PHILANDER CHASE KNOX, AMERICAN LAWYER, PATRIOT, STATESMAN.

BY HON. ALBERT J. BEVERIDGE.

It is with humility and misgiving that I approach the discussion of the character and public services of Philander Chase Knox. On the one hand, so long and intimate was my friendship with, and so strong my affection for the man, so high my admiration of the lawyer and statesman, so earnestly did I share most of his views on our public policy, foreign and domestic, that I fear that I shall exaggerate; and, on the other hand, so large, formative and enduring were his achievements for the Nation, so extensive and practical were his labors for the general good, so heavy is the debt of gratitude which the Republic owes him, that I realize that I cannot do full justice to the subject.

Two outstanding facts distinguished the career of Philander Chase Knox from that of most American public men, at least those of the period following the civil war; first, although, almost continuously during the last twenty years of his life, he held highly important offices, he never sought one of them; never so much as intimated a desire for any of them. He was chosen solely because of his conspicuous and pre-eminent qualifications.
In the second place, the public work of Senator Knox was constructive to a degree surpassed by that of only two men in our history, in an equal space of time. Whether as Attorney-General, Secretary of State, or Senator of the United States, he devised laws and policies to meet grave and momentous situations. His mind was peculiarly creative; he was distinctively a builder.

These two facts—his appointment or election to the highest offices without request, or even suggestion on his part, and the constructive character of his public labors—are the predominant features of his career.

What, then, were the origins of this remarkable man?

In 1689 the Knox family fled from Scotland to Ireland because of the political and religious disorders which, at that period, tore their native land. Thus it transpired that in 1767 William Knox, the great grandfather of Senator Knox, was born at Stony Falls, Straburn, County Tyrone.

The family was Presbyterian; but William Knox, greatly influenced by John Wesley, became a Methodist preacher. He emigrated to America in 1791, and, as an old-fashioned circuit rider of his adopted denomination, travelled and preached through Western Pennsylvania, Eastern Ohio and Virginia.

This Methodist circuit rider was the father of twelve children, one of whom, David Smith Knox, was born at Connellsville, Pennsylvania, May 19, 1805. He received such schooling as was at that time possible on the near frontier; worked in a little newspaper office; taught school; and is said to have been a merchant.

In 1836 he settled at Brownsville, Pennsylvania, and became cashier of the Monongahela Bank at that place. He, too, became the father of twelve children, the last of whom, Philander Chase Knox, the youngest son,
Philander Chase Knox.

and by the second wife, Rebecca Page, was born May 6, 1853.

The child was named after Philander Chase, the "pioneer Bishop" of the Protestant Episcopal Church, who founded Kenyon College and Gambier College in Ohio. David Smith Knox and Rebecca Page had become Episcopalians under the ministrations of Bishop Chase, whom they highly esteemed, and who died some months before the birth of their youngest son.

Young Knox spent his boyhood in the little town where he was born, and nothing unusual was observed which might indicate the gifts and powers which he displayed when he reached maturity. Like other boys in Brownsville, he attended public school in that town, and afterwards went to Morgantown, West Virginia, where for a season he was a student in a little institution of learning, the beginning of what is now the University of West Virginia.

He seems not to have been content with the instruction he received at that place, since he soon left it, and went to Mount Union College at Alliance, Ohio, where he graduated at the age of nineteen. It was while at Mount Union College that the youth met William McKinley, who was then prosecuting attorney of Starke county, Ohio, in which Alliance is situated.

Knox was on one of the college debating teams, and thus attracted the attention of McKinley, who often acted as judge of these contests. The boy was captivated by the prosecuting attorney, and often visited Canton to hear McKinley try cases and make political speeches.

The future President appears to have been the first person to realize the qualities of young Knox; at any rate, McKinley advised the student to become a lawyer. Thus was planted in the mind of Philander Chase Knox the seed of the purpose that shaped his destiny.
Money, however, was lacking to carry out his resolution, so the youth returned to Brownsville and began active life as a printer in one of the primitive newspaper offices of the country town of that period, the Brownsville Clipper. Young Knox set type, gathered news items, wrote editorials, composed the forms, and turned out the paper from the little old-fashioned hand press of the time. When Secretary of State he said: "I did everything from keeping the books to sweeping the floor and washing the rollers. I am sure I could go into a printing office to-day and set type."

While in the printing office his father died, and the youth became a clerk in the bank in which his father had been cashier. Although he sought and secured this position for the purpose of making money by means of which he could study law, his experience as clerk in the bank became invaluable to him when he entered his chosen profession, since it gave him practical acquaintance with business methods. Senator Knox himself often declared that such knowledge is indispensable to the modern lawyer.

The simplicity and inexpensiveness of living in those days is illustrated by the fact that out of his yearly salary of seven hundred dollars, young Knox was able to save six hundred dollars.

Thus financially equipped, he went to Pittsburgh and studied law in the office of Swope & Reed, the senior member of the firm being also United States Attorney for the western district of Pennsylvania.

At the age of twenty-two he was admitted to the bar of Allegheny County, and one year later he was appointed Assistant to the United States District Attorney.

When he was twenty-four years of age he resigned this office, and formed a partnership with James H. Reed, who was the nephew of David Reed, junior
partner of the firm in which he had first studied law. Immediately the new firm of Knox & Reed became successful. Senator Knox testified that "from the start we had all the business we could do; I knew nothing about the traditional waiting and starving of young lawyers."

This instant and ever increasing success of the young attorneys was due to their industry quite as much as to their talents, although both were uncommonly able young men. Senator Knox, in explaining the quick and growing prosperity of his firm, said that it was chiefly the result of hard work. "A lawyer need not be a genius," he declared, "indeed, it is not necessary for him to be brilliant. But he is obliged to be industrious and to like his calling. The law is in his books; he is compelled to go there to find it; that means work. The law found, he must know how to apply it."

Within a few years the firm of Knox and Reed became the commanding legal establishment of Pittsburgh; it was not long before Senator Knox was recognized as one of the leading lawyers, if not the foremost member of his profession, in Pennsylvania; and his reputation quickly spread throughout the whole country. His success in winning his cases, whether before court or jury, was astonishing.

It was the good fortune of Mr. Knox as a lawyer that his years of practice at Pittsburgh were during the very period of the miraculous industrial development of that city. Great wealth was accumulated by men of foresight, daring and constructive genius; and those men, as a matter of good business, became the clients of Knox & Reed. Such men were not only willing, but anxious to pay heavily for adequate legal service; and the fees paid to Mr. Knox became famous. Moreover, his clients not only appreciated his ability, but also became his friends; for he was as attractive in personal contact as he was formidable in legal conflict.
It was in this wise that Henry Clay Frick, Andrew Carnegie, Andrew D. Mellon, and other men of that quality became the intimate and devoted friends of the "little giant" of the Pennsylvania bar.

His phenomenal success as a lawyer was due not only to his powerful intellect, but also and equally to his thorough mastery of every case he undertook. He never went into court without a minute understanding of every phase of the controversy in which he was engaged; and his breadth of thought was as extensive as his care in preparation was meticulous.

His arguments were masterpieces, not only of reasoning, but of condensation. In compactness and precision his legal efforts were very much like those of Alexander Hamilton. Few lawyers have ever lived who could say so much in so few words.

It was on the occasion of the delivery of one of his superb presentations to a court that my acquaintance with Mr. Knox began. In 1894 he came to Indianapolis to argue the case of the Citizens' Street Railroad Company vs. The City Railway Company. He represented Pittsburgh clients who had purchased the property of the plaintiff. The leading lawyers of Indiana appeared on either side. General Harrison was the senior counsel for the Citizens' Street Railroad Company.

The argument occupied several days, each lawyer who spoke consuming from half to an entire day, and more. Mr. Knox closed the case, speaking for less than three-quarters of an hour. His argument held court, counsel and spectators literally "spell-bound," if such an expression can be properly used in that connection; everybody sat in rapt attention.

But the enchantment was wholly intellectual; it was the wizardry of pure reasoning, so clear, so tersely and simply expressed that it was more captivating than the best emotional eloquence.
I called that night on Mr. Knox at his hotel to congratulate him, and spent a delightful hour with him. I found him as engaging in private conversation as he was convincing in legal arguments. Thus began a friendship which never wavered nor diminished, but grew steadily stronger throughout the years until the day of his death.

It was in this case that the now famous and entirely true story about the comparative fees of himself and General Harrison originated. Both Harrison and Knox were very modest men; and the former inquired of his junior what Knox thought Harrison’s fee ought to be.

“What did you think of charging?” asked Knox.

“Why,” answered Harrison, “I was wondering if $25,000 would be too much; of course, since I am the senior counsel, you, Knox, could not expect such heavy compensation; but do you think our clients would object to paying the amount I have named?”

“Oh, no,” answered Knox, quite casually, “I imagine they will be glad to pay you that sum.”

So General Harrison received $25,000 for his services, while the fee of Mr. Knox was several times that amount. I have heard that it was $250,000.

For almost exactly a quarter of a century Mr. Knox devoted his attention exclusively to the practice of law. While he was a staunch Republican, he nevertheless gave no time nor attention to politics. He sought no offices, attended no conventions, made no political speeches; but by reason of his concentration upon his profession, he was, during all this period, receiving a well-nigh perfect preparation for the mighty and constructive public work which, at a critical hour in the country’s history, he was called upon to do.

When William McKinley was elected to the Presidency, he asked Mr. Knox to become Attorney-General; but he declined because he felt that he could not yet
afford to give up this immense law practice, then reaching the zenith of its prosperity. Six years later, however, at the beginning of President McKinley's second term, and upon the resignation of John W. Griggs from the office of Attorney-General, the place was again offered to Mr. Knox, who then accepted it. No similar act of President McKinley's administration was so fortunate for the country.

Thus Philander Chase Knox stepped into the Cabinet, without so much as a suggestion on his part, and with nothing to recommend him except his well-nigh perfect equipment for the position.

He at once began the discharge of the duties of Attorney-General with that efficient ease possible only to a master of the profession; and to one temperamentally fitted for the task. It was often remarked by those who knew the work of his department that Mr. Knox was so well suited to that particular office that it seemed as though he had always been Attorney-General.

When Theodore Roosevelt became President, he asked Mr. Knox to continue in the position. Thus it was that when the long impending struggle between tremendous aggregations of capital which acted above and beyond the law on the one hand, and the government of the American Nation on the other hand, came to a head, Philander Chase Knox was chief of the legal department of the government.

The conflict was as inevitable as it was fundamental. One of the great journals of America, and of the world, which had bitterly opposed President Roosevelt during his lifetime, declared in an appreciative editorial after his death, that never were the people of the United States so near a feeling of revolution as at the time when that brilliant and fearless President waged the historic battle to compel the mighty power of organized wealth to yield to the just authority of the National Government.
The controversy, which in fierceness has never been surpassed in American political history, involved no less a matter than the transition of industrial and financial control from the methods of an old and outlived order to the methods of a new and living order of things.

The preceding half century had witnessed the occupation of a continent by the ever multiplying millions of the American people. Free land had practically disappeared. Our population had reached its last frontier, the Pacific Ocean, and had turned back on itself. Great trunk lines of railway had connected our far-flung coasts; over night populous cities had sprung up, historically speaking; the necessities of the people caused the quick development of tremendous industries.

No such expansion had ever before occurred in the whole history of the world. It was all quite natural, all quite necessary, since the little concerns of former times could no longer serve the needs of our widely scattered and rapidly increasing population.

But these prodigious modern corporations engaged in production and transportation employed the individualist methods and operated under the individualist rules and maxims of a by-gone day. They did as they pleased, considered themselves as private enterprises, not charged with any public duty. The dominant idea of the powerful men who controlled them, made unwise and arrogant by wealth and power, was to pile up riches as rapidly as possible in disregard of the public interest.

So strong had they grown that these banded autocrats of capital thought themselves above all law, and independent of the government itself. Indeed, they undertook to control the government. They dominated legislatures, made governors, chose senators and congressmen. After years of reflection I feel that it was with entire accuracy that at the climax of
the fight, I branded this political-financial combination "the invisible government."

To overthrow this non-public power, to bring these immense aggregations of capital under the operation of public law, to make them recognize and perform their duty to the people, to assert and maintain in practical effect the authority of the Nation, all this constituted the herculean labor which the administration of Theodore Roosevelt had to perform.

The principal labor involved in the performance of this historic task fell upon the shoulders of the Attorney-General of the United States. Happy for America in this elemental crisis that that officer happened to be Philander Chase Knox. In view of what had to be done, and what actually was accomplished, devout men and women may well regard the occupancy of that particular place at that particular time as having been providential.

Directing minds of the most extensive corporations in the country were literally running riot. In the language of Mr. Knox, speaking in New York in 1904: "For purposes widely disassociated with legitimate commerce, financial devices were employed to gain control over the vast business of the country." Over-capitalization, rebates, pooling, lawless crushing of competition, and other practices now universally regarded as intolerable evils were being perpetrated. It was incredibly short-sighted, foolish and wicked; but such is the inevitable effect of unrestrained power.

The packing industries combined to fix unjust prices, thus exacting piratical toll from both producers of cattle and consumers of meat products. The railroads entered like combinations, and by unfair discrimination ruined thousands of those whom they did not favor, to the extravagant enrichment of others. Device after device was invented to make the channels of public commerce mere private avenues of personal gain.
This process of monopolistic industrial and financial control for non-public purposes reached its climax in the formation of the Northern Securities Company, formed for the purpose of taking over and operating three of the greatest railway systems in the world, which previously had been competing lines from and to identical termini.

The American public was dangerously aroused. In this emergency President Roosevelt asked Attorney-General Knox whether these practices were covered by the so-called "anti-trust" law. After characteristic thought and examination, Mr. Knox gave it as his opinion that they were within that statute. Thereupon the Attorney-General was directed to proceed in the courts to enjoin these illegal methods.

So began the celebrated anti-trust actions by the United States against the most powerful financial and industrial organization the world has ever seen; and thus was laid down the economic, legal and political policy, the steady and effective adherence to which was one of the principal elements that made the Roosevelt administration historic. In carrying out his moral and economic purpose Theodore Roosevelt relied upon the constructive mind and legal skill of Philander Chase Knox.

On October 14, 1902, while these great suits were pending, Mr. Knox delivered a speech before the Chamber of Commerce of Pittsburgh, Pennsylvania, which outlined and explained the business policy of the administration. That address amounted to a state paper of the first rank. Everywhere it was accepted as a statement of principles and plans upon the execution of which the administration had irrevocably determined. It was a forthright challenge to men and interests who had hitherto believed themselves to be dominant in the financial, industrial and political life of America; and it was made the more impressive that
it fell from the lips of the one person whom these men and interests most respected for his ability, resourcefulness and learning in the law.

In this important address Mr. Knox frankly recognized that these vast combinations were, in themselves, not only legitimate, but necessary. "Their number and size alone appall no healthy American," he said. "Because they are great and prosperous is no sufficient reason for their destruction." He complained only of their "defiance of the natural rights or recorded will of the people."

He thus set out the evils which these combinations were practicing: "Over-capitalization, lack of publicity of operation, discrimination in prices to destroy competition, insufficient personal responsibility of officers and directors for corporate management, tendency to monopolize, and lack of appreciation in their management of their relations to the people for whose benefit they were permitted to exist."

He defined over-capitalization as "the imposition upon an undertaking of a liability without a corresponding asset to represent it;" and he showed with a simplicity which the dullest could not misunderstand, and the most astute could not evade, the hurtful results of over-capitalization upon everybody except the few who practiced that "fraud," as the Attorney-General branded it.

He asserted that trading corporations engaged in interstate commerce "should be required to do business in every State and locality on precisely the same terms and conditions;" carriers should "be compelled to keep the avenues of commerce free and open to all upon the same terms, and to observe the law as to its injunction against stifling competition," and to "conduct their business so as to regularly and reasonably supply the public needs."

He laid down the constitutional principle that Con-
Philander Chase Knox.

gress has the power to "protect commerce between the States from being restrained by State corporations and combinations engaged in interstate trade, when their purpose or effect is to destroy the freedom of such interstate trade, and when their operations are, besides, injurious to the general public."

The Attorney-General then described the suits that he had brought: The railroad injunction suits; the cotton pooling case; the beef-trust cases; the Northern Securities case; and he explained that "the first related to the monopolistic practice of secret and preferential rates for railroad transportation; the second to railroad traffic pooling; the third to a combination of independent corporations to fix and maintain extortionate prices for meats; and the fourth to a corporation organized to merge into itself the control of competing lines of railroad and eliminate competition in their rates of transportation."

At the time these suits were commenced, very few of the leading members of the profession believed it possible under existing statutes, and even under the Constitution itself, to thus curb and control the operations of these prodigious concerns, each of which was chartered under state laws; but Mr. Knox was successful in every case, and his victories were among the most notable in the annals of litigation.

From the very beginning of the struggle it was obvious that existing laws were defective; but even the ablest men were puzzled as to how admitted evils could be corrected by Constitutional legislation. For the first time in our history, the Chairmen of the Judiciary Committees of both House and Senate formally asked the Attorney-General to recommend new legislation.

Mr. Knox responded in a letter stating just what further statutes were needed. Indeed, he, himself, wrote much of the vitally important legislation pre-
venting rebates, pooling, and other nefarious practices; and also giving courts the power to speed cases involving the public interests. The publicity required of corporations by the law creating the department of commerce and labor was the idea of Mr. Knox; in fact it has been said that he wrote this statute.

When the famous Northern Securities case reached the Supreme Court, Mr. Knox himself made the argument for the government. It was at the time universally conceded that it was his masterful presentation which won that celebrated controversy.

It is, of course, impossible in remarks like these, to give even a synopsis of the Attorney-General’s reasoning. It was, perhaps, his supreme effort in legal engagements. Although opposed by the ablest lawyers of America, every one of whom, in addition to professional pride and fidelity to clients, also earnestly and honestly believed he was right, everybody admitted that the argument of the Attorney-General was the surpassing intellectual performance of that great occasion.

When the purchase of the rights and property of the French Company that had striven to build the Panama Canal was under consideration, Mr. Knox, as Attorney-General, went to Paris to conduct the negotiations. He found a welter of international complications and legal tangles; but he mastered the situation and brought back a title which the whole world conceded to be absolutely valid. From the beginning of that gigantic project, Mr. Knox was one of the directing minds. The extent to which the successful prosecution of that tremendous undertaking was due to the resourcefulness of Mr. Knox, will, perhaps, never be fully known; but it is safe to say that without his aid the Canal would not have been built so soon, if at all.

Other examples of his service as Attorney-General were: His intervention in a private law-suit to restore
the validity of the safety appliance law, which had been held unconstitutional, thus saving and making effective that great instrument for the protection of millions of railway employees. This was the first time in our history that the Government took such action; his institution, also for the first time, of the prosecution of those practicing peonage, whose conviction and punishment he secured; his successful defense of the Chinese Exclusion Law, and of the statute against alien anarchists; his victorious fight against the traffic in lottery tickets between States; his pursuit and punishment of those guilty of the gross postal frauds of 1904; his triumphant handling of the proceedings to extradite Gaynor and Greene, carrying this case to the Privy Council in London on an appeal from a decision of the Canadian Courts, which the leaders of the American and British bars had declared to be final; his superb management of the negotiations for the laying of the Pacific cable.

These are instances of the extent and quality of Mr. Knox's services to the Republic as Attorney-General of the United States. It is well within the truth to say that of all the eminent men who from the beginning have filled that important position, not one of them approached the great, beneficent achievements of Philander Chase Knox.

His next office came to Mr. Knox, as that of the Attorney-General came to him, without his solicitation or request. Upon the death of Senator Matthew Stanley Quay, of Pennsylvania, Governor Pennypacker appointed Mr. Knox to fill the unexpired term and he was unanimously elected by the next legislature, and again re-elected for the full term. These appointments and elections were the results, solely and exclusively, of the universal recognition of Mr. Knox’s ability and character. He was sent to the Senate as he had been brought into the Cabinet, solely and ex-
clusively because of his high qualifications for these great positions.

The most noteworthy service performed by Senator Knox during his first four years in the Senate was in the drafting and support of the Railway Act of 1906. On March 28th of that year, Senator Knox delivered in the Senate, an address that was unsurpassed by any other made during that prolonged, earnest and altogether remarkable debate; in fact, the speech of Senator Knox was unequalled, except perhaps by those made by two other Senators.

Indeed, that celebrated and vital statute was largely the product of Senator Knox's fertile mind. It was drawn along the lines laid down by him in a speech made not long before in Pittsburgh, which Senator Jonathan P. Dolliver, of Iowa, declared on the floor of the Senate, "read like a judgment of the Supreme Court."

January 16, 1907, Senator Knox addressed the Senate on President Roosevelt's action in discharging from the army, the Negro Regiment, members of which had rioted and shot citizens at Brownsville, Texas. He proved conclusively that the Commander in Chief of the Army has the power exercised in this case. In that animated debate, no speech had such convincing effect on the Senate and the Country as did this argument of Mr. Knox.

Again Mr. Knox was called to the Cabinet; and this time to the first place,—that of the Secretary of State, to which position he was appointed by President Taft on March 4, 1909. Once more the call came without so much as an intimation from Mr. Knox that he would like the place. Once more, too, he was chosen solely and exclusively because of his great ability and high character—chosen solely and exclusively because of his rare equipment, natural and acquired.

And Mr. Knox accepted, just as he had accepted the
office of Attorney-General and that of United States Senator, solely and exclusively to render public service, and not in the least as a matter of pride or ambition.

As Secretary of State his policy was to encourage and extend American business in other countries, and to protect legitimate American interests everywhere on earth; to build up friendship for and confidence in the United States on the part of all nations, and especially the republics of Central and South America; and to promote the settlement of international disputes by treaties of arbitration.

Since the dominant note of his foreign policy was the enlargement and safeguarding of American interests in foreign lands, a well-known type of professional idealist who then had the public ear, branded his entire administration of the State Department as "dollar diplomacy," to which Mr. Knox retorted, with gentle but effective sarcasm, that he was very glad to avail himself of the American dollar if, by so doing, he could advance the power, prestige and prosperity of the American people.

In the Spring of 1912, Secretary Knox visited the Central American States, Venezuela, Colombia and Cuba. He made this journey to allay the suspicion and distrust felt by Latin America, and aroused by the agents of foreign nations, who used for that purpose the alleged intentions of the United States in building the Panama Canal, soon to be opened; and to prepare the soil and to sow therein the seeds of mutual understanding and esteem between these nations and ourselves.

During this journey, he made thirty-two speeches, some of which were comprehensive, though all were becomingly brief. In these speeches he stated America's policy towards Central and South America in terms as lucid as they were persuasive. He demon-
strated that, for the United States and every nation on the Western hemisphere "our greatest interests are those that are common to us all."

He beseeched Central and South Americans to impress upon the world that "ours is a Pan-American union of lofty Pan-American public opinion, doing justice and exacting justice, disclaiming ignoble suspicion, and putting to scorn international acts of unworthiness when, unhappily, they may be found amongst us." "My Government does not covet an inch of territory south of the Rio Grande; but is eager to do all it can to preserve the stability of our Sister American Republics." He spoke of the completed canal in the same spirit of his first public utterance on that subject, at the time that mighty enterprise was in its incipiency, when he said in Philadelphia in 1904, that the proposed joining of the oceans "concerns the planet upon which we live, involving a vital change of the relations of grand divisions of that planet to each other;" and he prophesied that "the changes proposed and the work projected will outlive most of the present governments of the world."

At the close of President Taft's administration, Mr. Knox retired to his farm at Valley Forge, and for three years indulged in study and repose. Apparently the thought of further public service did not enter his mind; but, when George T. Oliver voluntarily left the Senate in 1916, Mr. Knox was chosen as his successor, as a matter of course.

Several able and worthy gentlemen had ambitions for the place, but the reputation of Mr. Knox for ability, courage and integrity was so firmly established, and the desire of the people that the State should be served by its ablest son was so pronounced, that Mr. Knox was made his party's candidate, not only without opposition, but by general consent and November 6, 1916, he was overwhelmingly elected. Thus for
the fourth time he found himself occupying one of the most important offices in the nation without the slightest effort on his part, and even without so much as a suggestion from him.

Composed and self-contained as he was by nature, and reserved and balanced as he had schooled himself to be, Mr. Knox became as a living fire when America declared war against Germany, and the flame of his patriotic devotion grew stronger and brighter until the hour of victory.

When the German Government boasted of the tonnage destroyed by its submarines, Senator Knox presented a resolution requesting the President to requisition interned enemy vessels. He pointed out that if these vessels were requisitioned by executive order the government would not be subject to any claims except compensation for use, whereas if the ships were taken in any other manner the government might be subjected to claims for compensation for the value of the ships.

It was asserted that the slowness of the First Liberty Loan was due to the apprehension of the people that the President was being given too great power to conduct the war. Senator Knox objected in a short but heated speech—"The more responsive Congress is to the suggestion of clothing the President with real power that he can utilize in the conduct of the War," exclaimed Senator Knox, "the higher the credit of the United States will be."

He strongly defended the practice of the allied powers in the economic coercion of neutral states. He asserted the wisdom and righteousness of "economic and political and moral pressure upon neutrals in such a struggle." On another occasion he avowed that, in war times, the Chief Executive had the uttermost power over railways. "If," said Senator Knox, "the exigencies of war demanded, the President of the
United States could take possession of the railways of the United States and use them for the purposes of the government."

Patient and complacent as he was, trivial or unnecessary discussion in the Senate during this critical period sharply irritated Senator Knox. Upon one occasion he rebuked his associates stingingly: "I want to make my personal protest against the Senate meeting here and discussing matters that will amount to nothing. We are not a moot court."

In his zeal Senator Knox went to the extreme of constitutional construction. For example, speaking of railway legislation, he declared that Congress was legislating not under the Commerce Clause of the Constitution, but "under the war power." At another time, in an elaborate speech, he maintained that for the purpose of raising war revenue Congress had power to tax state and municipal bonds.

Yet, he frequently pointed out the defects of hasty measures that were unmistakably violative of the Constitution. For instance, when, immediately after our declaration of war, a bill regulating exports was reported from the Committee on Commerce, Senator Knox, glancing at it, instantly pointed out that it was plainly unconstitutional, since it gave the President power to discriminate between ports.

These are examples, taken at random, illustrative of the attitude, state of mind and legislative activities of Senator Knox while the war was in progress. Earnest and industrious as every member of each House was throughout the war, it is safe to say, that no one was more useful to his country, or more efficient in the discharge of his duties, than was Philander Chase Knox.

It is necessary to grasp this fact firmly in order to understand the unselfish, non-partisan and patriotic motives that inspired Senator Knox in his course from
the signing of the armistice to the day of his death. Indeed, before hostilities ended, but when the collapse of Germany was obviously impending, Senator Knox became apprehensive as to the kind of peace that might be concluded.

On October 28, 1918, he made the first of that series of speeches which, taken together, are unsurpassed, and have rarely been equalled in the history of American eloquence and statesmanship. In this first of these remarkable addresses he demonstrated that the ending of the war and the founding of a peace are not the same transaction; are not controlled by the same reasons, and should not be consummated at the same time.

The ending of the war, he showed, involves our war aims; the founding of peace involves everything correlative to our war aims. "The ending of a particular war, and the firm founding of the future general peace to follow it, may well be regarded as two separate functions," he said.

In the second speech on the reason of our declaration of war, he declared, "there is no need that American troops should travel thousands of miles for any other purpose than to ward off a menace to vital American interests."

On March 1, 1919, Senator Knox delivered the first of his trilogy of speeches against the League of Nations. At that time a terrific clamor had been raised for the immediate ratification by the Senate of the proposed covenant. The press blazed with wrathful editorials, demanding instant and favorable action; the pulpit thundered with mingled appeal and denunciation; a great organization, with agents in every state, county and city in the land, strove to arouse public sentiment for the speedy adoption of the proposed international plan.

It was under these circumstances, when to advocate
delay, or even suggest time for examination and dis-
cussion of the covenant, seemed to mean political ruin
of any public man, that Senator Knox exclaimed
with uncharacteristic fervency—"Why this feverish
anxiety for the adoption of this plan? Why is there
this racing up and down over the face of the whole
land by propagandists, urging its adoption? . . .
Who are the beneficiaries of this betrayal of our
people? No nation threatens us; no group of nations
seek our destruction; never before were we relatively
so strong. War itself, that great curse of mankind,
is further away from us today than it has been for
centuries."

Again on June 17, 1919, Senator Knox took the
floor on the same subject. Those who were accustomed
to hear from him only cold reasoning, without emotion,
were astonished by the ardor of the feeling he dis-
played. With supreme eloquence he plead against
partisan action in the consideration of that treaty, or
any treaty. He said that "the executive or judiciary
has no necessary constitutional function to perform
in determining whether or not we have a cause for
war, what that cause is, or that declaring war, or
declaring to what ends it shall be prosecuted. These
are matters for Congress and for Congress alone."

He demanded time for discussion and consideration.
He pointed out that every other great question in our
whole history had required years for examination and
debate before a decision was reached; and he asked
whether it was wise or reasonable to conclude this, the
most important ever presented to the American Senate
precipitously, without knowledge of the subject, and
under the whip and spur of a manufactured, unin-
formed and necessarily transient public sentiment.

It was in this speech that Senator Knox set forth
the rule that guided him, not only through that his-
toric discussion, but throughout his whole career:
"I come to the subject . . . wholly and simply as a plain American citizen, filled with a zeal to do what is best and wisest for his country."

His speech of March 1 had been on the covenant as first published. Largely because of his powerful attack, that instrument was changed, in several respects; and, thus altered, was finally laid before the Senate. The speech of June 17, therefore, was upon the revised covenant—the "refurbished covenant," the "newly vamped" covenant, as he scornfully called it.

This really wonderful address will rank with Webster's second reply to Hayne in the Senate, and Marshall's decisive argument in the Jonathan Robins case in the House.

No congressional debate since our government was founded was more brilliant, learned and commanding than that which occurred in the Senate over the covenant of the League of Nations, and which finally led to the rejection of that instrument. Indeed, few parliamentary engagements in our history equal that which occurred in the Senate in this historic controversy; but, it was the consensus of opinion among his colleagues on both sides, that of the many able, brilliant and eloquent speeches made in that debate, none had so great an effect upon the Senate and the country as did the speeches of Senator Knox.

These arguments and addresses were upon the League of Nations, our reasons for declaring war, and the purposes of our militant action. In none of them did Senator Knox examine the main body of the Treaty of Peace. But, on August 29, 1919, he addressed the Senate on that subject. He analyzed that bulky and involved document with the same keenness and clarity which he displayed when Attorney-General in his warfare against illegal practices of capital; yet, so hot was his wrath at what he believed to be wrong and folly of the treaty, that he could not suppress his
passion, and occasionally his indignation would burst forth like a tongue of flame.

No more courageous utterance ever fell from a statesman’s lips. The country was seething with hatred of Germany and all things German; few had read and nobody understood the treaty; but the public assumed that it was wise, righteous and practical, and clamored for its immediate ratification. Yet, at such a time, he declared early in his argument, that “the instrument before us is not a treaty, but the truce of Versailles.” Solemnly he asserted: “There is, I warn you, Senators, many another Alsace-Lorraine in the treaty laid before us for action.” He said that China “has the sole distinction of being robbed by her allies.” He called the compact “the hardest treaty of modern times;” and said that certain parts of it “were so fantastic that it is difficult to believe our wildest dreamer would, on study, care to adopt it.”

He dared to say that the labor provisions of the treaty were mere hypocrisy, or, if enforced, would “wreck the world.” The treaty, he declared, imposed “a hard and cruel peace;” it was, he insisted, a treaty whose terms Germany will not be able to meet, “a treaty that lays the foundation for centuries of blood-letting.”

Senator Knox outlined what action we ought to have taken when the armistice was signed. He said that when Germany was defeated, and the empire destroyed “there we, who sought no territory, no indemnity, no aggrandized power, should have rested, signed our peace when our associates made peace, and quit war as we entered it, still free and independent, masters of our own destiny, able to work for the benefit of all mankind, unhampered by entangling alliances and commitments.”

These excerpts from this astonishing address, made at the time and under the circumstances, illustrate
the supreme moral bravery of Philander Chase Knox. Few men, no matter how firm their conviction or how strong their courage, would have dared to express such sentiments as those I have quoted, with the public mind in the condition it then was; although no man was more sensible of his hazard than was Senator Knox, he entirely disregarded it.

During the past year Lord Bryce, in opening the notable conference at Williamsburg, Mass., condemned the Treaty of Versailles in terms even stronger than those employed by Senator Knox two years earlier; for, with that clarification and coolness which time always gives to the most confused subjects and most heated prejudices, all publicists everywhere now see that the criticisms of the Treaty of Versailles made by Senator Knox in 1919 were and are accurate and just.

His final work was the drafting of the joint resolution of Congress declaring war to be at an end; and the masterful speeches he delivered in support of that novel, but, as he demonstrated, sound, wise and necessary measure. In this matter he was earnestly opposed by able men as had been the case throughout the entire treaty fight; and, indeed throughout his whole public career. But his argument was never answered to the satisfaction even of his adversaries; and the purity and patriotism of his motives were gladly conceded by all who knew him, whether friend or foe.

Senator Knox was seriously concerned about the future. He believed that the period upon which we have entered will be the gravest, economically and politically, through which the nation ever passed. He feared that the Republic would be inveigled into foreign complications. He was sharply suspicious and apprehensive lest certain influences would succeed in "pulling us into the League by the coat-tails through the back door," as he quaintly expressed it to me.
The well-being of the American people, the righteous power and beneficent glory of the American Nation were so dear to him that his feeling on the matter amounted to a religious passion. He was the reincarnation of the spirit of America's heroic period. His patriotism was as exalted, fervent and devoted as was that of Washington and Lincoln and the men of those crimson days that "tried men's souls." His heart was so over-flowing with love and loyalty for America, that there was in that heart no room for any other and alien love and loyalty whatever; and to the maintenance of his convictions he marshalled all the forces of his marvelous mind and employed them with a courage undaunted by danger, unweakened by ambition.

His death, especially at this particular time, was a national catastrophe, for the Republic sorely needs his staunch Americanism, his great intellect, his splendid prestige. But no matter what befalls, Philander Chase Knox will forever have a distinguished place among America's immortals.