condition not to go out in the cold wind and sit with the committee, but the Senator would not heed the efforts of his friends, but, in what he regarded as a discharge of duty, made his way to the front of the inaugural platform, took his seat, and remained there until the inaugural ceremonies were over, exposed to a cold north wind, from which exposure he took the severe cold, resulting in fatal illness of only three days' duration. He thus literally laid at his post; he fell on the firing line.

Mr. Speaker, to state all that occurred in the life of Senator Bates that is useful and instructive to the people of his State and nation would fill a large volume. It is impossible on this occasion, but I hope some gifted writer will do justice to his name and fame and leave in enduring form a full and complete history of the public and private acts of this good and great man.

Mr. Speaker, I had the honor to be on the committee appointed by the Speaker of the House of Representatives to attend the funeral and burial of Senator Bates, which took place at Nashville, Tenn., with military honors, on the 25th day of March, 1865. Tennessee has had many great and well-beloved men, and her people love to show their love for her great and glorious dead; but I never heard of and certainly never saw the attendance of so large a gathering of the people of Tennessee at the funeral and burial of any other man as was in attendance at that of Senator Bates.
The people of every walk of life from every quarter of the State came in mourning and with bowed, bared heads paid the hero dead the last but loving tribute of their love and respect by the shedding of unaffected tears. Though dead, yet he lives in the example of his life and best life by the following of whose teachings all the world may be made better.

The SPEAKER pro tempore. In pursuance of the resolutions heretofore adopted, and as a further mark of respect to the deceased Senator, the House will stand adjourned. Accordingly (at 5 o'clock and 42 minutes) the House adjourned.

SENATE.
MONDAY, JANUARY 21, 1907.

Prayer by the Chaplain, Rev. Edward B. Hale.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. Gallinger, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

SHORTEST OF CARS.
The VICE-PRESIDENT laid before the Senate a communication from the Interstate Commerce Commission, transmitting, in response to a resolution of the 14th instant, a transcript of the testimony taken by the Interstate Commerce Commission at St. Louis, Mo., on December 19, 1906, and at Kansas City, Mo., December 20 and 21, 1906, in the matter of car shortage and other insufficient transportation facilities; which, with the accompanying paper, was referred to the Committee on Interstate Commerce, and ordered to be printed.

INVESTIGATION OF BLACK SANDS OF PACIFIC SLOPE.
The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 14th instant, a letter from the Director of the Geological Survey, forwarding a report on the progress of the investigation of the electric smelting of iron ores, included in the investigation on the black sands of the Pacific slope, and stating that, in his judgment, the work of the investigation should be continued and an adequate appropriation made therefor; which, with the accompanying papers and illustrations, was referred to the Committee on the Geological Survey, and ordered to be printed.

WATER CONTROL AT FORTIFICATIONS.
The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War, submitting a supplemental estimate of appropriation for fire control at fortifications, $2,560; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

PURCHASE OF COAL.
The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War, submitting a supplemental estimate of appropriation for fire control at fortifications, $2,560; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

FRENCH SPOLIATION CLAIMS.
The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1889, in the French spoliation claims set out in the annexed findings by the court relating to the vessel schooner Columbus, James Fullerton, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

Mr. LODGE presented the credentials of Winthrop Murray Crane, chosen by the legislature of the State of Massachusetts as a Senator from that State for the term commencing March 4, 1907; which were read and ordered to be filed.

Mr. ALLEE presented the credentials of Harry A. Richardson, chosen by the legislature of the State of Delaware as a Senator from that State for the term beginning March 4, 1907; which were read and ordered to be filed.

EFFICIENCY OF THE ARTILLERY.
Mr. KEAN. On Friday last I entered a motion to reconsider the vote by which the bill (S. 2823) to increase the efficiency of the artillery of the United States Army was passed. Now that Senators have had notice of the passage of the bill, I withdraw my motion to reconsider.

The VICE-PRESIDENT. The Senator from New Jersey withdraws his motion to reconsider, and the bill stands passed.

PETITIONS AND MEMORIALS.
The VICE-PRESIDENT presented a memorial of sundry Hebrew citizens of Savannah, Ga., praying for the enactment of legislation to continue the minimum duty imposed by the German Government on green and dried apples; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Woman's Club of East Orange, N. J., praying for the enactment of legislation to regulate the employment of child labor and providing a public playground for children in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented the petition of J. W. Hamer, of Beverly, N. J., praying for the enactment of legislation to increase the efficiency of the personnel of the Navy; which was referred to the Committee on Naval Affairs.

Mr. PLATT presented memorials of sundry citizens of Brooklyn and Lockport and Onondaga County, No. 10, Junior Order of United American Mechanics, of Syracuse, all in the State of New York, remonstrating against the enactment of legislation to restrict immigration with the educational test clause omitted; which were referred to the Committee on Immigration.

Mr. KEAN presented a petition of sundry citizens of Borden-town, N. J., praying for an investigation into the disposal of the funds of the three companies of the Twenty-fifth Infantry; which was referred to the Committee on Claims.

He also presented the petition of J. W. Hamer, of Beverly, N. J., praying for the enactment of legislation to increase the efficiency of the personnel of the Navy; which was referred to the Committee on Naval Affairs.

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Mr. KEAN presented a petition of sundry citizens of Borden-town, N. J., praying for an investigation into the disposal of the funds of the three companies of the Twenty-fifth Infantry; which was referred to the Committee on Claims.

He also presented the petition of J. W. Hamer, of Beverly, N. J., praying for the enactment of legislation to increase the efficiency of the personnel of the Navy; which was referred to the Committee on Naval Affairs.
The resolutions were referred to the Committee on Commerce, and ordered to be printed in the Register, as follows:

[Forty-fourth general assembly, special session.—Chicago Drainage Canal.]

Whereas the Congress of the United States is now considering the reorganization of the International Boundary Commission; and

Whereas said report contains a recommendation that the amount of water now diverted from the Anacostia River and thence into the Chicago Drainage Canal be limited to 10,000 cubic feet per second; and

Whereas said limitation would entail the expenditure of $50,000,000 already expended by the sanitary district of Chicago to secure proper disposal of sewerage effluents; and

Whereas the amount of water to be diverted for domestic and sanitary purposes should under no circumstances be limited by a treaty or convention, but may be diverted for the purpose of thus placing the sanitary district of Chicago—organized to preserve the health of the people—upon the same footing as other similar cities, and render successful the efforts of the states to protect the health of the people of Illinois and of the city of Chicago; and

Whereas the amount of water necessary for the purpose of regulating the gulf of water in the Illinois River is all that need be diverted; and

Resolved, That a copy of this resolution be forwarded to the President of the United States, and to the Secretary of State, and that the Secretary of State be instructed to present it to the President of the United States, and to the Senate and House of Representatives of the Congress of the United States, in aid of the treaty to be hereafter entered into between the United States and Great Britain relating to the Boundary dispute between the two countries; and

Resolved, That the Secretary of State be requested to present to the Senate and House of Representatives of the Congress of the United States, in aid of the treaty to be hereafter entered into between the United States and Great Britain relating to the Boundary dispute between the two countries, a statement setting forth in detail the necessary facts respecting the condition of the sanitary district of Chicago, the necessity of protecting the people of Illinois from the invasion of the gulf of water in the Illinois River, and the condition of the city of Chicago; and

Resolved, That in any legislation to be hereafter enacted by Congress providing for the establishment of postal savings banks, the Secretary of the Treasury be requested to report the necessary details to the Senate and House of Representatives of the Congress of the United States, of the condition of the sanitary district of Chicago; and

Resolved, That a copy of this resolution be forwarded to the President of the United States, and to the Secretary of State, and that the Secretary of State be instructed to present it to the President of the United States, and to the Senate and House of Representatives of the Congress of the United States, in aid of the treaty to be hereafter entered into between the United States and Great Britain relating to the Boundary dispute between the two countries; and

Resolved, That in any legislation to be hereafter enacted by Congress providing for the establishment of postal savings banks, the Secretary of the Treasury be requested to report the necessary details to the Senate and House of Representatives of the Congress of the United States, of the condition of the sanitary district of Chicago.
the so-called "anti-injunction bill;" which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Chicago, Cleveland, Sterling, Calo, Moomouth, Bement, and Perapia, and of the Illinois State Grange, Patrons of Husbandry, all in the State of Illinois, praying that an appropriation be made for the construction of a new and deep water-car from the Lakes to the Gulf of Mexico; which were referred to the Committee on Commerce.

He also presented the petition of Mrs. Jane H. Wilson, of Joliet, Ill., praying for the enactment of legislation granting a pension to every surviving widow equal to that which her husband received at the time of his death, provided it is not less that $12 per month; which was referred to the Committee on Pensions.

He also presented memorials of sundry citizens of Effingham, Danville, and Quincy, and of the International Stereograph Company, of Decatur, all in the State of Illinois, recommending against the enactment of legislation to amend and consolidate the acts respecting copyright; which were referred to the Committee on Interstate Commerce.

Mr. KNOX presented petitions of Dunmore Connell, Junior Order United American Mechanics, of Dunmore; Local Council No. 70, Junior Order United American Mechanics, of Pittsburgh; C. W. Biddinger, of Steelton; F. W. Rutter, of Verona, of the Orangeee Mechanics; of Johnstown, and of 10 citizens of Monongahela city, all in the State of Pennsylvania, praying that an educational test be included in the immigration bill; which were referred to the Committee on Immigration.

Mr. FULTON presented a petition of the United American Mechanics, of Kutztown; Local No. 66, Junior Order United American Mechanics, of Carmel; M. H. Bowman, of Jeannette; Local Council No. 700, Junior Order United American Mechanics, of Johnstown, and of 10 citizens of Monongahela city, all in the State of Pennsylvania, praying that an educational test be included in the immigration bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Educational Club and Consumers League, of Hartford, Conn., praying for the enactment of legislation to regulate the employment of child labor; which was ordered to be laid on the table.

He also presented a memorial of Horeb Lodge, No. 25, Independent Order of B'nai B'rith, of New Haven, Conn., remonstrating against the enactment of legislation to further restrict immigration; which was referred to the Committee on Immigration.

Mr. FULTON presented a petition of the Methodist Church of Turner, Oreg., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. LODGE presented the petition of Benjamin M. Van Wart, of the State of Massachusetts, praying for the enactment of legislation for the relief of Joseph V. Cunningham and other officers of the Philippine volunteers; which was referred to the Committee on Claims.

Mr. DU PONT. I submit a memorial of the general assembly of Delaware; which I ask may be printed in the Racon and referred to the Committee on Military Affairs.

Mr. LODGE. I ask that the memorial be read, as it is the action of a legislature.

The VICE-PRESIDENT. At the request of the Senator from Massachusetts, the memorial will be read by the Secretary.

The memorial was read and referred to the Committee on Military Affairs, as follows:

Henry J. Clay resolution entitled "Joint resolution regarding a bill in the Congress of the United States relating to the Fifth and Sixth Regiments of Delaware Volunteers." We have been introduced in the Senate and House of Representative of the United States of America a bill to fix the status of the Delaware Soldiers and Delaware Volunteers, and to provide that in the administration of the pension laws the officers and enlisted men of the Fifth and Sixth Regiments of Delaware Volunteers in the civil war shall hereafter be held and considered as having been continuously in the active service of the United States from the date of their muster into said service to the date of their muster out or discharge from said service: Therefore, be it resolved, That the Senate and House of Representatives of the United States of America be, and they are hereby, requested to pass with all possible speed the said bill; and be it further

Resolved, That our Senators and Representatives in Congress be further...
A bill (S. 6906) granting an increase of pension to Alexander Sholl; and

A bill (S. 5374) granting a pension to Floyd A. Honaker.

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 6909) granting an increase of pension to William H. Adams; and

A bill (S. 7044) granting an increase of pension to Sylvester O. Peavey; and

A bill (S. 6965) granting an increase of pension to Samuel B. T. Goodrich; and

A bill (S. 477) granting an increase of pension to Alvah D. Wilson; and

A bill (S. 7294) granting an increase of pension to Henrietta C. Cooley.

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1261) granting an increase of pension to Edwin P. Richardson; and

A bill (S. 7745) granting an increase of pension to Frederick Wood; and

A bill (S. 7574) granting an increase of pension to Emily J. Larkham; and

A bill (S. 7843) granting an increase of pension to Isaac Oakman.

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 6734) granting a pension to John C. Snell; and

A bill (S. 7685) granting an increase of pension to Albin W. Tebbetts.

Mr. PILES, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 7800) granting an increase of pension to John J. Harris; and

A bill (S. 7088) granting an increase of pension to Gilbert Ballew.

Mr. PILES, from the Committee on Pensions, to whom was referred the bill (S. 7883) granting an increase of pension to Orville Dodge, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 4742) granting a pension to Mary E. Allen; and

A bill (S. 7061) granting an increase of pension to Hugh Naughton; and

A bill (S. 5881) granting an increase of pension to William Graham.

Mr. ALGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 7171) granting an increase of pension to Margaret Holden; and

A bill (S. 8881) granting an increase of pension to Cyrus Palmer; and

A bill (S. 7390) granting an increase of pension to Cornelia W. Clay.

Mr. ALGER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 5400) granting an increase of pension to John A. Chase; and

A bill (S. 7569) granting an increase of pension to William T. Bennett; and

A bill (S. 4958) granting an increase of pension to William W. Duffield.

Mr. ALGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 6752) granting an increase of pension to Octave Furlola; and

A bill (S. 4366) granting an increase of pension to Thomas C. Davis; and

A bill (S. 4344) granting an increase of pension to Charles M. Canfield.

Mr. CARMACK, from the Committee on Pensions, to whom was referred the bill (S. 7578) granting a pension to Mary E. Dougherty, reported it with amendments, and submitted a report thereon.

Mr. TALIAFERO, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 7023) granting a pension to James C. West; and

A bill (S. 7072) granting an increase of pension to Elvira Adams; and

A bill (S. 5261) granting an increase of pension to Stephen A. Barker.

Mr. TALIAFERO, from the Committee on Pensions, to whom was referred the bill (S. 7673) granting an increase of pension to William W. Jordan, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 7668) granting an increase of pension to Henry H. Buzzell; and

A bill (S. 7066) granting an increase of pension to True Samborn, Jr.

Mr. OVERMAN, from the Committee on Pensions, to whom were referred the following bills, reported them severally with an amendment, and submitted reports thereon:

A bill (S. 7450) granting a pension to Mary F. Johnson; and

A bill (S. 7818) granting an increase of pension to Edward Bird; and

A bill (S. 4559) granting an increase of pension to John A. Warner; and

A bill (S. 7401) granting an increase of pension to Anna V. Blaney.

Mr. OVERMAN, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 5970) granting an increase of pension to Julia A. Horton; and

A bill (S. 7492) granting an increase of pension to Benjamin Clay.

Mr. BERRY, from the Committee on Commerce, to whom were referred the following bills, reported them severally without amendment:

A bill (H. R. 23561) to authorize the construction of a bridge across the Columbia River between Walla Walla and Benton counties, in the State of Washington, by the North Coast Railroad Company; and

A bill (H. R. 23590) to authorize the construction of a bridge across the Columbia River between Benton and Franklin counties, in the State of Washington, by the North Coast Railroad Company; and

A bill (H. R. 22135) authorizing the construction of a bridge across the Ashley River, in the counties of Charleston and Colleton, S. C.

Mr. BURKETT, from the Committee on Pensions, to whom was referred the bill (S. 5883) granting an increase of pension to Edward D. Sisco, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 6906) granting an increase of pension to Elv Ford, alias Jacob Butler; and

A bill (S. 6713) granting an increase of pension to Harvey B. F. Keller.

A bill (S. 6713) granting an increase of pension to James L. Short; and

A bill (S. 7684) granting an increase of pension to William Wakefield.

Mr. CLARK of Montana, from the Committee on Indian Affairs, to whom was referred the bill (S. 7674) to survey and allot the lands embraced within the limits of the Blackfoot Indian Reservation, in the State of Montana, and to open the surplus lands to settlement, reported it with amendments, and submitted a report thereon.

Mr. GEARIN, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 6935) granting an increase of pension to John A. Morris; and

A bill (S. 5880) granting an increase of pension to Richard Jones.

Mr. GEARIN, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:
A bill (S. 6044) granting an increase of pension to John H. Arnold;
A bill (S. 4629) granting an increase of pension to Mary Jane Miller; and
A bill (S. 6034) granting an increase of pension to John P. Murray.

Mr. GEARIN, from the Committee on Pensions, to whom was referred the bill (S. 7621) granting an increase of pension to Hugh J. McJunkin, reported it with amendments, and submitted a report thereon.

Mr. PATTERTON, from the Committee on Pensions, to whom was referred the bill (S. 2454) granting an increase of pension to Joan E. Wash, reported it with amendments, and submitted a report thereon.

A bill (S. 5171) granting an increase of pension to Jennie H. Marshall;
A bill (S. 2748) granting an increase of pension to Joel E. Smith;
A bill (S. 7028) granting a pension to Daniel Schaffner; and
A bill (S. 7218) granting an increase of pension to Samuel D. Thompson.

Mr. PATTERTON, from the Committee on Pensions, to whom was referred the bill (S. 2654) granting an increase of pension to Harriet Welch, reported it with amendments, and submitted a report thereon.

FISH-CULTURAL STATION AT DELL RAPIDS, S. DAK.

Mr. HOPKINS. I am directed by the Committee on Fisheries, to whom was referred the bill (S. 7270) to establish a fish-hatching and fish-culture station at Dell Rapids, S. Dak., to report it without amendment. I call the attention of the Senator from South Dakota [Mr. KITTREDGE] to the report.

Mr. KITTREDGE. I ask unanimous consent for the present consideration of the bill.
The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to appropriate $25,000 for the establishment of a fish-hatching and fish-culture station, including purchase of site, construction of buildings and ponds, and equipment, at Dell Rapids, S. Dak.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHANGES IN DISTRICT STREET-RAILWAY TRACKS.

Mr. GALLINGER. I offer a proposed substitute for the bill (S. 6147) authorizing changes in certain street-railway tracks within the District of Columbia, and for other purposes, which I ask be printed and referred to the Committee on the District of Columbia.
The motion was agreed to.

BILLS INTRODUCED.

Mr. GALLINGER introduced a bill (S. 7845) to amend section 633 of the Code of Law for the District of Columbia, relative to life-insurance companies or associations, which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 7946) granting an increase of pension to William H. Weston; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. ALDRICH introduced a bill (S. 7947) granting an increase of pension to Charles G. Sweet; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 7948) granting an increase of pension to Jane Tate; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. KEAN (for Mr. DRJBER) introduced a bill (S. 7949) for the erection of a monument to the memory of Philip Kearny; which was read twice by its title, and referred to the Committee on the Library.

Mr. CRANE introduced a bill (S. 7950) to correct the military record of James Sullivan; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. NELSON introduced a bill (S. 7951) to amend section 5135 of the Revised Statutes of the United States relating to national banks as depositories of public money; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 7952) for the establishment of a light-house and fog-signal station at Carbarband Point, in the vicinity of Split Rock, on the north shore of Lake Superior.

Mr. GALLINGER introduced a bill (S. 7953) to amend an act entitled "An act to provide for the reorganization of the consular service of the United States," approved April 5, 1896, which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. SMOOZ introduced a bill (S. 7954) granting an increase of pension to Sarah C. Payne; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. WARNER (by request) introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 7955) for the relief of Francis A. Lacy, heir of William B. Lacy, deceased; and
A bill (S. 7956) for the relief of Joseph Rymarkiewicz (with an accompanying paper).

Mr. WHYTE introduced a bill (S. 7971) authorizing the President to nominate and appoint William Lay Patterson a captain and quartermaster, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BERRY introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Claims:

A bill (S. 7958) for the relief of Wilfred S. Jennings; and
A bill (S. 7959) for the relief of Ben Mahuren.

Mr. McCREADY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 7960) for the relief of John Ashpay;
A bill (S. 7961) for the relief of the estate of Robert L. Hill, deceased;
A bill (S. 7962) for the relief of the estate of William Ashurst, deceased (with an accompanying paper);
A bill (S. 7963) for the relief of J. W. Bradley;
A bill (S. 7964) for the relief of John W. Crawford; and
A bill (S. 7965) for the relief of Thomas G. Linville.

Mr. DANIEL introduced a bill (S. 7966) for the relief of N. C. McCraney, administrator of estate of Paul McNeel, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. CLAY introduced a bill (S. 7967) for the maintenance of agricultural colleges in Congressional districts; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. LONG introduced a bill (S. 7968) granting an increase of pension to James Slater; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. WARNER introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Claims:

A bill (S. 7969) granting an increase of pension to Solen D. Davis;
A bill (S. 7970) granting an increase of pension to W. F. Stotts;
A bill (S. 7971) granting an increase of pension to John Augsburger;
A bill (S. 7972) granting an increase of pension to Austin B. Smith;
A bill (S. 7973) granting an increase of pension to Archibald W. Collins;
A bill (S. 7974) granting a pension to Alice C. Risley; and
A bill (S. 7975) granting a pension to Elizabeth P. Wethers.

Mr. ANKENY introduced a bill (S. 7976) for the relief of the heirs of Benjamin Holliday, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. FOLKERT introduced a bill (S. 7977) to refer to the Court of Claims the claim of Mary Galley for loss of real and personal property in 1864; which was read twice by its title, and referred to the Committee on Claims.

Mr. BLOCH introduced a bill (S. 7978) to refer to the Court of Claims the claim of John C. Galley, for compensation for loss of personal property in 1894; which was read twice by its title, and referred to the Committee on Claims.

Mr. MILLARD introduced a bill (S. 7979) to provide for the purchase of a site and the erection of a public building thereon in the city of Fairbury, State of Nebraska; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. HOPKINS introduced a bill (S. 7980) granting an in-
crease of pension to Mahla Stephenson; which which was read twice by its title, and referred to the Committee on Pensions.

Mr. BEVERIDGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 7891) granting an increase of pension to Mahla S. Warmoth (with an accompanying paper);

A bill (S. 7892) granting an increase of pension to EliasHamman (with an accompanying paper);

A bill (S. 7893) granting an increase of pension to Samuel Dubois; and

A bill (S. 7894) granting an increase of pension to Thomas J. Hoxie.

Mr. NEWLANDS introduced a bill (S. 7895) granting an increase of pension to Lucius Steele on public service.

Mr. LODGE introduced a bill (S. 7896) authorizing the payment to the administrator of the late Elijah Perkins, captain, of the value of his three-quarters of brigantine Elisa and cargo, illegally captured by the French, as ascertained by the Court of Claims; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. FROCTOR introduced a bill (S. 7897) granting an increase of pension to Lucius Bigelmeyer; which was read twice by its title, and referred to the Committee on Pensions.

DEALING IN COTTON FUTURES.

Mr. CULBERSON introduced a bill (S. 7898) to prohibit interference with commerce among the States and Territories and with foreign nations, and to remove obstructions thereunto; which was read twice by its title.

Mr. CULBERSON. I ask that the bill be printed in the Record and referred to the Committee on Agriculture and Forestry.

Mr. KEAN. What is the bill? Is it not a bill which affects interstate commerce?

Mr. CULBERSON. It affects interstate commerce. To be frank about it, it affects the transmission of messages and mail respecting future dealing in cotton. It occurred to me that the Committee on Agriculture and Forestry is the proper committee to deal with such a bill, more especially concerned, however, about a reference to that committee.

Mr. KEAN. If it deals in futures, I hope the Committee on Interstate Commerce will not have anything to do with it.

Mr. MONEY. If I may be allowed a word, I think the Committee on Agriculture and Forestry has had charge of such matters herefore.

Mr. CULBERSON. Herefore, undoubtedly.

There being no objection, the bill was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

A bill (S. 7898) to prohibit interference with commerce among the States and Territories and with foreign nations, and to remove obstructions thereunto; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Instructions to the Postmaster-General.

Mr. HANSBROUGH. I introduce a joint resolution and ask for its present consideration.

The joint resolution (S. R. 86) granting an extension of time to certain homestead entries was read the first time by its title and the second time at length, as follows:

Resolved, etc. That all persons who made homestead entry in the States of North Dakota, South Dakota, Minnesota, Montana, and Wyoming, where the six months' period in which they were required by law to establish residence expired or expires after December 31, 1905, shall have the time for making settlement and establishing residence upon the lands so entered extended.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. GALLINGER. I will ask the Senator from North Dakota if he will explain this joint resolution to us, and shed some light upon the merits of this joint resolution, but I will ask the Senator if it has been before a committee?

Mr. HANSBROUGH. The committee on Public Lands has not been before this committee.
people are suffering hardships in consequence thereof, and the joint resolution is intended to meet that emergency.

Mr. GALLINGER (to Mr. HANSBROUGH). Poll it.

Mr. HANSBROUGH. I will say to the Senator that I practically polled the committee on the floor this morning upon the joint resolution. It being an emergency matter, I do not think the committee from New Hampshire would object to its consideration on the slight ground that it has not been before the full committee.

Mr. GALLINGER. I do not wish to be Captain about things. I suggest to the Senator that there is no rule in the committee prohibiting it he can immediately poll his committee and report it back and pass it by unanimous consent.

Mr. HANSBROUGH. The committee has been polled, as I said to the Senator.

Mr. GALLINGER (to Mr. HANSBROUGH). Poll it.

Mr. HANSBROUGH. It has not been before the full committee. I must insist on my objection.

The VICE-PRESIDENT. Under the objection, the joint resolution will be printed and referred to the Committee on Public Lands.

Mr. HANSBROUGH. I desire, in view of the condition relative to the joint resolution, to withdraw it for the present.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. KEAN. At the request of 25,000 commuters in New York and New Jersey, I offer a proposed amendment to the river and harbor bill and ask that it be printed in the Reconstituted Senate.

There being no objection, the amendment intended to be proposed by Mr. KEAN was referred to the Committee on Commerce and ordered to be printed in the Reconstituted Senate. The amendment, as follows:

Insert the following:

"The Senate is hereby directed to make such modifications of the rules and regulations now governing the opening of drawbridges spanning the Passaic and Hackensack rivers, in the State of New Jersey, by establishing, for a limited time, a closed morning and evening period daily for any or all of such drawbridges as may seem to him reasonable and in his judgment to afford some measure of relief to railway passenger traffic.

Mr. NEENSON submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. FREY submitted an amendment proposing an appropriation of $850,000 for the purchase of all the land on Cushing's Island, Portland Harbor, Me., at present owned by the Government, intended to be proposed by him to the Committee on Appropriations, and ordered to be printed.

Mr. BURROWS submitted an amendment relative to the retirement with increased rank of brigadier-generals on the active list of the Army who served creditably during the civil war, intended to be proposed by him to the Committee on Appropriations, and ordered to be printed.

Mr. NELSON submitted an amendment proposing to increase the salary of the envoy extraordinary and minister plenipotentiary of the United States to Sweden from $7,500 to $10,000 per annum, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

He also submitted an amendment proposing to fix the salary of the United States consul-general at Rotterdam at $8,500 per annum, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing the construction of a reservoir for storing water to irrigate the land on Fort Hill Island Reservation, etc., intended to be proposed by him to the Appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MORGAN submitted the following resolution, which was read:

Whereas statements published in the South American Journal of the 8th of December, 1806, disclose a correspondence between General Hill, a public officer of the Republic of Panama, and Mr. Joseph R. Caldon, and other persons on the subject of the Columbia Canal Company's claim to the property described in the resolution of the Senate of November, 1863, and:

"The Republic of Panama grants to the United States all rights, title, and interest which has or may have in the treaty of Panama, the New Panama Canal Company and the Panama Railroad Company as a permanent transfer of all rights, title, and interest which has or may have in the treaty of Panama over the Isthmus of Panama, and authorizes the New Panama Canal Company to sell and transfer to the United States its rights, privileges, properties, and concessions, as well as the Panama Railroad and all the shares or part of the shares of that company.

And, considering that Colombia, at the close of the secession and independence of Panama, owned one-third of the stock of the New Panama Canal Company, amounting to 5,000,000 francs, at the close of the war, and that this stock of said company, all of which was issued, amounting to 65,000,000 francs at its face value: And, that the secession and independence of Columbia, and the transfer of property, rights, title, and interest from the Republic of Panama over the Isthmus of Panama, and authorizes the New Panama Canal Company to sell and transfer to the United States its rights, privileges, properties, and concessions, as well as the Panama Railroad and all the shares or part of the shares of that company.

And, that the United States have derived no benefit from said Panama Canal stock, or any proceeds thereof, and the same, or any proceeds of the said stock, is, or may be, held by the Government of France under a legal proceeding for attachment for a debt allegedly due from Colombia to France, which process ceased, after the ratification of said treaty between Panama and the United States; and:

"The Senate hereby directs the claim of the United States to the shares of stock in the Panama Canal Company, or the proceeds thereof, so held by France, and claimed by Colombia, so that the same or any proceeds thereof may be rightfully received by the United States as will best accord with the sovereign rights of the United States;"
Mr. MORGAN. Without reading the statement which is appended to the resolution, I will ask that it be inserted in the Record, that the resolution and paper be printed, and that the matter be referred to the Committee on Foreign Relations.

There being no objection, the accompanying statement was ordered to be printed in the Record, as follows:

[Statement from the South American Journal of December 8, 1906, regarding the Colombian Panama shares.]

The COMSEMANSIAN PANAMA SHARES.

Mr. G. R. Calderon has received from General Holguin, the Colombia financial agent for France, a communication concerning the shares of the Panama Canal Company, which he desires to dispose of, in accordance with the stipulations of the treaty of commerce and navigation made between Colombia and France, May 30, 1902. The Government of Colombia, finding that the French fiscal authorities, being the safeguard of the future, has never been so singularly recompensed. When France intervend to a very serious injury. The French Parliament may have, at the same time, the effect of returning the Canal enterprise. Mr. M. Leon, the representative of the French Parliament, has written to Mr. Morgan, on February 10, that the French fiscal authorities made a statement to him on February 12, this year:

"I have the honor to acknowledge receipt of your letter of February 10. I have received at the same time a copy of the resolution that your Government has addressed to the minister of finance.

"Mr. Leon in his resolution expresses the cordial hospitality. That we do a large trade of Latin-America, it would be extremely unwise of the French Parliament to have, at the same time, the effect of returning the Canal enterprise. Mr. M. Leon, the representative of the French Parliament, has written to Mr. Morgan, on February 10, that the French fiscal authorities made a statement to him on February 12, this year:

"I have the honor to acknowledge receipt of your letter of February 10. I have received at the same time a copy of the resolution that your Government has addressed to the minister of finance.

"Mr. Leon in his resolution expresses the cordial hospitality. That we do a large trade of Latin-America, it would be extremely unwise of the French Parliament to have, at the same time, the effect of returning the Canal enterprise. Mr. M. Leon, the representative of the French Parliament, has written to Mr. Morgan, on February 10, that the French fiscal authorities made a statement to him on February 12, this year:

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"I have the honor to acknowledge receipt of your letter of February 10. I have received at the same time a copy of the resolution that your Government has addressed to the minister of finance.
the sympathies which attach a whole people to generous and magnanimous France. The Colombian people are strongly Francophile—by tradition, by history, French influence, political, commercial, and industrial, and, I may add, literary, also—is predominant in Colombia, and I do not think that we can contemplate another treaty or more the treaty which attaches us to France. The Colombian people follow with great interest the progress of this affair, and I had strong reason to believe that some action might be expected, which would be received diplomatically and not by judicial means. A diplomatic solution, whatever the Secretary may propose, is the only possible solution in Colombia.

At the same time I have full confidence in the spirit of justice and of equity, in the peace and friendship of the Government and of the French people. They will discover that there is not even ground for discussion, but mere a misunderstanding, and they will readily proclaim the indisputable rights of my country. I wish to think before quitting French soil, where so many years I have received generous hospitality and kindness, that I may have the inexcusable satisfaction of proving once again that my convictions of France and the French people, that year beautiful country is really worthy of the admiration of foreign peoples.

The VICE-PRESIDENT. The resolution will lie on the table.

Mr. McCUMBER submitted the following concurrent resolution, which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return the bill (S. 5073) entitled "An act granting an increase of pension to Louis Castinette."

Mr. McCUMBER submitted the following concurrent resolution, which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return the bill (S. 5073) entitled "An act granting an increase of pension to Daniel G. Smith."

IMPROVEMENT OF SASANOA RIVER, MAINE.

Mr. FRYE submitted the following concurrent resolution, which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return the bill (S. 5073) entitled "An act granting an increase of pension to Daniel G. Smith."

LOUIS CASTINETTE.

Mr. McCUMBER submitted the following concurrent resolution, which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return the bill (S. 5073) entitled "An act granting an increase of pension to Daniel G. Smith."

BRIDGE ACROSS TUG FORK OF BIG SANDY RIVER.

Mr. FRYE moved that the bill (H. R. 32318) to authorize the Kentucky and West Virginia Bridge Company to construct a bridge across the Tug Fork of the Big Sandy River at or near Williamson, in Mingo County, W. Va., to a point on the east side of said river in Pike County, Ky., be recommitted to the Committee on Commerce.

The motion was agreed to.

ISSUANCE OF LAND PATENTS.

Mr. CARTER. I desire to give notice that on Thursday next, the 20th instant, as soon as the convenience of the Senate allow after the close of the morning business, I shall submit some remarks in support of the resolution heretofore presented be me relating to the issuance of patents on homesteads, etc., known as Senate resolution 214.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Brownning, its Chief Clerk, announced that the House had passed the following bills and joint resolution:

S. 319. An act to reimburse Abram Johnson, formerly postmaster at Mount Pleasant, Utah.
S. 350. An act for the relief of the heirs of Joseph Sierra, deceased.
S. 503. An act to reimburse James M. McGee for expenses incurred in the burial of Mary J. De Lange.
S. 505. An act for the relief of Jacob Livingston and Co.
S. 1169. An act for the refund of certain tonnage duties.
S. 1241. An act to reimburse the Becker Brewing and Malting Company, of Ogden, Utah, for loss resulting from robbery of the United States mails.
S. 1265. An act to authorize payment to the Henry Phillips Seed and Implement Company for seed furnished to and accepted by the Department of Agriculture during the fiscal year 1902.
S. 1344. An act for the relief of John M. Burks.
S. 1693. An act for the relief of the administrator of the estate of Gotlob Groeinger.
S. 1933. An act for the relief of George T. Pettengill, lieutenant, United States Navy.
S. 2262. An act for the relief of Pay Director E. B. Rogers, United States Navy.
S. 2368. An act for the relief of the Postal Telegraph Cable Company.
S. 3374. An act for the relief of John H. Potter.
S. 4493. An act providing for the payment to the New York Marine Repair Company, of Brooklyn, N. Y., of the cost of the repairs to the steamship Lidaesfarne, necessitated by injuries received from being fouled by the U. S. Army transport Crook in May, 1900.
S. 3820. An act for the relief of James Trupler.
S. 3223. An act to reorganize and increase the efficiency of the artillery of the United States Army.
S. 4348. An act for the relief of Augustus Trabling.
S. 4980. An act for the relief of Peter Fairley.
S. 4926. An act for the relief of Etienne De P. Bujac.
S. 4948. An act for the relief of W. A. McLean.
S. 4975. An act giving the consent of Congress to an agreement or compact entered into between the State of New Jersey and the State of Delaware respecting the territorial limits and jurisdiction of said States.
S. 5531. An act for the relief of Francesco Krebs.
S. 5590. An act for the relief of Jacob McMeekin.
S. 5757. An act for the relief of Maj. Seymour Howell, United States Army, retired.
S. 6106. An act for the relief of Edwin S. Hall.
S. 6988. An act concerning licensed officers of vessels.
S. 13. Joint resolution authorizing the Secretary of War to award the Congressional medal of honor to Roe Reisinger.
S. 4423. An act providing for the donation of obsolete cannon with their carriages and equipments to the University of Idaho.
S. 4819. An act for the relief of M. A. Johnson.

The message further announced that the House had passed the following bills with joint resolutions; in which it requested the concurrence of the Senate:

H. R. 8. An act to provide for the refunding of certain money, etc.
H. R. 1050. An act for the relief of Edwin S. Hall.
H. R. 1078. An act for the relief of Hamilton D. South, second lieutenant, United States Marine Corps.
H. R. 1371. An act to refund to J. Tennant Stebb certain duties erroneously paid by him, without protest, on goods of domestic production shipped from the United States to Hawaii and thereafter returned.
H. R. 1443. An act for the payment of Robert D. Benedict for services rendered.
H. R. 1561. An act authorizing the Secretary of the Navy to grant a discharge to Peter O'Neil.
H. R. 2356. An act for the relief of the heirs of John Smith.
H. R. 2342. An act for the relief of Franklin Patterson.
H. R. 3518. An act for the relief of Copiah County, Miss.
H. R. 4253. An act to reimburse the Harpswell Steamboat Company, of Portland, Me., for damage incurred for repairing damages sustained by its steamer Sebastopol in collision with the U. S. S. Woodbury.
H. R. 4271. An act for the relief of Patrick J. Madden.
H. R. 4586. An act for the relief of Mrs. R. E. Miller.
H. R. 5120. An act for the relief of W. B. Sutter;
H. R. 5125. An act for the relief of the Milburn Wagon Company, of Toledo, Ohio;
H. R. 5222. An act for the relief of M. D. Wright and Robert Noble of Ohio;
H. R. 5266. An act for the relief of L. L. Arrington and L. S. Arrington;
H. R. 5304. An act to reimburse John Weller, late postmaster at Monticello, N. Y., for money expended in carrying the mails;
H. R. 6417. An act for the relief of T. J. H. Harris;
H. R. 6438. An act for the relief of T. B. Stackhouse, a deputy collector of internal revenue for the district of South Carolina during the fiscal year 1894 and 1895;
H. R. 6430. An act authorizing the Secretary of the Treasury to pay to German M. House informer's fees for certain opium seizures;
H. R. 7133. An act for the relief of David McClelland for loss sustained at Chickamauga Park, Georgia, January 20, 1904;
H. R. 7746. An act for the relief of Columbia Hospital and Dr. A. E. Reder;
H. R. 7900. An act for the relief of John C. Ray, assignee of John Cafford, of Arkansas;
H. R. 8079. An act for the relief of Miss Berneice Farrell;
H. R. 8580. An act for the relief of S. Kate Fisher;
H. R. 8895. An act for the relief of C. A. Berry;
H. R. 8895. An act for the relief of Charles E. Danner & Co.;
H. R. 8895. An act for the relief of James A. Carroll;
H. R. 8727. An act for the relief of James W. Kenney and the Union Brewing Company;
H. R. 8749. An act to refund a fine of $200 paid by Charles H. Maresden, owner of tug Grace;
H. R. 9100. An act for the relief of J. H. Henry;
H. R. 9131. An act for the relief of the legal representatives of Charles P. Bischoff;
H. R. 9132. An act for the relief of the legal representatives of Benjamin F. Pettit;
H. R. 9212. An act for the relief of Joseph W. I. Kempa, executor of the will and testament of William J. Gratzka, deceased;
H. R. 9289. An act for the relief of Mitsui Bussan Kaisha;
H. R. 9289. An act for the relief of the heirs at law of David C. Haynes, deceased;
H. R. 9380. An act for the relief of Henry Hirschberg;
H. R. 9778. An act for the relief of Philip Loney;
H. R. 10035. An act to provide for the repayment of certain customs bonds;
H. R. 10595. An act for the relief of Nye & Schneider Company;
H. R. 11176. An act for the relief of persons who sustained property damage caused by fire at the Rock Island Arsenal;
H. R. 12000. An act for the relief of the heirs at law of M. A. Phelps and the heirs at law of John W. Renner;
H. R. 12124. An act granting an increase of pension to Howard Brown;
H. R. 12188. An act for the relief of George T. Larkin;
H. R. 12286. An act for the relief of Edwin T. Hayward, executor of Columbia P. Hayward, and the administrator of Charlotte G. Hayward;
H. R. 12840. An act for the relief of J. Bier tempfel;
H. R. 12418. An act for the relief of W. S. Hammaker;
H. R. 12905. An act to satisfy certain claims against the Government arising under the Navy Department;
H. R. 14125. An act for the relief of The Nebraska Mutual Life Insurance Company, of Strumburg, Nebr.;
H. R. 14381. An act authorizing and directing the Secretary of the Treasury to pay to the Holtzer-Cabot Electric Company the amount due said company from the Post-Office Department;
H. R. 14464. An act for the relief of Roy Corbett;
H. R. 15534. An act for the relief of John B. Brown;
H. R. 16085. An act for the relief of Gordon, Ironsides & Fare Company (Limited);
H. R. 16222. An act granting an increase of pension to Napoleon B. Ferrell;
H. R. 16381. An act for the relief of George W. Schraper;
H. R. 17050. An act to authorize the refund of part of fines imposed on the vessels Sotie R., Mathilda R., and Helen R.;
H. R. 17285. An act for the relief of Second Lieut. Governor V. Hacket, Twenty-Fourth United States Infantry;
H. R. 18787. An act fixing the age limit for admission to the Pay Corps of the United States Navy in the case of W. W. Pielce;
H. R. 18920. An act for the relief of Snare & Triest Company;
H. R. 18985. An act for the relief of John and David West;
H. R. 18924. An act for the relief of George M. Estery;
H. R. 19275. An act for the relief of T. E. Boyt;
H. R. 19284. An act for the relief of James Beahan;
H. R. 19434. An act to reimburse Oscar Fulghum, ex-sheriff of Madison County, Ala., for judgments and costs rendered against him when acting in the service of the United States;
H. R. 20820. An act providing for the retirement of S. W. Peck for legal services rendered the Choctaw Nation of Indians to the Court of Claims for adjudication;
H. R. 20108. An act for the relief of F. Kruit, of Leon Springs, Tex.;
H. R. 20109. An act for the relief of Margaret Neutez, of Leon Springs, Tex.;
H. R. 20131. An act to authorize the removal of Harry McP. Huse as an officer of the line in the Navy;
transportation of dutiable merchandise without appraisement, was read the first time by its title and the second time at length, as follows:

_Resolved, etc._ That the privileges of the seventh section of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement, be, and the same are hereby extended to the port of Bellingham, in the State of Washington._

Mr. PILES. I ask for the immediate consideration of the House bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. PILES. I move that Senate bill 7501, which I have just reported, be indefinitely postponed.

The motion was agreed to.

SECRETARY OF SMITHSONIAN INSTITUTION.

Mr. HANSBROUGH. I ask the Chair to lay before the Senate House joint resolution 221.

The VICE-PRESIDENT. The Chair lays before the Senate a joint resolution from the House of Representatives.

The joint resolution (H. J. Res. 221) to fill a vacancy in the Board of Regents of the Smithsonian Institution was read the first time by its title.

Mr. HANSBROUGH. I ask that the joint resolution may be read.

The joint resolution was read the second time at length, as follows:

Resolved, etc., That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Regents, shall be filled by the reappointment of George Gray, a citizen of Delaware, whose term expired January 14, 1907.

Mr. HANSBROUGH. I ask that the joint resolution be put on its passage.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PRESIDENTIAL APPOINTMENTS.

A message from the President of the United States, by Mr. M. C. LATTA, one of his secretaries, announced that the President had approved and signed the following acts and joint resolutions:

On January 18:

S. 5080. An act granting an increase of pension to Jacob Smith;
S. 6001. An act granting an increase of pension to Emily Killian;
S. 6005. An act granting an increase of pension to John G.
Bridgham;
S. 6008. An act granting an increase of pension to Joseph Lezard;
S. 6035. An act granting an increase of pension to John Fox;
S. 6051. An act granting an increase of pension to Mary A.
Dunham;
S. 6072. An act granting an increase of pension to William E.
Redmond;
S. 6131. An act granting an increase of pension to Frances A.
Jepson;
S. 6163. An act granting an increase of pension to William H.
Westcott;
S. 6165. An act granting an increase of pension to James L.
Eddow;
S. 6203. An act granting an increase of pension to Francis W.
Crommett;
S. 6250. An act granting an increase of pension to Nellie
Paxton;
S. 6222. An act granting an increase of pension to John L.
Anthony;
S. 6353. An act granting an increase of pension to Hugh S.
Strahl;
S. 6229. An act granting an increase of pension to Kate M.
Miner;
S. 6229. An act granting an increase of pension to Alice G.
Clark;
S. 6236. An act granting an increase of pension to Paul Baker;
S. 6287. An act granting an increase of pension to Denis A.
Manning;
S. 6347. An act granting an increase of pension to Edward R.
Cunningham;
S. 6533. An act granting an increase of pension to Dolores S.
Foster;
S. 6537. An act granting an increase of pension to Joseph
Johnston;
S. 6538. An act granting an increase of pension to Sherrod
Huntley;
S. 6429. An act granting an increase of pension to Mary L.
Beardsley;
S. 6438. An act granting an increase of pension to Martha J.
Haller;
S. 6496. An act granting an increase of pension to Samuel
Moser;
S. 6485. An act granting an increase of pension to Samuel
Cook;
S. 6505. An act granting an increase of pension to Theodore
M. Benton;
S. 6506. An act granting an increase of pension to Henry Z.
Bowman;
S. 6514. An act granting an increase of pension to Alfred A.
Stocker;
S. 6537. An act granting an increase of pension to William
Epplinger;
S. 6538. An act granting an increase of pension to Betsey A.
Hodges;
S. 6538. An act granting an increase of pension to Samuel A.
Pence;
S. 6550. An act granting an increase of pension to Reuben D.
Dodge;
S. 6561. An act granting an increase of pension to George W.
Blair;
S. 6568. An act granting an increase of pension to Wilbur F.
Hodge;
S. 6569. An act granting an increase of pension to George
Porter;
S. 6572. An act granting an increase of pension to Aaron L.
Roberts;
S. 6574. An act granting an increase of pension to Maria H.
Waggoner;
S. 6576. An act granting an increase of pension to Michael
Meyers;
S. 6579. An act granting an increase of pension to Ezekiel
Morrill;
S. 6580. An act granting an increase of pension to Ella B.
Green;
S. 6581. An act granting an increase of pension to Joseph W.
Lowery;
S. 6583. An act granting an increase of pension to Abram P.
Colby;
S. 6585. An act granting an increase of pension to Amos Ham;
S. 6586. An act granting an increase of pension to Wesley J.
Ladd;
S. 6587. An act granting an increase of pension to Henry
Shawyer;
S. 6590. An act granting an increase of pension to Frank H.
Read;
S. 6631. An act granting an increase of pension to George W.
Hodgman;
S. 6632. An act granting an increase of pension to William
Davis;
S. 6636. An act granting an increase of pension to Andrew J.
Grover;
S. 6642. An act granting an increase of pension to Timothy C.
Stilwell;
S. 6650. An act granting an increase of pension to John A.
McIntire;
S. 6762. An act granting an increase of pension to Homer
Clayton;
S. 6707. An act granting an increase of pension to Stephen E.
Temner;
S. 6709. An act granting an increase of pension to Samuel
Shawyer;
S. 6712. An act granting an increase of pension to Orin In-
gram;
S. 6714. An act granting an increase of pension to Joseph
Bolshaw;
S. 6717. An act granting an increase of pension to Manasa T.
Houser;
S. 6718. An act granting an increase of pension to Augustus L.
Holbrook;
S. 6725. An act granting an increase of pension to Agusta P.
Morgan;
S. 6707. An act granting an increase of pension to John C.
Brown;
S. 6727. An act granting an increase of pension to Nelson
Bignlow;
S. 6821. An act granting an increase of pension to Jonathan
M. Adams;
S. 6822. An act granting an increase of pension to Christopher
Christopherson;
S. 6824. An act granting an increase of pension to Byron Can-
field;
S. 6825. An act granting an increase of pension to Thomas M.
Roberts;
S. 6826. An act granting an increase of pension to Jacob
Turner;
S. 6829. An act granting an increase of pension to Thomas P.
Cheney;
S. 6881. An act granting an increase of pension to Jefferson
Bush;
S. 6882. An act granting an increase of pension to Elisha H.
Stephens;
S. 6883. An act granting an increase of pension to Thomas W.
Moxon;
S. 6885. An act granting an increase of pension to William H.
Anderson;
S. 6942. An act granting an increase of pension to William B.
Dow;
S. 6978. An act granting an increase of pension to Samuel
Jackson;
S. 6977. An act granting an increase of pension to William
Kennedy;
S. 7063. An act granting an increase of pension to Lovisa
Donaldson;
S. 7077. An act granting an increase of pension to Mary E.
Hattan;
S. 7100. An act granting an increase of pension to Kate
Myers;
S. 71.81. Joint resolution authorizing temporary leaves of ab-
sence for homestead settlers; and
S. 71.70. Joint resolution providing for an extension of time
for completing the highway bridge and approaches across the
Potomac River at Washington, D. C.
On January 19, 1907:
S. 6856. An act to amend the act approved August 19, 1890,
entitled "An act to adopt regulations for preventing collisions at
sea."

V. LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. CULCOM. I ask the Chair to lay before the Senate the bill of the House of Representatives on the legislative, ex-
cutive, and judicial appropriation bill.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to all the amendments
of the Senate, except amendment No. 222, to the bill (H. R. 23574) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes, and agreeing to amendment No. 222, the following amendment:

Omit the matter struck out by the said amendment and insert the following:

"Resolved, That the Committee on Military Affairs is hereby authorized and directed, by subcommittee or otherwise, to take and have printed testimony for the purpose of ascertaining all the facts with reference to or connected with the affair at Brownsville, Tex., and, if deemed advisable, at Brownsville or elsewhere, the expenses of the investigation to be paid from the contingent fund of the Senate."
Resolved, That, without questioning the legality or justice of any act of the President in relation thereto, the Committee on Military Affairs is hereby directed, by the Senate, or otherwise, to examine into and have printed testimony for the purpose of ascertaining all the facts with regard to the Military Affairs of the United States on the night of August 13-14, 1900. Said committee is authorized to send for persons and papers, to administer oaths, to sit during sessions or recesses of the Senate, and to be 그리고 advises, at Brownsville or elsewhere, where the expenses of the investigation to be paid from the contingent fund or otherwise.

Mr. FORAKER. Mr. President, I have repeatedly said since I introduced the first resolution on this subject that I had no purpose whatever to have any investigation, but that resolution was made in the case.

That we may have done in the case.

And I do not restrict or restrain the scope of the inquiry as to have an investigation.

When the facts are ascertained that question was not the facts.

I introduced the first resolution on Military Affairs any question as to the powers, constitutional or legal, of the Chief Executive, my sole purpose being to have an investigation for the purpose of ascertaining the facts.

Mr. BACON. Will the Senator from Massachusetts yield to the Senator from Georgia?

Mr. LODGE. Certainly.

Mr. BACON. I want to ask the Senator this question: The language used in the modified resolution of the Senator from Ohio is this:

That without questioning the legality or justice of any act of the President in relation thereto, the Committee on Military Affairs is hereby directed, by the Senate, or otherwise, to examine into and have printed testimony for the purpose of ascertaining all the facts with regard to the Military Affairs of the United States on the night of August 13-14, 1900. Said committee is authorized to send for persons and papers, to administer oaths, to sit during sessions or recesses of the Senate, and to be in Brownsville or elsewhere, where the expenses of the investigation to be paid from the contingent fund or otherwise.

Mr. FORAKER. Mr. President, I have repeatedly said since I introduced the first resolution on this subject that I had no purpose whatever to have any investigation, but that resolution was made in the case.

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Mr. LODGE. So I understand, then, that the Senator construes the modified substitute proposed by the Senator from Ohio to mean all that the amendment proposed by the Senator from Kentucky means and to go still further?

Mr. BACON. That was the exact point as to which I desired clarification.

Mr. FORAKER. The words “or denying” are left out, and the effect of the modification, as I have made it, is simply to leave out of consideration for the present time, and to express no opinion whatever in regard to it, all questions of the legality of any act relating thereto—that is, of course, as to the Senate or the President.

Mr. BACON. So I understand, then, that the Senator construes the modified substitute proposed by the Senator from Ohio to mean all that the amendment proposed by the Senator from Kentucky means and to go still further?

Mr. LODGE. I do.

Mr. BACON. You understand it to mean all that and to go still further?

Mr. LODGE. Mr. President, I sought to say that the words “or denying” are left out.

Mr. FORAKER. I want to suggest—

The VICE-PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Ohio?

Mr. LODGE. Certainly.

Mr. FORAKER. I want to suggest to the Senator from Massachusetts that, according to my understanding, the two amendments do not mean the same thing.

Mr. BACON. That was the exact point as to which I desired clarification.

Mr. FORAKER. The words “or denying” are left out, and the effect of the modification, as I have made it, is simply to leave out of consideration for the present time, and to express no opinion whatever in regard to it, all questions in regard to legality or power.

Mr. LODGE. Mr. President, the words “or denying” which I have added to my amendment are to be inserted by the Senator from Georgia [Mr. BACON] seem to me to be of no consequence whatever. The words used in the resolution are “without questioning.”

Mr. BACON. Well, would the Senator object to inserting them, then, in the modified substitute resolution proposed by the Senator from Ohio?

Mr. LODGE. Mr. President, I see no need of inserting the words “or denying,” for the words “without questioning” mean that we do not question the President’s right to do it, if the English language has any meaning at all.

Mr. BACON. The Senator thinks, then, that the words “without questioning” include “without denying.”

Mr. LODGE. I think they do, to my mind, include it.

Mr. BACON. Yes. Therefore the Senator himself would have no objection to the insertion of the words “without denying,” or “without denying,” if that is what the Senator means.

Mr. BACON. Does the Senator desire, in the passage of this resolution, to leave any doubt as to whether or not the Senate deny it?

Mr. LODGE. The resolution as it stands is absolutely satisfactory to me. It states that we do not question the President’s right either to discharge the troops or in any act relating thereto. Nothing can be plainer than that, in my judgment.

Mr. BACON. Well, I differ from the Senator as to the end we seek, but we differ materially as to the phraseology.

Mr. LODGE. Mr. President, I can answer the Senator in a moment, that the phraseology, as it now stands, seems to me to
perfectly cover the point which I desire to cover. I agreed to it on that understanding, and I certainly shall not depart from my agreement. If it does not mean that, then I am greatly misled.

Mr. BACON. I hope that in the course of the consideration of this matter we may be able to insert in this modified resolution, as now proposed by the Senator from Ohio, after the word "questioning," the words "or denying."

Mr. FORAKER. Mr. President, I want to say, in answer to the suggestion of the Senator from Massachusetts [Mr. LODGE], that my understanding of this language is that it does not commit the Senate on this proposition in any sense whatever, except to give the whole matter another consideration as far as this investigation is concerned. That is the theory upon which I am willing to modify the resolution, with that understanding. In other words, the effect of that same as I thought we were to say "neither affirming nor denying the legality."

Mr. BLACKBURN. On Thursday last, Mr. President, I submitted an amendment which I proposed to offer to the resolution of the Senator from Ohio [Mr. FORAKER], and advised the Senator that, at the conclusion of that Senator's argument, I should submit some suggestions in connection with the amendment proposed by myself. During the time intervening it seems that the other side of the Chamber have found common ground satisfactory to themselves.

I was not willing, Mr. President, that the resolution offered by the Senator from Ohio under discussion should pass. My unwillingness was mainly attributable to the tenor of the speeches the Senator from Ohio had made upon his resolution. I understand him this morning to say that it was never his purpose throughout the whole of the discussion of the Senate, or the Senate Committee, to inquire into the question of law involved in the exercise of a right which the President had asserted. I certainly did not so construe the speeches made by the Senator from Ohio in the earlier stages of this debate.

Mr. FORAKER. Mr. President.--The VICE-PRESIDENT. Does the Senator from Kentucky yield the floor to the Senator from Ohio?

Mr. BLACKBURN. With pleasure.

Mr. FORAKER. The Senator from Kentucky will not find in any speech I have made on this subject, in either the earlier or the later stages, any statement that I expected the Committee on Military Affairs to inquire into the question of power. Mr. BLACKBURN. Nor have I said so.

Mr. FORAKER. But the Senator will find in all those remarks, wherever I had occasion to speak of the Senator at all, precisely the same statement in effect, that I wanted the facts and had no thought of asking or directing the Committee on Military Affairs to inquire into or to determine the question of power.

Mr. BLACKBURN. That is all very true, Mr. President.

Mr. FORAKER. There was, if the Senator will bear with me a moment, a misapprehension of the question, and a great deal of discussion; but that was not because of the form of the resolution which was before the Senate, but only because that question had been introduced into the controversy by the Senator himself and later in answer to arguments that had been advanced by Senators to the contrary of the position I have taken.

Mr. BLACKBURN. Now, Mr. President, I will repeat—for I am sure I can not be mistaken in my memory of this matter—while it is true, as the Senator from Ohio now contends, that he has not in any of his arguments upon this question avowed a purpose to go into the inquiry as to the existence of this power upon the part of the President, I can not be mistaken that in those earlier arguments which he submitted he did emphatically state, when that very point was raised, that he opposed any limitation being put upon the scope of the investigation which the committee was to make.

Mr. FORAKER. I just as earnestly and emphatically oppose any restriction or limitation being placed on it now.

Mr. BLACKBURN. Then—

Mr. FORAKER. But the investigation is to be an investigation as to the facts and not as to the law; and I also opposed anything in this resolution that would estop the Senate itself, if after the facts have been laid before the Senate it should see fit to do so, from taking any action it might think appropriate to take.

Mr. BLACKBURN. If I may have the permission of the Senator from Ohio I will proceed.

Mr. FORAKER. I beg pardon of the Senator from Kentucky if I have interrupted him.

Mr. BLACKBURN. There is no need of that.
The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Ohio?

Mr. MCCUMBER. I yield to the Senator from Ohio for a moment.

Mr. FORAKER. No one, Mr. President, has listened to the valedictory of the Senator from Kentucky [Mr. BLACKBURN] with greater regret than I have. He is a friend of many years standing; a friend independent of questions and above all, a man of high character and instructive influence. But I have been concerned that he was not only that the Senate, but mean to the public at large, that the means of his party, the Senate, the President, and the Senate so underestimates the intelligence of other objecting Senators, who have not cared to adopt anything that would be in the nature of a declaration on the part of the Senate that it did not have this power or that power or the other power.

The true meaning of the amended resolution that has been presented and which the Senator says has practically been accepted by all of the Republicans is practically the same as that which I first offered to the Senator from North Carolina? Mr. McCumber. That the Senator from Kentucky [Mr. BLACKBURN] has scored a good home run. I rise merely to say that, for that is the only thing I am particular about, I will not question in any time—since I have done that repeatedly in the progress of this debate—of questioning in the committee under this resolution, the power of the Chief Executive or any act of the Chief Executive. At the same time I have strenuously contended that before the facts are ascertained, which we hope may be ascertained in full by this investigation, the Senate should not preclude itself as to any question upon which it may be called to act. I am not interested in any definite lines of action, but who desire to assert and to preclude of the Senate. When those three days are over, we may differ, as I have said, upon questions, and some of vital importance. I disclaim even the semblance of a suggestion of doing any way.

Mr. FORAKER. Certainly.

Mr. BLACKBURN. I simply ask this courtesy that I may to the Senator from North Carolina?

Mr. BLACKBURN. I congratulate Senators upon any event even at the present time.

Mr. FORAKER. I do.

Mr. TALLAIFERRO. Mr. President—

The VICE-PRESIDENT. Does the Senator from Ohio yield to the Senator from South Carolina?

Mr. FORAKER. I do.

Mr. TALLAIFERRO. Mr. President, I rise merely to say that, sitting here and listening to these sweet words of friendship and peace, of renewed amity, I am reminded of that text in the Scriptures, "How good and how pleasant it is for brethren to dwell together in unity." The Senator from Massachusetts has spoken of the very small hole to get back to that consciousness of the very small hole to get back to that consciousness of that act. And the Senator from Kentucky has squeezed out of the house that he has been here a long while. I rise merely to say that, for that is the only thing I am particular about, I will not question in any time—since I have done that repeatedly in the progress of this debate—of questioning in the committee under this resolution the power of the Chief Executive or any act of the Chief Executive. At the same time I have strenuously contended that before the facts are ascertained, which we hope may be ascertained in full by this investigation, the Senate should not preclude itself as to any question upon which it may be called to act. I am not interested in any definite lines of action, but who desire to assert and to preclude of the Senate. When those three days are over, we may differ, as I have said, upon questions, and some of vital importance. I disclaim even the semblance of a suggestion of doing any way.

Mr. TALLAIFERRO. Mr. President—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Florida?

Mr. MCCUMBER. With pleasure.

Mr. TALLAIFERRO. Does the Senator consider that the Senator from Ohio puts the same construction on this resolution that he is now putting on it? The Senator from Ohio is a fellow lawyer, and the Senator from Ohio definitely stated that his construction of those words was that they meant the same as though the resolution read "without affirming or denying the power." That is not the fair construction, and it is not the general construction.
which will be given to this resolution if it shall pass. The proper construction, and it will be taken so to mean, is that the Senate has placed its seal of approval upon the constitutionality of the action of the President. I can not give any comfort to that method of reasoning. The Senator from Missouri, [Mr. FoRAKER], had understood all along that he had two objects in view, two points to make. One was that the President had no legal or constitutional authority to do this thing and that he had improper evidence and improperly applied the law; that the Senate will undertake an investigation of the matter without any purpose in view, and if we have no purpose in view and nothing is to be accomplished, I shall vote against the resolution.

Mr. MONEY. The President.

The VICE-PRESIDENT. Does the Senator from South Carolina yield to the Senator from Mississippi?

Mr. TILLMAN. With pleasure.

Mr. MONEY. I am indebted to the Senator from South Carolina for a few moments to submit a few remarks.

Mr. President, certainly I have all along during this debate misunderstood the Senator from Ohio [Mr. FoRAKER]. I had understood all along that he had two objects in view, two points to make. One was that the President had no legal or constitutional authority to discharge without honor the battalion in question, and the other was that in exercising that authority he had not properly weighed the evidence and had exercised it without proper consideration. But whatever that impression may have been generated by the language of the Senator this morning, who has told us what is his present mental status on that point.

Of course, it is very agreeable to everybody to see that the Republicans on this side have not only a right, but a duty, to get togetherness and to place their own contending views upon the altar of harmony to get together, but it seems to me the speeches made by the Senator from Ohio [Mr. FoRAKER], the Senator from North Dakota [Mr. McCOMMER], and the Senator from Kentucky [Mr. BLACKBURN] all pointed out that whether we agree upon the form of his resolution made by the Senator from North Dakota, has itself construed it—and nobody can construe a paper better than the man who wrote it, because he knew what was in his own mind, which can only be guessed at from contemporaneous circumstances by any other man.

Now, Mr. President, the conclusion is, as drawn now, that by taking out the words “or denying” in the amendment proposed in Kentucky, leaves the language of the Senator from Ohio, and I presume of course to those who agree with him, and have been with him in this controversy, that the Senate do not right to quote me. To the mind of the Senator from Massachusetts, the mind of the Senator from North Dakota, and those gentlemen on the other side who agree with them that language means that we have no right to inquire into the constitutionality and legal authority on the part of the President in his action. It seems to me they are as far apart as they ever were in their real meaning, but of course if this last is big enough to cover the whole point and bring the party together, each one must simply direct his understanding to it and vote for the letter of the resolution without any regard to its spirit or meaning. When we use the words,“without questioning the authority of the President,” the Committee on Military Affairs is authorized and directed to inquire into certain matters, and it means that they are not to debate at all upon any construction to the contrary they may see fit with or without authority, just or unjust, but they are simply to inquire into a certain state of facts which was the basis of the position of the President. Unless we are not to consider the authority of the President in his exercise of authority in this matter, whether he had it or had it not, what is the utility of an investigation into the facts? You are not going to change his action. You change the investigation more than you change the opinion of a judge delivered by affirming that he has given too much or too little weight to the evidence or has admitted incompetent evidence or improperly applied the law to facts in the case. It does not at all alter the fact of what the judgment was. It does not relieve the judgment that some lawyer finds fault with the judge. So the question that arises is, will the Senate yield to this President in a matter of such importance without any purpose in view, and if we have no purpose in view and nothing is to be accomplished, I shall vote against the resolution.

I am one of those who believe that the President has both the constitutional and legal authority to do this thing and that he alone had to determine it. Whether the weight of the evidence was proper or not, if we do not go into that matter, and do not intend to, it is evident that all the different investigations made that he was satisfied about it. I care not whether his decision is right or wrong. It can not be attacked here as an authority, in my opinion that—ever so many lawyers here there is no intention to do it—I can not for my life understand why we are to get at the facts, if it is possible to get at them any more than they have already been arrived at already. There is no use of it. For that reason I think the whole resolution ought to be tabled. I am much obliged to the Senator from South Carolina. Mr. TILLMAN. Mr. President, it seems to be in order for all parties to this discussion to sweep around their doors. There has been much difference of opinion and difference of interpretation, one Senator saying this resolution means this and the other one saying it means that; but I suppose most people will finally arrive at the conclusion that it means what the English language means when it is written by men who know how to use it; that the general public will interpret it according to the words that are given, and this Senator's and that one's explanation of its purpose will not cut any figure.

In regard to my own attitude in this matter, I find myself for the first time since I have been a member of this body differing from all of my Democratic colleagues. Mr. TELLER. Not all.

Mr. TILLMAN. Well, the Senator says “not all.” I am glad to know there is another Democrat here who feels about it as I do. Possibly there may be still others, though we have got to a point now where there is no question on which to vote yea or nay. I expect everybody will vote yea on this resolution.

In speaking about my own attitude, I knew as well as anybody else that the South would tumble over itself in this Chamber and out of it in approval of the President's action in the Brownsville case. Mr. FoRAKER, I think he is true to his southern people approve it. Why? Because they do not believe there ought to be any negroes in the Army at all, and they are glad to get rid of them, however unjustly that riddance is
obtained. And recollecting the actions of the negro soldiers who were quartered in the South in 1860 and 1867, the outrages, the ill treatment that were perpetrated upon innocent people by them, there is no wonder that we hate the very idea of a negro soldier wearing the uniform of the United States and representing our claims.

I therefore knew that my own people would be indorsing the President's attitude, but as far as I myself am concerned, while I have been charged with being a monomaniac in my personal opinion, I say there is no one man more capable of judging him fairly or treating him with justice. Senators will recall that last June when the railroad-rate bill was about to pass; when it was fresh in my mind and fresh in the minds of all Democrats who had been beaten, that the President's aid had been betrayed, that he had thrown us down—what did I do? He had betrayed us in pursuit of this very party harmony which is so dear to Republicans, but even under those circumstances and with that provocation I declared on this floor that whatever credit was due and whatever benefit might come from that bill it would be due to Theodore Roosevelt, because without his help and his influence no bill on the subject could have been passed here at all. Yet in face of that acknowledgment I am charged with being so bitter, so narrow, so prejudiced that I can see nothing good in this man.

As far as this case is concerned, I plant myself on the bedrock principle that we ought not to punish innocent men for the sins of the guilty, and that every man ought to be considered innocent until he is proved guilty, and I will rest my case there. This I want to come up later. This I want to come up later.

Mr. President, from habit and training I have never found it agreeable or pleasant to write anything to be spoken, but having always written on such heights as justified and such a time and to use such words as would plainly express my meaning. In the hurry of extemporaneous composition I have been unfortunate at times in saying some things which did not clearly express my own feelings or thoughts; I have not qualified words sufficiently to make myself clearly understood.

As I am dealing with a very serious and grave question—I am speaking now broadly—and desiring to say nothing that does not express my clear and exact feeling, I think and find that I have taken the trouble to write out or to dictate and have typewritten most of what I propose to say today.

I have to do anything more to say on this subject, and would have contended myself with the presentation I made in the speech I have already delivered, but the remarkable and unprecedented actions and utterances of the Senator from Wisconsin have made it necessary that I should trespass again upon the attention of the Senate.

It seems that after ten years of service together we have both misunderstood one another. We have had many clashes in debate. Sometimes these were sharp, sometimes not so sharp. Sometimes I thought I had first on one side then on the other; but with me that feeling has always passed away at once, leaving no trace of bitterness or unfriendliness, and I had supposed that the Senator from Wisconsin was disposed to proceed in the same way. 

During my twelve years of service here I have borne malice toward no man, and I am sorry to find that without provocation, that I am aware of, I have excited in a man whom until now I thought to be my friend.

It is but my nature to be blunt and outspoken, and I have never taught my tongue the art of double dealing; and if there is any vice in me I abhor more than any other it is hypocrisy, and I am too old to begin to practice it now.

A brief statement of facts which are fresh in the minds of all who heard the Senator's speech will explain my meaning. He began with a speech that comes from my lynchings record, or my ideas on lynching. In the course of his argument the Senator from Wisconsin was discussing the inability of the President to find out who the guilty soldiers were who had shot up Brownsville, and, having asserted with great pithiness that there were no grounds for criticism, I presumed, in an orderly and respectful way, to ask a question, and this was what was said on both sides:

Mr. TILLMAN: The Senator has not said anything about the crime or the omission to do their duty being an offense which was liable to court-martial.

Mr. Spooner: I think the Senator agrees.

Mr. TILLMAN: Well, you shoot your bullet very slowly. Go on.

Mr. Spooner: I like to look in the Senator's eyes.

Mr. TILLMAN: Why did not the President, if he had so much regard for this officer's recommendation, follow it in regard to employing detectives and enlisting them in the company and trying to get at the fact.

Then, Mr. President, the Senator began what he said was not an attack on me, but a defense of the law.

The Senator's manner was supercilious and his utterances home too courtesies, and pointed no attention to it; but when he continued to defend the President's action and to stress the point that the President had done all he could, and was only to praise Major Penrose, I again, in a disinterested and respectful way, tried to enter into the debate by asking another question, which was entirely pertinent and bore directly on the point. I pronounced this inquiry about the detectives. In answer the Senator's manner changed to one of great aggressiveness and anger, and in a manner as insulting as it is possible for a man to assume he commenced an attack upon me personally that has never been paralleled in this body since I have been a member of it. When, for the purpose of the Senator in view, I saw that he was laying the foundation for a justification for his harsh words by garbling and misquoting my own words, I interjected, and he then said to me, "Mr. Spooner, what do you want to get at?" His reply was, "No; I put it mildly; I do not intend to misunderstand you. Quote yourself, if you please."

Then this colloquy ensued:

Mr. TILLMAN: It is the fundamental principle of English and American liberty that every man shall be considered innocent until he is proved guilty.

Mr. Spooner: Proved guilty where?

Mr. TILLMAN: In a court, of course. And that ten guilty had better be hanged than one innocent suffer. Does the Senator object to that?

Mr. Spooner: Mr. President, the statement is accurate, generally speaking, but with what grace can the Senator, using that as a foundation, charge me in this case and a violation of fundamental principles of liberty upon the fact of a man being called to account that principle applicable to a black man in the South as well as to the white man in the South or in the North? The Senator, "We shot them, we killed them, and we will do it again.

Mr. Spooner: When?

Mr. TILLMAN: May I get in?

Mr. Spooner: What do you want to get in for? I want to finish.

Mr. TILLMAN: How much provocation will you give a man before you give him chance to strike back a little?

Mr. Spooner: Well, strike back; go on.

Mr. TILLMAN: On this proposition which you are discussing you branch off on one phase of it. You had better sit down a little, if you please.

Mr. Spooner: No; I do not intend to yield for a speech. The Senator can answer me later. If he wants to ask me a question, he is welcome.

Mr. TILLMAN: Is that all?

Mr. Spooner: That is all.

Mr. TILLMAN: Mr. President, I would do the Senator from South Carolina no injustice.

Mr. Spooner: I think the Senator from Wisconsin, however, turns himself directly to me, mentions me by name, speaks of things I have said and says that the Senator from Wisconsin does not understand me, then says any answer he hereafter, he will only let me in now for a question.

Mr. TILLMAN: I wish to finish what I want to say. What is the question?

Mr. TILLMAN: I did not start to ask a question.

Mr. Spooner: Start to ask it.

Mr. TILLMAN: I said I did not start to ask a question.

Mr. Spooner: I decline to allow the Senator to make a speech. I am anxious to get through.

At this stage of the debate it dawned on me for the first time that the Senator from Wisconsin intended by his language and his blood brought things to this pass in order to give him the opportunity to carry out his preconceived plan, and I recalled that in opening part of his speech he had used language which caused me at the time to feel aggrieved, but I let it pass, because I had no desire to get into an altercation with the Senator or to indulge in any of those running discussions which had wrinkled our debate, and I thought it was a case of cut and thrust with no blows below the belt.
The phrase to which I alluded in the Senator's speech is that in which he declared that it would not be decent for him to comment upon the actions of the officers Penrose and Macklin, because they were now under trial by court-martial. The whole of the speech, as a matter of fact, and as my name was not mentioned, it was of no serious moment. I let it go by, although I had commented at length and severely upon both Penrose and Macklin, had called their actions in question, and said that they were incompetent and derelict in the discharge of their duties, or words to that effect.

The Senator's idea that these men being under charges should not have been discussed is a complete one if he is to occupy that attitude. I do not dispute his rights in that particular, and I was not oversensitive about his saying it would not be decent. I had only used the language, not as harsh language, but as you are inclined to play schoolmaster here and presume to teach others, I let it go.

I wish to point out to the court-martial. He knew as well as you or I could. It was a most excellent piece of acting, and it was carefully of feelings, he could do no doubt at all of the truth. I said nothing that had not been said in the debate in this body. I said was not been for without a hearing of the parties accused, I did it, but as to which soldier they had no evidence to learn.

The difficulty of the President, whose impulses, which were sure to open in a matter of which so many are claimed to have knowledge, the truth could have been got at and the offenders found out.

That is the gist of the Senator's position, and it is the verdict, in my judgment, which will be finally arrived at by nineteen-tenths of the American people. I ask that the entire extract be inserted in the Record by Mr. Long, former Secretary of the Navy, a bosom friend of President Roosevelt. I will read one sentence, but I wish to have the whole extract printed in full in the Record. Ex-Secretary Long said:

"Everybody knows that had time been taken, had efficient means of detection been set at work, had advantage been taken of the leaks which so many have had knowledge, the truth could have been got at and the offenders found out."

The relation upon the inquiry set on foot among the soldiers by Major Blockson and General Garlington as the sole means of detection are to my mind nothing less than idiotic.

In this connection, Mr. President, I noticed in yesterday's morning newspaper a particularly able speech made at Boston by Mr. Long, former Secretary of the Navy, a bosom friend of President Roosevelt. I read one sentence, but I wish to have the whole extract printed in full in the Record. Ex-Secretary Long said:

"Everybody knows that had time been taken, had efficient means of detection been set at work, had advantage been taken of the leaks which so many have had knowledge, the truth could have been got at and the offenders found out."

The Vice-President. Without objection, permission is granted.

The extract referred to is as follows:

EXTRACT FROM THE ARMS IMPEACHMENT ADDRESS--DECLARATIONS OF ROOSEVELT--APPROVES AN INVESTIGATION--CONFIRMS THE PROPRIETIES OF THE NAVAL INVESTIGATION."

"It has occurred to me that the reason is perhaps to be found in the character, of whose right, are not always directed with sufficient consideration. No President has been more emphatic of his assertion of the rights and political equality of the negro, for whose sake he has braved criticism and contumely."

"What more natural than that, when occasion came, he should seize it to show that he is as quick to discipline the negro citizen as to defend him, and that he does not propose to make fish of one race and flesh of the other. It was an honest, if a hasty, impulse."

"Everybody knows that had time been taken, had efficient means of detection been set at work, had advantage been taken of the leaks which so many have had knowledge, the truth could have been got at and the offenders found out.

The Grand Jury matter, while there is a very decided difference of opinion as to the propriety of the President's action, said Mr. Long, I do not think that anybody doubts his honest purpose. In one sense the black man is not involved, because the principle at stake has nothing to do with him."

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INVESTIGATION FITTING.

"Of course, it is right and fitting that, in the present posture of the public finances, the President, in the exercise of the functions of the office, who he has been more emphatic of his assertion of the rights and political equality of the negro, for whose sake he has braved criticism and contumely."

"What more natural than that, when occasion came, he should seize it to show that he is as quick to discipline the negro citizen as to defend him, and that he does not propose to make fish of one race and flesh of the other. It was an honest, if a hasty, impulse."
I return now to another point in the Senator's indictment. It is that part of his speech where he asks whether the law should not apply to the black man in the South as well as to the white man in the North.

We beg you to impress it upon your mind, and the eloquence he made the inquiry: "Is not that principle applicable to a black man," etc. And what I wish to ask, in view of the attitude which has been shown by the War Department toward the negro soldiers at Brownsville, and toward the white soldiers at Gettysburg, is this principle as applicable in case as in the other?

It was adroit for the Senator to shift the minds of his auditors and the readers of the Record from the President's outrage toward the white soldiers accused of murdering the white ones to my own utterances and attitude toward the negro rapists, and the shrewdness and dishonesty of the argument and the indelicacy of the attack was emphasized when the Senator from Wisconsin proceeded to quote from a former speech of mine in this body, in which I said:

We shot them; we killed them; and we will do it again.

When I asked for permission to point this out and show how unfair and unmanly was the attack he shot me off incontinently, refusing absolutely to give me an opportunity to explain or defend myself.

What about those words of mine: "We shot them," etc. In what connection did I utter them? If I mistake not the Senator from Wisconsin was in this Chamber when I used that language. There were present a large number of leading Republican lawmakers, each member of whom was here to show that the people of South Carolina were not justified, and no one dared reply. I will repeat the statement of fact and circumstances.

It was in 1876. Thirty years ago, and the people of South Carolina, were elected a Negro rule for the first time. There was a condition bordering upon anarchy. Murder, robbery, and murder were holding high carnival. The people's substance was being stolen, and there was no inequality to labor. Our legislature was composed of a majority of negroes, most of whom could neither read nor write. They were the easy dupe and tools of as dirty a band of vampires and robbers as ever preyed upon the innocent living离不开 the statehouse and sessions of the legislature lasting from year to year.

Our lawmakers never adjourned. They were getting a per diem. They felt that they could increase their income by remaining in session all the while. They were taxing us to death and confiscating our property. We felt the very foundations of our civilization crumbling beneath our feet, that we were sure to be engulfed by the black flood of barbarians who were surrounding us and had been put over us by the Army under the reconstruction acts. The sun of hope had disappeared behind a cloud of murder and despair, and a condition had arrived as has never been the lot of white men at any time in the history of the world to endure. Life ceased to be worth having on the terms upon which we were living, and in desperation we determined to take the government away from the negroes.

We reorganized the Democratic party with one plank, and only one plank, namely, that this is a white man's country and white men must govern it. Under that banner we went to battle. We had 8,000 negro militia organized by carpetbaggers. The carpetbagging governor had come to Washington and had persuaded General Grant to transact his authority by issuing to the State its quota of arms under the militia appropriation for twenty years in advance, in order to get enough to equip these negro soldiers. They used to drum up and down the roads with their fife and their gleaming bayonets, equipped with new Springfield rifles and dressed in the regulation uniform. It was lawful, I suppose, but these negro soldiers or this negro militia, the bayonets and the bayonets nothing bold, let drop talk among themselves where the white children might hear their purpose, and it came to our ears. This is what they said:

'The President is our friend. The North is with us. We intend to kill the white man. We shall take the land, marry the white women, and then these white children will wait on us.

Those fellows forgot that there were in South Carolina some forty thousand Confederate soldiers, men who had worn the gray on a hundred battlegrounds; men who had charged breastworks defended by men in blue; men who had held lines of battle charged by men in gray; men who had fought battles fought. They forgot that putting in uniform a negro man with not sense enough to get out of a shower of rain did not make him a soldier. So when this condition became a matter of record as a prelude to the argument as I say, despair had come upon us, we set to work to take the government away from them.

We knew—who knew better?—that the North then was a unit in its opposition to southern ideas, and that it was their purpose to perpetuate negro governments in those States where it could be done by reason of there being a negro majority. Having come to our senses, we wrote the President and asked him to put an end to the plundering and perpetuation of negro government. I do not say it in a boisterous spirit, although I am proud to say it, that the people of South Carolina are the pure-blooded Americans in America. They are the descendants of the men who fought with Marquis de Serington, with Washington, and other heroes in the Revolution. We have had no admixture of outsiders, except a small trickling in from the North and from other Southern States.

The same. The negro militia grew unbearable and more and more insolent. I am not speaking of what I have read; I am speaking of what I know, of what I saw. There were two militia companies in my neighborhood, one in the county, and the other in the community. We had clashes with these negro militiamen. The Hamburg riot was one clash, in which seven negroes and one white man were killed. A month later we had the Ellenton riot, in which no one knew how many negroes were killed, but there were forty or fifty or a hundred. It was a fight between barbarism and civilization, between the African and the Caucasian, for mastery.

Again a long the paths of progress; and in consequence of the white men.

The other day the Senator from Wisconsin proceeded to quote from a former speech of mine. He said, 'We shot them;' it was then that we killed them; it was then that we sought to end the law. After the troops came and told us, 'You must stop this rioting,' we had decided to take the government away from men so debased; we had decided to take the government away from negroes—I will say negroes; I meant them baboons; I believe they are men, but some of them are so near akin to the monkey that scientists are yet looking for the missing link. We saw the evil of giving the ballot to creatures unfitted by race, and saying of the man behind the ballot and whether that vote would kill mine. So we thought we would let you see that it took something else besides having the shape of a man to make a man.

We sent troops to maintain the carpetbag government in power and to protect the negroes in the right to vote. He merely obeyed the law. I have no fault to find with him. It would be as well, as he answers, to enact a policy, to enact a policy, because if it were bad then it would be repealed. Then it was that we stuffed ballot boxes, because desperate diseases require desperate remedies, and having resolved to take the State away, we did not do nothing.

It is undoubted that the Republicans will assume all responsibility for the condition in the South at this time. They have never shirked it. The Senator from Wisconsin acknowledged his participation in it the other day. He has no apology to make for it. I do not ask anybody to apologize for it; I am only justifying our own action. I want to say now that we have not shot negroes in South Carolina on account of politics since 1876. We have not found it necessary. [Laughter.] Eighteen hundred and seventy-six happened to be the hundredth anniversary of the Declaration of Independence, and the action of the Government in taking the law from the negroes we regard as a second declaration of independence by the Caucasian from African barbarism.

The other day the Senator from Wisconsin defined liberty. "It is," he said, "I believe it is, whatever it is; it is written in the law to be done." The Senator has the right to give whatever idea of liberty he may have, and I have no objection to that. In a general way it is a very good definition. But I have to declare that if the white men of South Carolina had been content to obey the laws which had been forced down our throats at the point of the bayonet and submit to the reconstruction acts which had thrust the ballot into the hands of ignorant and debase negroes, slaves five years before, and only two or three generations removed from the barbarians of Africa, the State of South Carolina to-day would be a howling wilderness, a second Santo Domingo. It took forty years to recover and begin to move forward along the paths of development and progress; and in consequence of the white men interpreting the word "liberty" to mean the liberty of white people and not the license of black ones, the State is to-day in the very vanguard of southern progress, and can point to the result as the absolute justification for every act which we performed in war and in peace. Let us never lawless our acts may be in the eyes of the Senator from Wisconsin.

South Carolina and Louisiana were the two last States to throw off the blood-sucking vampires which had been set over us in the reconstruction acts. We would not have tried to do more than to give a statement of facts the other day, but I was not permitted to do so. I was ordered to take my own time, and I am now taking it in answer.

The President is our friend, the North is with us. We intend to kill the white man. We shall take the land, marry the white women, and then these white children will wait on us.
matter. My position has been purposely misrepresented, and
the Senator from Wisconsin has assumed to himself the right to
arraign me in this body and to pass judgment on me as a
political candidate. I am entitled to a
deference and more or less thinly scattered throughout the country, have negroes
on every hand. For forty years these have been taught the
damnable heresy of equality with the white man, made the puppet
of scheming politicians, the instrument for the furtherance of
political ambitions. Some of them have just enough educa-
tion to be able to read and understand what they
read. Their minds are those of children, while they have the
passions and strength of men. Taught that they are oppressed,
and that the whites put that hatred of the whites, the younger generation of negro men are roaming over the land,
passing back and forth without hindrance, and with no pos-
sibility of adequate police protection to the communities in which
they are residing.

Now let me suppose a case. Let us take any Senator on this
floor—I will not particularize—take him from some great and
well-ordered State in the North, where there are possibly twenty
thousand negroes, as the Senator from Wisconsin, with over two
million whites. Let us carry this Senator to the backwoods in
South Carolina, put him on a farm miles from a town or rail-
road, and confronted with negroes. Shall we hope he has a
fair young daughter just budding into womanhood; and reco-
lect this, the white women of the South are in a state of siege;
the greatest care is exercised that they shall at all times where
they are always and in every instance be the case. That
Senator's daughter undertakes to visit a neighbor or is left home alone
for an hour or two. Some negro, with the opportunity seizes her;
she is choked or beaten into insensibility and ravished, her body prostituted, her purity destroyed, her
chastity taken from her, and a memory branded on her brain as
an atonement for her father's errors. The South Carolina judges, stern, which govern the people.

And, I answer on my honor, if an attack no is intended to be
upon the Senator from South Carolina. It is a plea for good government, or-
does not the law, the liberty of one man, liberty of all. What is liberty? Liberty was one well defined to be "freedom of the to do or the to say." And,
that is what liberty is. I say again that any man here or elsewhere who
encourages lynching, murder, lawlessness, will have much to answer for
in the higher his position and the weightier his influence the more
will he have to answer for.

Have I ever advocated lynching or at any time denounced anyone? I answer on my honor, "Never!" I have justified it for one
plane, and one only, and I have consistently and persistently
maintained that attitude for the last fourteen years. As gov-
ernors of South Carolina I procured in 1897 and 1898 I had taken
the oath of office to support the law and enforce it. I
lead a mob to lynch any man, black or white, who had ravished
a woman, black or white. This is my attitude calmly and
deliberately taken, and justified by my conscience in the sight of
God.

Mr. President, the Senator from Wisconsin speaks of "lynch-
ing bees." As far as lynching for rape is concerned, the word is
a misnomer. What one person calls a lynching another
will call murder, and one only, and I have consistently and persistently
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deliberately taken, and justified by my conscience in the sight of
God.

The Senator from Wisconsin prates about the law. He erects
the law into a deity which must be worshiped regardless of
justice. He has studied law books until his mind has become
saturated with the bigotry which ignores the fundamental prin-
ciple in this Government: "Law is nothing more than the will
of the people." There are written laws and unwritten laws,
and the unwritten laws are always the very embodiment of sav-
agism. The Senator from Wisconsin is incapable of un-
derstanding conditions in the South or else he has lost those
natural impulses which for centuries have been the character-
istics of the race to which we belong.

Tactius tells us that the "Germanic people were ever jealous of
women," that they spoke "Saxons, Saxonians, Englishmen, they are practically one, springing from the same great root.
That trinity of words, the noblest and holiest in our language,
womanhood, motherhood, have Saxon origin. I be-
lieve with Wordsworth—it is my religion—
A mother is a mother still, the noblest thing alive.
A man who speaks with lightness or fippyness or discusses
cold-bloodedness a matter so vital as the purity and chastity of
womanhood is a disgrace to his own mother and unworthy the
love of a goodwife.

Look at our environment in the South, surrounded, and in a
very large number of counties and in two States outnumbered,
by negroes. They are the most important. It is a black flood of semi-
barbarians. Our farmers, living in segregated farmhouses,
more or less thinly scattered over the country, have negroes

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Thro' his employment to insult her so—
Tells it
From start to finish, and is not a word spared.
Until, at last,
A putrid, seething corpse, she falls
Back into fearful silence.

And, facing her,
The white, the Beast leans forward, huge and black,
His eyes are glued on her. At it—
Whispering, at times, in the attorney's ear.
Suspicion, questions as to motives
And the death of her and hell agape
Reigns over us in all of its fury.

To hide a grin of remorseful jest
Behind a sweating pain.

That is the picture—
Dw I heard it say Again: "The Law should take its course?"


That is what the Senator from Wisconsin says he would do, and he is welcome to all of the honor he can get out of it. Our rule is to make the woman witness, prosecutor, judge, and jury. I have known Judge Lynch's court to sit for a week while suspect after suspect has been run down and arrested, and in every instance they were brought into the presence of the victim, and when she said, "That is not the man," he was set free; but when she said, "That is the man," civilization asserted itself, and justice, speedily and fearfully, let me say, was meted out. I have never advocated, I have deprecated and denounced, burning for this or any other crime. I believe it brutalizes any man who participates in a cruel workmanship. I am satisfied to get out of the world such creatures.

As far as the people of the South are concerned, it is said I do not represent them here. Somehow or other I seem to represent them. I do not aspire to assert that it is my religious belief that on this subject of race I voice the feeling and the purpose of 95 per cent of the true white men of the Southern States. Whether I do or not, I voice my own. I am not asking for the succor of that majority.

The Senators from Wisconsin and Colorado may rave, the newspapers may howl, but men who were reared by virtuous mothers and who know what the insolence and effrontery of any Southern man is, it is all we want anybody to acknowledge—the purity and honesty of the South's attitude.

I say here, from my observation and experience, and I claim to speak for something about this matter, that there are people little or no sectional hatred left. I have been among them. I have tested them. I have touched their nerves, if I may have, on the question of the expression of hatred for the South as the South. And the people of the North are no longer blinded by passion. Newspapers of a partisan character are contending for political reasons from the standpoint that it was the people of the North who made the adjustment of the issue after the war. I do not care to go into the political phases of this question, to point out the number of negro votes in the North, which compel, in a way, the situation. Nor do I care to take the attitude of that happy adjustment in regard to this resolution about Brownsville, that the leader of the Republican cohorts had threatened to say that he would have it annulled again under the cry of a "free vote and a fair count" for the negroes of the South.

The Republican party itself has forsaken its old war cry of "the fatherhood of God and the brotherhood of man." It has denied the Filipinos any participation in the Government, proclaiming that they are not fit. The southern people know they are unfit. We do not dispute it; but in the name of common sense and honest dealing, if the Filipinos are unfit, why are the negroes fit? Everybody knows that the Caucasian stands first, the Mongolian second, the Malay third, the Indian fourth, and the negro fifth in the scale of civilization as fixed by ethnologists. We have had to deal with the other four races besides our own. We have excluded the Chinese. Why? In order to satisfy the selfish desire of white men who are interbreeding with the Chinese. These people have butchered the Indian and taken his land. We have settled them. We have denied that the Malay is fit. Yet here we stand proclaiming that the African is fit.

The disfranchisement of the negro in the South for the time being has been acquiesced in by the people of the North without protest, but the fourteenth and the fifteen amendments are the law of the land. Of course there is great doubt as to whether they were ever adopted in a constitutional manner. It says like this: "When the Senator from Wisconsin and Ohio, after stating the question a little, argue the point as a purely legal one, without any reference to political conditions.

Weakers, perhaps the question in general goes on throughout the country and the future status of the negro in the United States and how to ameliorate conditions which are well-nigh intolerable now will more and more attract attention.
to the fundamental question as to whether or not the races are equal, must come to the front. It will be settled finally on that basis, yes or no. If the majority of the white people make up their minds that the negroes are not equal in the race, they will use the power they have invested in them, and it will be a perpetual Union. Is there any man bold enough to deny that there is an irrepressible conflict now between civilization and barbarism and that the living together upon an absurdity of two races lives is an irrepressible conflict—one the highest, the other—the lowest in the scale—is an impossibility without strife and bloodshed?

Let the newspapers of the country answer. Take up any day you please a paper published anywhere and read of these conflicts and murders and ravishings, and all that sort of thing. Is it too much for me to say that the American people want this question investigated and discussed candidly and without passion or partisan bias, and have their lawmakers here set about trying to do something? That is all I am trying to accomplish. I do not expect to live to see any change in the Constitution of the United States one way or another. I doubt if there is a man in this Chamber who will ever see it changed by amendment.

But I am not pleading for the white people of the South alone. In the ultimate conclusion of this issue we will take care of ourselves, and if we can not do it without help we will get in the North all the recruits who believe in white supremacy and white blood, that we want the negro to be driven from the soil. Thank God, the color line is thicker than water." But we do not want to have to go through the fearful ordeal and crime of butchering the negro. I realize that there are millions of good negroes, if they are left alone and not taught heresies and criminal thoughts and teachings and driven from the soil. We must have negroes. If there is an irrepressible conflict in the South, one—the highest, the other—the lowest in the scale—is an impossibility without strife and bloodshed. The negroes are an asset to the South and to the nation and must be maintained. We must not have negroes driven from the soil. We must have negroes.
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honest, going through the South and conversing with the white people and blacks, but will return and tell you this is true. Some of you may have me and will not dispute it. If I were a negro I would do probably as they do, but being a white man, I do just as I am doing, and I expect to do so, so help me God, as long as I have breath in my body.

The Senate then adjourned.

Mr. SPOONER. Mr. President, the Senator imputes to me malice against him, and attributes my utterance the other day to not only malice, but a deliberate purpose to offend him. The Senator could not be more mistaken or more unjust. I have schooled myself, if I call it so, to entertain no malice, nor to encourage the rulers of the land, who can change this or do something to relieve conditions, what are you going to do about it? Are you going to sit quiet? If nothing else will cause you to think, I notify you, that you are surrounded by those that are a billion dollars or a love of northern capital invested in the South in railroads, in mines, in forests, in farm lands, and self-interest, if nothing else, ought to make you set about hunting some remedy for this terrible condition.

As it is the South is helpless. We can do nothing. It is not worth while for us to propose anything. All we can do is to maintain our present attitude of resistance, to maintain the control of our State governments, and to submit to whatever you see fit to do in national affairs, because under no conditions do we ever hope that the Senate can regain control of this Government. We are one-third of the population. You are two-thirds. Every year your numbers are being added to by a million immigrants in the North, who stay where, while none go to us. The million who came in last year represent five million who came in previous years. Every year your numbers are being added to by a danger of which the Senator has departed, to find in the South Carolina Billard and the Wyoming Billard. There is no danger of political power ever being made use of save by the black man in the South, in the name of civilization, I ask you in the name of the virtue and the law of our constitutional system, that the unfinished business be temporarily laid aside.

Therefore, I say to you—I take the responsibility, if I am alone, of saying to you of your duty to do something. It is your duty to do something. It is your duty to do your part.

For the time being the South is occupying an attitude of waiting. It is occupying an attitude of constant friction, race riot, butchery, murder of whites by blacks and blacks by whites, the inevitable, irrepressible conflict between white civilization and a black barbarism. I plead for the negro as much as for the white man. This body is occupied, I believe, in the formation of two or three constitutional amendments, and I ask you in God's name, I ask you in the name of civilization, I ask you in the name of the virtue and purity of the white women of the South, to do something to relieve us from the body of this death. [Applause in the gallery.]

The VICE-PRESIDENT. The Chair will again admonish the occupants of the gallery that applause is not allowed under the rules of the Senate, and trusts that it will not be necessary to repeat this admonition.

During the delivery of Mr. TILLMAN's speech, the VICE-PRESIDENT. The Senator from South Carolina will suspend while the Chair lays before the Senate the unfinished business, which will be stated by the Secretary.

The SECRETARY. The bill (S. 760) to revise, codify, and amend the laws of the United States, in relation to the sale of land, for the purpose of settlement.

Mr. FULTON. I ask unanimous consent that the unfinished business be temporarily laid aside.

The VICE-PRESIDENT. The Senator from Oregon asks unanimous consent that the unfinished business be temporarily laid aside. Without objection, it is so ordered. The Senator from South Carolina will proceed.

After the conclusion of Mr. TILLMAN's speech, Mr. SPOONER. Mr. President, at this stage of the session I would not and ought not to be pardoned if I consumed much of the time of the Senate in reply to the Senator from South Carolina [Mr. TILLMAN]. I decline to be trusted or beguiled by the Senator from South Carolina into competition with him in the use of offensive epithets. The Senator was accurate when he said that we have served long together and have had sharp partitions of sentiment. He will make a bad excuse when he misrepresents the history of what has happened, to find in all the Racox any epithet applied by me to him or any assault upon his character as a man or as a Senator.

The Senator says he has no right to set myself up as a mentor in the matter of manners in the Senate. I have not such a right. I never have urged any such a function. Mr. President, I made the attack upon the Constitution, I have used the word in its just, fair, and right sense upon the Senator from South Carolina. We all have a better and worse side. If it were not so, a man would be perfect, and there is no perfect man, Mr. President, in the world. When the negro shall rise from Carolina to the government from South Carolina resumes its sway over his worse side and the anger incident to this debate shall have passed away, my estimate of him is that he will regret as he reads them in the Racox some of the words which have fallen from his lips today.

If I, from this Chamber, should counsel the black men of the South to a course of revenge and violence; if I should utter words which, if they were of influence there, would spur the black men of the South to disregard the law; if I should say a word here or elsewhere, being a Senator of the United States, which would place observation of the South and render it more difficult, Mr. President, for them to work out side by side with the colored race the destiny of each, there is not a Senator here from the South or from the North who would go with my right hand to the House of the South CarolinaPlayback and outside of this Chamber, than I have.

But, Mr. President, as an observation upon the personal part of the Senator's speech it is appropriate for me to say this, and upon no other hypothesis. I criticized the attitude and the utterances here and elsewhere of the Senator from South Carolina. That was within my right. I withdraw in no respect, nor do I qualify, the opinion which I expressed as to its injustice and danger of which the Senator from South Carolina complains.

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If I, from this Chamber, should counsel the black men of the South to a course of revenge and violence; if I should utter words which, if they were of influence there, would spur the black men of the South to disregard the law; if I should say a word here or elsewhere, being a Senator of the United States, which would place observation of the South and render it more difficult, Mr. President, for them to work out side by side with the colored race the destiny of each, there is not a Senator here from the South or from the North who would go with my right hand to the House of the South CarolinaPlayback and outside of this Chamber, than I have.
aliens dwelling among us—the protection of the judicial machinery which early in the history of civilization was devised to prevent one man, or a number of men, from becoming without trial the judge of any human being.

As mankind has moved forward, Mr. President, on the lines of civilization, as Christianity has spread throughout the world, the lesson that all organized society is based upon law and an observance of law, and that without it there is anarchy, and return to the brutal days of tyranny—government without law is tyranny—people have come to realize how vital it is, not simply to preserve the sovereignty by which they have been safeguarded by constitutions and laws around human life must be everywhere observed.

Mr. President, this is no fanciful theory; it is the creed and hell of every man. It is not true that it is a law of God, and the only firm basis of civilization of the age. The advocacy of it, to take life for our people, North or South, East or West, to order, to civilization; and the man who justifies it here or anywhere to our system of civilization. The advocacy of a doctrine which justifies citizens, at their will, in taking human life as punishment for an alleged offense without trial whenever passion moves to it, is not only wicked but wicked.

I said in the speech which the Senator criticizes, and I repeat it, that "in the corrupted currents of this world"—I think I used the words which the President will sometimes be permitted to their sense of duty and the obligations of good citizenship, and that here and there may be in every State—these guarantees will be forgotten, and mobs will take into their own hands the functions of accusation, judgment, and execution; but, Mr. President, such occasional barbarism is to be deplored. It is not, as I said the other day, in high places and by men clothed with power to be flouted and defended. Is that a personal attack upon anyone? Have I ever spoken of our people, North and South. Mr. President, it will not do. The doctrine would be fatal North or South, East or West, to order, to civilization; and the man who justifies it here or anywhere to our system of civilization. The advocacy of a doctrine which justifies citizens, at their will, in taking human life as punishment for an alleged offense without trial whenever passion moves to it, is not only wicked but wicked.

When that happened—

Referring to what transpired in South Carolina, growing out, it was alleged, of the horrors and wickedness of carpetbag government, the Senator said—

When that happened we took the government away. We staffed ballot boxes. We shot them. We are not ashamed of it. The Senator from Wisconsin would have done the same thing. I see it in his eye right now. He would have done it. With that system—force, insane ballots, etc.—we got tired of it. So we called a constitutional convention and we eliminated, as I said, all of the colored people whom we could under the fourteenth and fifteenth amendments.

Mr. President, the Senator thinks I am incapable of realizing the situation and the conditions in the South. Probably I had not full appreciation of the conditions at the time to which the Senator from South Carolina refers. I probably have no adequate appreciation of the situation in the South because I do not think that it is dangerous; I know that it is delicate. I know that the colored people of the South must and will remain in the South. I know it is a problem which taxes the ingenuity, the statesmanship, and the humanity of all the brain and all the heart of the white people of the South. The question which I had in my mind the other day was this: Which is the better spirit in which to try and find the solution of it, whether it is the spirit of Grady or the sentiment and spirit of the Senator from South Carolina? Surely the question answers itself.

The question one advocates lawlessness among the whites he of necessity encourages lawlessness and reprisal among the blacks. When one constantly vituperatively speaks of the superiority and inferiority of races dwelling side by side, he is laying the found. Equality of the races I never have discussed, and I never will discuss it. It is bootless, Mr. President, and fruitless of anything but danger. It is enough to say that the races are different races. It is enough to say that undoubtedly the white race will maintain the Southern government which will maintain the Southern States. We have not anywhere expected otherwise; but, Mr. President, leaving out politics, leaving out the ballot, before the law all men, without regard to color, must be equal. There can be no more equal rights than to have the President, the man who shall be less entitled than the white man to the guaranties which civilization has written into our Constitution and into the constitution and laws of the South. There is not a man so mean, so wicked, so homeless, so completely an outcast, that he is not entitled to the protection of the law; that he is not, before execution for an offense, entitled to his day in court, under the procedures of our State and Federal government. I do not believe he is the man who did the deed. Does that attack anyone? That is a principle. Mr. President, which is at the very foundation of the Government. Without this it is not a Government either of liberty or of law.

The Senator, in a very feeling and eloquent way, spoke of the unspeakable crime sometimes committed by white men and black men, in the North as well as in the South, and proclaimed that the best blood of the Anglo-Saxon race flows in the veins of the people of South Carolina—a question I do not discuss. He paid a tribute to the men who advocated woman—the mothers, the author, the daughter. The Senator will not claim that appreciation of womanhood and the crown jewel of woman's existence, her chastity, is limited to any State in the United States. There are no States in the Union, either North or South, towards which the President, the Senator, the people of the South and the East and the West, aye, in the palace and in the cabin, equally love the home. They know it is the foundation, the ultimate basis, of society and all that is built on it. There is no more destructive to our civilization as a whole, bitterly denounce than I feel the crime to which the Senator from South Carolina alluded. No man, Mr. President, in the world more desires its punishment than do I; and as I feel we all feel throughout the land.

The mother! Mr. President, in the Bible nothing could be found with which to compare the love of God for his children more than what the President has said which crime, ingratitude, misfortune, nothing in the world can surpass.

But, Mr. President, that is all apart from the question. The question is whether, wherever a man is charged with this heinous crime, he has not a right, sacred as the ark of the covenant, to say in a court of justice, "I did not do it," and to have that question tried in due form of law. He has a right to the presumption of Innocence which is thrown about every man, accused of crime. He has a right to say, "You must establish the offense and furnish evidence beyond a reasonable doubt that I am the man before you take my life on the scaffold." No, Mr. President, who is warranted in saying anywhere up and down this Senate that the application, as strong in the military, and no stronger, than it is in the administration of law in the civil courts?

In my speech I referred to the Senator from South Carolina, as I have always done, as "my friend from South Carolina," but that is unwelcome to him now. The doctrine, not the man, did I attack. I stated—and I think I offended the Senator from South Carolina—that I felt this attitude upon the subject, violently asserted as it is here and has been before, and as it elsewhere, represents the sentiment which pervades the white men of the South, the men charged there with government. I have some reasons for that belief.

It has remained for the Senator from South Carolina to be the only one from that section sitting in this Chamber since I have had to do with this Chamber who, as I remember, has given utterance to any such justification of trial by mob and execution by mob. There are many Senators here from the South who have seen with me the Senator from South Carolina that I have had to do with this Chamber who, as I remember, has given utterance to any such justification of trial by mob and execution by mob. There are many Senators here from the South who have seen with me the Senator from South Carolina that I have had to do with this Chamber who, as I remember, has given utterance to any such justification of trial by mob and execution by mob. There are many Senators here from the South who have seen with me the Senator from South Carolina that I have had to do with this Chamber who, as I remember, has given utterance to any such justification of trial by mob and execution by mob. There are many Senators here from the South who have seen with me the Senator from South Carolina that I have had to do with this Chamber who, as I remember, has given utterance to any such justification of trial by mob and execution by mob. There are many Senators here from the South who have seen with me the Senator from South Carolina that I have had to do with this Chamber who, as I remember, has given utterance to any such justification of trial by mob and execution by mob. There are many Senators here from the South who have seen with me the Senator from South Carolina that I have had to do with this Chamber who, as I remember, has given utterance to any such justification of trial by mob and execution by mob. There are many Senators here from the South who have seen with me the Senator from South Carolina that I have had to do with this Chamber who, as I remember, has given utterance to any such justification of trial by mob and execution by mob. There are many Senators here from the South who have seen with me the Senator from South Carolina that I have had to do with this Chamber who, as I remember, has given utterance to any such justification of trial by mob and execution by mob. There are many Senators here from the South who have seen with me the Senator from South Carolina that I have had to do with this Chamber who, as I remember, has given utterance to any such justification of trial by mob and execution by mob.
but words of kindness. I never heard from him on this floor, the dignity of the black man and another to the white man in the South—one measure of justice to the black man and another measure of justice to the white man in the South.

One of the best evidences that the Senator from South Carolina does not represent upon this subject the sentiment of the governing element in the southern States than is afforded by the silence of his associates on that side of the Chamber, with full knowledge of the conditions and of the danger and trouble which they involve. Through all the years of my service here every one of them and their predecessors have had the opportunity to offer an explanation for the lip of no one of them have fallen in this Chamber insulting characterizations of the colored race, or any avow any advocacy, Mr. President, of lawless violence toward the race.

I have here other utterances of the same kind as those which have been made here by the Senator from South Carolina, to which I intended when I arose to call attention, but I pass them by.

Mr. TELLER rose.

Mr. SPOONER. Does the Senator desire to interrupt me?

Mr. TELLER. No. I thought the Senator had concluded.

If the Senator has finished his speech—

Mr. SPOONER. I am not quite through.

Mr. TELLER. I will wait until the Senator concludes.

Mr. SPOONER. Now, Mr. President, I will not reargue this Brownsville question, and I will not go back into the race question, but I will say again with all my heart from the standpoint of the North, whose sympathy the white people need, and I will have, that any solution of this question, politics out of it, must be upon the floor. Does he yield?

I yield to the Senator from South Carolina.

Mr. TELLER. I yield to the Senator from South Carolina for a brief time, but not for very long.

[Mr. CARMACK addressed the Senate.]

Mr. TELLER. Mr. President,

Mr. TELLER. The Vice-Presicent. The Senator from Colorado yield to the Senator from Tennessee?

Mr. CARMACK. Will the Senator from Colorado yield to me for a short while?

Mr. TELLER. I yield to the Senator from Tennessee for a short time.

[Mr. CARMACK addressed the Senate.]

Mr. TELLER. Mr. President,

Mr. TELLER. Mr. President, the Senator from Colorado allows me to say, the Senator from Tennessee has been criticized by the Senator from South Carolina was based upon personal ill will toward him, and I yield the floor.

Mr. TELLER obtained the floor.

Mr. CARMACK. Mr. President,

Mr. TELLER. Will the Senator from Colorado yield to the Senator from South Carolina?

Mr. TELLER. I will yield to the Senator from South Carolina.

Mr. CARMACK. If the Senator is going to yield—

The Vice-Presicent. The Senator from Colorado entitled to the floor. Does he yield?

Mr. TELLER. I refuse to yield to the Senator from South Carolina.

Mr. TILLMAN. Of course—

Mr. TELLER. The Senator has had his day.

Mr. TILLMAN. I wanted an opportunity to give my friend from Tennessee a real explanation; but if the Senator from Colorado does not yield, I can not do so.

The Vice-Presicent. The Senator from Colorado declines to yield.

Mr. TELLER. I move that the doors of the Senate be now closed.

Mr. GALLINGER. Second the demand.

The Vice-Presicent. The Sergeant-at-Arms will clear the galleries and close the doors.

The doors were then closed; and at the expiration of one hour minutes were reconvened.

Mr. TILLMAN. Mr. President, when the Senator from Colorado [Mr. TELLER] moved that the Senate go into secret session some time went in had risen and asked that Senator to yield to me for a purpose.

Mr. TELLER. You did not state the purpose, though.

Mr. TILLMAN. I did not have a chance. The Senator from Colorado alluded to me, "No, no," and of course I had to yield to his wish and right.

I had discovered, very much to my surprise and regret, in lis-

To the naturally angry and bitter words of the Senator from South Carolina, that the Senator was angry or expectation of anything of the kind occurring I had very seriously wounded that Senator. Now, if there is any man on this side of the Chamber for whom I have more personal friendship in the world, who desires to see South Carolina and the Senate from South Carolina, I do not know it. Our relations have been entirely pleasant from the time he came here. There has not been a hint of suspicion or friction or of anything other than the strongest, warmest, sexiest friendship. Having discovered that Senator was angry, and realizing that if he took seriously what I had read this morning he had a right to be, I was anxious to make him understand that he was laboring under an error or misapprehension.

I now take occasion, Mr. President, to say what I wanted to say then, and that is that as far as my first essay in the line of humor and wit had had such an effect upon him, inasmuch as I learn that others of my colleagues on both sides have felt that I had transgressed and had used words that shocked to his offensive, I very much regret that I ever undertook to be funny. I believe that the man at one end of the ministrine line, I will never do so any more.

Now, I want to say to one and all of the Senators whose words were misused in my buffet, I am not quite through. I had no idea or expectation of wounding any man in any way. Having wounded some of my friends—these men are my friends in a way—I shall withdraw gracefully and gladly keep out of my speech as it goes in the Record this humorous essay of mine.

I think it is unfortunate that I was not allowed to make this explanation before the Senator thinks it I felt a keener regret of what the Senator has said in the how to be bitter, and I have a reputation of being able to use vitriolic language. Those characteristics of mine, which are my misfortune rather than my beauty, being given a new lease of life, and I will not keep out of my speech as it goes in the Record, the pursuit of happiness, and to the enjoyment of the rights of being able to use vitriolic language. Those characteristics of mine, which are my misfortune rather than my beauty, being given a new lease of life, and I will not keep out of my speech as it goes in the Record.
Mr. FORAKER. I supposed, under all the circumstances, there would be no objection to taking a vote at this time. If the Senator prefers that it shall go over, we can vote on it to-morrow.

Mr. TELLER. Let it go over.

Mr. FORAKER. Of course it will go over.

Mr. TELLER. Some of us have not yet had any chance to read it.

Mr. DANIEL. Mr. President—

Mr. FORAKER. I ask that the resolution may go over as heretofore, to come up immediately after the routine morning business.

Mr. DANIEL. Will the Senator from Ohio allow me to make a suggestion?

Mr. FORAKER. Certainly.

Mr. DANIEL. I beg leave to suggest to the Senator that he name some hour to-morrow.

Mr. FORAKER. I ask that it may come up immediately after the routine morning business.

Mr. DANIEL. The Senator does not name any hour to vote on it. Would it be agreeable to do so?

Mr. FORAKER. I should like if we could fix an hour when we would vote on it, but I do not know how many Senators there are who desire to speak. Could the Senator from Colorado indicate when he would be willing that we might have a vote?

Mr. FITZGERALD. I have a bribe connected with this matter. I think that to-morrow morning I may want to talk ten minutes on the question. I do not care about going on tonight.

Mr. CARMACK. I can say to the Senator from Ohio that there are not more than fifteen or twenty who desire to speak.

Mr. FORAKER. Mr. President, it is well enough to have that information. I asked for a time at which we should vote because of the suggestion of the Senator from Virginia. I do not want to hurry it to a vote. It may be that there will be a great many of us who will want to speak before it comes to a vote. The Senator from Tennessee will not have a monopoly of the talking. I give him and everybody else notice to that effect. There will be no monopoly of the talking on the part of the Senator from Tennessee.

Mr. GORDON. Mr. President—

Mr. CARMACK. If the Senator will permit me, I said that purely as a matter of jest. I do not expect to occupy any further time.

Mr. FORAKER. Mr. Speaker, humor does not seem to be appreciated to-day.

Mr. ALDRICH. I move that the Senate do now adjourn.

Mr. CARMACK. I will say that was my first attempt at humor, and will be my last. [Laughter.]

Mr. FORAKER. Mr. President, in the exercise of the high prerogative which belongs to the Senator who has business in hand, I stop the Senate.

The motion was agreed to; and (at 6 o'clock and 16 minutes p.m.) the Senate adjourned until to-morrow, Tuesday, January 22, 1907, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.
Monday, January 21, 1907.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. Henry N. Codden, D. D.

The Journal of the proceedings of yesterday was read and approved.

PENSION APPROPRIATION BILL.

Mr. GARDNER of Michigan, by direction of the Committee on Appropriations, reported the bill (H. R. 24640) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1908, and for other purposes; which was read a first and second time, and, with amendments, ordered to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. FITZGERALD. Mr. Speaker, I reserve all points of order.

The SPEAKER. The gentleman from New York reserves all points of order.

INCREASE OF EFFICIENCY OF ARTILLERY.

Mr. HULL. Mr. Speaker, I move to suspend the rules and pass the bill H.R. 17547) to increase the efficiency of the artillery of the United States Army, with an amendment thereto, which I send to the desk and ask to have read.

The Clerk read the bill, as follows:

BE IT ENACTED, etc., That the artillery of the United States Army shall consist of the Chief of Artillery, the Coast Artillery, and the Field Artillery. The Coast Artillery and the Field Artillery shall be organized as hereinafter specified, and the artillery shall belong to the United States Army: Provided, That the Chief of Artillery shall cease to exercise supervision over the Field Artillery and the Coast Artillery; and thereafter be designated as the Chief of Coast Artillery.

SEC. 2. That the Chief of Artillery or Chief of Coast Artillery shall be an additional member of the General Staff Corps, and his other duties shall be prescribed by the Secretary of War.

SEC. 3. That in case a vacancy occurs in the appointment of the Chief of Artillery or Chief of Coast Artillery the President may appoint to such vacancy by and with the advice and consent of the Senate, an officer selected from the Coast Artillery, who shall be reappointed for further periods of four years; and any officer who shall by seniority be eligible to the rank of Chief of Coast Artillery, when retired, be retired with the rank, pay, and allowances authorized by law and by the grade of the rank, and the grade be filled by promotion by an officer appointed Chief of Artillery or Chief of Coast Artillery shall be filled by promotion in that arm according to existing law, but the officer thus appointed shall continue in the same line position in his arm which he would have held if he had not been so appointed, and be entitled to the pay and allowances of a Captain; and the grade thus filled by promotion shall be filled by appointment in the following order: First, of graduates of the United States Military Academy; second, of enlisted men whose