be taken care of in the sundry civil bill.⁶⁸ When this bill was finally presented for consideration, it did not contain the necessary appropriations.⁶⁹

France's humanitarianism was exhibited during the first session of the Sixty-sixth Congress in a variety of ways. One line it took was interest in oppressed and backward peoples. His African proposals in connection with the Versailles Treaty was but one example. He was equally interested in the problems of the Jewish minority in Poland. In May, 1919, he visited a high official in the Department of State and requested information on the findings of the Commission investigating the matter. The information was obtained by cable from the United States representative on the spot.⁷⁰ At the end of May, he and the other Maryland senator, Democrat John Walton Smith, addressed a large crowd in Baltimore pledging to unite their efforts to secure political and civil rights and immunity from persecution for the Jews in Poland and Rumania.⁷¹

⁶⁸ Ibid., p. 1494.

⁶⁹ Ibid., p. 2728.

⁷⁰ The Evening Star (Washington, D.C.), May 22, 1919.

⁷¹ The Sun (Baltimore), May 30, 1919, and Baltimore American, May 30, 1919.

President Wilson acknowledged a petition from a group of naturalized American citizens who were natives of Rumania asking that he intercede with the Rumanian government and urge them to abolish restrictions upon Jews in that country. He relayed a message to them that he was very sympathetic in the matter.⁷² At about the same time France spoke at a meeting of the International Uplift League in Baltimore, advocating international cooperation and a program of African progress and construction. On this occasion he condemned the proposed League of Nations Charter, because it made no provision for improving the conditions of the subject African peoples.⁷³ In February, 1921, he introduced a joint resolution authorizing the purchase by the United States of former German colonies and territories in Africa.⁷⁴ This proposal was thought by some people to mean that France wanted to provide an opportunity for American Negroes to settle in Africa, but his earlier statements on African resources and education, and arguments concerning the desirability of raising the level of living of the African native people provides a more accurate basis for understanding his motives. The resolution was referred to the Committee on Foreign Relations, but was not reported to the Senate.

Late in May, 1920, serious labor disturbances occurred in the West Virginia coal fields and erupted in violence and bloodshed at Matewon.

⁷² Baker, op. cit., VII, p. 434.

⁷³ The Sun (Baltimore), May 29, 1919.

⁷⁴ U. S. Congress, Congressional Record, 66 Congress, 3rd session, (1919-1921), p. 2892.

France told a reporter he would do his utmost to obtain some sort of Federal intervention to prevent further bloodshed.⁷⁵ He did present a resolution which requested the President to consider the advisability of proceeding "to suppress domestic violence and prevent the outbreak of armed civil conflict" in the West Virginia coalfields.⁷⁶ It was too late in the session for action, however, except by unanimous consent. The resolution was ordered to lie on the table and be printed. The need for it soon passed and it was never acted upon.

In an editorial in The New Republic,⁷⁷ France was praised for speaking out for labor's participation in deciding the operating policies of industry:

The vital reform to be contended for is some representation of the employees in the responsibility of management and some participation by them in any excess of earnings.

The participation of the employees in the responsibility of management should not be confined to mere membership in the directing boards. The elective system for the selection of shop foreman and of men for other positions might be wisely and widely employed.

The principle of democracy and cooperation in industry is a sound and progressive one; and this country, with its large reserves of initiative and its absence of aristocratic traditions should lead in its rational application.⁷⁸

⁷⁵ The Call (New York City), May 27, 1920.

⁷⁶ U. S. Congress, Congressional Record, 66 Congress, 2nd session, (1919-1921), p. 8074.

⁷⁷ Editorial, "Senator France," The New Republic, April 7, 1920, p. 1740.

⁷⁸ Ibid.

France introduced two bills--one to amend the War Finance Corporation Act⁷⁹ and the other to increase the pay scale of employees in the United States custom service;⁸⁰ but neither was reported out of committee. He presented a bill for the relief of certain employees of the Government Printing Office;⁸¹ a bill to increase pay for the employees of the District of Columbia;⁸² and a bill to raise salaries in the Women's Bureau of the Department of Labor.⁸³ He was unable to get action on any of the three bills.

France repeatedly attacked the administration for inefficiency. One such attack was in connection with the disposition of war surplus items.⁸⁴ He criticized the Government's administration of the railroads when a car shortage developed in Western Maryland's coal mining in August 1919.⁸⁵

He continued his liberal and progressive record in the Senate and demonstrated it by the stand he took on various bills. For instance, during

⁷⁹ U. S. Congress, Congressional Record, 66 Congress, 2nd session, (1919-1921), p. 6618.

⁸⁰ Ibid.

⁸¹ Ibid., 66 Congress, 1st session (1919-1921), p. 371.

⁸² Ibid., p. 7869.

⁸³ Ibid., 66 Congress, 3rd session (1919-1921), pp. 3123-4.

⁸⁴ U. S. Congress, Congressional Record, 66 Congress, 1st session (1919-1921), p. 1660.

⁸⁵ The Washington Post, August 26, 1919.

debate on a bill concerned with continued Federal operation of the railroads, which he opposed, he introduced an amendment which would have required the railroad to provide accommodations for all who applied for them.⁸⁶ This would have tended to eliminate racial discrimination on railroads. The amendment was rejected a few days later without debate and by a voice vote.⁸⁷

France attempted to strengthen the provisions of a Senate bill to set up a commission to regulate the meat packing industry, but when this failed, he voted against establishing the commission, although most liberals supported the commission idea, whatever limitations were put on its powers.⁸⁸ Among other bills France gave his support to were: a bill to provide hospitals for use of the Bureau of War Risk Insurance and Federal Bureau of Vocational Education;⁸⁹ Relief of the depression which developed in agriculture as a result of postwar overproduction, and helped both to pass the bill and to over-ride the President's veto of the legislation.⁹⁰ He introduced a bill to provide for a stronger regulation of the privately owned transit system of the District of Columbia.⁹¹ The bill was reported favorably to the Senate with amendments, but was put

⁸⁶ U. S. Congress, op. cit., 66 Congress, 2nd session (1919-1921), p. 456.

⁸⁷ Ibid., pp. 595-6.

⁸⁸ U. S. Congress, op. cit., 66 Congress, 3rd session (1919-1921), pp. 1961-62.

⁸⁹ U. S. Congress, Congressional Record, 66 Congress, 3rd session, (1919-1921), p. 4372.

⁹⁰ Ibid., pp. 282, 878.

⁹¹ Ibid., p. 2482.

on the calendar and was not acted upon further.⁹²

The Senator was somewhat indecisive on the immigration legislation. He made a short Senate speech on this subject, in which he stated that perhaps some limitation on immigration was needed by American labor, but he thought the country was misinformed on the need for restricting immigration:

Unfortunately we have a situation in this country which results in a very serious degree of misinformation on the part of the public in regards to public questions. The situation with reference to the press is such that it is almost impossible for our citizens to receive full and accurate information upon public questions. I greatly deplore that.⁹³

These remarks should not be over-emphasized and assumed to mean that he thought the press required governmental control. Instead, France merely wanted the press freely to present more information on all aspects of public questions.

The Second Session of the Sixty-sixth Congress convened on December 1, 1919, with the bitter fight on the treaty behind it, but without the war with Germany officially ended. As a consequence, this problem was the subject of considerable attention by the Congress, and France was no exception. However, President Wilson and a strong group of his supporters were not convinced that the Versailles treaty was dead. Wilson, in particular, hoped to revive the question and to receive support for his views

⁹² Ibid., p. 4023.

⁹³ Ibid., p. 3302.

in the form of a Democratic party victory the following November on a platform of treaty ratification. The election was of great interest to France and it had some effect on his activities during the session. For, with apparent increase in Republican prospects he could not perceive any leader in such a completely favorable position that the Republican nomination would be easily decided. In the event of a convention deadlock, he considered himself as a distinct possibility for the nomination. As a consequence, when the Congress convened he was thinking about his political future. Although he gave no public indication of his thoughts until a short time before the convention, this entire session of Congress should be considered in the light of his attitude of availability.

Near the end of this session, also, and after he had indicated his availability to accept the Presidential nomination, if the Republican nominating convention should reach a deadlock, France made a strong attack on "big business." On this occasion he returned to the philosophy of his earlier days in the Maryland Senate. The immediate occasion was an expose⁹⁴ of campaign expenditure by the backers of such prominent candidates as Major General Leonard Wood, Hiram Johnson, Frank Lowden and Herbert Hoover. The revelations of campaign expenditures, which were the subject of Congressional investigation, dominated the newspaper headlines for some days just before the conventions met. France on this occasion attacked invisible government, "big interest," and "big money," and asked for the preservation of the old order.⁹⁴

⁹⁴ The Herald Examiner (Chicago), June 1, 1920.

France's candidacy for the Republican nomination for President was first suggested in the Baltimore American, his staunch supporter from the beginning of his political career. In an editorial this paper, on April 20, 1920, said, "There can be no doubt that by his fearless defense of certain fundamental American principles on which all Americans, including our esteemed contemporary⁹⁵ and ourselves agree, Senator France has, during the last three years, become a national figure."⁹⁶

France did not enter the Maryland presidential preference primary which on May 3 was won by General Wood over Senator Hiram Johnson. It may be significant that Johnson, a leading Progressive and a man strongly admired by France, was badly beaten in this primary. And when he did announce his candidacy on May 12 it was on the basis of availability, provided there was a deadlock in the nominating convention,

As the time for the Republican National Convention approaches, it has been brought more and more forcibly to my attention that a candidate has not yet appeared who can command the support of all of the elements of the Republican party, and I have received suggestions and requests from many quarters that I should announce myself as a candidate for the Republican nomination.

The primaries have passed and I have neither sought nor am I now seeking delegates to support me for the nomination, nor do I expect my name to be submitted if any one of the other candidates is able to secure the support of a majority of the convention. I have, however, stood for certain definite principles and policies and have advocated their adoption by the Republican party, and if a situation shall arise at the convention in Chicago in which there is a deadlock and it is found necessary to turn to some candidate whose name has not heretofore been considered, I have been assured by many friends that the principles for which I would stand are such as to make me the logical choice of the convention.⁹⁷

⁹⁵ The Baltimore Sun, April 20, 1920. "Our esteemed contemporary" refers to the Baltimore Sun.

⁹⁶ Baltimore American, April 20, 1920.

⁹⁷ Baltimore American, May 13, 1920.

He was thus a candidate who realized the handicaps of his position of relative national obscurity, except as a Senator of only three years experience, but a candidate who under certain limited conditions might have a chance for the nomination.

From this time forward until the convention he made himself available for speeches and publicity, and, without attempting to build up a large organization at great expense, he succeeded in getting considerable attention. He spoke before the Society of Arts and Sciences in New York on May 18, and made public his views on the main issues before the electorate. He now appeared as a full-fledged opponent of prohibition of the manufacture of light wines and beer.⁹⁸ In this speech he also said a third party would doubtless be formed, if the two main parties did not choose men of sufficient caliber and progressivism to meet the challenge of the issues.

The response to France's candidacy was generally mild, except in Maryland. The Baltimore papers devoted a great deal of attention to it, and it received considerable attention in Washington and Philadelphia papers. The New York notices were rather brief, except for report on his speech at the Society of Arts and Sciences, but it was mentioned in Boston, Rochester, New York, Cleveland, New Orleans, Pittsburgh, Cincinnati, Chicago, Nashville, Kansas City and Milwaukee. His name was also mentioned in feature articles discussing all announced and possible candidates. One of the more interesting commentaries on his candidacy was made by Baltimore's acidulous literary

⁹⁸ Ibid., May 19, 1920.

literary critic, H. L. Mencken, who said,

The State has so long been served by jelly-fish and asses that the appearance of a man is disconcerting and even paralyzing . . . As a Senator in Congress he has committed the amazing and unprecedented offense of being a diligent, and independent, an alert, a courageous and a self-respecting man . . . Of all the 96 men in the upper body there is not one, during the great debates of the war and after, who has displayed a better temper, a shrewder understanding of the essential problems of the time, a more patient industry, or a cleaner and decenter independence.⁹⁹

France refused to be a delegate to the Convention,¹⁰⁰ but was present in Chicago as a feature writer for Hearst News Service. From that vantage point he attempted to exert influence to liberalize the party platform and put the party on record as opposed to continuation of war powers statutes. When the Maryland delegation arrived and registered in the LaSalle Hotel, France, whose headquarters were located there, was expected to receive the Maryland delegation's vote on the first ballot.¹⁰¹ However, General Wood received the vote he had won in the preference primary, and he also continued to have the Maryland support until the deciding ballot, when Harding received five votes and Hoover one. France's name was never put in nomination, although a minority of the Maryland delegation wanted to do him this honor.¹⁰² He later claimed that he could have won the nomination if the Maryland delegation had voted for him, because many other votes had been pledged to him, but these could not appear unless his

⁹⁹ The Sun (Baltimore), May 21, 1920.

¹⁰⁰ France preferred to be free of the responsibility as a delegate so that he would be in a better position to be a nominee.

¹⁰¹ Baltimore American, June 7, 1920.

¹⁰² Ibid., June 15, 1920.

own state acted. France was reported to be a "good loser" and mingled with the delegates in spite of his disappointment.¹⁰³

According to the Baltimore Sun, France did not have the support of the Maryland delegates because of his extreme views.¹⁰⁴ Some of these unorthodox views of France caused some people to raise doubts about his reliability as a defender of American economic traditions. His ideas on public health, and especially his plan for a Federal Department of Education,¹⁰⁵ caused at least one excited citizen to write a letter to the Baltimore Sun stating that he was a Socialist. A Cleveland, Ohio, paper on August 13, 1919, in a headline labeled him as favoring a "New Deal," when he suggested a labor-capital conference in Washington, because he thought that organized labor's needs and desires required more consideration.¹⁰⁶ Consideration of all the facts, however, again raises a question about the extent of France's economic liberalism. At this same time he opposed legislation limiting profits, proposed by Senator Johnson (Democrat, South Dakota) to reduce the cost of living, preferring instead to blame the high cost of living on the Government's mistakes and opposing drastic remedial legislation.¹⁰⁷ In a speech in the Senate he defended

¹⁰³ The News (Baltimore), June 13, 1920.

¹⁰⁴ The Sun (Baltimore), June 13, 1920.

¹⁰⁵ The Sun (Baltimore), August 4, 1919, printed a letter accusing France of Socialism.

¹⁰⁶ The Press (Cleveland, Ohio), August 13, 1919.

¹⁰⁷ The Evening Post (New York City), August 5, 1919.

the six day week in the coal mining industry, and supported the right of labor, and management to solve their problems by collective bargaining.¹⁰⁸

Warren Gamaliel Harding was nominated on the tenth ballot, and Calvin Coolidge was selected as his running mate. France immediately expressed complete satisfaction with the choice of Harding, an associate in the Senate, rode to Washington with him on the special train after the convention, and publicly endorse him.¹⁰⁹ Senators Hiram Johnson and Gronna, Progressive Republicans, also promised support of the party ticket. A few days later France stated that he was not interested in being a "third party" candidate,¹¹⁰ although he had previously been mentioned as a possibility, if Hiram Johnson and La Follette were not interested, and if the publisher, William Randolph Hearst, were seriously interested in supporting a third party.¹¹¹ France was actually approached in connection with such an idea in July, but declined to consider it.¹¹²

In the subsequent election campaign France played but a small role. Harding conducted his famous "front porch campaign" and needed little help.

¹⁰⁸ U. S. Congress, Congressional Record, 66 Congress, 1st session (1919-1921), pp. 7753-6.

¹⁰⁹ The Sun (Baltimore), June 13, 1920.

¹¹⁰ Baltimore American, June 24, 1920.

¹¹¹ The Sun (Baltimore), May 24, 1920.

¹¹² Ibid., July 13, 1920.

On September 25 the Baltimore American reported France endorsed Harding, O. E. Weller for Senator Smith's seat, and Sidney E. Mudd for Congress from Maryland. When Harding made an appearance in the state a few days later France greeted him officially in Baltimore.¹¹³ On October 2 he made a speech in Pittsburgh on behalf of the national ticket. France opposed the League of Nations, and defended his famous filibuster, which, by preventing passage of unnecessary appropriation bills, he claimed had saved the taxpayers a billion dollars.¹¹⁴ Strong effort was not needed to elect the Republican ticket. The Democrats were wholly disorganized. Harding and Coolidge were overwhelmingly elected, and the Republican party gained further strength in both houses of Congress.

113 Baltimore American, September 28, 1920.

114 Gazette-Times (Pittsburgh, Pennsylvania), October 3, 1920.

CHAPTER VI

LATER LIFE AND APPRAISAL

France's political career did not close at the end of the sixty-sixth Congress, on March 3, 1921. His first term as Senator had two more years to run and his immediate objective during the next year was to win reelection. He was still a young man, only 48 years of age, and appeared to have an excellent future in politics. He was already a national figure, and had received serious mention as a Presidential possibility. The Republican Party had returned firmly to power and appeared likely to remain the major party for at least several years, since the Democratic leadership was weak, and the party required reorganization. Maryland, for the first time in its history had two Republican Senators at the same time. The future looked bright for the new senior Senator from Maryland.

The end of the Sixty-sixth Congress is, however, a suitable place to terminate this study, because at this time France was at or near the peak of his career, and had substantially completed his political accomplishment. After this time the path of his political fortunes turned quickly downward. He was bitterly disappointed in the committee assignments made by the Republican leadership in the Senate at the beginning of the Sixty-seventh Congress. The Senate passed a rule to reorganize its sprawling standing committee structure, reducing the 74 of the previous Congress to 33. One of those to disappear without explanation was the one of which France was chairman, the Committee on Public Health and Quarantine. In vain France tried to get the Senate rules amended to provide for such a committee.¹ He then offered a resolution to amend the

¹ U. S. Congress, Congressional Record, 67 Congress, 1st Session, (1921-1923), p. 200.

rules to create such a committee,² but this proposal also died after being referred to the Rules Committee, which omitted the committee from the list finally submitted for Senate ratification.³ Although France was placed on the Naval Affairs Committee, he received no other important assignments, while O. E. Weller, the newly elected Maryland Senator, received several important committee assignments.⁴ France could not be depended upon as a regular party voter. His independent views would not necessarily tally with those of the Republican Party. For instance, his views on manpower, employees sharing in employers profits (as in present day Sears Roebuck, etc.) and public health were radically different from practices of the times.

During the summer of 1921 France made a trip to Russia to investigate economic conditions there. While still overseas he wrote a long series of articles for the New York World, and the Baltimore Sun. He was the first member of Congress to make a personal visit to Russia, and received a great deal of publicity in connection with this venture. This trip took him away from the Senate late in May and he was absent from the country for about four months. More important, he was out of contact with the political situation in Maryland, and with his constituents--with whom he had never been on very intimate terms. He was supremely confident of

² Ibid., p. 191.

³ Ibid., pp. 404-5.

⁴ The Sun (Baltimore), April 2, 1921.

winning a second term, but later events proved it was a mistake for him to devote this critical period to a first-hand study of a country and economic system that was of little or no significance to his hopes for reelection.

France was again intensely active in the Second Session of the Sixty-seventh Congress, beginning in December 1920, but was so intimately involved in furthering his ideas about Russia that he could make little progress toward mending his political fences. He advocated trade with Russia, the appointment of a commission to find a basis for full recognition of the Russian government,⁵ and legislation for Russian relief.

In the 1922 campaign to succeed himself in the Senate France won the Republican nomination, but only after a bitter fight. He was accused of repudiation of Republican principles and was condemned for announcing he would spend \$100,000 in the primary and a similar amount in the general election in order to insure election.⁶ But in the election campaign against Democrat William Cabell Bruce he was defeated by a margin of 20,000 votes, failing to win either in Baltimore or in the rural counties, although making a good race everywhere. A trend against the Republicans was noticeable in many parts of the country and they lost part of their majorities in both houses of Congress. France was not supported by a united Republican

⁵ The American (New York City), January 8, 1922.

⁶ The Sun (Baltimore), June 29, 1922.

Party in Maryland, because he was considered too radical, independent and erratic by many of the voters.⁷

After he served out his term France retired to Port Deposit to continue his agricultural operations on his Cecil County farm. In 1924 he made a second trip to Russia for the purpose of negotiating industrial arrangements and developing an international trading company. This company, however, was never successful. In this presidential campaign year he again became interested in the campaign for the Republican nomination for the presidency. He was first mentioned as a possibility for the nomination in the fall of 1923, but announced in February 1924 that he favored Hiram Johnson for the nomination. When it became apparent that Johnson's support was too weak for him to receive the nomination, France, as in 1920, considered himself available, but again was ignored.

In 1925 he was a member of the Republican State Central Committee, representing Cecil County, and was talked of as a candidate for the Senate again in 1926, when Weller's term was about to end. But he was not interested in making the campaign against his former supporter. On April 22, 1927, Mrs. France died, following a major operation, leaving her husband \$300,000 in cash, and the residue of her estate, which made him a millionaire, in addition to his own more modest fortune. In July of the same year he married Tatiana Vladimirovna Dechtereva of Paris, France, a White

⁷ Baltimore American, his original main newspaper support also turned against him soon after he was nominated and joined The Sun and other powerful Maryland papers in seeking his defeat.

Russian emigre. He had met her several years previously on one of his trips to Russia. The second Mrs. France was not happy as the wife of an American country gentleman and ex-Senator, however, and spent most of her time in Paris.

In 1932, after the disastrous tug-of-war between President Herbert Hoover and an unfriendly congressional majority, and the growing popular discontent with the administration's handling of the depression, France became a candidate for the Presidential nomination for the third time. On this occasion he made a vigorous campaign, entering preferential primaries in several states and making a respectable showing. However, he was given little support by party leaders and, when he tried to make himself heard in defense of his credentials as a delegate to the National Republican Convention, in spite of refusal of the Convention chairman to formally recognize him, he was forcibly ejected from the hall and confined in the police station on the convention grounds.

After this experience France retired to his farm and spent the remaining years of his life outside the political scene. He was granted a divorce from his second wife in 1938, on the grounds of desertion, but this decree was appealed and had not been finally determined when he died of a heart attack in his sleep at Cloverland, his 300 acre Cecil County farm on January 26, 1939, at the age of 65.

Adequate appraisal of France's political personality and career is very difficult. Opinions of him differ very widely, and there is even considerable variation in the descriptions of such relatively unimportant matters as his bearing and delivery of speeches. He had an impressive

appearance, some six feet in height and of medium physique, with a well-proportioned head. A Baltimore Star description of his speech before the Society of Arts and Sciences in June 1920, illustrates his skill as a speaker when seriously seeking to persuade his audience:

Senator France has a commanding appearance and manner which attracts and holds his audience. His voice is strong, with carrying power and distinct enunciation. His gestures, while forceful are at the same time graceful and appealing. He held his audience for over an hour without the slightest deviation or abatement of interest and at times aroused intense feeling and prolonged applause.⁸

His manner of delivery in Senate filibusters was in sharp contrast, because here he was trying to consume as much time as possible. During his four hour speech of February 28, 1919, France was described as follows:

The Senate chamber presented a unique spectacle. Amid the litter about the desks resulting from a long hard day, half a dozen senators lounged in their seats, chatting with one another. Occasionally, one looked up, listened to Senator France for a moment, and possibly asked a question by way of breaking the monotony. And interrupted or un-interrupted, France droned along . . . About 10 o'clock (after about three hours) Senator France 'got good' . . . He walked from the center of the chamber to the Democratic side with his hands outstretched and his voice pitched in tremolo, talking about truth and revolt and republican form of government and various other matters. Anon he stopped to smack the top of some desk repeatedly with the palm of his hand; anon he smacked loudly upon the back of some chair. After⁹ these exercises he marched quickly back and forth across the chamber.

In one of his speeches against the German Peace Treaty he was described as walking and running about the chamber several miles during the course of an hour.¹⁰ Robert M. LaFollette, to mention only one of his colleagues,

⁸ The Star (Baltimore), June 7, 1920.

⁹ The Sun (Baltimore), March 1, 1919.

¹⁰ The Sun (New York City), September 23, 1919.

also had a habit of slapping his hands together, walking about and pounding on desks during long speeches.¹¹

A short, favorable appraisal of France's political character was made in 1925: "He has the unusual power of scattering his energies without lessening their force and the exercise of effort keeps him alert . . . For several years Dr. France was a dominant figure in the arena of public affairs and he had never used his talents unworthily or supported a dishonorable cause."¹²

A more complete statement made at the time he left the Senate is also worthy of attention:

And it is not beyond bounds to say of him that he made his name known in all parts of the country by the aggressive and forceful way that he impressed his views on the people through certain of the newspapers, especially those whose policies were tinged with radicalism, even of a moderate sort. He became so ultra-radical in his opinions on the foreign policy of the government that practically every newspaper published in the state opposed him.

And yet Dr. France is one of the most scholarly and sincere men who ever represented Maryland in the national legislature. His views may be radical, erratic, and even communistic, but he believes them to be right and he never conceals them either in public or private.¹³

This appraisal was erroneous in some important respects. France's views were clearly non-communist, but favorable to international cooperation. Although not a complete supporter of organized labor, and far from being a

¹¹ The Gazette Times (Pittsburgh), September 21, 1919.

¹² Matthew Page Andrews, Tercentenary History of Maryland (Chicago, S. J. Clarke Publishing Co., 1925) Vol. III, pp. 677-8.

¹³ Paul Winchester, Men of Maryland Since the Civil War (Baltimore, Maryland County Press Syndicate, 1923), I, p. 221.

socialist, he was a staunch liberal and progressive on most issues. He was far ahead of his generation in both parties in many of his views concerning the role of the Federal Government in human welfare and in the importance of adequate military manpower. His supreme confidence in the future of America and his fearlessness of subversive influences would seem like a breath of cold, invigorating air in the overheated atmosphere of the security-conscious climate in Washington of later years. Events have proved him to have been wise on the prohibition and women's suffrage issues, on the Federal Government's responsibility in the field of public health and education, and on many other issues. Nor was he necessarily wrong about Russia. Even that problem possibly would never have become so serious, if he could have developed commerce with Russia, and have prevented the mutual hostility of the two economies from being so firmly consolidated.

By the standard of failure to win reelection and final descent into political obscurity France was a political failure, but he was far above the average of his generation in making evaluations of events that would appear wise and sensible at a future time. In order to have been a more successful politician in his own time, he would have had to compromise on so many of his ideas and ideals that he might never have escaped the intellectual mediocrity and eventual obscurity of the vast majority of his contemporaries.

At the height of his career in the Senate France had left his early Jeffersonian beliefs behind him, although he continued to be influenced slightly by them, as is evidenced by his unwillingness to have the Federal Government enter every kind of economic activity and grow to unlimited

size. He moved closer to the philosophy of Theodore Roosevelt progressivism when his views were fully developed, but on a number of issues he was further to the left. He was early aware of the development of the national problems that are now considered by the voters to be the responsibility of the Federal Government, but which many Old Guard Republicans have not yet agreed to support, such as extensive Federal programs in the fields of health, public education and employment security. Although falling short of the philosophy of the complete welfare state, the entrance of the Federal Government into the development of electric power, and the participation of organized labor in government councils, France had such liberal ideas in his own day and such a hopeful and flexible outlook that, if he were faced with the political decisions of the nineteen fifties he would probably vote on many issues with the Truman Fair Dealers or with the Eisenhower faction of the Republican Party. In this sense, like many of the Founding Fathers, France, unlike many leaders of both major parties, had vision more than adequate for his own generation, and sufficient originality and impressionability to have been a policy leader at any period of our national history.

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