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CAPITOL GOSSIP.

Until recent years a seat in the United States Senate was awarded to one who had won renown in public life, and usually to one fifty years of age or over. A



SENATOR BORAH

young man in the Senate was an exception. In the present body there are twenty-five Senators fifty years old or younger, the youngest, Senator Bryan, being only thirty-two. Two of the twenty-five are fifty years old, the rest under that age. One of the youngest of the young is Senator William Edgar Borah, of Idaho, only forty-three.

His education was received in his native State, Illinois, in the common schools and the Southern Illinois Academy at Enfield. He studied law at the Kansas State University, and was admitted to practice at Leona, Kans., in 1888. He obtained his first political preferment when elected to the United States Senate in 1897.

Senator Borah has devoted his entire time to the practice of law, and has made a national reputation in the prosecution of the accused assassins of Gov. Steiensenberg.

He is chairman of the (select) Committee on Standards, Weights, and Measures, and a member of the committees on Culture, Education and Labor, Expenditures in the Navy Department, Irrigation, and Revision of the Laws of the United States.

SHOCKED THE FOSSILS.

Senator Wm. E. Borah has shocked old fossils of the Senate as they have been shocked before in recent years by young Senators who showed disrespect for an old unwritten rule of that body. The rule is that new Senators may look wise but say nothing for at least a year after they take their seats. Senator Borah presented an amendment to the code bill prohibiting Senators and Congressmen accepting fees for services as attorneys in any court procedure in which the United States is directly or indirect-

ly interested. The Senator, disregarding the fossilized rule aforesaid, arose and ably defended his amendment, which should have been adopted unanimously. The only Senators who stood with him were Barkett, Brown, Dixon, Bourke, La Follette, Clark of Arkansas, Bacon, Stevenson and Richardson. The Idaho Senator did not weaken after the defeat of his resolution. He will introduce a bill which will include the provisions of his amendment, and also prohibit Senators and Congressmen acting as attorneys for any company or corporation engaged in interstate commerce or trade.

BORAH, NEW SENATOR, CAN HOLD HIS OWN

SPECIAL TO THE EVENING TRIBUNE.

EVING TRIBUNE BUREAU,
No. 1202 H STREET, N. W.,
WASHINGTON, D. C. THURSDAY.

Another of the new Senators made his initial appearance on the floor of the upper chamber, and made it with notable credit, when Senator Borah, of Idaho, got into the discussion of the criminal code revision bill.

Senator Borah wanted an amendment adopted which should bar Senators and Representatives from practicing law in the federal courts in cases in which the United States was directly or indirectly interested. He found himself very soon opposed by a group of the older and more seasoned Senators, but he conducted himself quite as if he had been there a generation.

In his manner of speaking to the Senate he reminded his hearers of Senator Hulley, who has long held the reputation of being quite the easiest, readiest and clearest talker in Congress.

Senator Borah opposed Teller, Hayburn—his colleague—McLaurin and others of the older heads, and handled them all in excellent form. He is one of the youngest Senators, but has won his spurs as a lawyer. It is an interesting fact that his introduction to the Senate was greatly facilitated by the interest taken in him by Senator Fred Dubois, whom Borah defeated overwhelmingly.

DUBOIS RUN FOR GOVERNOR

TIP GONE OVER STATE THAT HE
WILL ACCEPT.

HOWEVER IS NOT SEEKER

Will Accept if Tendered—Borah's
Friends Asking What He Will
Do With Machine.

The tip has gone out over the state that ex-senator Dubois will be the nominee for governor on the democratic ticket in the fall campaign. This tip has reached Lewiston with considerable definiteness. In fact there are local democrats who state that they know the senator would make the race. It appears that for some months friends have been urging Senator Dubois to accept the nomination, and recently he has disposed of the matter in this manner. He will make no effort whatever to secure the nomination, but if the party desires to nominate him he will accept and will enter into the campaign with his characteristic vigor toward the end of winning a complete democratic victory. Dubois has so many loyal friends, many democrats believe that by the position he has assumed he cannot now avoid a nomination, and so it is safe to state that the way the cards now look the senator will be the nominee. These democrats also state that with Dubois at the head of the ticket it means an anti-Mormon platform, for it seems assured he would accept a nomination on no other character of platform in view of his leadership in the anti-Mormon crusade.

With Dubois accepting the nomination for governor, it is the view of many local democrats that the congressional nomination will again go to Attorney Reese Hattabaugh, of Grangerville, should he desire it. Mr. Hattabaugh was the nominee of the party two years ago and made a good campaign. He is in entire harmony with Dubois on the Mormon question.

It is All Brady.

Lewiston republicans, who take a good deal of interest in politics and

who have been watching the situation closely, do as a rule express the unqualified view that the republican gubernatorial nomination will go to Mr. Brady, of Pocatello, in a gallop. Frank Wyman, of Boise, it appears, was a few weeks ago considered for the place, but according to the best local information Brady formed the combination which assures him victory in the convention. The story is to the effect that Brady, Senator Heyburn and French are in the combination and will join forces. This appears to be borne out by the comment of republican papers throughout the state. With but few exceptions, all the republican papers—or at least all those that play politics—who are favorable to either French or Heyburn, are accepting Brady's candidacy by explaining how strong a man he is, and in fact are already supporting him.

If such a combination has been formed it is practically along the lines of what was termed "the machine" two years ago, which was whipped single headed by Senator Borah. Borah's friends recall that the state administration, the state organization, with Brady as its chairman, Senator Heyburn, Congressman French, Governor Gooding and all the federal officials in the state opposed him. The opposition was offered for this reason and that reason most of them—including Senator Heyburn—taking the position that it was not republican doctrine to nominate a senator in the state convention, but at primaries and county conventions and at the state convention all of them wound up in the same caucus, while ex-Federal Judge Boutly even conducted a little anti-Borah caucus of his own and made a speech that is distinctly a treasure in the annals of the political history of the state. Many of Borah's friends are now asking: "What will Borah do?" They appear to expect him to break in somewhere in the interests of those opposed to the machine, and there is a very strong rumor that this will happen when that period of ticket-making is reached dealing with the congressman. It is even said Borah has cultivated a keen desire to land French and show how easy it can be done. If report is really correct as to the program, he will select one of his friends, probably Thomas Hamer, of St. Anthony, for congressman this trip, and that by keeping his hands off Heyburn and Brady, he will handle all the federal appointments for the next six years, a pleasure that has been wholly Mr. Heyburn's for a like period. Then two years from now he will help one of his friends into the gubernatorial chair, when he will then have achieved the full fruits of his great fight two years ago when he whipped the "machine." Borah's friends say he can do this easily, and they are asking will he do it? If not what will he do in the coming campaign?



SENATOR WILLIAM BORAH SENATOR HEYBURN

WASHINGTON, D. C., Feb. 8.—Idaho's two representatives in the upper house of congress are badly split over what should be done in Idaho on the Republican presidential matter. Senator Borah, who succeeded Fred Dubois in the senate, thinks he is pretty close to the feeling of the people in his commonwealth. He is for William H. Taft and is being things up for a Taft election. Senator Heyburn, however, also believes that he has a pretty good line on sentiment in Idaho and he has repeatedly stated that the people are undecided whom they will support and he is endeavoring to prevent anything like crystallization. He believes that an unstructured delegation should be sent from the state. If Senator Borah has his way, however, the delegates will be instructed for Taft.

SENATORS AS LAWYERS

A new senator is apt to cherish some odd ideas—odd, that is, from the standpoint of his elder colleagues. The senate, in fact, is much like a school—the new boy must play the game according to the traditions of the school. Innovations are not wanted. Here is the case of Senator Borah, for instance. Bitter experience has taught him that the occupation of a lawyer can lead to embarrassing situations. If that be true in private life, how much more so in public affairs! So, to remove the senate from all suspicion, he proposed an amendment to the criminal code prohibiting a senator from practicing law in a federal court during his term of service as a senator. This proposal startled the senators. None of them would practice in cases where the United States might be a party in interest, but all of them wanted the privilege of so doing. The amendment was "unsuccessful," in the opinion of Mr. Teller. It was a "matter of taste," in the view of Mr. Fairbank, who was willing to declare, however, that a senator "ought not" to appear in a case where the government is involved. Mr. McLaughlin considered that "a man ceases to be a lawyer after he becomes a senator." And so on. To all these objections the new boy in school merely replied that his ideas held that the practice he referred to was "wrong." There seems to have been no answer to that.

When a man is elected to congress he becomes the servant of the people—in theory, at least. He is an officer of the government. We don't pay him so very well, and often he finds it necessary to supplement his congressional salary. Occasionally, as in the case of Senator Spooner, he is forced to resign in order to provide for his declining years. So it is that no congressman is severely blamed if he practices law during the recesses. But it ought to be perfectly clear that he should not appear in a case where the United States is involved, not because his appearance would have the slightest influence with the bench—the federal judiciary can afford to be independent—but because he may have to decide as a legislator what he argues as a lawyer.

SENATORS AS LAWYERS

Most readers are aware that the criminal code of the United States is enjoying the leisurely experience of revision in the Senate. So long as the privilege of the conscript fathers are not infringed upon they give the business only perfunctory attention, permitting it to crawl along sleepily from day to day; but the instant a proposition like Mr. Borah's comes up nothing could exceed their vigilance. The junior member from Idaho wishes to amend the criminal code and abridge the ancient prerogatives of the Senators by forbidding them to practice law for pay. As the statute stands it is a criminal offense for them to take fees for any service performed before the Government departments, courts-martial and commissions in cases where the public has an interest either direct or indirect. Mr. Borah desires to extend the prohibition to the civil courts.

Naturally there is opposition to his amendment. The right to serve the corporations in court is only less lucrative to our dignified and virtuous Senators than the right to serve them in congress, and it is not to be expected that they will give up either one without an energetic struggle. Not without reluctance have they foregone the privilege of practicing before the departments. It is recalled that one distinguished member of the most powerful legislative body on earth made a formal contract with his partner before he left home for Washington to the purport that the fees which he should obtain by practicing before the departments unlawfully should be his own exclusive perquisites. Dought later, in a crisis of the firm's affairs, the contract was modified with more or less ingenuity. The scandalous affair throws a purple glare over the motives which guide the Senatorial mind and indicates a certain necessity for legal restraint wherever it can be imposed without too much difficulty.

The reason why Senators ought not to be permitted to practice before the departments is plain enough. Their influence would dominate the individual who had to decide the cause and justice would be bought and sold in every public office, just as it has been in the land department. No man ought to practice law before a judge whom he is in a position to coerce, and every member of the Senate can coerce the department heads if he chooses. The same is true, though in less degree, of the courts. Of course a Senator could not turn a judge who disoblged him out of office, but he could make things very unpleasant for him and he could deprive the unfortunate man of the hope of promotion. Senatorial courtesy bars from Federal office every person who has made himself obnoxious to any Senator. This principle has been established by the Senate to help fortify the members' machines in their respective states. As an application of the golden rule it is beyond praise, but it does not encourage independence in Government officials.

Senators can and do bully judges and pervert justice, but that is not the strongest reason why they should be prohibited from practicing law while they are in office, though it is strong enough. The simple fact is that Congressmen are trustees of the public welfare and they cannot devote their time to a law practice or any

other exacting employment without betraying their trust. The idea that the business of legislation is a mere diversion which can be performed at odd moments when nothing more important is on hand is false and pernicious. Lawmaking for the United States is an occupation weighty enough to consume the whole of any man's time and energy if he does his duty; and the fact that so many Congressmen do not do their duty accounts for the great body of crude and ignorant legislation under which we suffer.

But this is not the worst of the matter. It stands to reason that a Congressman who devotes his time and intelligence to the service of corporations in the courtroom cannot instantly change the whole trend and character of his thought as soon as he enters the halls of legislation. What he is in court, that will he also be in Congress. If he is the paid attorney of a corporation in one place, he will be the same in the other. It flies in the face of all reason and experience to expect anything else. When a man goes to Congress it ought to be for his country's service, and not to build up a private law practice. Certainly it ought not to be for the purpose of serving in court those corporations whose activity is directed against all equitable control. In the United States Senate today the beef trust, smelter trust, express trust, powder trust, Standard Oil trust and many others have their notorious representatives. If these representatives are permitted not only to direct legislation for the interest of their principals, but also to dominate over the courts, where shall the plain citizen go for justice when he is in controversy with a powerful corporation?

For a Senator to practice law is not a mere "breach of taste," as Mr. Teller delicately put it. It is wrong, as Mr. Borah declared, and everybody ought to commend his courage for stating the fact plainly. Mr. McLaurin, of Mississippi, thought that every member "ceased to be a lawyer when he entered the Senate," but the fact is that many of them only begin to be lawyers then. The practice and fees which they could never get before come to them readily enough as soon as they are able to reinforce their ability as men with their influence as Congressmen. Mr. Baller is a sufficient example of what the practice of law brings even the ablest Senator to. Those who cannot live without the fees ought to stay at home, or if they are already in the Senate they should follow Mr. Spooner's example and resign. For shame's sake, if for no other reason, the Senate ought to adopt Mr. Borah's amend-

STANISLAUS STRIKES AT GREAT EVIL.

Senator Borah's amendment to the bill to revise and codify the federal laws, which makes it a penal offense for any United States senator or congressman to appear in court as an attorney in any case in which the government may be interested, opens one of the greatest questions that confront the American people—the question of how far the law should allow an attorney to go along paths seemingly not prohibited by the ethics of his profession, but which are prohibited to the common citizen both by law and by the fundamental principles of honesty which should govern all.

There is a law now on the statute books prohibiting senators and representatives from accepting fees for appearing before any government department, and under this law Senators Burton and Mitchell were convicted. Senator Borah would go a step forward and prohibit any senator or congressman from acting as an attorney for any corporation or individual that is opposing or is opposed by the United States government in any case in court. The plain people of Idaho will heartily indorse the senator's course and all the more so for the reason that he has shown his own sincerity by discontinuing his entire legal practice since assuming his office, in order to devote his whole time to the duties for which he was elected.

Senator Borah's amendment is only the beginning of the reforms needed along that line, however, and it will take much decided effort and many able, determined men to win the battle as it should be won. Our nation is cursed with the thing at which Senator Borah strikes; not only directly but indirectly, and in ways that are not at once apparent to those who have not made a study of the evil.

Every legislative session in this state gives evidence of it. Every session has as members lawyers elected by the people to serve them who accept retainers for various interests and serve those interests with a zeal that would be commendable under other circumstances, but which is nothing less than criminal by all of the rules of common honesty. All of the lawyers elected are, of course, not guilty of such practices, yet those who are guilty are seldom condemned by others of the legal profession. If a baker or grocer, while a member of the legislature, accepts money to vote for a certain measure, he is a bribe-taker and an enemy to his state. If an attorney, while a member of the legislature, accepts money to represent a certain interest, whose schemes may be inimical to the welfare of his state,

he has simply accepted a retainer in the ordinary course of the practice of his profession.

Can we have two standards of honesty—one which upholds a lawyer for a certain act and another which makes a criminal of a layman for exactly the same act? Certainly common principles of right and wrong would say so.

Mr. Borah's amendment strikes directly at but one thing—the practice of senators and congressmen in appearing before the courts as attorneys in cases where the interests of the national government are involved. Indirectly it strikes at a less open but far greater evil—the practice that these congressional attorneys have of voting as these same corporations direct on questions which vitally affect the American people. For everyone who knows anything about human nature, knows that many of these attorneys in the national legislative body do vote that way, and can be depended upon to do so absolutely.

The result is far reaching. Not only are the interests that they directly represent served by such senators and representatives, but many other interests as well; for these interests have a way of looking out for each other that is astonishing to the unsophisticated. A certain interest wants a bill put through congress. It perhaps has an attorney or so of its own in that body and by joining with other interests secures the services of their attorneys, and so has at its command when the bill comes up for passage a large number not only of workers but of voters. The result is that it takes an immense public sentiment to

get any bill through congress that is opposed by corruption influences.

Then, aside from the evils spoken of in the national and state legislatures, there are many other things commonly done by lawyers, and seemingly not condemned by the ethics of their profession, which to the lay mind seem like ordinary rascality. Some members of the legal profession seem to measure the lengths they should go by the size of the fee that is offered them. This may be good business judgment, but it is far from showing that standard of integrity that should be expected from men of intelligence and learning. It is a source of great danger to the welfare of the general public, and seemingly just as much so to the legal profession itself. The legal profession could and should remedy this evil, but if it will not do so, the people must take it in hand.

As a beginning, both political parties in the state of Idaho should pledge themselves to reform along the line contemplated by Senator Borah's

amendment, and thinking men everywhere should set themselves to work out a solution of the problem presented by the other evils mentioned. If our courts are to be incorruptible, our lawyers must be incorruptible; and if they cannot see this for themselves the wisdom of the American people as a whole is certainly great enough to work out an effective campaign of education.

WESTERN SENATOR IN MAIDEN SPEECH

Borah of Idaho Opposes
Older Heads and Makes
Favorable Impression.

Was Times 2/13-18

Another of the new Senators made his initial appearance on the floor of the upper chamber, and made it with notable credit, when Senator Borah of Idaho got into the discussion of the criminal code revision bill.

Senator Borah wanted an amendment adopted which should bar Senators and Representatives from practicing law in the Federal courts in cases in which the United States was directly or indirectly interested. He found himself very soon opposed by a group of the older and more seasoned Senators, but he conducted himself quite as if he had been there a generation.

In his manner of speaking to the Senate he reminded his hearers of Senator Halley, who has long held the reputation of being quite the easiest, readiest, and clearest talker in Congress. Mr. Halley's talk is always as clear as the lines of a bill. He can't be misunderstood. He is so simple and easy that people accustomed to expect a dismal swamp of verbiage and intricacy from a really "able" statesman sometimes make the mistake at first of overlooking that he is one of the greatest constitutional lawyers in the upper chamber.

Senator Borah opposed Teller, Hayburn, his colleague—McLaurin, and others of the older heads, and handled them all in excellent form. He is one of the youngest Senators, but has won his spurs as a lawyer. He is of the radically disposed type of Senators, leaning toward the La Follette class. It is an interesting fact that his introduction to the Senate was greatly facilitated by the interest taken in him by former Senator Fred Dubois, whom Borah defeated overwhelmingly. These two men have long been close friends, and after he had been beaten Dubois, a Democrat, who was very popular on both sides of the chamber, assured his friends that Borah was the right kind of a man, would be a good Senator, could be depended on at all times, and would prove plenty of ability to measure up to Senatorial standards.

On the strength of the recommendation given him by the man he had defeated, Senator Borah was taken into the confidence of many people who otherwise would have been more conservative about adopting him. He has made friends rapidly, and his first appearance as a speaker on the floor gave every promise that he will soon be one of the recognized debaters.

SPOKANE WOMAN TO PLEAD WITH CONGRESS

To Spokane comes the honor of representing the Equal Suffrage Association of Washington on March 2, before congress when that body will consider the representations made by the equal suffragists in support of their request for a sixteenth amendment to the federal constitution, which will extend to women the right to vote.

Mrs. May Arkwright Hutton, president of the local branch of the association, has been appointed the representative, the appointment being made by Mrs. Emma Smith Devos, state president, who is now in this city. Mrs. Devos and Mrs. Hutton were associated in the equal suffrage work in Idaho, and in both of them is discerned in a large degree the fact that the right of the ballot have been extended to the women of that state. Mrs. Hutton has made a thorough study of the question and the state in to be represented in having her as its representative.



Senator W. E. Borah of Idaho a Champion of Equal Suffrage.

strong support before congress, as besides the representatives of the suffrage associations, she may count on the assistance of the senators from the equal suffrage states, Idaho, Colorado, Utah and Wyoming, respectively, Senators Borah and Heyburn, Teller and Cuggenheim, Spoett and Sutherland and Clark and Warren.

Mrs. Hutton will not be without

SENATOR BORAH PRAISES THE VICE-PRESIDENT

BEST PRESIDING OFFICER IN HISTORY OF SENATE, HE SAYS.

SPEAKS AT MARION CLUB

Roquets were tossed back and forth in generous fashion at the annual banquet and celebration of Washington's birthday at the Marion Club Saturday night. United States Senator William E. Borah, of Idaho, who was the speaker of the evening, praised the Marion Club and also Indiana's great men, especially Vice-President Fairbanks, whom he termed the most remarkable president the Senate has ever had, and the Marion Club in praise of Senator Borah by shouting in chorus, "He's all right. Who's all right?" by giving to the Senator three rousing cheers and finally by electing him to an honorary membership in the club. Senator Borah was elected a member of the club at an impromptu meeting after the regular meeting had closed. This "after convention" was not lacking in enthusiasm, and it was here that the United States Senator paid his tribute to Indiana's candidate for President of the United States. "Vice-President Fairbanks," said the Senator, "is the most remarkable presiding officer the Senate has ever had. He has raised the position to

...and he has done this by devoting all of his time to the work. He is at the post of duty constantly." The speaker praised the Marion Club because, as he said, it was one of the clubs of the country that had cut the use of intoxicants out of social life.

Championed Roosevelt's Principles.

The Senator's address was short, his subject being "Return and the Constitution." The speaker was introduced by Joseph Minton, president of the Marion Club. Harry S. New, who was to have in-

roduced the speaker, was out of the city, and could not return for the meeting. Senator Borah, in his address, championed the principles of President Roosevelt, and held up to ridicule those who have criticized the President. In making reference to Chancellor Day who, in a speech at Syracuse, N. Y., attacked the President's message, the Senator declared that Chancellor Day "had mistaken his (Day's) words as words of wisdom." The speaker said the President had been referred to as a ruler and an agitator. "But what is it this ruler has done? He has said, 'Obey the law. And behind this agitator' is the conscience of the American people." Theodore Roosevelt's life has been a marvelous one, the speaker said. He declared that "organizations against which men have fought in vain have surrendered to his marvelous power" and that "the dead letter of the statute has felt the touch of his vitalizing interest."

The speaker declared that "the party lash has lost its sting and men now ask for reason." The party that is victorious in the future, he said, will be the one that shows its virility and not its past record.

Senator Borah took the position that wealth is safe as long as the wealthy obey the law. He had no criticism for the spirit which caused men to desire wealth, but those men, he said, must have regard for the law. "God save us," he said, "from the hatred which marks for slaughter the captains of industry." He made the point that if the negro would have that love for wealth which is possessed by the dominant race, the race problem would be more than half solved. "But," he added, "a profound regard for the laws of the land is the most valuable asset a people can have."

SENATOR BORAH TO SPEAK.

He will be the Orator at Marion Club Banquet To-Night.

United States Senator William E. Borah, of Idaho, will be the guest of honor at a banquet to-night given by the Marion Club in the new restaurant. Tickets at 50 and 75 cents have been sold at 25 each and the banquet will be a



SENATOR WILLIAM E. BORAH

pretentious affair. Senator Borah will be the principal speaker and it is announced that he will spend most of his time defending Roosevelt's policies.

Joseph A. Murray, president of the club, will act as toastmaster, and the Rev. Charles E. Bacon will give the invocation. Senator Borah will be introduced by Harry E. New, chairman of the Republican national committee. Other speakers with the United States Senator will be James H. Hays, Attorney-General, who will make an address on "Great Men and Politics."

The banquet will be held by the club at a celebration of Washington's birthday.

BORAH AS DEFENDER

FRAMES MARION CLUB SPEECH

Senator in Washington Birthday Address Will Champion Roosevelt's Administration.

Senator William E. Borah of Idaho will deliver a speech before the Marion Club

next Saturday night that will attract national attention. He has accepted the invitation of the club to be the speaker at the exercises in commemoration of Washington's birthday and will leave Washington for Indianapolis at 2 o'clock Friday afternoon, returning to the capital as soon as possible after the celebration is over.

Senator Borah has chosen as his subject, "Reform and the Constitution." His response to reply to the attacks that have been made on President Roosevelt's administration. He will discuss various movements and attitudes of the administration, both from the legal standpoint and the standpoint of public policy, and will insist that the important acts of President Roosevelt's administration have been in harmony with the United States Constitution rather than in contravention of that fundamental law.

Senator Borah is one of the greatest lawyers in the Senate and his speech will no doubt be quoted extensively.

Interest will be added to Senator Borah's visit by the fact that his mother was born in Indiana. Her maiden name was West. Senator Borah does not know her birthplace, but thinks it was not far from Indianapolis. He has written to relatives making inquiry and expects to have the information by the time he makes his speech at the Marion Club.

Senator Borah, who was chosen to succeed Frederick T. Dubois as Senator from Idaho, is one of the few senators holding their seats by direct vote of the people, or as near to that as is possible under the Constitution. He was born on a farm in Wayne County, Illinois, June 25, 1862. His father was a collier of Kentucky. He was graduated with the degree of M. A. from the Kansas State University and was admitted to the bar in 1884.

In 1891 he moved to Boise, Idaho, as a

RICH ARE SAFE IF THEY OBEY THE LAW

Senator Borah Defends President Roosevelt and Pleads for Preservation of Nation.

SPEAKS AT MARION CLUB

Declares the People Are Out to Hear, to See and to Know What Is Going On.

That the Nation should be saved from the scourge of "that hatred which swallows the substance of industry" and at the same time the laws be upheld was the plea uttered by United States Senator William E. Borah of Idaho in an address on "Reform and the Constitution" last night at the Marion Club's Washington birthday banquet. The speaker said that it is the American spirit of commercialism and glory in industry that is the root of the Nation's life and defied the traditions which he pre-

seeks to destroy the country's industrial activity.

"They seized in the heart of the Anglo-Saxon race," said Senator Borah, "in this form of possession, this desire to own property. It is the passion which drives men in the limit of human endurance."

The speaker said that there is already in the land both the "spirit of progress and the spirit of reaction."

"Men are intensely apart these days," said he, "upon the duties and the obligations of the hour. Party lines are often sadly disregarded for the party line, as it was once known, has lost its sting and men now see the reason for that which holds them in party lines."

The speaker held that there should be a greater regard for the Constitution which fosters and protects the industries of the country.

"A thorough regard for law," said he, "is the most valuable jewel one can have. Men who in their zeal for humanity and righteousness of the law are dangerous to the industrial life of the Nation."

Must Revere Constitution.

"There are wrongs to correct," continued the speaker. "There are precedents to set, and there are old prejudices to bury. But all of these things can be accomplished by men who will go carefully forward and hold to the principles of the great Constitution given us by our forefathers. The only rule by which the American people can go forward is by a religious regard for every line and precept of the sacred instrument."

"While property is protected by the Constitution, there are certain obligations that property and riches owe to society. We hear of anarchists, and we hear of attacks on property, but these discussions are for the purpose of throwing sand into the people's eyes. It all resolves itself into the question of subjecting the great forces of this country to the will of government and the people—whether they be capital or labor. It is not the simple question of whether we shall obey the law."

The speaker touched upon the speech delivered recently by Charles Doy James R. Day at Syracuse, N. Y., in which President Roosevelt's message to Congress was attacked by Day as resembling the ravings of a disordered mind. Senator Borah said that Day had mistaken his words as words of wisdom.

"Demagogue himself," said the senator, "amid the ruins of his beloved Greece was not so bad as this."

"What is this attack on property and wealth," continued the speaker, referring to the President's message, "which threatens the rising generation with a stroke of apoplexy? It is all reduced to the simple proposition—obey the law. No man, however wealthy he may be, must be made if he stands within the law. The people are out to see to hear and to know. That is the beauty of this uprising that is sweeping the country."

Defines Real Anarchist.

"Anarchy is not a weed which thrives on public rights. The real breeder of anarchy is the man who seeks and secures special privileges and uses them in defiance of the law. I am not interested in the political ambitions of any man, but I am interested in the welfare, purpose and deeds of the great political party of Morton, Logan, Lincoln, Grant, McKinley and Roosevelt."

Theodore Roosevelt's public life has been a marvelous one. Fate and genius have combined to make his career one of the most marvelous in years. Political powers, mighty and blind in their view, have surrendered to his views. He is calling the mass of the people back to vigilance in political matters and governmental affairs. This is the contest which he is carrying out and for which he has been dinned by all who shudder at the power of public opinion.

Senator Borah also devoted some attention to the recent speech of ex-Governor Black of New York, who, in discussing the President's message to Congress denouncing suits of corporations in violation of law, pictured the President as a mob leader addressing a mob from the top of a tower.

"It would be interesting to know," said

the speaker from Idaho, "of whom this mob is composed. It is composed of thousands of people who are interested in seeing to it that the rights of one are administered to another."

The speaker paid a glowing tribute to Abraham Lincoln, who withstood the fire of latter denunciation in his efforts to free the blacks.

"To the south of us," he said, "in the untamed West—Many of them are among us. If we could plant in the breast of the negro that desire to own property and to gather wealth it would mean the solution of the race problem."

Prominent Men Speak.

Senator Borah's speech was an offhand after-dinner speech, short and to the point. He was frequently interrupted by applause. He was introduced by Joseph A. Minturn, president of the Marion Club and toastmaster for the evening. National Chairman Harry S. New was to have introduced him but was called away on business and could not attend. Governor Brady was absent also. The invocation was offered by the Rev. Charles E. Shoen.

Attorney General James Bingham, who followed Senator Borah as "Great Men and Politics," compared Washington and Bryan and discussed the latter's recent speeches in this city. He illustrated his remarks with good stories and talked in a vein of humor that caused frequent laughter and applause.

At the conclusion of Mr. Bingham's remarks there were calls for William A. Taylor, candidate for Governor, but he declined in favor of Judge Owen Hooton of the Allen Superior Court, whom he introduced and said he hoped "to see some day on the Supreme Bench of Indiana."

Judge Hooton said "It is a proud thing to be a citizen of Indiana."

"We have known, however," said he, "that not all great men live in Indiana, and we feel it more than ever tonight."

In these times," continued Judge Hooton, "we can not live in yesterday. We can not live in the past. We must be right in all things."

"To be in Democrat is to be for William Jennings Bryan. He is with the Democratic party, and if he is not it will be for the Democratic party to repudiate its platform."

Charles W. Miller of Goshen, one of the candidates for Governor, occupied a seat at one of the banquet tables. President Minturn called upon him for a speech. He declined, however, "I came to see and to hear," said he, "and not to talk."

"However," said Mr. Miller, "I am pleased to hear of the real position of the attorney general. And it makes no difference to me, for I was not depending upon him." Attorney General Bingham, in his address, had said that he had promised all four of the Republican candidates for Governor his unqualified support.

Republican State Chairman

Brady is out with his announcement as a candidate for the republican nomination for governor. Ever since the Pocatello convention, when Brady, as a part of the Brady-Gooding-Thompson wing of the republican party, gave way to W. E. Borah for the United States senate, it has been conceded that Mr. Brady, with Borah's promise of support two years hence, is the logical candidate of the republican party for the high office of governor. As to Mr. Brady's qualifications for the office there is not the slightest doubt. He has

been a successful business man and will no doubt, if elected, conduct the state's affairs with the same prudence and foresight that has marked his success at home. The only possible show for Mr. Brady to fall down in securing the nomination for governor would be the refusal of Senator W. E. Borah to come through with his part of the Pocatello agreement and thus form a nucleus for what opposition there might develop. That there is opposition, and plenty of it, can easily be discerned by perusing republican journals throughout the state. But this opposition will count for nothing, if Mr. Borah remains true to the alleged understanding and delivers the goods.

this slump. It is known to every republican in the county. Factional strife, carried to a point where men's lives were endangered, and money spent lavishly to corrupt voters, were the two principal factors in causing the greatly reduced republican majorities of four years ago. The leadership among the republicans of Idaho centers around Senator Heyburn on one side and Senator Borah on the other. These two factions are now agreed on two points at least. The first of these is the election of a Taft delegation to the Chicago convention. Senator Borah is a strong supporter of President Roosevelt, and while some of his followers would like to see an anti-Roosevelt delegation elected, they would respect the wishes of their leader and waive their objections. Senator Heyburn, who has opposed the president on his reserve policy, would probably, if he thought it possible, fight for a delegation opposed to the president's wishes. But Heyburn, wise to his own good, would not attempt anything so foolish. He is practically unopposed for his re-election to the senate and will no doubt leave

the people to their own choosing. A Taft delegation to Chicago is then an assured fact. The second point on which the republican leaders of Idaho seem agreed is the nomination of James Brady to the office of governor. Whether the people of Idaho will concur with their chiefs on this latter point yet remains a matter of conjecture. Brady has the solid support of the six Mormon counties, together with the Heyburn-Heitman-Thompson support throughout the state. Added to this is the alleged agreement at Pocatello in which Borah agreed to support Brady if Brady would support him for the U. S. Senate. With all republicans united on these major points why should strife, sufficient to endanger the success of the party at the polls, then enter so largely into these primaries and conventions? Is any man's personal ambitions greater than the success of party principles? These are the questions that thoughtful republicans should ask themselves as the time comes to take action. A lack of thoughtful consideration of these essential points may place the democracy again in the saddle in Idaho after a restful period of six years.

SENATORS CLING TO LEGAL FEES

Borah's Amendment to Bar
Them From Courts Gets
Cold Reception.

OBJECT ON MANY POINTS

Opposition, However, Does Not Men-
tion the Fat Corporation Retain-
ers, Which Are the Real Rea-
son for Fighting Clause.

OREGONIAN NEWS BUREAU, Wash-
ington, Feb. 15.—Senator Borah of Idaho
dropped a bomb in the United States
Senate when he proposed to amend the
existing law by providing that United
States Senators and Representatives in
Congress should not be permitted to act
as paid attorneys in any Federal court
in cases in which the United States Gov-
ernment is interested directly or indi-
rectly. The Senate was drowsing along,
considering the Hayburn bill to revise
and codify the Federal statutes, when it
reached that provision under which United
States Senators Burton and Mitchell
had been indicted and convicted. It was
here that the junior Idaho Senator un-
expectedly proposed his amendment, and
the Senate, which had been inattentive,
began to sit up and take notice. Borah
had stepped on the toes of not a few
Senators, and if there is one thing that
will arouse the Senate quicker than any
other, it is a proposition to curtail the
powers of the members of that body.

Conceal Real Objection.

Senator Herbert, in charge of the bill;
Senator Sutherland of Utah, who is as-
sisting, as well as Senators Teller of
Colorado, McClarin of Mississippi and
Clay of Georgia, were quick to interpose
objection to the Borah amendment, but
it was voted that not a single Senator in
opposition expressed what is generally
known to be the real reason for oppos-
ing such a change as Senator Borah sug-
gested. There is a law on the statute
books which provides that no Senator or
Representative

shall directly or indirectly receive or
take in service any compensation whatever
for any service rendered or to be rendered,
in any person, either by himself or another,
in relation to any proceeding, contract,
claim, controversy, charge, accusation, ar-
rest or other matter or thing in which the
United States is a party or directly or in-
directly interested before any department,
court-martial, board, officer, or any civil,
military or naval commission whatever.

Broadens Present Law.

Senator Borah merely suggested that
this provision be broadened by including
cases before the courts, so that no Sen-
ator or Representative could appear as a
paid attorney, either for or against the
Government. The opposition contended
that the law was broad enough without
the Borah amendment, and contended
that no harm could be done by permitting
members of the National Congress to
earn attorneys' fees in the courts. They
cited particularly the numerous mining
contracts in the West, in which many
Senators have at times appeared for one
side or the other, and endeavored to
leave out the impression that this class
of litigation was the principal one to be
affected by the Borah amendment.

No one thought to mention that the
amendment would make it impossible for
Senators or Representatives longer to
accept fees from the railroads, from
cotton lumber corporations, from the coal
trust, from those great corporations that
dominate the mining industry of the
West, or from such inoffensive offenders
as the Standard Oil. These are the cli-
ents that pay big fees, and this is the
class of work that is attractive to Sena-
torial lawyers who engage in private
practice. And this is the principal class
of practice that would be destroyed by
the Borah amendment. Not so much of
the opposition as much as alluded to
this class of practice.

No Reason for Exception.

Senator Borah, in offering his amend-
ment, stated that the same reason ap-
plies to practice in the courts as to prac-
tice before the departments. If it is
wrong for Senators to sell their services
in the departments, or before courts-mar-
tial, it must be just as wrong to sell their
services in the courts in cases in which
the Government has any interest whatso-
ever.

Senator Teller objected to the amend-
ment on the ground that it was unwise.
Senator Sutherland, however, while
indorsing the sentiment expressed by the
Borah amendment, believed it unwise to
change the law. He thought Senators
and Representatives should be allowed to
use their own judgment in such matters.

"I think it is altogether a matter of
taste," said he. "My opinion is that a
Senator or Representative ought not to
appear in any case in which the United
States is involved. Since I have been a
member of this body I have always de-
clined to appear in any such cases, but
to make a breach of taste a criminal of-
fense seems to me to be going altogether too
far."

To this objection Senator Borah replied
that "the same reason which applies with
reference to a department must necessar-
ily apply with reference to a court. It
cannot be said with any degree of assur-
ance that the influence in the department
would be any greater than that which
might obtain with reference to certain
features of the case if it were before a
court."

Have Influence as Senators.

"It is a well-known fact and a most
important one," he continued, "that
those things in which the Government is
most concerned very often pass from the
hall of legislation directly to the court,
and in that form are settled. The fact
suggested by the Senator from Utah that
he would not accept a fee nor appear un-
der such conditions is a primary reason
why it should be inhibited, not in-
directly, because the practice is wrong. I
submit that those who are here for the
purpose of legislating must stand in such
a position that they are not disqualified
in any respect whatever, either by provi-
dual employment or by anticipated em-

payment, with reference to some matter in which the United States Government is concerned. It cannot be said that it applies to a department and would not apply to a court, because the courts are human, just the same as the departments.

Senator Herbert at some length expounded his objection to the Borah amendment. In brief, he contended that it would prevent Senators and Congressmen from appearing as attorneys in mineral contests, a class of contests in which the Government is either directly or indirectly interested, yet one in which he contended the Senator or Congressman could appear as attorney without prejudice to either side. He said it might be well enough to provide that no Senator or member should appear as attorney in a Federal Court against the Government in any case in which the Government has a "real interest," but further than that he would not go.

Senator Borah followed his colleague with a further statement in behalf of his

amendment. He said there were many reasons for the law as it now stands. "One of the strong reasons is the influence which is supposed to accompany a man who occupies a position in this body or in the House of Representatives. That is one of the reasons which has been suggested from time to time in support of the law without the amendment.

"But there is another side to the controversy aside from that of the interest of the Government, and that is the man who is contending in litigation against the Government. I maintain that the position of a United States Senator should not be used in the courts or elsewhere or in any other way than that of a legislator, and that he ought not to appear before any department or court because of the influence or because of the effect that his appearance there might have upon those contending against him. The same rule probably applies with reference to the courts and the departments in that respect. If the statute is too broad with reference to any matter, let it be limited.

"But the law is in the statute books and for the single reason that it applies to the departments, it should apply to the courts of the United States, because the complaint is being made, and it is abroad in the land, that those influences are used in the courts for the purpose of accomplishing and doing what ought not to be done."

May Appear Without Pay.

After further opposition to the amendment by Senators McLaughlin, Teller and Clay, Senator Borah renewed his appeal, and directly answered the argument made by McLaughlin, who particularly contended that Senators should have the right of defending men accused by the Government whenever they believed the accusation was not properly made. To this Senator Borah replied that there was nothing in his proposition to prohibit such appearance if the Senator was willing to appear without compensation. But he exploded the opposition argument by indicating that Senators are not seeking to appear as counsel because of the merits of any case, but solely because of the fee they hope to pocket. Concluding his argument, Senator Borah said:

"So far as the question of influence upon the court is concerned, we must admit that the same rule which applies with reference to the departments must necessarily apply to the courts.

It appears that once in a while the courts get into politics, become interested in such questions and are more or less concerned with reference to results, as we all know. We have had some experience along those lines. I have not been in the Senate long enough to know whether a man wishes to be a lawyer after he gets here, as suggested by the Senator from Mississippi, but I know a great many of those practices after they get here who did not practice before."

TOWN BUILDING.

The hearty indorsement given by Senator Borah, providing means for the improvement of towns on government projects, and having specially in view those on the Mindoba tract, indicates it is still alive to the importance and necessity of building up central points as well as developing the farming areas. It is a desire inherent in the human breast, and particularly the breast of the American citizen, to live in or near the best town in his state, in his county. He is satisfied that, so far as Idaho is concerned, he can make a satisfactory competence from his land. The application of water and energy to the soil are certain to bear the fruitage of well filled granaries and lofty hay stacks. His material prosperity is assured if he give attention to business. But he is not satisfied solely that bumper crops should fatten his bank account. He is not contented with an environment of field and orchard and pens of sleek live stock alone; he desires also to view business blocks, the towering spires and the bustling activity of commercialism. He is not content to breathe exclusively the atmosphere of intensive agriculture; he seeks for himself and his family an atmosphere also of uplifting influence along educational and kindred lines. If he be an immigrant he will endeavor to locate near the best town of the section appealing strongest to him; and if he locate in an absolutely new country he will strive to make the town that may spring up nearest him the premier.

The reclamation service has all along been thoroughly familiar with this inherent desire. It has witnessed the magnet-like influence exerted on homeseekers by live towns on tracts adjoining reclamation projects, and, with very similar sensations, it has observed numbers of immigrants sedulously avoiding the towns brought into existence with loud flourish of departmental trumpets. It has realized all along that the reclamation towns must be built up in order to draw attention to the government tracts and to divide attention with

the more advanced towns adjoining but in connection with whose advent the government lays no parental claims. In vain they have appealed to congress, pointing out the impossibility, in view of the paucity of taxable property, of those government towns making the improvements without which a joyless condition must obtain. It was not to be wondered at, then, that the service greeted the Borah bill, and Hill Borah, too, with gleeful exclamations and, with a haste unprecedented in Washington departmental circles, placed its O. K. on the measure and left the stamp of its big hand on the broad back of Idaho's junior senator.

It was impossible, in 1885, when Senator Heyburn introduced a bill having the same object in view, to induce congress to act. The wisemen who have the care of the nation in the palm of their hand apparently could not be made to understand. Since then, however, congressional delegations have visited Minidoka and Twin Falls in Idaho. They saw Twin Falls teeming with life; they witnessed improvements that would stand to the credit of the towns many years older—and they also noticed the cloud of desolation settling over the towns on the government tract west side. They blamed not the citizens of those towns. They were as enterprising at heart as those of the more prosperous place, and the congressmen were not long in reaching the conclusion that the trouble lay with the government itself—a government that lays claim to being the most glorious on earth, and justly so, and which might properly add to its distinction the reputation for being the slowest.

Because of this change of sentiment and because of the vigorous representations made by the author of the measure it is reported that the Borah bill will soon become a law. It provides that the proceeds of sale of town lots shall be devoted to improvements in the reclamation towns, such as school buildings, sewers, street grading, etc. Differing from its deceased predecessor, this bill does not require the people of the towns to repay the money so spent to the government. It is made a gift. And this is correct. Those people are already heavily enough mortgaged to Uncle Sam.

The improvements will amply repay the government; and, in this connection, it is interesting to note that the government in this one instance at least indicates a purpose of doing business along progressive lines instead of binding itself to a policy of ultra-conservatism which for years, in other connections, has placed it so distressingly far behind private endeavor.

ROOSEVELT CHEERED BY FRATERNITY MEN

Mr. Hoover

Applaud Senator Borah's Declaration That Whoever Is Nominated Will Be a Roosevelt Man.

HUGHES SPEAKS BRIEFLY

Jolly Night of the Beta Theta Pi Club
—Senator Brown (Rep.) Out
for Tariff Revision.

A Cannon boom was promoted and the party and tariff returns were discussed at the dinner of the Beta Theta Pi Club of New York last night in the Hotel Astor. As the Cannon sponsor, Henry E. Bostell, Chairman of the committee which is investigating the charges preferred by Congressman Lilley, regarded Speaker Cannon as the follower of Roosevelt, in that Cannon was the pilot of the ship of State if Roosevelt was the Captain. Cannon, he said, as the pilot would succeed the Captain in following out the policies of the latter. This led to a defense of the Roosevelt policies.

The club members had as their guests of honor William E. Borah, United States Senator from Idaho, (Kansas, '88) who conducted the Moyer-Haywood prosecution; Norris Brown, United States Senator from Nebraska, (Iowa, '88); Mr. Bostell, (Nebraska, '74) Supreme Court Justice Townsend Souder, who acted as toastmaster; Congressman Charles E. Landis of Indiana, the Rev. Robert W. Courtney of the Collegiate Church, Francis H. Stason, Knowlton Durham, President of the Beta Theta Pi Club of New York; Herbert F. Gunnison, Capt. F. D. Wickham, Twelfth Infantry, U. S. A.; Congressman Scott of Kansas, W. A. Jones, Jr.; Rush Taggart, and Prof. Samuel M. Lindsay of Columbia University.

This gathering of fraternity men was called, according to the fraternity traditions, a "dorg," not a dinner, after the tradition that the patron saint of the organization is always accompanied by a remarkable dog, who is eaten by the saint when hungry, but who is always alive again and ready for use next morning. This saint, known as "Father Wooglin," was invoked in the parade of the Columbia University, about the hall, with the

You must be a Beta Theta Pi. Or you won't go to Wagon when you die. Senator Borah in his speech referred to the panic. He said:

"A few weeks ago we had a panic—a well-dressed, highly aristocratic, thoroughly high-toned panic. Every one participating in the panic was many times a millionaire—a well-respected, conservative man of business and a reactionary in politics. What caused the panic is still a matter of dispute. But this much is certain. It was a storm of the upper air. This much is certain. These scenes of lawlessness, recklessness, frenzy, theft, repudiation, and suicide were not of the people's making. This much is certain. It was the deposits of the people, the small earnings of those with moderate means which were used to stay the frightful disaster inaugurated by the daring and recklessness of those leading business men.

The Plain People Stopped the Panic.

"It was the revesty of the chosen few. The great mass of the people throughout this broad land, patient and forbearing, paying but little attention to the disturbance on the roof garden of finance, toiled on and by courage and conservatism did more to bring back confidence than all else. If the masses had become excited as did those few hundred about the centers of conservative business places there would have been a holocaust of indescribable ruin from ocean to ocean.

"No matter who may be nominated by either party, no man will be nominated and elected this year (and I am talking now of what I know, and you may set it down as a fact) who does not represent the policies of President Roosevelt. It matters not if there are some people in New York City who think that the wheels of progress are going to turn backward. These will continue to move, and in the right direction. In all honesty, we should give praise to whom praise is due."

Immediately following this recital of President Roosevelt there was much applause, and the Senator was compelled to stop speaking for several minutes until it subsided.

a revival of the tariff, urging the formation of a tariff commission which should bring its report before Congress for intelligent action by that body.

Senator Borah talked on the recent financial flurry and its lessons. He said, in part:

"A few weeks ago we had a panic—a well-dressed, highly aristocratic, thoroughly high-toned panic. Every one participating in the panic was many times a millionaire—a well-respected, conservative man of business, and a reactionary in politics.

Saved by People's Money.

"What caused the panic is still a matter of dispute. But this much is certain. These scenes of lawlessness, recklessness, frenzy, theft, repudiation, and suicide were not of the people's making. This much is certain. It was the deposits of the people, the small earnings of those of moderate means, which were used to stay the frightful disaster inaugurated by the daring and recklessness of those leading business men.

"It was the revesty of the chosen few, while the great mass of the people throughout this broad land, patient and forbearing, paying but little attention to the disturbance on the roof garden of finance, toiled on and by courage and conservatism did more to bring back confidence than all else.

"I have no patience with that species of artless demagogues which inveigh against the rich because they are rich, which arraigns corporate wealth honestly obtained and honestly used, which were upon the fruit of industry and frugality. I would smite the un-madonnable adventurer who would raise his parricidal hand against the Constitution, whether he marches under the banner of reform or the red flag of anarchy.

His Hope for Future.

"But when the test and trial are passed and only the large outlines of to-day's history are given again, it will be re-written upon another heroic page that in spite of doubts and fears, in spite of some mistakes and errors, that the great mass of the people remained true to the best tenets of representative government; that we were not engaged in a revolution, but marking a milestone in evolution; that we were not tearing down or destroying, but meeting bravely the demands of the hour, and building in accord with the calls of humanity; that we were not a mob, excited and unbridled, but an intelligent people, earnestly and with determination solving the new questions which the combined influence of our marvelous material growth have put upon us; not cowards hiding from a task until the neglected demands overwhelm and destroy us, but courageous men doing work imposed upon our day and generation."

OPTIMISTS AT BANQUET

Congressmen Declare Faith in Welfare of Country.

CALLS FLURRY "HIGH-TONED"

Senator Borah Asserts at New York Dinner that Deposits and Calmness of People Restored Confidence—Mr. Boutell Praises President and Speaker Cannon for Great Legislation.

New York, Mar. 21.—United States Senators W. E. Borah, of Idaho, and Norris Brown, of Nebraska, and Representative Henry Sherman Boutell, of Illinois, were the guests of honor at the dinner of the Beta Theta Pi Club at the Hotel Astor to-night. Optimistic sentiments as to the early return of prosperity to the country and expressions of confidence that legislation of recent years would have a reassuring and lasting effect for the good of the nation was the spirit of the speeches.

"Equity Before the Law" was Senator Brown's subject, and he declared for

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line 1

BORAH SCORES LAWLESS

IDAHO SENATOR ATTACKS MIL-LIONAIRE PANIC-MAKERS.

Idaho's Representative Speaks at New York Dinner of Beta Theta Pi.

NEW YORK, March 21.—United States Senator W. E. Borah of Idaho, speaking tonight at the dinner of the Beta Theta Pi club in the Hotel Astor, said: "A few weeks ago we had a panic—a well-dressed, highly aristocratic, thoroughly high-toned panic. Every one participating in the panic was many times a millionaire—a well-respected man of business and a reactionary in politics. What caused the panic is still a matter of dispute.

But this much is certain—these scenes of lawlessness, recklessness, frenzy, theft, repentance and suicide were not of the people's making. This much more is certain—it was the deposits of the people, the small earnings of those of moderate means which were used to stay the frightful disaster inaugurated by the lying and recklessness of these leading business men. It was the rivalry of the chosen few.

"While the great mass of the people throughout this great land, patient and industrious, paid but little attention to this disturbance on the roof garden of finance tottered on and by courage and conservatism did more to bring back confidence than all else. If the masses had become excited as did those few hundred about the centers of conservative business places there would have been a ruin from ocean to ocean."

Senator Borah's reference to the next nominee of the republican party for president as sure to be one "who represents the policies of President Roosevelt" brought a storm of applause from his audience.

BETA THETA PI BANQUET HELD AT HOTEL ASTOR

Congressman Boutell Praises President Roosevelt and Speaker Cannon.

Burkley Bayl

BORAH TALKS OF THE PANIC.

Senator Brown on "Equality Before the Law" and the President's "Square Deal" Policy.

The members of the college fraternity of Beta Theta Pi last night celebrated, with a banquet at the Hotel Astor, Manhattan, the sixty-ninth anniversary of the founding of the society, which

had its birth at Miami University. The dinner also marked the close of the first year of the New York members, of whom there are more than 1,000 in the new home of their club, at 46 East Twenty-fifth street.

The club members had as their guests of honor last night William M. Borah, United States Senator from Idaho (Mass., '89), who conducted the Meyer-Haywood prosecution; Norris Brown, United States senator from Nebraska (Iowa, '82); Henry S. Boutwell (Nebraska, '14), the chairman of the Congressional committee now investigating the submarine boat scandal and the manager of Speaker Cannon's presidential boom, and Supreme Court Justice Townsend Scudder, who acted as toastmaster. Toastmaster Scudder, after a brief speech of introduction, called upon Congressman Boutell.

Praise for President and Speaker.

In responding to the toast "The ship of state," Congressman Boutell said in part: "If we call the President the captain of the ship of state, we must assign to the Speaker of the House the title and honors of the pilot. At no time in her long cruise has our ship of state been in charge of braver or more skillful navigators than her present captain and pilot, Roosevelt and Cannon. Although differing widely in many important traits of character they have in common one of the dominant features of all truly great minds, downright sincerity.

"During the past five years more legislation of permanent, far-reaching value has been enacted by Congress than in all the other years since the Civil War period. In working out the remedial legislation the President and the Speaker have worked in close harmony. Each has generously accorded to the other full recognition and praise of the value of his services."

Mr. Boutell spoke of national revenues as the favoring winds that keep the ship of state in her course, and called proposals for extravagant appropriations and inefficient revenue laws, the rocks to be avoided.

He told the story of the assumption of the debts of the Colonies and the Confederation by the national government; the gradual extinction of the national debt and the distribution of the surplus in 1837. "Few people know," he said, "that there is now carried on the books of the United States Treasurer as unavailable funds, an item of \$28,000,000 deposited in provision to population with the twenty-six states forming the Union in 1847, and subject to repayment on demand by the Treasurer of the United States."

The payment of over two billions of interest-bearing debt in the twenty years succeeding the Civil War, he declared, was the greatest triumph of national financing in the history of the world.

Mr. Boutell vigorously defended President Roosevelt against the charges that had been directed against him for calling last November for subscriptions of \$50,000,000 for Panama Bonds and \$100,000,000 for the 3 per cent emergency certificates. He pointed out that there was no similarity between the situation that induced his action, and the dilemma that compelled President Cleveland to issue \$243,000,000 of 3 and 4 per cent bonds. During President Cleveland's administration the revenue measures of his party proved inadequate, and the government ran behind in its operations every year in sums ranging from \$18,000,000 to \$60,000,000, and there was a prospect of an empty treasury. Bonds had to be sold to

raise money to carry on the government. When President Roosevelt offered bonds to the public last fall, there was in the Treasury an available cash balance of \$200,000,000 in addition to the gold reserve of \$100,000,000.

Great Faith in the People.

Senator Borah of Idaho, the great speaker, said in part:

"The crucial hours in the history of the nation are not to be considered alone in the light of the acts and deeds of the great leaders. The ingenuity of the statesman has limitations, the diplomat encounters there is an end to the game, and there have been hours again and again when patriotic leaders drifted with the tide. In such emergencies, the safe, unimpeachable, imperturbable power for good has been the accumulated wisdom and combined action of the millions who make up the common people of the land—the 'rabble,' as they were called by the pharisees of old, the 'mob,' as they are called by the sleek of to-day.

"In these periods we see the marvelous strength and statesmanship, if you please, of the man at the plow, in the workshop, at the counting table, in the forest and mine. An insight into public affairs amounting to intuition, a grasp of the principles of justice and right amounting to inspiration, with a fortitude and willingness to sacrifice—how profound and safe and acerting in every crisis has been this final judgment.

"A few weeks ago we had a panic—a well dressed, highly aristocratic, thorough high toned panic. Every one participating in the panic was many times a millionaire—a well respected, conservative man of business and a reactionist in politics. What caused the panic is still a matter of dispute. But this much is certain: those moments of lawlessness, recklessness, treachery, theft, repudiation and outside were not of the people's making. This much more is certain: it was the deposits of the people, the small savings of those of moderate means, which were used to stay the frightful disaster inaugurated by the daring and recklessness of those leading business men.

"It was the revulsi of the shonen few, while the great mass of the people throughout this broad land, patient and forbearing, paying little attention to this disturbance on the roof of the garden of finance, toiled on, and, by courage and conservatism, did more to bring back confidence than all else. If the masses had become excited, as did these few hundred about the center of conservative business places, there would have been a house of indelible ruin from ocean to ocean. The American people are, as a whole, sound and perfectly loyal to the old time precepts of representative government. Those of little faith may worry for the hour, but a man who looks to a mass of 80,000,000 of people stretching from ocean to ocean, industrious and frugal, active in business affairs and active in political affairs, proud of their institutions and anxious to transmit them unimpaired to their sons and daughters, knows that the decree still stands, that the government of the people, by the people and for the people shall not perish from the earth."

Treasurer Brudger then called upon Senator Brown of Nebraska. In part Senator Brown said:

NOTABLE SPEECH BY SENATOR BORAH

Idaho's Junior Senator Delivers
Address Before Beta Frater-
ternity in New York.

COVERS SUBJECT OF
GOOD GOVERNMENT

Takes to Task in Vigorous
Manner Professor Woodrow
Wilson and Former Governor
Black, New York, for Alarm-
ist Declarations Guardedly
Aimed at President Roose-
velt and His Administration

NEW YORK, March 21.—United States Senator Borah delivered a most notable address this evening at the annual banquet of the Beta Fraternity, at the Hotel Astor, in which he took to task Professor Woodrow Wilson and ex-Governor Black of this state for some of their recent alarmist declarations, guardedly aimed at President Roosevelt and his administration. The senator took as his subject the Idaho motto, "Eato Perpetua," and while speaking on the subject of good government generally, severely denounced those rank partisans, who, in their effort to shake confidence in Roosevelt, were going to the extent of shaking confidence in the American government. It was a brilliant speech, and a fearless one, delivered, as it was, in the home of men most bitterly opposed to Roosevelt policies and most outspoken in their opposition, and was altogether the most notable address of the evening. The occasion was a momentous one and notable men from all sections of the country were present. Among the speakers, aside from Senator Borah, was Governor Hughes, Justice Brewer of the United States supreme court, and several senators and members of congress. Judge Scudder, of the New York supreme court, presided. Senator Borah's address is as follows:

Mr. Toastmaster—The story of the rise, progress and power of the American republic has been too often and too well told for me to attempt to recount any part of it here. The theme, it is true, is never old and never exhausted but it is a subject that calls for the consecrated powers of a master.

But the more we study the history of our country, the more we search the story for the secret of that stupendous power which is ours, the more we feel that there has been a chapter left out. The narrative seems incomplete. The results are altogether greater than anything found in the story would justify. We feel that somehow and in some way, one of the great forces in the upbuilding of the nation has been overlooked. The chronicler, with much patience and unusual fidelity, tells of the old Colonial charters, of the assembling of the Continental congress, of the moving story of the revolution, of the constitutional convention, of the rise, growth and dominance of political parties, of our material growth, of the brilliant achievements of statesmen and generals. But in all this, we do not find a satisfactory clue to that experiment in republican government which has been achieved and won against all the prophecy of history and often against the doubts and fears and mistakes of leaders.

The crucial hour in the history of the nation is not to be considered alone in the light of the acts and deeds of great leaders. The ingenuity of the statesman has limitation, the diplomat discovers there is an end to the game, and there have been hours again and again when patriot leaders drifted with the tide—in such emergencies, the safe, incorruptible, imperturbable power for good has been the accumulated wisdom and combined action of the millions who make up the common people of the land—the "rabble" as they were called by the Pharisee of old, the "mob" as they are called by the elect of today.

The period when the constitution was up for adoption; the hours of treason which culminated in the Hartford convention; the pusillanimous and cringing weeks preceding the inauguration of Lincoln, when the government whined like a scoured ladder at the heels of secession; the patient, long and trying hours of the civil war, especially in those days when defeat and gloom lowered upon the land; the second election of Lincoln, a most pronounced and remarkable test of the judgment, stability and foresight of the masses, in these periods we see the marvelous strength and statesmanship, if you please, of the man at the plow, in the workshop, at the counting table, in the forest and mine. An insight into public affairs amounting to intuition, a grasp of the principles of justice and right amounting to inspiration, with a fortitude and willingness to sacrifice—how profound and safe and unerring in every crisis has been his final judgment.

I would not be understood, of course, even by inference, as undervaluing the power and indispensable influence of those remarkable men whose fidelity to public interests and genius for leadership have placed them far above the multitude—singled

them out and isolated them in fame and glory. But in view of things, in these times so often said, and in view of the constantly expressed distrust of popular influence and the serious charge of breakdown of popular rule, I would call your attention and the

attention of all those possessed of doubts or fears to that wholesome and ever unshaken faith in our institutions, that unvarying fidelity to our best interests, that notable insight into all problems of public concern, to the heroism which has never failed, the courage which was never daunted, of those whom the great martyr of slavery called the "common people." These qualities and virtues have been exhibited in every crisis through which we have passed and they abide with the people still.

Some time ago one of the most noted of our college professors made this astounding statement: "It is no longer possible to mistake the reaction against democratic institutions. The nineteenth century was above all others a century of democratic triumphs, and the world is no more convinced of the benefits of democracy as a form of government at its end than it was at its beginning." What a comprehensive indictment. Within the imperious sweep of his scornful intellect, all the hopes, plans, aspirations and triumphs of the masses are gathered, adjudged and condemned. I cannot now recall any other fiat so universal and omnipotent since that early morning hour, when "the earth was without form and void, and darkness upon the face of the deep. * * * And God said let there be light and there was light."

"Reaction against democratic institutions." What frightful fluency! "The world is no more convinced of the benefits of democracy as a form of government at its end than it was at its beginning." If true, it is altogether the most startling announcement of the hour. All the restless yearnings of the yeomanry of democracy, from the first town meeting upon the sacred soil of New England to the last recorded judgment at the polls of eighty millions of people, the most imposing act ever witnessed of organized society, a continent dedicated to law and order and to which only the violators of law and their sympathizers are now disturbed; a country with more solid and inviolable bulwarks against oppression and injustice than ever dreamed of by Plato—yet all these being no proof that the people are fit to reign. "Much learning doth make thee mad."

Equally singular and significant messages of fright and subjugation have been heard from other sources. The burden of public utterances from a certain group of distinguished men, men of acknowledged ability and extended influence is that we are threatened with mob rule—that representative government is giving way to mobocracy. A sickly, doubting, pessimistic gospel is being preached throughout the land. The stir and activity and vigilance and demands of the people, the legislative and administrative policies looking to a definite control by law of public serving corporations having their approval are considered as socialistic and dangerous. But a careful consideration of

Senator Borah is a non-resident member

present conditions will disclose that the one safe and sane, conservative, self-poised, self-contained force in the industrial world of today is found in the common citizenship throughout the land.

A few weeks ago we had a panic—a well dressed, highly aristocratic, thoroughly high toned panic. Every one participating in the panic was many times a millionaire—a well respected, conservative man of business and a reactionary in politics. What caused the panic is still a matter of dispute. But this much is certain, it was a storm of the upper air. This much is certain, those scenes of lawlessness, recklessness, frenzy, theft, repentance and suicide were not of the people's making. This much more is certain, it was the deposits of those of moderate means which were used to stay the frightful disaster inaugurated by the daring and recklessness of those leading business men. It was the revelry of the chosen few. While the great mass of the people throughout this broad land, patient and forbearing, paying but little attention to this disturbance on the roof garden of finance, toiled on and by courage and conservatism did more to bring back confidence than all else. If the masses had become excited as did those few hundred about the centers of conservative business places there would have been a holocaust of indescribable ruin from ocean to ocean.

One of the most brilliant and gifted men of the Empire state, in a notable speech made a short time after the panic, with his back upon the scene where frenzy lately reigned and with the index finger of scorn pointed toward the people said, "Who is the man now speaking to the crowd from the barrel? Do not for one moment let your eye wander from the man speaking from the head of the barrel."
* * * A mob means only a concourse of human beings acting without the restraint of law. Whoever arouses the mob or the mob spirit plays with fire." Well we know who the man is on the barrel—but that man has left evidence round about that he can take care of himself and we need not linger in his defense. But who composes the mob—this "concourse of human beings acting without the restraints of law," to whom is the man on the barrel talking?

Mr. Toastmaster, the fine frenzy of the poetical mind which weaves of the warp and woof of life's experiences the glittering figures with which to charm and sustain the minds of men is all but a power divine, and this creator possesses that power to a remarkable degree. But I doubt if beautiful figures of speech should ever be used to assassinate truth. That mob to whom this man on the barrel is speaking is the great electorate of the United States, with this mob the fathers who built with such unerring judgment left the sole sovereignty of this republic. If it is tainted with dishonesty, if it is tired and impatient of "the restraints of law," where is the evidence? The author of so serious a charge, a charge which impeaches the whole plan of government, should put his finger upon the proof. When and where and how has the American electorate maintained or convulsed at the spirit of misrule? When has the man who dared to preach in it of disloyalty to the fundamental principles of government survived its instant

condemnation? When has it asked for the property of the rich? When has it sought to reap where it has not sown or gather where it has not strewn?

Mr. Toastmaster, I have no patience with that species of artless demagogues which inveighs against the rich men because they are rich, which arraigns corporate wealth honestly obtained and honestly used, which waxes upon the fruits of industry and frugality. I would smite the unconscionable adventurer who would raise his perfidious hand against the constitution whether he marches under the banner of reform or the red flag of anarchy. That old charter of government has no companion or counterpart in the world of politics or in the science of government—in its wisdom, strength and symmetry it stands alone, and all questions touching the rights and obligations and duties of our people must be settled by its terms. I believe as so well said by one of the greatest lawyers of this country that "it is our duty to preach constitutional morality to the rich and to the poor, to all trades and to all vocations, to all ranks and to all classes, in the cities and on the plains." To protect property as we would protect personal liberty, for under our civilization vested rights and personal liberty walk hand in hand.

But on the other hand, I denounce as a libel upon the whole history of our nation the charge that democratic institutions are a failure. I repudiate and forever reject the insinuation that the mob spirit has any hold upon the minds or entertainment in the consciences of the great mass of the American people, and I believe this talk of distrust and doubt so constantly heard is just as vain, just as futile as that of the straggling agitator who thinks that by appeals to lawlessness and strife he can swing the countless thousands of laborers who are law loving and patriotic from the path of rectitude and righteousness. The American people are as a whole sound and perfectly loyal to the old time precepts of representative government. Those of little faith may waver for the hour, but a man who looks out upon eighty million of people stretching from ocean to ocean, industrious and frugal, active in business affairs and active in political affairs, proud of their institutions and anxious to transmit them unimpaired to their sons and daughters, know that the decree still stands, that the government of the people, for the people and by the people shall not perish from the earth.

John Bright, the great commoner of England, once declared, "The first hundred men you will meet on the Strand would govern England just as well as the parliament in session." It was the simple announcement of one of the greatest of the world's civic heroes of his sublime faith in the capacity of the people. Wendell Phillips said, "The accumulated wisdom of the masses is heavier than the greatest brain God ever gave to a single individual." In that same faith Lincoln lived and died. From it as a people we dare not depart.

But the dangers we have with us always. They guarded upon the pathway of Washington, and while Sam Adams and James Otis agitated, and Hamilton, Jefferson and Washington built, the caven creak of doom was ever heard as day by day the great fabric of representative democracy

crossed out of chaos into stability and form. They haunted and harassed the patient and sensitive soul of Lincoln, and even while this grand old republic was passing through the scourge of fire and countless harrowing heroes from city and plain were dying with words of hope and cheer upon their pallid lips, were heard the same old prophesies of final defeat and the dissolution of the government, the same pharisaical voice telling of Lincoln's ignorance and blundering, of Grant's inhuman slaughter of men, of the disturbance of business over false sentiments about human rights.

And now in the midst of the most remarkable and momentous civic struggle the western world has ever known, involving questions which reach down to the very foundation of government and upon the proper solution of which depend the weal or woe of ninety millions of people—a struggle calling for courage as rare and patriotism as exceptional as any since this old ship started on her voyage, the industrious disciples of that old school, true to their traditions, cursed with the same want of faith, making broad their phylacteries and enlarging the borders of their garments, are telling in the same old tones of the fearful consequences which never happen—excited as of old about the "concourse of human beings acting without restraint of law," fearful that the rabble and the mob have not that rare judgment and loyalty and self-poise with which the prophets have been blessed.

But when the test and trial are passed and only the large outlines of today's history are given, again it will be rewritten upon another heroic page that in spite of doubts and fears, in spite of some mistakes and some errors that the great mass of the people remained true to the best tenets of representative government; that we were not engaged in a revolution but marking a mile-stone in evolution; that we were not tearing down or destroying but meeting bravely the demands of the hour and building in accord with the calls of humanity; that we were not a mob, excited and unbridled, but an intelligent people, earnestly and with determination solving the new questions which the combined influences of our marvelous material growth have put upon us; not cowards hiding from a task until the neglected demands overwhelm and destroy us, but courageous men doing the work imposed upon our day and generation.

Eten perpetua, mayest thou last forever—the inspiring motto of Idaho, a powerful commonwealth which has been carved out of the desert waste by the perseverance and devotion of the greatest of all empire builders, the American pioneer—this the subject assigned me for the evening. It voices the sentiments of the brave and inflexible who conquered the desert toward their own state and, in my judgment, it voices the sentiment of eighty millions of people toward the larger, greater commonwealth within whose borders is found more of personal freedom and greater opportunities, more un-mortgaged homes, more of physical well being and Christian womanhood and manhood than are to be found elsewhere on the earth. Eten perpetua.

BIG DINNER OF BETA THETA PI

Distinguished College Fraternity Members Will Speak at the Astor.

Members of the college fraternity of Beta Theta Pi—of whom there are more than 1,000 in and around New York—will hold one of the biggest celebrations in the history of the fraternity (which was founded at Miami University in 1826 by "Faber" Knox) at the Hotel Astor on Saturday evening.

The dinner will mark the completion of a successful first year of householding, the club having a home at No. 46 East Twenty-ninth Street, diagonally across from the Appellate Division, with reading, lounging, and dining accommodations for its three hundred members.

Guests of the occasion who will speak will be William E. Borah, United States Senator from Idaho (Kansas, '89), who conducted the Meyer-Haywood prosecution; Norris Brown, United States Senator from Nebraska (Iowa, '85); Henry B. Howell (Northwestern, '84), and Frank O. Lowden (Iowa, '85), Representatives from Illinois; Charles F. Soren (Kansas, '81), Representative from Kansas, and Charles B. Landis (Wabash, '81), Representative from Indiana. Townsend Sweeney, Justice of the Supreme Court, will act as toastmaster.

Mr. Howell, chairman of the Congressional committee now investigating the extensive boot-and-shoe scandal, as well as manager of Speaker Cannon's Presidential boom. He is expected to say something to the Beta diners that may have a significant bearing upon the present political situation.

The New York Beta Theta Pi Club is the outgrowth of the "Kaldberg Pack," organized several years ago. Saturday night's banquet will not be called a dinner by those who sit down, but a "dorg," according to Beta custom. College tradition has it that Faber Woeglin, the patron saint of the fraternity, was always accompanied upon his travels by a remarkable dog. Whenever Woeglin became hungry he slew the dog, taking care, however, to save all the bones. Before retiring these were carefully placed together, and the next morning the dog gambolled in advance of its master. Hence the Beta term "dorg" for fraternity dinner.

All of the nearby college and university chapters will send undergraduate delegations, including the Rutgers, Yale, Stevens, University of Pennsylvania, and Lehigh chapters. The entire Columbia chapter, headed by Philip Von Salzen, the Blue and White crew captain, will be on hand in a body to help in the cheering and the singing of fraternity songs, always a feature of Beta "dorgs."

SPEAKERS AT THE BETA THETA PI DINNER.



SEN. NORRIS BROWN
OF NEBRASKA

SEN. W. E. BORAH
OF IDAHO

REP. HENRY SHERMAN DUNTELL
OF ILLINOIS

The New York World continues to be a steady believer in the innocence of the Twenty-fifth regiment. It says: "Neither Senator Borah nor Senator Warner is able to point to a single negro in the entire battalion of the Twenty-fifth Infantry that President Roosevelt discharged without honor as being guilty. Neither of them is able to advance any stronger argument than that it seems

plausible that some of the men fired shots during the Brownsville affray. They offer no proof, they identify no individuals. Neither do they pretend that all the men of the three companies can even be charged with complicity. In repeating that there was a conspiracy of silence that called for the punishment of scores of innocent soldiers the two Senators are engaged in a conspiracy of injustice with President Roosevelt." There is a difference of opinion among the people in regard to the facts of the shooting, but we think a majority of them believe that the President dealt unjustly with that regiment, most of whose members were unquestionably innocent, even if a few were guilty.

GOOD TIMES DAWNING

Prophecy at Dinner of the Beta Pi Club.

ABLE SPEAKERS PRESENT

Representative Boutell Sounds a Hopeful Note.

BORAH ON THE LATE PANIC

Recent Legislation and Its Effect on the Country—Sanity of the Common People.

NEW YORK, March 21.—Two United States senators—W. E. Borah of Idaho and Norris Brown of Nebraska—and one member of the National House of Representatives, Henry Sherman Boutell of Illinois, were the guests of honor and chief speakers at the dinner of the Beta Theta Pi Club at the Hotel Astor tonight. Optimistic sentiments as to the early return of prosperity to the country and repression of confidence that legislation of recent years would have a far-reaching and lasting effect for the good of the nation was the spirit of the speeches.

"Equality Before the Law" was Senator Brown's subject, and he declared for a revision of the tariff, urging the formation of a tariff commission which should bring its report before Congress for intelligent action by that body. Senator Borah talked of "The Recent Panic and Its Lessons," while Mr. Boutell took recent legislation and its good effects as a subject.

Justice Scudder of the supreme court

acted as toastmaster and introduced Representative Boutell as the first speaker.

Representative Boutell's Remarks.

In responding to the toast "The Ship of State," Mr. Boutell said: "If we call the President the captain of the ship of state we must assign to the Speaker of the House the title and honors of the Pilot. At no time in her long cruise has our ship of state been in charge of braver or more skillful navigation than her present captain and pilot, Roosevelt and Cannon. Although differing widely in many important traits of character they have in common one of the dominant features of all truly great minds, downright sincerity.

"During the past five years more legislation of permanent, far-reaching value has been enacted by Congress than in all the other years since the civil war period. In working out this beneficial legislation the President and the Speaker have worked in close harmony. Each has generously accorded to the other full recognition and praise of the value of his services.

He paid a high tribute to the success of President Roosevelt's financial policies. In 1900 our interest-bearing debt was \$1,940,000,000 and the annual interest was over \$40,000,000. Today the interest-bearing debt is only \$200,000,000 of which \$22,000,000 are Panama bonds; our annual interest charge is only \$11,000,000; there is over one billion in gold in the Treasury and an available cash balance of \$200,000,000 over and above the \$100,000,000 gold reserve, while our two per cent bonds are selling at 104. No nation in the world can make anything like such a showing of financial strength.

Mr. Boutell pointed out that, while in 1900 there were 2,312 national banks using \$200,000,000 of government bonds to secure circulation and deposits, there are now 4,397 national banks using \$70,000,000 in government bonds to cover circulation and deposits. There are now more than 100,000,000 of United States bonds that are not in the hands of national banks. At the same time the national banks are using \$200,000,000 of other collateral than United States bonds to secure government deposits and their circulation. In other words, there are now enough United States bonds outstanding to form the basis of our national banking system under existing laws.

Senator Borah was the next speaker. He said, in part:

Senator Borah's Remarks.

"A few weeks ago we had a panic—a well-dressed, highly anticipated, thoroughly high-toned panic. Many are participating in the panic and many times a millionaire—a well-served, conservative man of business and a reactionary in politics. What caused the

panic is still a matter of dispute. But this much is certain, those scenes of lawlessness, recklessness, fraud, theft, rapacity and suicide were not of the people's making. This much more is certain, it was the deposits of the people, the small earnings of those of moderate means which were used to stay the frightful disaster inaugurated by the daring and recklessness of those leading business men. It was the cowardly of the chosen few. While the great mass of the people throughout this broad land, patient and forbearing, paying but little attention to this disturbance on the roof garden of finance, looked on and by courage and conservatism did more to bring back confidence than all else. If the masses had become excited as did those few hundred about the centers of conservative business places there would have been a holocaust of indescribable ruin from ocean to ocean.

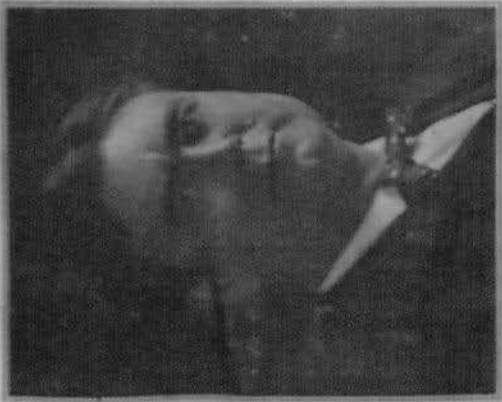
"I have no patience with that species of artless demagoguery which inveighs against the rich because they are rich, which arraigns corporate wealth dishonestly obtained and honestly used, which wags upon the fruit of industry and frugality.

"Now in the midst of the most remarkable and momentous crisis through the western world has ever known, involving questions which reach down to the very foundation of government and upon the proper solution of which depends the well or woe of 50,000,000 of people—a struggle calling for courage as rare and patriotism as exceptional as any since this old ship started on her voyage, the industrious disciples of that old school, true to their traditions, cursed with the same want of faith, are telling in the same old tongue of the fearful consequences which never happen.

"But when the test and trial are passed and only the large business of today's history are given again, it will be recalled that another heroic page, this in spite of doubt and fear, in spite of some mistakes and errors, that the great mass of the people remained true to the best traditions of representative government; that we were not engaged in a revolution, but marking a milestone in evolution.

Among the university chapters represented at the dinner were those of Indiana, Yale, Stevens, Pennsylvania, Cornell and Columbia. Among those at the dinner table were Representative Charles E. Hughes of Indiana, Representative Scott of Kansas, Rev. Robert W. Coombs and Rev. William Burman.

Senator Borah's reference to the near proximity of the republican party to President Taft was to be one "who represents the policies of President Roosevelt" bringing a storm of applause from the audience.



SENATOR BORAH

Senator William E. Borah of Idaho, was born on a farm near Fairfield, Illinois, June 27, 1865. After receiving such an education as might be obtained in the country schools of Illinois, Senator Borah, at the age of sixteen, went to live with his sister, Mrs. A. M. Lasky, then of Lyons, Kas., now of this city, and entered the State University at Lawrence, Kas., where he first became known as a hard student and able debater. He was admitted to practice law in Kansas and in the few years he was engaged in his profession there he became distinguished as a well balanced brilliant young lawyer.

He moved to Boise, Idaho, in 1891, and practiced law from that time until he was elected to the Senate in 1906. Prior to his election he received the popular vote and endorsement of the Republican party in the State convention.

He had charge of the prosecution in the litigation arising out of the miners' riots in the Coeur d'Alenes in 1899 and was also associated in the trial of William D. Haywood.

Senator Borah is a non-resident member of the Hamilton Club.

Borah Saved Negro's Life; *W. L. H. Rogers* Outwitted Lynching Mob

When William E. Borah, of Idaho, rises in his place Monday to address the Senate in defense of the position taken by the President in the Brownsville case, that august body will have an opportunity to listen to a man who earned the right to proclaim himself defender of the colored race, at the risk of his life. Senator Borah is yet a young man and the incident is recent enough to abide in the memory of thousands of his Idaho constituents. But for Borah's splendid courage and prompt action the body of a negro would have dangled at the end of a rope, and Nampa, Idaho, would have had a lynching.

When this thing happened the Senator Borah of today was plain Bill Borah, leading citizen and practicing attorney at the bar of Boise. There had been a ball game at Nampa, twenty-five miles distant, between rival teams of Boise and Nampa. A Boise negro, who accompanied his team as mascot and general functionary, had become the victim of Boise unpopularity. He was attacked on the ball field, and in his own defense he shot a white man. Fearing immediately run high. The negro was arrested. There was talk of lynching, but the spirit of outlawry seemed to have subsided, and the Boise ball players returned to their home, leaving the colored man in the Nampa jail.

Borah Told of Mob.

That night Nampa experienced a reign of terror. A mob organized and it made an attack on the jail. It was 11:30 o'clock at night when Borah was called from his bed to the telephone, to be told that the negro's life was at stake. Borah's decisions and action were characteristically prompt. First, by telephone, he made provision for a special train, to be placed at once at his disposal. Then he called up the governor. Hastily he informed him of what had happened and what was about to happen. "I want your authority to represent you," he demanded. "I am going to get that negro out of the hands of the mob, if he's alive when I reach Nampa."

The governor caught some of the spirit

decided to accompany him. Borah picked up two other men, Deputy Sheriff "Shut" Hodgins, famous in the Haywood trial, and "Rax" Roemer, by name. The special train made a record run; Nampa was reached shortly after midnight. Borah and his two deputy sheriffs left the special and made for the heart of the excited city.

Mob Boos Orator.

Downtown he mounted a dry goods box and tried to exhort the people. They jeered and booed him. No expedient was left save to carry the fight to the jail itself. The crowd had almost finished its work. The outer doors of the jail had been battered. The inner doors had yielded, and men, armed with sledge and pick, were endeavoring to reach the cage in which the frightened negro was confined.

A frenzied mob screamed their approval on the outside, mad with the thirst for blood. That was the situation when Borah and his two friends pushed their way through the crowd, among the men who were completing the last preliminaries.

"What brings you here, Bill Borah?" one of them demanded.

"I've come to get that negro out of the sector," the other tried to pounce a restraining hand on him. "Rax" Roemer, a very Goddard in lowering figure and strength, pushed him aside, and said: "That'll do for you now," he shouted.

Speech Cows Mob.

"We've come to get this negro," Borah said in tones so firm that the crowd gave attention. "We've come to get him peacefully if possible, but get him we will at any cost. Aboard our special train we have forces sufficient to cope with you, and unless bloodshed be your desire, you must surrender this negro."

"That'll be about all," affirmed "Rax" as he pushed a few others out of the way, and made his way, with revolvers threateningly exposed, the negro protected by his huge form and that of his comrade, Hodgins. With Borah bringing up the rear they made their way to the special train. In the twinkling of an eye they were aboard and speeding madly toward Boise. Three men had outwitted a town bent on lynching, and not a single blow struck.

The next day the Nampa papers carried an awful shriek. "An insult," they termed it, that three outlaws should invade their town and defy as well as vexatious their leading citizens.

BORAH'S FIRST SPEECH

Shut Hodgins
 Brownsville Shooting Analyzed By
 the Idaho Senator

WASHINGTON, April 23.—The affair at Brownsville, Texas, again called forth the most intense interest in the Senate today. Senator Borah, of Idaho, taking the ground that the testimony showed conclusively that the negro soldiers of the Twenty-fifth regiment shot up the town, gave a careful analysis of the evidence in the cases.

The speech was Mr. Borah's first to the Senate. He said no more serious charge was ever made against a soldier and far less offenses many a soldier has been shot. He censured the idea of the citizens of Brownsville conspiring to create a riot in their own town and to kill their own citizens to secure the removal

Borah Will Lock Horns With Foraker on Troops

Before the debate on the Brownsville case is closed one of the new men of the Senate will lock horns with Senator Foraker, the champion of the discharged soldiers of the Twenty-fifth Infantry, and a veteran wearing the scars of many years of Senatorial controversy. He has given notice that he will speak next Monday.

The new man is Senator William Edgar Borah of Idaho. He was first seen in the Senate at the opening of this session and he has not yet been heard to any extent in Senate debate. He is expected to win his spurs in behalf of the Administration in the Brownsville discussion and his admirers are promising some interesting developments when he opens his batteries on Senator Foraker. Not in all the Senate is there a man whom the Senator from Ohio fears to encounter, and out in the Northwest Senator Borah enjoys the same reputation.

Began by Breaking Mules.

Senator Borah is a youngster as they go in the Senate. He is but little over forty, vigorous, combative, and a trained lawyer. He was born on a farm down in Wayne county, Ill., and was brought up there, in the land of Egypt. He got a training in his early days that probably tended to develop any latent pugnacity he might have by breaking mules. Anyone who has indulged in this pastime knows it is not one for mollycoddlers to engage in. Young Borah was thrown so often he got used to it and broke the mules at the repeated risk of his own neck.

With this experience with the mules as a foundation, he went to college, studied law, was admitted in 1888, and

has practiced it continuously ever since. He was an attorney, specially retained by the State of Idaho, to try the man charged with the murder of Governor Stevenson.

Those who attended the trial say he made a great record in that case, and showed himself a lawyer of conspicuous ability. Having come to the Senate with a reputation, there is considerable wonderment as to how he will measure up alongside Foraker. Should he prove his capacity to hold his own against the Ohio man, he will be placed in a conspicuous position.

Administration Needs Champion.

Ever since Senator Spooner left the Senate, the Administration has been anxious to have a champion who could be depended upon to meet all comers. This is not an easy task to set before a man, but it is certain that the Idaho Senator will be pushed to the front as rapidly as the President's friends can arrange it, if he makes a speech that pleases the President. The speech will probably be made in the course of a week. It is understood Senator Borah has made a careful study of the evidence, and that his conclusions are that the evidence unquestionably supports the Administration.

From another viewpoint, in case Senator Borah speaks, his remarks will be interesting. It is not long since one of the young members of the Senate, Senator Burnett, took Senator Ivis to task. That event was looked on as marking the signs of an uprising among the younger Senators against the old ones that has so long laid away over the upper house. If Senator Borah follows up Senator Burnett by hammer and tongs into Foraker, the volt of the younger element will fly on, and will be regarded as sure that the regime of the yesteryears who have reigned so long will be more than ever in peril.

BORAH TO MAKE SPEECH.

Idaho Senator Will Take Issue with Foraker on Brownsville.

Senator Borah, of Idaho, yesterday gave notice in the Senate that on Monday next, immediately following the routine morning business, he will address the body on Senator Foraker's bill to re-enlist the negro soldiers who were dismissed without honor by the President as a result of the Brownsville affray. Senator Warner, who wrote the other bill having the object in view, but proposing to reach it along the lines favored by the President, will speak on his bill on Tuesday.

Mr. Borah is a clear, forceful, and interesting speaker, and he has given much study to the Brownsville question. He has been asked by the members of the Military Affairs Committee, who are opposed to the Foraker bill, to make a speech and give his views on the question, and his announcement in the Senate yesterday was the outcome of this request.

While Senator Borah will not directly reply to Mr. Foraker's recent speech on the subject, he will present the opposite side, and it is understood that he will present evidence intended to discount that which Senator Foraker offered on Tuesday last, in defense of the negro soldiers.

ORATORICAL PYROTECHNICS DUE IN SENATE THIS WEEK.

Senator Foraker's Speech on Brownsville Affair Will Be Replied to by Warner and Borah.

SPECIAL REFERENCE TO THE SENATE—WASHINGTON, April 12.—Senator Foraker expects to make the speech of the season, beginning to-morrow, on the Brownsville case. He hopes to do so effectively and vigorously his colleagues in behalf of the discharged soldiers of the battalion of the Twenty-fifth Infantry that he will justify the fight that has been making in the Senate in their behalf. The speech of Senator Foraker will start off oratorical pyrotechnics which are expected to last to the end of the week.

Senator Warner of Missouri is to be put forward as the champion of the administration, and of the Committee on Military Affairs of the Senate, which investigated the Brownsville affray and reported on it to the Senate. His response to Mr. Foraker will be his maiden speech in the Senate.

One of the surprises is expected to be the carefully prepared speech of Senator Borah, who will take issue with Foraker, and from whom some have expected to hear glowing statements as to the case from Borah's standpoint. It is expected that he will take issue with Foraker. Mr. Foraker fears Borah for the first six weeks has been working on a great administrative defense. It is also expected that he will not hesitate to hit Senator Foraker and that there will be a most interesting debate.

2. PRESIDENT STARTS DEFENSE IN SENATE

Administration Is Answering
Foraker's Attacks Upon
Brownsville Affair.

Mc American

Washington, April 29.—Spearheading under the attacks of Senator Foraker, President Roosevelt to-day opened his campaign in the Senate to break the effect of the assault upon his administration for discharging without honor the negro soldiers in the Twenty-fifth Infantry after the Brownsville affair.

The President has planned to have the defense continue the greater part of the week. Senator Borah, of Idaho, under took today, by a carefully prepared legal argument, to show that there was absolutely no doubt that nearly a score of the men stationed at Brownsville shot up the town. It was his maiden speech, and he was congratulated heartily by his colleagues.

Senator Warner, of Missouri, who is one of the President's representatives, will begin another speech tomorrow. It is expected that he will occupy several days in making his argument in defense of the position taken by the President dismissing all men in the battalion.

In his speech last week Senator Foraker contended that not one of the soldiers did the shooting and that no evidence had been obtained to show that they had anything to do with it.

Senator Foraker took the position that it was altogether probable that the white residents of Brownsville blackened their faces, put on uniforms and went out and shot up the town to discredit the soldiers. Senator Borah ridiculed this argument. He read from the testimony of a score of witnesses who swore that the men who did the shooting were negro soldiers.

"When the President dismissed the men," he said, "no one, neither friend nor foe, assumed that any one was guilty of the raid other than the soldiers.

"If guilty at all, they are guilty of murder—murder planned and deliberated upon and accomplished with deadly precision. For less offenses many a soldier has been condemned and shot at sunrise.

"To my mind it was treason; if not technically so, yet morally treason in its aggravated form. To find this spirit of lawlessness, this appetite for crime in our army, the body which is to maintain the flag wherever it floats, is startling beyond all words to express.

"To hesitate, to compromise, to palliate, to excuse, would be an injustice to and an outrage upon the army and constitute trifling consideration of the interests of 80,000,000 people.

"Men wearing the uniform of a soldier of the Union, the insignia of Government and the symbol of law and order, in the quiet of the night, while homes are defenseless, assault and attempt to murder whole families and finally succeed in committing one murder.

"To compromise with such an act or such deed is cowardly; it is betrayal of Government; it is an insult to every intelligent and right-thinking citizen, for it presupposes he is a traitor to his country and a criminal at heart.

"Let it be understood by them and by all that this Government is their Government as well as ours; that their hands, their labor, in slavery and out, helped to make it; that their valor and heroism helped to preserve it, and that justice will be meted out in protection and in punishment; that the door of hope will not be closed nor an escape from crime provided.

"Let it be known, as every man must at least know, that if this Republic is to endure, obedience to the law is to be the first result of our faith, and that the great army of the United States is one upon whom the

NEGRO TROOPS SCORED AS REDS

Senator Borah of Idaho Makes
His Maiden Speech and
Defends President.

St. Louis Times

SEES GROWTH OF ANARCHY

Alludes to Harry Orchard's
Crimes as Instance of Public Opinion.

CHARGES HELD SERIOUS

Brownsville Riots Are a Blot
on the Records of
Soldiers.

WASHINGTON, April 29.—As neat calmly and dispassionately analyzing the Brownsville case, to show that the evidence against the negro soldiers "simply was overwhelming and conclusive, unless you resort to the proposition of a conspiracy which manufactures evidence," Senator Borah of Idaho, in his maiden speech in the Senate this afternoon, mildly scolded at Senator Foraker's attitude, warmly defended President Roosevelt's action and knavishly turned his noted oratorical batteries against the growth of anarchy in the United States. He laid the starting of the negro troops to be a part of this anarchy.

Mentions Famous Trial.

Rising to the height of his eloquence the Senator, who was engaged in the prosecution of the Meyer-Harwood-Pettibone murder cases last year at Boise, in which the two men tried were acquitted, adverted to that trial by exclaiming:

"Riot and murder are things largely born of the mistakes of government and pride in a country which compromises and sentimentalizes over crime. A cold-blooded, laboring, incarnate devil lives in pieces as ex-Governor on the doorstep of his home, is caught and confessed, and before the grave of the man who dies a martyr to law and order is green sentimentalism puts a hair upon the brow of the blackest spirit that ever escaped the crypts of hell.

Startling Thing for Army.

"In these times, when an air of dissipation pervades certain parts of the social life of the Nation, when an element which lives upon lawlessness, strife and murder raises its treacherous hand here and there, playing with human life as with a toy, when the doctrine of riot is preached as a tenet of party organization—under such conditions, I say, to find this spirit of lawlessness, this appetite for crime in our army, the body which is to maintain the flag wherever it flies, is startling beyond all words to express."

Troops "Guilty of Murder."

To his mind, certain members of the Twenty-sixth Infantry are guilty of "murder, planned and deliberated on, and accomplished with deadly precision." He said the one point in which the rioters failed was that they expected to kill more than they did.

"No more serious charge than this ever was made against soldiers of the United States," he exclaimed. "For less offenses many a soldier has been condemned and shot at sunrise. To my mind, it was treason, if not technically so, yet morally, treason in the most aggravated form. To compromise with such a deed is cowardice."

BORAH MAKES HIT IN MAIDEN SPEECH

Contends Negro Soldiers Were
Guilty and Deserved
Punishment.

WINS SENATORS' APPLAUSE

Idaho Senator Sweeps Away Doubt
About Facts of Brownsville Riot
and Incidentally Opposes
Mercy to Orchard.

OREGONIAN NEWS BUREAU, Wash-
ington, April 20.—Senator Borah achieved
a great triumph in the Senate Chamber
today and established his right to rank

among the leading lawyers of America's
foremost legislative body. In a speech
lasting an hour and a half he swept aside
the cobwebs that have long surrounded
the Brownsville case and, by reviewing
and analyzing the essential evidence,
demonstrated the entire justice of the
course pursued by the President in dis-
charging the colored troops. So thorough
was his grasp of the subject resulting
from weeks of careful study and so logi-
cal the presentation of his argument, that
Senators heretofore in doubt confessed
that they were satisfied after that speech
that the President should be upheld.

Borah spoke to a full Senate and to
galleries packed to their utmost. Never
before in it recalled that any new Sen-
ator had a full Senate as his audience
throughout the delivery of his maiden
speech. At the conclusion of the speech
there was a tremendous applause in the
galleries and great disorder on the floor,
while Senator Borah was receiving the
congratulations of his colleagues.

It was the renouveau of opinion that
Borah made a great speech, just such a
speech as was needed to clear the atmos-
phere. The Brownsville case has been
standing so long and has been discussed
in so many lights that there was no clear
conception of the facts, and considerable
doubt in the minds of public men as to
the true situation. This doubt was swept
away today. Borah was at his best in
untangling a question that had become
much involved, and it is admitted gener-
ally that his speech will tend largely to
bring about a proper settlement of this
long-delayed question. So logical was his
presentation of the case that no Senator
interrupted.

Borah took occasion to express disap-
proval of the movement for leniency to
Harry Orchard, the wholesale murderer,
whose evidence he used in prosecuting
W. D. Haywood and George Pettibone
for the Higgenberg murder. On this sub-
ject he said:

Compares Negroes to Orchard.

A red-blooded, intemperate devil
shows in pieces an ex-Governor upon the
doorstep of his home, is caught and captured,
and before the grave of the man who did
a martyr to law and order is green, un-
intentionally puts a nail on the brow of the
blackest spirit that ever escaped the grips
of hell. Men wearing the uniform of a sol-
dier of the Union, the insignia of government
and the symbol of law and order, in the
quiet of night, while houses are peacefully
asleep, and attempt to murder whole fam-
ilies and finally succeed in committing one
murder. To compromise with such an act
or such a deed is cowardice; it is betrayal
of government; it is an insult to every in-
telligent and right-thinking man; for it
presupposes he is a traitor to his country
and a criminal at heart.

Borah expressed the belief that the
negro soldiers conspired to shoot up
Brownsville and that the evidence proved
this overwhelmingly. He said the morale
of the Army was paramount to any man's
right to remain in it who participated in
the riot and any who conspired at it by
shielding the guilty men were all guilty
alike.

He turned to ridicule Foraker's theory
that the citizens went up the town, saying
that if such a conspiracy existed, it would
not have turned the guns on its own peo-
ple.

No Mercy to Lawlessness.

Discussing the enormity of the soldiers'
offense, he declared it to be treason, if
not insurrection, then certainly, crime.

In these times, when an air of impunity pervades certain parts of the social life of the Nation, when an element which lives upon lawlessness, strife and murder raises its treacherous hand here and there, playing with human life as with a toy; when the doctrine of riot is preached as a result of party organization—under such conditions, to find this spirit of lawlessness, this appetite for crime, in our Army—the body which is to maintain the flag wherever it flies—is startling beyond all words to express.

Finding lawlessness there, as shown to the chief forces of this Government, what was the duty of those entrusted with the power and responsibility of dealing with it? Strike it down! Assent the majesty and relentless judgment of the Government in a way to inspire both respect and dread in all who are likely to weigh the worth of human life or whose souls with the honor and good name of that great army whose traditions have been the pride of us all. Any other form of action—by hesitate, to compromise, to hesitate, to excuse—would be an injustice and an outrage to the Army and constitute trifling consideration of the interest of people who look up to the Government for protection to life.

He gave the negro race credit for great achievements since the abolition of slavery, but said this would not excuse individuals from punishment for crime.

'TIS TREASON, SAYS BORAH

Idaho Senator, Replying to Mr. Foraker, So Characterizes Soldiers' Actions at Brownsville.

Sizzling Arraign- ment of Harry Orchard-- "Cold Blooded, In hu- man, Incarnate Devil." *Bygones News*

(By Associated Press.)

WASHINGTON, April 25.—Senator Borah of Idaho, who as special counsel for that State, conducted the prosecution of W. D. Haywood, secretary of the Western Federation of Miners, on the charge of murdering former Gov. Steunenberg, in his maiden speech in the Senate today expressed his disapproval of any effort to secure leniency for Harry Orchard, the self-confessed fixer of the bomb which caused Steunenberg's death. The utterance was part of a speech on the Brownsville affray and was made in connection with the condemnation of all attempts to condone the offense at Brownsville. It was as follows:

"A cold-blooded, inhuman, incarnate devil blows to pieces an ex-Governor upon the doorstep of his home, is caught and confessed, and before the grave of the man who died a martyr to law and order, is green, sentimentalism puts a halo upon the brow of the blackest apes that ever escaped the crypts of hell.

"Men wearing the uniform of a soldier of the Union, the insignia of government and the symbol of law and order, in the quiet of night while homes are defenseless, assault and attempt to murder whole families and finally succeeded in committing one murder. To compromise with such an act or such a deed is cowardice; it is betrayal of government; it is an insult to every intelligent and right thinking negro,

for it presupposes he is a traitor to his country and a criminal at heart."
The speech was made notable by many striking passages of oratory. Besides containing an analysis of the testimony taken in the Brownsville case, it was in reply to Senator Foraker's recent discussion of the same subject.

OVERWHELMING EVIDENCE.

"I contend," said Mr. Borah, "that the evidence in this case is overwhelming against the colored soldiers unless you resort to the proposition of a conspiracy which manufactured the evidence, and that is evidently the view taken by the defense."

If any man in the 25th Regiment participated in the riot and the others connived at the crime by concealing knowledge of it to shield the guilty parties, then both were alike guilty, he declared. Mr. Borah called attention to Mr. Foraker's suggestion that the citizens of Brownsville might have shot up their own town to secure the removal of the colored soldiers.

"The charge of a general conspiracy," he said, "involved the necessity of a long prior preparation, the stealing of the shells and their distribution upon the streets of Brownsville, but, followed as its logical conclusion, if it is worth anything at all, this conspiracy not only steals the shells and scatters them upon the street, but it also furnishes the men who did the firing—the men who actually went upon the streets of their own town, assaulted the homes, the wives and children of their friends, shot the arm off a policeman and murdered a citizen. Now I confess that there might possibly have been a desire to attack the soldiers, but it seems that this conspiracy, if it had an existence, would not have turned its guns upon its own people."

GUILTY OF MURDER, HE SAYS.

Mr. Borah reviewed the testimony and announced his conclusion that "It discloses the guilt of certain members of the 25th Infantry as participants in the Brownsville raid beyond a reasonable doubt. If," he added, "they were guilty at all they were guilty of deliberate murder. The one point in which the rioters failed was with respect to the number of their victims. They evidently expected to kill more than they did. *Foraker* *D. V. C.*"

Uncle Sam Tries a New Bell



Spohn and Reisinger

Venable

SENATOR BORAH'S SPEECH.

The highly creditable manner in which Senator Borah acquitted himself in his address to the senate on the Brownsville affair is cause for congratulation to the people of Idaho for more reasons than one. When Mr. Borah was chosen by his fellow citizens to represent them in the nation's foremost legislative body it was with the full knowledge that he measured up to the dignity of the position and would gain full recognition of his abilities in time, but it was not expected that his opportunity would come so soon, or in connection with a matter commanding such national attention.

It is unusual for a new senator to make an extended address on any subject during his first session and it is known that Senator Borah had no intention of doing so when he left for Washington. It may be presumed, therefore, that strong influence was brought to bear upon him to change his determination, and it is gratifying to know that having yielded to this influence his effort was received by his fellow senators in a manner which showed that he handled a delicate situation not only forcefully but tactfully.

The unwritten law of the senate that a new member shall not push forward too conspicuously is not altogether popular among the plain people, but at the same time it can be seen that in a deliberate body of that nature there is some reason why a man should not plunge rashly into a discussion with whose merits he is but slightly acquainted and it is pleasing to know from the comments made upon Senator Borah's speech that he made no such blunder. A student by inclination and training, it was but natural that he should make himself a thorough master of his subject before attempting to speak upon it before the senate, and those who have watched his course at home are not surprised that he had something to say which was worth while.

It is no less a cause for satisfaction to Idaho people that Senator Borah should have made his opening address as the champion of law and order; and in defense of the course of an administration whose fearless attitude in this connection they all admire. No small degree of Senator Borah's fame rests upon his distinguished services to his state in its recent struggle to the majesty of the law might be

held and our citizens are glad that he has had so early an opportunity to show to the nation that his attitude remains unchanged. This nation has never had greater need of strong, able men like Senator Borah to lead the fight for law and order than it has today. It is not enough that they should be passively opposed to the menace of organized lawlessness. We need fighters and thinkers. Something is radically wrong with our criminal practice. Every shield seems to be thrown around the criminal until a conviction is almost impossible where powerful influences are at work to defeat the ends of justice. Murders are committed and the murderers and their sympathizers laugh at our courts. They seek to intimidate prosecutors, judges and juries and adopt methods of wholesale bribery and corruption. They bring about endless delays by technical objections until the public has in a measure lost sight of the enormity of the offense. They resort to political jugglery and in cases actually defeat justice by this means after conviction has been secured.

What is to be the end of it all? Are matters to go from bad to worse, or has this nation at last awakened to the danger in which it stands as expressed by recent outbursts of public opinion on the subject? President Roosevelt has wisely declared that every other question sinks into insignificance beside that of anarchy, and has urged congress to act. If that body would only take time enough from its engrossing game of playing politics to enact some effective legislation in line with the president's suggestion and the country's demand, it would be relieved to a large extent of the stigma of being a "do-nothing" congress. It has given no indications of taking such action up to this time, but the people will await the outcome with what patience they may

and will not forget the matter in short order if they are disappointed.

The Statesman regrets that Senator Borah's statement in regard to Orchard strikes a note that does not ring true to western ears. There has been no sentimentalism here favoring Orchard. Judge Wood's statement in sentencing Orchard was based solely on the interests of good government and had no thought of the man. Orchard by his actions shows that he fully realizes the enormity of his crimes. He has made such reparation as was in his power and asks no commutation of sentence. In fact, he asks that there be none. He wants to pay the penalty and under the existing conditions the people here feel that no expressions for or against the man are advisable.

No more serious charge than this was ever made against a soldier of the United States. For less offenses many a soldier has been condemned and shot at sunrise. To my mind it was treason; if not technically so, yet morally treason in a most aggravated form. In these times, when an air of disloyalty pervades certain parts of the social life of the nation, when an element which lives upon lawlessness, strife and murder raises its treacherous hand here and there, playing with human life as with a toy; when the doctrine of riot is preached as a tenet of party organization—under such conditions, to find this spirit of lawlessness, this appetite for crime, in our army—the body which is to maintain the flag wherever it floats—is startling beyond all words to express.

Placing lawlessness there so close to the vital nerves of this Government, what was the duty of those entrusted with the power and responsibility of dealing with it? Strike it down! Assert the strength and relentless judgment of the Government in a way to inspire respect and dread in all who so lightly weigh the worth of human life or who trifle with the honor of that great army whose patriotism has been the pride of us all."

Mr. Borah dwelt at some length upon the accomplishments of the colored race since the abolition of slavery and found much cause for congratulation.

BORAH UPHOLDS THE PRESIDENT

Defends Roosevelt's Action in the
Brownsville Case, and Takes
Issue With Foraker.

ATTACKSLATTER'S CONTENTION

Makes Light of Attempt to Prove
That Citizens and Not Negro
Soldiers Did the Shooting.

Globe N.Y.
(From a Staff Correspondent.)

WASHINGTON, April 26. — Senator Borah of Idaho, one of the younger members of the Senate, who has not yet won his spurs in congress, but has achieved a reputation in his own part of the country as a trained lawyer and a speaker of force and ability, came to the defense of the President to-day in the debate on the Brownsville case.

Senator Borah raised a square issue with Senator Foraker of Ohio, ridiculed the attempt to make the evidence support the contention that the soldiers of the Twenty-fifth did not do the shooting, characterized the rioting at Brownsville as treason, and declared that any form of compromise with it would be an outrage. Senator Borah said in part:

"The first question involved is a simple question of fact. That is, did any of

the soldiers of the Twenty-fifth Infantry participate in the riot of Aug. 13 in the town of Brownsville? In other words, if it should appear from the evidence that any part of the Twenty-fifth Infantry participated in this riot, that they went into the town, assaulted men, women and children, maimed a policeman for life, and killed a private citizen, then, I apprehend, no one would seriously contend that such men should remain in the army.

"And if it should further appear that, although not actually participating in the riot, a large number of the Twenty-fifth Infantry must have necessarily known of the riot and connived that knowledge from the authorities, then, I apprehend, no one would contend that they should remain a part of the army.

"Furthermore, if it should appear that it is impossible to separate the guilty from the innocent, then all should go, for, I take it that it cannot be a matter of serious controversy that the discipline and the morale of the army are paramount to any man's right to remain a member of the army.

THE "REMARKABLE DEFENSE"

"Before going into discussion of the facts I want to call attention to the remarkable defense which it has been found necessary to make in order to explain so many of the incriminating facts against the soldiers.

"It seems to be conceded that the evidence with reference to the shells in the streets and the clips and the bandoliers is so direct and positive and so incriminating that there is no possible explanation other than that of a counter-conspiracy. So, in order to get rid of these powerful circumstances, it has become necessary to charge that there was a conspiracy upon the part of the citizens of Brownsville with the view of manufacturing evidence against the soldiers with the ultimate purpose of compelling their removal!

"In order that I may not misstate the position of the parties I call attention to the exact language used. I quote from an article in the North American Review by the senator from Ohio, wherein he says:

"It does not seem to have occurred to any one to investigate upon the possibility that some of the citizens of Brownsville shot up their own town for perfectly obvious and plausible reasons and motives."

"Again, he says:

"The presence of those shells in the streets of Brownsville which had not been fired there is suggestively accounted for by the fact that Company B took with it to Brownsville as a part of its baggage a box of exploded shells and a proportionate number of clips, and that this box stood open on the porch of the Brownsville barracks, where any one passing could have helped himself. The conclusion seems inevitable that the shells were found in the streets of Brownsville because some one for some purpose had taken them from the box and scattered them there on the night of the riot."

THE LOGICAL CONCLUSION.

"I might quote further to show the charge of a general conspiracy which involved the necessity of long-prior preparation, the stealing of the shells, and their distribution upon the streets of Brownsville; but, followed to its logical conclusion, if it is worth anything at all, this conspiracy not only steals the shells

and scattered them upon the street, but it also furnished men who did the firing—the men who actually went upon the streets of their own town, assaulted their own homes, the wives and children of their friends, shot the arm of a policeman, and murdered a citizen!

"Now I confess that there might possibly have been a desire to attack the soldiers, but it seems that this conspiracy, if it had an existence, would not have turned its guns upon its own people!"

After a detailed discussion of the evidence Senator Borah then paid a high tribute to "the climb of the negro from slavery to his most respectable position to-day," and declared that he could not "imagine a greater mistake in government toward a race struggling toward a high plane of civilization than to protect or excuse a crime so hideous, so thoroughly established, as this one."

BORAH CONDEMNS LENIENCY TO ORCHARD

Junior Senator From Idaho, in
Address in Congress, Dis-
approves of Clemency for As-
sassin of Steunenberg.

Seattle Times

WASHINGTON, Monday, April 24.—Senator William E. Borah, of Idaho, who as special counsel for the State of Idaho, conducted the prosecution of W. D. Haywood, secretary of the Western Federation of Miners whose trial on the charge of complicity in the murder of former Governor Frank E. Steunenberg attracted wide attention last year, today found opportunity in his maiden speech in the Senate to express his disapproval of any effort to secure leniency for Harry Orchard, the self-confessed thriver of the bomb which caused Steunenberg's death. The utterance was a part of a speech by the Senator on the Brownsville affair and was made in connection with a condemnation of all efforts to condone the offense at Brownsville. It was as follows:

"A cold-blooded, unhuman, inhuman deed flows to power an ex-governor upon the doorstep of his home, is caught and assassinated, and before the grave of the man who died, a martyr to law and order, is grown, sentimentalism puts a halo on the brow of the blackest spirit that ever escaped the orbits of hell.

In Brownsville, men wearing the uniform of a soldier of the United States, of government and the symbol

of law and order, in the quiet of night, while houses are defenseless, assault and attempt to murder whole families and finally succeed in committing one murder. To compromise with such an act or such a deed is cowardice; it is a betrayal of citizenship; it is an insult to every intelligent and right-thinking negro, but it is especially so in a trial or in his country and a criminal at heart."

Passage of Oratory.

The speech was made amidst the most striking passage of oratory and attracted general interest. Besides commending to analysis of the testimony taken in the Brownsville case it was in reply to Senator Joseph B. Vernal's the guilty parties, then both were guilty alike, he declared.

Borah called attention to Vernal's suggestion that the citizens of Brownsville might have shot up the town to secure the removal of the negro soldiers.

"Now, I confess," he said, "that there might possibly have been a desire to attack the soldiers, but it seems that this conspiracy, if it had an existence, would not have turned its guns upon its own people."

Borah reviewed at length the testimony in the case and then announced his conclusion that "it discloses the guilt of certain members of the Twenty-fifth Infantry as participants in the Brownsville affair beyond a reasonable doubt."

Necessity of Punishment.

Borah dwelt upon the enormity of the offense and the necessity of prompt punishment, saying:

"No more serious charge than this was ever made against a soldier of the United States. For less offense many a soldier has been condemned and shot at sunrise. To cry that it was treason, if not technically so, yet morally, treason in a most aggravated form. In those times, when an air of diabolical pervades certain parts of the social life of the nation; when an element which lives upon lawlessness, crime and murder, raises its treacherous hand here and there, playing with human life as with a toy; when the doctrine of riot is preached as a tenet of party organization—under such conditions, to find this spirit of lawlessness, this appetite for crime, in our army—the body which is to maintain the flag wherever it floats—is startling beyond all words to express.

"Finding lawlessness there, so close to the vital forces of this government what was the duty of those entrusted with the power and responsibility of dealing with it? Strike it down! Assert the majesty and relentless judgment of the government in a way to inspire both respect and dread in all who so lightly weigh the worth of human life or who so trifle with the honor and good name of that great army whose patriotism has been the pride of us all. Any other form of action—to hesitate, to compromise to palliate, to excuse—would be an injustice and an outrage to the army and constitute trifling consideration of the interest of the people who look up to the government for protection to life."

Borah dwelt at some length upon the accomplishments of the negro race since the abolition of the slavery and found much cause for congratulation, but he said, this fact could not excuse individuals from punishment for crime even if such leniency should be in the interest of the race, which it would not be. Concluding he said:

"Let it be understood by them and by all that this government is their government as well as ours; that their hands, their labor, in slavery and out, added to make it; that their valor and

beralism helped to preserve and that justice will be meted out both in protection and in punishment; that the door of hope will not be closed nor an escape from crime be provided. Let it be known as every man must at last know that if this republic is to endure, obedience to the law is to be the first test of our faith, and that the great army of the United States must be one in which the women and children can feel perfectly secure when retiring for the night."

REPLIES TO FORAKER

Borah Holds Negroes Guilty at
Brownsville.

IS OPPOSED TO LENIENCY

Ridicules Theory of Conspiracy by
People of the Town.

ARMY SHOULD BE PROTECTION

Declares That Any Act Which Makes
That Body a Menace Should

Be Punished.

Wash Star

Senator Borah of Idaho, who, as special counsel for that state, conducted the prosecution of W. D. Hayward, secretary of the Western Federation of Miners, whose trial on the charge of murdering former Gov. Steunenberg attracted wide attention last year, today found opportunity in his maiden speech in the Senate to express his disapproval of any effort to secure leniency for Harry Orchard, the self-confessed thrower of the bomb which caused Steunenberg's death. The utterance was a part of a speech by the senator on the Brownsville affray and was made in connection with a condemnation of all efforts to reduce the offense at Brownsville. It was as follows:

"A cold-blooded, inhuman, incarnate devil blows to pieces an ex-governor upon the doorstep of his home, is caught and confessed, and before the grave of the man who died a martyr to law and order is given sentimentalism pure a halo upon the brow of the blackest spirit that ever escaped the crevice of hell!

Compromise Cowardice.

"Men wearing the uniform of a soldier of the Union, the insignia of government and the symbol of law and order, in the quiet of night, while homes are defenseless, assault and attempt to murder whole families and finally succeed in committing one murder. To compromise with such



Senator Borah.

an act of such a deed is cowardice; it is betrayal of government; it is an insult to every intelligent and right-thinking negro; it presupposes he is a traitor to his country and a criminal of heart.

The speech was made suitable by many striking passages of history and attacks of general interest. Besides containing an analysis of the testimony taken in the Brownsville case it was in reply to Senator Foraker's recent discussion of the same subject.

Mr. Borah made very clear his belief that the evidence established a conspiracy on the part of some of the negro soldiers of the 25th Regiment to shoot up the town.

"I insist," said Mr. Borah, "that the evidence in this case is simply overwhelming and conclusive against the colored soldiers unless you reject the proposition of a conspiracy which was refuted by the evidence, and that is evidently the view taken by the defense."

"The morale of the army, he said, is paramount to any man's right to remain in it. If any man in the 25th Regiment participated in the riot, and if others conspired at the time by concealing knowledge of it to shield the guilty parties, then both were guilty alike, he declared."

Conspiracy of Townspeople.

Mr. Borah called attention to Mr. Foraker's suggestion that the citizens of Brownsville might have stood up their town to secure the removal of the negro soldiers.

"The charge of a general conspiracy," he said, "involved the necessity of long prior preparation, the stealing of the shells and their distribution upon the streets of Brownsville, but followed in the logical sequence, if it is worth anything at all, this conspiracy not only steals the shells and scatters them about the street, but it also furnishes the men who did the firing, the men who actually went upon the streets of their own town, assaulted their own houses, the wives and children of their friends, shot the arm of a policeman and murdered a citizen. Now I confess that there might possibly have been a desire to attack the soldiers, but it seems that this conspiracy, if it had an existence, would not have turned its guns upon its own people."

... referred to "the judgment passed upon these soldiers by their own officers," and quoted their testimony to that effect given prior to the Senate investigation. "It must be borne in mind," he said, "that at the time the officers made these statements they had full knowledge of the question of ammunition, full knowledge of the question of gun racks, full knowledge of all these things which are now relied upon as a defense, and I think they were fully satisfied that the men were guilty."

Finds Negroes Guilty.

Mr. Borah reviewed at length the testimony in the case and then announced his conclusion that "I disclaim the guilt of certain members of the 25th Infantry as participants in the Brownsville raid beyond a reasonable doubt. If, he added, "they were guilty at all they were guilty of deliberate murder—murder planned and deliberated on and accomplished with deadly precision. The one point in which the leaders failed was with respect to the number of their victims. They evidently expected to kill more than their 251."

Having reached this conclusion, Mr. Borah dwelt upon the enormity of the offense and the necessity for swift punishment, saying: "No more serious charge than this was ever made against a soldier of the United States. For less offenses many a soldier has been condemned and shot at sunrise. To my mind it was treason; if not technically so, yet morally treason in a most aggravated form. In these times, when an air of dishonesty pervades certain parts of the social life of the nation; when an element which lives upon lawlessness, strife and murder raises its treacherous hand here and there, playing with human life as with a toy; when the machine of law is produced as a tool of party organization—under such conditions, to find this spirit of lawlessness, this appetite for crime, in our army—the body which is to maintain the flag wherever it flutters—is startling beyond all words to express."

"Finding lawlessness there so close to the vital forces of this government, what was the duty of those entrusted with the power and responsibility of dealing with it? Strike it down. Assert the majesty and strength and relentless judgment of the government in a way to inspire both respect and dread in all who so lightly weigh the worth of human life or who so trifly with the honor and good name of that great army whose patriotism has been the pride of us all. Any other form of action—in hesitancy, in compromise, in partiality, in excuse—would be an injustice and an outrage to the army and an insult trifling consideration of the interests of thousands of people who look up to the government for protection to life."

Duty of the Negro Race.

Mr. Borah dwelt at some length upon the accomplishments of the negro race since the abolition of slavery and found much cause for congratulation; but, he said, this fact could not excuse individuals from punishment for crime even if such leniency should be in the interest of the race, which it would not be. Concluding, he said:

"Let it be understood by them and by all that this government is their government; as well as ours; that their hands, their labor, in slavery and out, helped to make it; that their valor and heroism helped to preserve it, and that justice will be meted out both in protection and in punishment; that the door of hope will not be closed nor a escape from crime provided. Let it be known, as every man must at last know, that if this republic is to endure—obedience to the law is to be the first test of our faith, and that the great army of the United States must be one in which the women and children can

BORAH REPLIES TO FORAKER

HAYWOOD'S PROSECUTOR SEVERE ON NEGRO BATTALION.

Senator's Maiden Speech Denounces Brownsville Shooting as Comparable with Orchard's Assassination, and Says Both Alike Merit Severe Penalty—A Word for the Race.

Post-By.

WASHINGTON, April 20.—Senator Borah of Idaho, who as special counsel for that State, conducted the prosecution of W. D. Haywood, secretary of the Western Federation of Miners, whose trial on the charge of murdering ex-Gov. Steunenberg attracted wide attention last year, to-day found opportunity, in his maiden speech to the Senate to express his disapproval of any effort to secure leniency for Harry Grebard, the self-confessed thrower of the bomb which caused Steunenberg's death. The utterance was a part of a speech by the Senator on the Brownsville affray, and was made in connection with a condemnation of all efforts to condone the offense at Brownsville. It was as follows:

A cold-blooded, inhuman, inhuman devil blows to pieces an ex-Governor upon the doorstep of his home, is caught, and confessed, and, before the grave of the man who died a martyr to law and order is green, sentimentalism puts a halo upon the brow of the blackest spirit that ever escaped the crypsis of hell.

Men wearing the uniform of a soldier of the Union, the insignia of government and the symbol of law and order, in the quiet of night, while homes are defenceless, assault and attempt to murder whole families, and finally succeed in committing one murder. To compromise with such an act or such a deed is cowardice; it is betrayal of government; it is an insult to every intelligent and right-thinking negro, for it presupposes he is a traitor to his country and a criminal at heart.

BURSTS OF ORATORY.

The speech abounded in striking oratory, and besides containing an analysis of the testimony taken in the Brownsville case, it aimed to reply to Senator Foraker's recent discussion of the same subject. Mr. Borah made clear his belief that the evidence established a conspiracy on the part of some of the negro soldiers of the Twenty-fifth Regiment to shoot up the town. "I contend," said Mr. Borah, "that the evidence in this case is simply overwhelming and conclusive against the colored soldiers, unless you resort to the proposition of a conspiracy which manufactured the evidence, and that is evidently the view taken by the defence."

The morale of the army, he said, is para-

mean to say man's right to remain in it. If any man in the Twenty-fifth Regiment participated in the riot and if the others connived at the crime by concealing knowledge of it in shield the guilty parties, then both were alike guilty, he declared. If they were guilty at all, they were guilty of deliberate murder—murder planned and deliberated on, and accomplished with deadly precision. The one point in which the rioters failed was with respect to the number of their victims. They evidently expected to kill more than they did."

SEVERITY OF THE CHARGE

Having reached this conclusion, Mr. Borah dwelt upon the enormity of the offense and the necessity for condign punishment, saying:

No more serious charge than this was ever made against a soldier of the United States. For less offenses many a soldier has been condemned and shot at court-martial. To my mind it was treason; if not technically so, yet morally treason in a most aggravated form. In these times, when an air of disloyalty pervades certain parts of the social life of the nation; when an element which lives upon lawlessness, strife, and murder raises its treacherous hand here and there, playing with human life as with a toy; when the doctrine of riot is preached as a tenet of party organization—under such conditions, to find this spirit of lawlessness, this appetite for crime, in our army—the body which is to maintain the flag wherever it floats—is startling beyond all words to express.

Finding lawlessness there so close to the vital fountains of this government, what was the duty of those entrusted with the power and responsibility of dealing with it? Strike it down. Assert the majesty and strength and relentless judgment of the government in a way to inspire both respect and dread in all who so lightly weigh the worth of human life or who trifle with the honor of a good name and of that great army whose patriotism has been the pride of us all. Any form of action—to hesitate, to compromise, to palliate, to excuse—would be injustice and an outrage to the army and constitute trifling consideration of the interests of 89,000,000 people who look up to the government for protection to life.

RECOGNITION OF NEGRO ACCOMPLISHMENTS AND RIGHTS

Mr. Borah dwelt at some length upon the accomplishments of the negro race since the abolition of slavery and found much cause for congratulation; but, he said, this fact could not excuse individuals from punishment for crime even if such leniency should be in the interest of the race, which it would not be. Concluding, he said:

Let it be understood by them and by all the, that this government is theirs as well as ours; that their hands, their labor, in slavery and out, helped to make it; that their valor and heroism helped to preserve it, and that justice will be meted out both in protection and in punishment; that the door of hope will not be closed, nor an escape from the crime provided. Let it be known, as every man must at least know, that if this republic is to endure, obedience to the law is to be the first lesson of our faith, and that the great army of the United States must be one in which the women and children can feel perfectly secure when they retire for the night.

Brownsville's Results

Senator Borah, of Nevada, has done a valuable service to the country and made a useful contribution to history by his clear and convincing analysis of the Brownsville case, presented in the United States senate yesterday. The evidence had been before the country but it has not, heretofore, been marshalled compactly and illuminated vividly as was done by Mr. Borah. It is possible that some fair minded and reasonable man, reading over hastily the evidence as it was published in disjointed fragments from day to day, may have been confused in their conclusions and misled by

the sophistries of Senator Foreaker and his followers. No man can read Mr. Borah's speech, however, and retain in his mind a doubt that the negro soldiers were guilty.

A squad of them slipped out of barracks at a late hour in the night, carrying guns and ammunition, raided through the town, shot or fired at every citizen or officer they saw and poured volumes of rifle bullets into the homes of people who were sleeping peacefully or engaged in their household duties and amusements. No more villainous or treacherous crime ever was done by Indian war parties invading the pioneer settlements of white people. The Indians had more provocation and far more justification than these negroes. The murderers went back into barracks and cleaned and re-placed their rifles. It was impossible that they could have left and returned without the knowledge, connivance and assistance of many of their fellows, not of the entire battalion. Therefore, it is certain that many, at least, of the soldiers who swore that they had no knowledge of the raid and who further swore that the shooting came from the town toward the barracks, perjured themselves. It is equally certain that a large number of them, if not all, were accessories after the fact—those who were not actually guilty of the fact itself—of murder. Aside from the questions of military discipline and of law was the question whether the United States army could retain a battalion of troops consisting of murderers and perjurers, whether an organization composed of men of that character should be entrusted with the guardianship of the lives and property of the people.

The government proceeded in regular and orderly form to discover and punish the guilty. It was confronted and baffled by a solid wall of perjury. The president had to decide whether he should allow the ends of justice to be defeated, the army to be disgraced and demoralized and the public safety injured by a conspiracy to lie and to shield murder, or whether he should rid the army and the public of the murderers and per-

lures. He acted fearlessly and promptly, as is his habit. His action was not only right but necessary and urgently demanded by the conditions. It was not a situation to be played with. The executive power and the commander-in-chief of the army had no right to dabble with technicalities and vague questions and shadowy doubts. He rid the army of those who had disgraced it and the country of those guilty of the meanest kind of treason and treachery by summarily dismissing the entire battalion. He could not have done less because all the men of that battalion had deliberately made themselves participants in crime and all were equally guilty.

We do not know whether Senator Foraker in his course regarding this affair was incited by fanatical hatred of Southern white people and prejudiced in favor of negroes or whether he was deliberately intent on promoting his own political strength by injuring the president and catering to the negro vote. Whatever his motive, the fact is that he undertook to shift the crime of the negro soldiers on the white citizens of Brownsville, most of them, as it happened, people of Northern birth and some of them Republicans. To this end he has perverted evidence, seized on every scrap of suggestion that might throw on a peaceful American community the suspicion of complicity to murder its own men, women and children and local officials. He has not only disgraced himself but made himself ridiculous. The last nail was driven in the coffin of his presidential aspirations weeks ago. Therefore, nothing could hurt him in that respect. We have strong hope, however, that Senator Borah's speech will have much effect toward relieving the senate of any possibility of Foraker's membership after the expiration of his present term.

It is pitiful to see how the negroes throughout the country have massed themselves on the side of the justly dismissed and disgraced soldiers. The fact shows clearly how far the negro is, even where he is most intelligent and in the most advantageous conditions, from being fit to vote as an American citizen. It shows that he thinks and feels and acts as a negro, that to him race questions and issues are first and all consequences to the country subordinate and by comparison trivial. It illustrates to the country the danger of the negro as a voter and proves that in taking the vote from him the Southern white people acted under necessity and not only for their own interests but for the good of the republic. The negro has learned no sense in politics, although where he is excluded from politics he is learning sense in other directions and advancing with gratifying progress. The lesson of Brownsville is that the negro has no place and no right in American politics.

People of all other races learn to subordinate their race impulses and instincts to other considerations, especially to their opinions of the requirements of the country of which they are citizens. Even the Irish, whose race loyalty probably is more keen to retain and vote as American than to remain and vote as American citizens and not as Irishmen. The negro remembers first and only that he is a negro and when men of his race are involved disregards everything else. This makes him a menace. To-day the country is confronted with the threat that the negro vote in northern States in which it is supposed to have the balance of power will be cast for the Democratic nominee for president, not through any belief in the principles or policies of the Democratic party or any thought that its nominee will make a good president but to retaliate on President Roosevelt for doing his duty and kicking out of the army a battalion of criminals. It is safe to say that if these troops had been white men and if the raid had been made against a black village every negro in the United States would have been splitting his throat hurrahing for Roosevelt. As the case is reversed, the president is made the object of what seems to be an unrelenting race hate because he dared to punish negroes for crime. Of course the position of the negroes, if it is maintained will be a boomerang for them. They are an unfortunate people in that respect and invariably when they attempt to hurt somebody else cripple themselves. There is no doubt that in the northern States the idea that the negroes will vote Democratic in revenge for the dismissal of the Brownsville

battalion will instantly drive white Democrats in numbers exceeding them two to one to the Republican ticket to vindicate and endorse the president's action.

The Democrats cannot afford to become identified for an instant, even indirectly, or on any pretext, with the Foraker position. Even Senator Tillman's position that while the president's purposes were right the legality of his action was doubtful is as harmful politically as it is untenable. Not only as a matter of principle and right but as a matter of party policy the Democrats in congress and in the country must stand solidly by the president in the Brownsville matter. Any of them who may have had any doubts on that subject must be convinced by Senator Borah's telling and incisive presentation of the case.

BARAH AND BROWNSVILLE.

Against the gushing and sickening sentimentality of Senator Foraker for an affected concern in the negro race, the logical and powerful appeal of Senator Barah in the senate Monday should be measured to a consideration of the real merits involved in a discussion of the Brownsville affair. In his hypocritical design of winning votes for the presidency the Ohio senator would diagnose the matter as a cold blooded attempt of the president to humble the negro race. In this unworthy effort the honor and integrity of the American soldier is shamefully forgotten and Senator Foraker substitute a regard for the service of these high and patriotic claims to a perverted task of developing a murderous infraction of army discipline into the proportions of a race issue. There are few things more discreditale to be found in modern senate annals. The Idaho statesman rises above the groveling level to which Foraker would for mean and selfish reasons, confine this solemn matter, and presents it to a scale to which its anomalous nature designs it. He blends truth and eloquence in such words as these: "Men wearing the uniform of soldiers of Union, the insignia of government and the symbol of law and order, in the quiet of the night, while homes are defenseless, assault and attempt to murder whole families and finally succeed in committing one murder. To compromise with such an act or such a deed is cowardice; it is betrayal of government, it is an insult to every intelligent and right-thinking negro, for it presupposes he is a traitor to his country and a criminal at heart."

This is the estimate in which the Brownsville disgrace will intelligently appeal to the American people through which it will be finally and definitely fixed in the popular mind.

—OOO—

BORAH ASSAILS TROOPS

Says Negro Soldiers Were
Traitors to Country.

DEFENDS PRESIDENT'S ACTION

Compromise Means Cowardice, and Is an
Insult to Law-abiding Colored Men, He
Declares—Prosecutor of Haywood Ex-
presses Disapproval in Speech of At-
tempt to Put Halo on Ochsard's Brow.

SENATOR'S ARRAIGNMENT.

"A cold-blooded, inhuman, incarnate devil blows to pieces a former governor upon the doorstep of his home, is caught, and confessed, and before the grave of the man who died a martyr to law and order is green, sentimentalist puts a halo upon the brow of the blackest scoundrel that ever escaped the crypts of hell.

"Men wearing the uniform of a soldier of the Union, the insignia of government and the symbol of law and order, in the quiet of night, while homes are defenseless, assault and attempt to murder whole families, and finally succeed in committing one murder. To compromise with such an act or such a deed is cowardice; it is betrayal of government; it is an insult to every intelligent and right-thinking negro, for it presupposes he is a traitor to his country and a criminal at heart."

The Brownsville case was before the Senate again yesterday, when Mr. Borah, of Idaho, presented the case from the viewpoint of the administration as against the arguments and conclusions last week of Senator Buraker. He will be followed to-day by Senator Warner, of Missouri, in an exhaustive speech. Mr. Warner is the author of the administration bill to re-enlist such negro soldiers of the first companies discharged without honor as can prove their innocence, and his conclusions also will be in opposition to the Senator from Ohio.

Mr. Borah took the ground that the negro soldiers of the Twenty-fifth Infantry were guilty of the raid that occurred by the Texas town August 13-14, 1900. He analyzed the testimony taken in the case, and declared that no reasonable man could read it and fail to be convinced that negro soldiers "shot up" the town. He scouted the suggestion of a conspiracy among citizens of Brownsville to create a state of riot in their own town and round and kill their own citizens in order to secure the removal

The speech was Mr. Borah's first in the Senate, and received marked attention from Senators on both sides of the chamber and from members who crowded the galleries. At its conclusion he was given quite an ovation by his colleagues, who congratulated him upon his presentation of the case.

No Sympathy for Ochsard.

It was the Idaho Senator who conducted the prosecution of W. T. Ochsard, of the Western Federation of Miners, on a charge of murdering former Gov. Beamanberg, and yesterday he found opportunity in his Brownsville speech to express his disapproval of any effort to secure leniency for Ochsard, the self-confessed killer of the hero, whose death Beamanberg's death. The utterance was made in connection with a condemnation of all efforts to condone the offense at Brownsville. It was as follows:

"A cold-blooded, inhuman, incarnate devil blows to pieces a former governor upon the doorstep of his home, is caught, and confessed, and before the grave of the man who died a martyr to law and order is green, sentimentalist puts a halo upon the brow of the blackest scoundrel that ever escaped the crypts of hell.

"Men wearing the uniform of a soldier of the Union, the insignia of government and the symbol of law and order, in the quiet of night, while homes are defenseless, assault and attempt to murder whole families, and finally succeed in committing one murder. To compromise with such an act or such a deed is cowardice; it is betrayal of government; it is an insult to every intelligent and right-thinking negro, for it presupposes he is a traitor to his country and a criminal at heart."

The speech was made notable by many striking passages of oratory.

No Doubt of Guilt.

Mr. Borah reviewed at length the testimony in the case, and then announced his conclusion that "it discloses the guilt of certain members of the Twenty-fifth Infantry as participants in the Brownsville raid beyond a reasonable doubt. If they were guilty at all, they were guilty of deliberate murder, murder planned and deliberated on and accomplished with deadly precision. The one point in which the jurors failed was with respect to the number of their victims. They evidently expected to kill more than they did."

Having reached this conclusion, Mr. Borah dwelt upon the enormity of the offense and the necessity for condign punishment, saying:

"No more serious charge than this was ever made against a soldier of the United States. For less offenses many a soldier has been condemned and shot at once. To my mind it was treason; if not technically so, yet morally treason in a more aggravated form.

"Finding lawlessness there so close to the vital forces of this government, what was the duty of those entrusted with the power and responsibility of dealing with it? Strike it down. Assert the majesty and strength and relentless judgment of the government in a way to inspire both respect and dread in all who lightly weigh the worth of human life or who trifle with the honor of a good name and of that great army whose patriotism has been the pride of us all. Any other form of action—inaction, in compromise, to palliate, to excuse—would be an insult and an outrage to the army and especially to the millions of people who look up to the government for protection in

Achievements of Race.

Mr. Borah dwelt at some length upon the accomplishments of the negro race since the abolition of slavery and found much cause for congratulation; but, he said, this fact could not excuse individuals from participation for crime even if such leniency should be in the interest of the race, which would it not be, concluding, he said:

"Let it be understood by them and by all that this government is their government as well as ours, that their hands, their labor, its slavery and all, joined to make it; that their valor and heroism helped to preserve it, and that justice will be meted out both to yesterday and to to-morrow; that the hour of hope will not be allowed our an escape from crime provided. Let it be known, as every man must at last know, that if this country is to endure, adherence to the law is to be the first test of our faith, and that the great aims of the United States must be one in which the women and children can feel perfectly secure when they retire for the night."

Borah N.Y. BORAH SCORES NEGRO TROOPS, RAPS FORAKER

In Maiden Speech Senator Says
Evidence Shows Conspiracy
to Shoot Up Brownsville.

ORCHARD'S PROSECUTOR USES
MURDERER AS PARALLEL

Lawless Must Be Struck Down,
He Says, Defending Course
of President.

WASHINGTON, D. C., Monday.—Senator Borah, of Idaho, who, as special counsel for that State, conducted the prosecution of W. D. Haywood, secretary of the Western Federation of Miners, whose trial on the charge of murdering Governor Steiensenberg attracted wide attention last year, to-day found opportunity in his maiden speech in the Senate to express his disapproval of any effort to secure leniency for Harry Orchard, the self-confessed thrower of the bomb which caused Steiensenberg's death.

The utterance was a part of a speech by the Senator on the Brownsville affray and was made in connection with a condemnation of all efforts to condone the offense at Brownsville.

"A cold blooded murderer, incarnate devil black to prove a man formerly Governor upon the disaster of his home, is

sought and confessed, and before the grave of the man who died a martyr to law and order is green, sentimentalism puts a halo upon the brow of the blackest devil that ever escaped the crests of hell.

Calls Compromise Cowardice.

"Men wearing the uniform of a soldier of the Union, the badge of government and the symbol of law and order, in the quiet of night, while houses are defenceless, attack and attempt to murder whole families, and finally succeed in committing one murder. To compromise with such an act or such a deed is cowardice; it is betrayal of government, it is an insult to every intelligence and right thinking man; for it presupposes he is a traitor to his country and a criminal at heart."

Besides containing an analysis of the testimony taken in the Brownsville case, Senator Borah's speech was in reply to Senator Foraker's recent denunciation of the same subject. Mr. Borah made very clear his belief that the evidence established a conspiracy on the part of some of the negro soldiers of the Twenty-fifth Regiment to shoot up the town.

The morals of the army, he said, is paramount to any man's right to remain in it. If any man in the Twenty-fifth Regiment participated in the riot, and if the stores owned by the crime by connecting knowledge of it to assist the guilty parties, then both were alike, he declared. He ridiculed Mr. Foraker's suggestion that the soldiers of Brownsville might have shot up their own town to secure the removal of the negro soldiers.

Treason, in His Opinion.

"No more serious charge than this was ever made against a soldier of the United States," said Senator Borah. "For less serious than a soldier has been condemned and charged treason. To say that it was treason, if not technically so, yet morally treason in a most aggravated form.

In these times when an air of dishonesty pervades certain parts of the social life of the nation, when an element which lives upon lawlessness, strife and murder takes its treacherous hand here and there, playing with human life as with a toy, when the doctrine of riot is preached as a basis of party organization, under such conditions to find the spirit of lawlessness, the appetite for crime in our army, the body which is to maintain the flag whatever it costs, is starting beyond all words to express.

Finding lawlessness there so close to the vital forces of this government, what was the duty of Congress intrusted with the power and responsibility of dealing with it? Strike it down. Assert the majesty and strength and relentless judgment of our government in a way to inspire both respect and dread in all who so lightly value the worth of human life or who take with the honor of a great name and of that great army whose patriotism has been the pride of us all.

"Any other form of action—to hesitate, to compromise, to palliate, to excuse—would be an insult and an outrage to the army and constitute trifling consideration of the interests of eighty million people who look up to the government for protection to life."

Shawnee NEW CODE OF SENATORIAL ETIQUETTE.

Senator Borah's first big speech in the senate, a legal defense of the president in discharging the 25th Infantry for complicity in the "shorting up" of Brownsville Texas, must be regarded as a significant event in the senate as a body has not sought enlightenment; neither firebrands nor statesman were acceptable until most of their ardor and too much of their fine sense of responsibility to the people was worn away. Two notable facts contribute to the significance of the unusual reception of the Borah speech—for every senator sat through it all, whereas they usually desert the hall for a first speech, and leave the humiliated orator talking to empty benches. These are: They haven't got used to men of the Borah calibre coming east, even though Heyburn of Idaho broke in like a storm on their smug corporate complacency; and they couldn't choose but to hear. Then, even the oleaginous senate, whose placidity or conservatism is that of a lake of petroleum or a broad flat rock out on the prairie, has caught some of the fever for reform. Not enough to be painful, but still enough to make them think that an honest man like Borah, even though a newcomer, might be really worth while. For these reasons it is instructive and hopeful.

In his maiden speech in the United States senate a few days ago, Senator Borah caused the oldtimers there to sit up and take notice. His speech was on the Brownsville affair, upholding the acts of the president, and demonstrated that the west is producing men with just as great brains as the proud east. It is the custom for old senators to absent themselves when a new senator makes a set speech, but on this occasion

not only were nearly all of them present but they sat enraptured with the eloquence and logic of the speaker. Senator Borah's colleague, Senator Heyburn, is another of the strong men of the senate, while Congressman French is ably upholding the state's interest in the house, which places Idaho in a fortunate position in being so ably represented.

SENATOR BORAH SPEAKS
Unraveler of Solids

Knowing smiles are said to have played upon the countenances of many of the senators yesterday while Senator Borah of Idaho was making his defense of the action taken in the Brownsville affair. The speech was Mr Borah's maiden effort before the Senate and was remarkable in many ways. To begin with it was cuttingly graphic. Its predominating theme was lawlessness, and not in many days has mob rule and dangerously impudent, unwhipped riotousness been so mercilessly flayed in the Senate as by this newcomer. Dispassionately tearing apart the story that the murderous raid had had its inception with the whites of Brownsville, who were bent on rebuking the negroes, he declared that had this been true it were improbable that the whites would have shot down their own.

Senator Borah's exhortation of Harry Orchard marked the first time that this fellow's name has been brought forward with any degree of prominence in either the Senate or the House. This paragraph of his speech is worth preserving:—

"A cold-blooded, inhuman, fiendish devil blows to pieces an ex-governor upon the doorstep of his home, is caught and confessed, and before the grave of the man who died a martyr to law and order is green, sentimentalism puts a hair upon the brow of the blackest spirit that ever escaped the crypts of hell.

"Men wearing the uniform of a soldier of the Union, the insignia of government and the symbol of law and order, in the quiet of night, while homes are defenseless, assault and attempt to murder whole families and finally succeed in committing one murder. To compromise with such an act is a deed of cowardice; it is betrayal of government; it is an insult to every intelligent and right-thinking negro, for it presupposes he is a traitor to his country and a criminal at heart."

There was nothing of a personal nature in Senator Borah's arraignment of either Harry Orchard or those who took part in the Brownsville affray. There was nothing new in the facts that he voiced. But there was something new in the manner in which he delivered his convictions. He struck straight from the shoulder. No petty politics entered into what he had to say. He stood out fearlessly and gave his opinions for what they are worth. The smiles that are said to have flick-

and over certain faces were probably provoked by this very frankness. It is seldom exhibited in Washington for vital purposes nowadays and being unusual presumably proved amusing.

It will be well to keep an eye on the Senator from Idaho. His introduction was refreshing. It may be that he will not be satisfied to wallow in the stagnated pool. This will be interesting. He gives signs of being a live one in the great, sedate, dignified and eminently respectable hall of the dead.

BORAH CALLS NEGRO TROOPS TRAITORS

Scoffs at Foraker's Plea That They Were Innocent Victims of Brownsville Raid.

THEY DID SHOOT UP TOWN

Compares Defense of the Negroes with the Effort to Obtain Leniency for Harry Orchard.

Special to The New York Times.

WASHINGTON, April 24.—The strongest defense of the Administration's action in disarming three companies of the Twenty-fifth Infantry, colored, for complicity in the raid on Brownsville, Texas, on the night of Aug. 13, 1906, that has yet been made was delivered in the Senate this afternoon by Senator Borah of Idaho, in his maiden speech as a Senator.

It was a legal argument, and Senator Borah declared with great emphasis, as a result of his analysis, that some members of that black battalion certainly did the shooting. "Murder, planned, deliberated upon, and executed with deadly precision," he called it, and declared that "for less offenses many a soldier has been shot at sunrise."

"To my mind it was treason," he said; "if not technically so, yet morally treason in its most aggravated form. To find this spirit of lawlessness, this appetite for crime, in our army, the body which is to maintain the flag wherever it floats, is startling beyond all words to express."

Many negroes were present, but it was by no means so nearly a solid black audience as that which heard Senator Foraker the other day. The diplomatic gallery was well occupied, and in the President's row sat Mrs. Taft, with Theodore Roosevelt, Jr. Senator Foraker, whose argument had been the constant target of Senator Borah's logic and sarcasm, went over and over his hands warmly with his antagonist.

Borah gave Foraker many openings to get into the discussion, but Foraker refused to be talked along.

Senator Borah, who was special counsel for the State of Idaho in the prosecution of the officials of the Western Federation of Miners for the killing of ex-Gov. Steunenberg, speaking of Harry Orchard, the self-confessed murderer of Steunenberg, said:

"A cold-blooded, inhuman, incarnate devil blows in places an ex-Governor upon the doorstep of his home, is caught and confessed, and before the grave of the man who died a martyr to law and order is green, sentimentalism puts a halo upon the brow of the blackest spirit that ever escaped the stripes of hell.

"Men wearing the uniform of a soldier of the Union, the insignia of government and the symbol of law and order, in the quiet of night, while homes are defenseless, assault and attempt to murder whole families, and finally succeed in committing one murder. To compromise with such an act or such a deed is cowardice; it is betrayal of government; it is an insult to every intelligent and right-thinking Negro, for it presupposes he is a traitor to his country and a criminal at heart."

Senator Borah made very clear his belief that the evidence established a conspiracy on the part of some of the negro soldiers of the Twenty-fifth Regiment to shoot up the town.

Mr. Borah reviewed at length the testimony in the case and announced his conclusion that "it discloses the guilt of certain members of the Twenty-fifth Infantry as participants in the Brownsville raid beyond a reasonable doubt. "If," he said, "they were guilty at all, they were guilty of deliberate murder—murder planned and deliberated on and accomplished with deadly precision."

SAYS NEGROES DID SHOOT UP BROWNSVILLE

Mail N.Y.

Senator Borah Declares the Guilty No More Deserve Leniency Than Orchard Does.

IDAHO MAN REPLIES TO FORAKER'S DEFENSE.

Washington, April 24.—Senator Borah of Idaho, who led in the prosecution of W. D. Haywood, secretary of the Western Federation of Miners, for the murder of former Gov. Steunenberg, to-day, in his maiden speech, denounced the efforts to secure leniency for Harry Or-

chaud, confessed planter of the bomb which killed Stenningberg.

This utterance was a part of a speech by the senator on the Brownsville affair, in reply to Senator Foraker's defense of the negro troops. It was:

"A cold-blooded, inhuman, incarnate devil blows to pieces an ex-governor upon the doorstep of his home, is caught and confessed, and before the grave of the man who died a martyr to law and order is given sentimentalism puts a halo upon the brow of the blackest spirit that ever escaped the crypts of hell.

"Men wearing the uniform of a soldier of the union, the insignia of government and the symbol of law and order, in the quiet of night, while homes are defenseless, assault and attempt to murder whole families and finally succeed in committing one murder.

"To compromise with such an act or such a deed is cowardice; it is betrayal of government; it is an insult to every intelligent and right-thinking negro, for it presupposes he is a traitor to his country and a criminal at heart."

Believes the Soldiers Guilty.

Mr. Borah made clear his belief that the evidence proved a conspiracy of some of the soldiers of the Twenty-fifth regiment to shoot up the town.

"I contend," said he, "that the evidence is simply overwhelming and conclusive against the colored soldiers, unless you resort to the proposition of a conspiracy which manufactured the evidence, and that is evidently the view taken by the defense."

The morale of the army, he said, is paramount to any man's right to remain in it. If any man in the Twenty-fifth regiment participated in the riot, and if any others connived at the crime by non-

revealing knowledge of it to shield the guilty parties, then both were alike guilty.

Mr. Borah called attention to Mr. Foraker's suggestion that the citizens of Brownsville might have shot up their own town to secure the removal of the negro soldiers.

Reply to Foraker's Theory.

"The charge of a general conspiracy," he said, "involved the necessity of a long prior preparation, the stealing of the shells and their distribution upon the streets of Brownsville.

"Followed to its logical conclusion, if it is worth anything at all, this conspiracy not only steals the shells and

scatters them upon the street, but it also furnishes the men who did the firing—the men who actually went upon the streets of their own town, assaulted their homes, the wives and children of their friends, shot the arm off a policeman and murdered a citizen.

"Now I confess that there might possibly have been a desire to attack the soldiers, but it seems that this conspiracy, if it had an existence, would not have turned its guns upon its own people."

Senator Borah referred to the judgment passed upon the soldiers by their own officers and quoted their testimony given prior to the Senate investigation.

"It must be borne in mind," he said, "that at the time the officers made these statements, they had full knowledge of the question of ammunition, full knowledge of the question of gun racks, full knowledge of all these things which are now relied upon as a defense, and, I think, they were fully satisfied that the men were guilty."

Approves Exemplary Punishment.

After again asserting that the testimony proved beyond a reasonable doubt the guilt of certain members of the Twenty-fifth infantry, the speaker said:

"Finding it wrongness there so close to the vital forces of this government, what was the duty of those entrusted with the power and responsibility of dealing with it? Strike it down.

"Assert the majesty and strength and relentless judgment of the government in a way to inspire both respect and dread in all who so lightly weigh the worth of human life or who trifle with the honor of the good name of that great army whose patriotism has been the pride of us all.

"Any form of action—to hesitate, to compromise, to palliate, to excuse—would be an injustice and an outrage to the army, trifling with the interests of eighty million people who look up to the government for protection to life."

There was an unusually large number of senators present on both sides of the chamber, and they carefully followed the argument of Mr. Borah.

BORAH MAKES FIRST SPEECH

DRAWN PARALLEL OF NEGRO
TROOPS WITH IDAHO
ASSASSINS.

AGAINST ORCHARD LENIENCY

Justin Borah

No Compromise with Incarnate Devil.

Blackest Spirit from Crypts
of Hell.

Washington, April 20.—Senator Borah, of Idaho, who, as special counsel for that state, conducted the prosecution of W. D. Hayward, secretary of the Western Federation of Miners, whose trial on the charge of murdering former Governor Steunenberg attracted wide attention last year, today found opportunity in his maiden speech in the senate to express disapproval of any effort to secure leniency for Harry Orchard, the self-confessed thrower of the bomb which caused Steunenberg's death. The utterance was a part of a speech by the senator on the Brownsville affray and was made in connection with a condemnation of all efforts to condone the offense at Brownsville. It was as follows:

"A cold-blooded, inhuman, incarnate devil blows to pieces an ex-governor upon the doorsteps of his home, is caught and confessed, and before the grave of the man who died, a martyr to law and order, is given, sentimentality puts a halo on the brow of the blackest spirit that ever escaped the crypts of hell. Men wearing the uniform of a soldier of the union, the insignia of government, and the symbol of law and order, in the quiet of night, while homes are defenseless, assault and attempt to murder whole families and finally succeed in committing one murder. To compromise with such an act or such a deed is cowardice; it is betrayal of government; it is an insult to every intelligent and right-thinking negro, for it presupposes he is a traitor to his country and a criminal at heart."

The speech was made notable by many striking passages of imagery and attracted general interest. Justice containing an analysis of the testimony taken in the Brownsville case, it was in reply to Senator Foraker's recent discussion of the same subject.

Mr. Borah made very clear his belief that the evidence established a conspiracy on the part of some of the negro soldiers of the twenty-fifth regiment to shoot up the town. "I contend," said Mr. Borah, "that the evidence in this case is simply overwhelming and conclusive against the colored soldiers unless you resort to the proposition of a conspiracy which manufactured the evidence and that is evidently the view taken by the defense."

The morale of the army, he said, is paramount to any man's right to remain in it. If any man in the twenty-fifth regiment participated in the riot and if others connived at the crime, by concealing knowledge of it to shield the guilty parties, then both were guilty alike, he declared.

Mr. Borah called attention to Mr. Foraker's suggestion that the citizens of Brownsville might have shot up the town to secure the removal of the negro soldiers.

"Now, I confess," he said, "that there might possibly have been a desire to attack the soldiers, but it seems that this conspiracy, if it had an existence, would not have turned its guns on its own people."

Mr. Borah reviewed at length the testimony in the case and then announced his conclusion that "it discloses the guilt of certain members of the twenty-fifth infantry as participants in the Brownsville affray beyond a reasonable doubt."

Mr. Borah dwelt upon the enormity of the offense and the necessity of condign punishment, saying: "No more serious charge than this was ever made against a soldier of the United States. For less offenses many a soldier has been condemned and shot at sunrise. To my mind, it was treason; if not technically so, yet morally treason, in a most aggravated form. In these things, when an air of disloyalty pervades certain parts of the social life of the nation; when an element which lives upon lawlessness, strife and murder, raises its treacherous hand here and there, playing with human life as with a toy; when the doctrine of riot is preached as a tenet of party organization—under such conditions, to find this spirit of lawlessness, this crime, in our army—the body which is to maintain the flag wherever it floats—is startling beyond all words to express."

"Finding lawlessness there so close to the vital forces of this government,

what was the duty of those entrusted with the power and responsibility of dealing with it? Strike it down! Assert the majesty and relentless judgment of the government in a way to inspire both respect and dread in all who so lightly weigh the worth of human life or who so trifle with the honor and good name of that army whose patriotism has been the pride of us all. Any other form of action— to hesitate, to compromise, to palliate, to waver— would be an injustice and an outrage to the army and constitute trifling consideration of the interest of the people who look up to the government for protection to life."

Mr. Borah dwelt at some length on the accomplishments of the negro race since the abolition of the slavery and found much cause for congratulation; but he said this fact could not excuse individuals from punishment for crime even if such leniency should be in the interest of the race, which it would not be. Concluding, he said:

"Let it be understood by them and by all that this government is their government as well as ours; that their hands, their labors, in slavery and out, helped to make it; that their valor and heroism helped to preserve it, and that justice will be meted out both in punishment and in protection; that the door of hope will not be closed nor an escape from crime be provided. Let it be known as every man must at last know that if this republic is to endure, obedience to the law is to be the first tenet of our faith, and that the great army of the United States must be one in which the women and children can feel perfectly secure when retiring for the night."

BORAH DEFENDS THE PRESIDENT

Upholds Him for Discharge of Negro Soldiers.

LESSON FOR THE RACE

Young Idaho Senator Delivers First Set Speech in Senate Taking Roosevelt's Side in Brownsville Affair—The Action Taken, He Says, Is Not Only Justified from An Army Standpoint, but Will Be a Benefit to the Country at Large and to the Negroes Themselves to that It

WASHINGTON, April 20.—Senator William E. Borah of Idaho, one of the younger Republican Senators, made a speech in the Senate to-day defending the action of the President and the Secretary of War in discharging without honor the members of the 25th Infantry suspected of shooting up the town of Brownsville, Tex., or of having guilty knowledge of that affray. The new Senator is not a member of the Military Affairs Committee, which took the testimony in the Brownsville case, but he said to-day that he had studied it carefully. Incidentally the Senator paid his compliments to the murderers of ex-Gov. Steunenberg of Idaho.

Mr. Borah was one of the counsel for the State in the prosecutions of Moyer, Haywood and Pettibone. It was Mr. Borah's first set speech in the Senate. He had been heard briefly before on legislation relating to mining, public lands and other matters of local interest to the West. After a detailed discussion of the evidence and the necessity of the President's action from an army standpoint, Senator Borah said:

"Mr. President, the climb of the negro from slavery to his most respectable position in civilization to-day has been trying and difficult. He has been beset with race prejudice. The great majority of the dominant race has doubted his capacity ever to measure up to the full stature of citizenship; but in spite of all doubts and fears and an unconquerable race prejudice he has won.

"And I can conceive of no greater mistake toward the negro than to conceive at his encroachment upon the law, feed that appetite for lawlessness, which, strange to say, lurks in the system of all races and demands as the highest function of a self-respecting nation the most vigilant consideration and the most prompt and unqualified and constant restraint. The friend of the negro (and he is the friend of the whole human race as well) is the man who deals with unrelenting hand both as to the matter of protection of his rights and the punishment for his wrongdoing. I cannot imagine a greater mistake in Government toward a race struggling toward the high plane of civilization than to protect or excuse a crime so heinous, so thoroughly established as this one. Its lesson, its effect, especially in some parts of the country, would be simply incalculable. It would feed that race prejudice already existing, feed it with suspicion and hatred and fear on the one side and daring and devilry on the other—all the parent bags of devilry and assassination.

"It would above all things, and this is to me of supreme importance, inspire in certain classes of the less intelligent of the colored race contempt for law and government. Riot and murder are largely things which are born of the mistakes of government and thrive in a country which compromises with and sentimentalizes over crime.

"A cold-blooded, inhuman, incarnate devil blows to pieces an ex-Governor on the doorstep of his home, is caught and confessed, and before the grave of the man who dies a martyr to law and order is green

the blackest spirit that ever escaped the crypts of hell. (This refers to the Steutenberg murder.)

"Men wearing the uniform of a soldier of the Union, the insignia of government and the symbol of law and order, in the quiet of night, while homes are defenceless, assault and attempt to murder whole families and finally succeeded in committing one murder. To compromise with such an act or such a deed is cowardice; it is betrayal of government; it is an insult to every intelligent and right thinking negro, for it presupposes he is a traitor to his country and a criminal at heart.

"Sir, let it be understood by them and by all that this government is their government as well as ours, that their hands, their labor, in slavery and out, helped to make it; that their valor and heroism helped to preserve it and that justice will be meted out both in protection and in punishment, that the door of hope will not be closed nor an escape from crime provided; let it be known, as every man must at last know, that if this republic is to endure, obedience to the law is to be the first tenet of our faith and that the great army of the United States is one in which the women and children can feel perfect security when they retire for the night."

TROOPS' DISMISSAL ROUNDLY DEFENDED BY SENATOR BORAH

Order of the President
Right, Says Idaho
Member.

Tells of Alleged Plot by
Citizens—Says It's
Remarkable.

Wash. Times

Defense of President

"When the President dismissed these men, no one, neither friend nor foe, assumed that anyone was guilty of the raid other than the soldiers.

"If guilty at all, they are guilty of murder—murder planned and deliberated upon and accomplished with deadly precision.

"For less offenses many a soldier has been condemned and shot at sunrise.

"To my mind it was treason; if not technically so, yet morally treason in its most aggravated form.

"To find this spirit of lawlessness, this appetite for crime in our army, the body which is to maintain the flag wherever it flies, is startling beyond all words to express.

"To hesitate, to compromise, to palliate, to excuse, would be an injustice to and an outrage upon the army and constitute trifling consideration of the interests of 80,000,000 people."—Senator Borah.

Senator Borah of Idaho, one of the younger members of the Senate, who has not yet won his spurs in Congress, but who has achieved a reputation in his own part of the country as a trained lawyer and a speaker of force and ability, came to the defense of the President in the debate on the Brownsville case today.

Senator Borah raised a square issue with Senator Foraker of Ohio, made light of the attempt to make the evidence support the contention that the soldiers of the Twenty-fifth did not fire the shooting, and struck some sledge hammer blows in defense of the Administration's course. He characterized the rioting at Brownsville as treason, and said any form of compromise with it would be an outrage.

Senator Borah laid emphasis on the fact that in these times—"when an element that lives upon lawlessness, strife, and murder raises its treacherous hand here and there"—it was startling to find a spirit of lawlessness in the army. He was plainly alluding to the alleged promises of William D. Haywood and those of his following. He made an allusion to the Steutenberg murder by saying: "A cold-blooded, inhuman, incarnate devil blows to pieces a former governor on the doorstep of his home, is caught and confesses; and before the grave of the man who dies a martyr to law and order is green, sentimentalism puts a halo on the brow of the blackest spirit that ever escaped the crypts of hell."

Insult to Colored Race.

He declared it cowardice to temporize with the Brownsville crime, and an insult to every intelligent and right-thinking colored man, for it presupposed he was a criminal and a traitor at heart.

In the course of his remarks, Senator Borah said:

"The first question involved is a simple question of fact. That is, did any of the soldiers of the Twenty-fifth Infantry participate in the riot of August 13 in the town of Brownsville? With the settlement of this question all others inhering in the controversy readily settle themselves. In other words, if it should appear from the evidence that any part of the Twenty-fifth Infantry participated in this riot, that they went into the town, assaulted men, women, and children, maimed a policeman for life, and killed a private citizen, then, I apprehend, no one would seriously contend that such men should remain in the army.

"And if it should appear, further from the evidence that, although not actually participating in the riot, a large

number of the Twenty-fifth Infantry must have necessarily known of the raid and concealed that knowledge from the authorities, then, I apprehend, no one would contend that they should remain a part of the army. For, so far as the question of discipline and good army conduct is concerned, it would make little difference whether a party actually participated or whether he connived at the crime or concealed knowledge afterward acquired, so as to shield the guilty parties. So far as the good of the army is concerned, one party would be as guilty and reprehensible as the other.

All Should Go.

Furthermore, if it should appear, owing to the manner in which the raid was accomplished, the stealth, the well-planned scheme, and the methods to conceal, that it is possible to separate the guilty from the innocent, then all should go. I take it that it cannot be a matter of serious consequence that the discipline and morale of the army are paramount to any man's rights to remain a member of the army. Not only is the good of the army paramount, but the welfare, the safety, and the lives of the citizens and the confidence which the people are entitled to have in the army are in every sense paramount to any man's individual right to be and remain in the army, or to have the right to exist therein. For, as was so aptly said by General Lee upon a memorable occasion, if there be innocent men under such circumstances they must suffer in order that the discipline of the army and the welfare of the Government be maintained and guarded.

I would not say that the discipline of the army and the good of the nation are paramount under all circumstances to a man's liberty, certainly not in his life, but these are matters with which we are not called upon to deal at this time. The simple question involved is whether or not, under all the facts, these men are entitled to continue their contract with the Government, or whether the Government is entitled, under the facts, to cancel that contract. The only action that has been taken is that which has severed their connection with the army and canceled their contract, and all this earnestness with reference to men's lives and liberties is wholly inconsistent with proper consideration of the case before this tribunal.

Remarkable Defense.

"Before going into a discussion of the facts, I want to call your attention to the remarkable defense that it has been found necessary to make in order to explain so many of the incriminating facts against the soldiers. It seems to be conceded that the evidence with reference to the shells in the streets and the clips and the bandoliers is so direct and positive and incriminating that there is no possible explanation other than on the ground of a counter-conspiracy. So, in order to get rid of these powerful circumstances, it has become necessary to charge that there was a conspiracy on the part of the citizens of Newnesville, with the view of manufacturing evidence against the soldiers, with the ultimate purpose of compelling their removal from that town.

"I confess that there might possibly have been a desire to attack the soldiers, but it seems that this conspiracy, if it had an existence, would not have turned its guns upon its own people. But I am not going to take up this conspiracy at length at this time.

"Another thing to which I desire to direct your attention before discussing the evidence is the fact that judgment was passed upon these soldiers by their own officers."

Quotes From Report.

The speaker made quotations from the reports of Patrose and from the testimony of Lieutenant Greer and Captain Blackland, wherein they state they believe the raid to have been made by members of the Twenty-fifth Infantry. Continuing, the Senator said:

"It must be borne in mind also that at the time these officers made these statements they had full knowledge of the question of gun racks, full knowledge of the question of ammunition, full knowledge of all those things which are now relied on as a defense, and, I think, they were fully satisfied that the men were guilty.

"Another thing that should be remembered at this time is that when the President dismissed these men no one, neither friend or foe, assumed that anyone was guilty of the raid other than the soldiers."

After a detailed discussion of the evidence, Senator Borah said:

"With some tediousness and at the risk of taking the patience of the Senate, I have gone over the evidence in this matter—the evidence which discloses in my mind the guilt of certain members of the Twenty-fifth Infantry in the Newnesville raid beyond a reasonable doubt. If guilty at all, they are guilty of murder—murder planned and deliberated and accomplished with deadly precision. The one point in which the victims failed was with respect to the number of their victims. They evidently expected to kill more than they did.

"No more serious charge than this was ever made against a soldier of the United States. Far less offense than a soldier has been committed and shot at warlike. To my mind it was treason, if not technically so, yet morally treason in a most aggravated form.

Climb of Negro Difficult.

"Mr. President, the climb of the negro from slavery to his most respectable position in civilization today has been trying and difficult. He has been beset with race prejudice. The great majority of the dominant race has doubted his capacity to measure up to the full stature of citizenship; but in spite of all doubts and fears and an unchangeable race prejudice, he has won. He started in the race for place and power a little more than forty years ago, with the stigma of slavery's chains still upon him, and without property or experience. Thus he began his independent battle for wealth.

"I can conceive of no greater mistake toward the negro than to conceive of his entrenchment upon the law—feeding that appetite for lawlessness which, strange to say, lurks in the system of all races and demands as the highest function of a self-respecting nation the most vigilant consideration and the most prompt and unqualified and constant restraint.

"Men wearing the uniform of a soldier of the Union, the insignia of government and the symbol of law and order, in the dust of the night, while homes are defenseless, assault and attempt to murder whole families and finally succeed in committing one murder. To compromise with such an act or such a deed is cowardice; it is betrayal of government; it is an insult to every intelligent and right-thinking negro; for if prevarices he is a traitor to his country and a criminal at heart.

Must Understand.

"We let it be understood by them and by all that this Government is their

Government as well as ours; that their hands, their labor, in slavery and out, helped to make it; that their valor and heroism helped to preserve it, and that justice will be meted out in protection and in punishment; that the door of hope will not be closed nor an escape from crime provided. Let it be known, as every man must at least know, that if this republic is to endure, obedience to the law is to be the first tenet of our faith, and that the great army of the United States is one in whom the women and children can rely implicitly for protection, whose guardianship during the hours of the night will bring a sense of absolute security, with no thought of possible repetition of the terrors of Brownsville."

HOLDS BLACKS GUILTY

Murder and Treason Soldiers' Crime, Says Borah.

DEPRECATES FURTHER ACTION

Retention of Men Who Participated in or Concealed Knowledge of Brownsville Raid, Idaho Senator Says, Would Strike at Safety of the Country by Sapping Army.

Wash. Herald.

Disclaiming any intention of replying to Senator Foraker, but setting up an array of facts and deductions intended to fully answer the argument which the Ohio Senator made last week in defense of the negro soldiers of the dishonorably dismissed battalion of the Twenty-fifth Infantry, Senator Borah, of Idaho, in a speech in the Senate yesterday, arraigned the former members of the Brownsville battalion as guilty, either as participants or by consent, of murder and treason.

Mr. Borah upheld the action of the President in discharging the men without honor, and his array of evidence made a strong impression on his fellow-Senators. He showed conclusively that the negroes who took part in the raid had abundant time to get back to the fort and form with their companies after the raid, his authority for this being the statement of a member of the battalion, who, being absent on a pass, walked a block further than the raiders had to go to reach the barracks, got his gun, and joined his company before it was formed for inspection.

He took direct issue with Senator Foraker's contention that the witnesses who testified before the Senate investigating committee could not have identified the raiders as negroes, as they claimed to have done. He contended that a sufficient number of men to have formed the raiding party were supposedly so sound asleep in isolated parts of the barracks and in officers' quarters, that they had to be "wakened," according to the testimony, by other men sent for that purpose.

Foraker Takes Notes.

Senator Foraker sat throughout Mr. Borah's speech, which consumed about an hour and a half, and frequently took notes as he proceeded, but did not interrupt the speaker. The majority of the Senators remained in their seats all the time while the Idaho Senator was speaking, and when he concluded he was warmly congratulated upon his handling of the case by a large number of his colleagues. Senator Foraker walked around and shook hands with him, and they remained for some minutes in conversation.

Senator Borah said, in part:

"The first question involved is a simple question of fact. That is, Did any of the soldiers of the Twenty-fifth Infantry participate in the riot of August 13, in the town of Brownsville?"

"With the settlement of this question of fact all other questions inhering in the controversy readily settle themselves. In other words, if it should appear from the evidence that any part of the Twenty-fifth Infantry participated in this riot, that they went into the town, assaulted men, women, and children, maimed a policeman for life, and killed a private citizen, then, I apprehend, no one would seriously contend that such men should remain in the army.

Knowledge of Riot Guilt.

"And if it should further appear from the evidence that, although not actually participating in the riot, a large number of the Twenty-fifth Infantry must have necessarily known of the raid and concealed that knowledge from the authorities, then, I apprehend, no one would contend that they should remain a part of the army. So far as the good of the army is concerned, one party would be as reprehensible as the other.

"Furthermore, if it should appear, owing to the manner in which the raid was accomplished, the stealth, the well-planned scheme, and the methods in concealment, that it is impossible to separate the guilty from the innocent, then all should go, for, I take it that it cannot be a matter of serious controversy that the discipline and morale of the army are paramount to any man's right to remain a member of the army.

Claim of Defense Poor.

"It seems to be conceded that the evidence with reference to the shells in the streets and the clips and the bandoliers is as direct and positive and so incriminating that there is no possible explanation other than that of a counter-conspiracy. So, in order to get rid of these powerful circumstances, it has become necessary to charge that there was a conspiracy upon the part of the citizens of Brownsville with the view of manufacturing evidence against the soldiers with the ultimate purpose of compelling their removal."

After quoting from an article by Senator Foraker, in a magazine, suggesting this idea, Mr. Borah continued:

"I might quote further to show the charge of a general conspiracy which involved the necessity of long prior preparation, the stealing of the shells and their distribution upon the streets of Brownsville, but, followed in its logical conclusion, if it is worth anything at all, this conspiracy not only steals the shells and scatters them upon the streets, but

It also furnished the men who did the firing; the men who actually went upon the streets of their own town, assaulted their own homes, the wives and children of their friends, shot the arm off a policeman, and murdered a citizen.

Evidence Is Overwhelming.

"Now, I confess that there might possibly have been a desire to attack the soldiers, but it seems that this conspiracy, if it had an existence, would not have turned its guns upon its own people. But I am not going to take up this conspiracy in full this time. I simply want to call your attention to it to show you the kind of defense it is necessary to make, because I contend that the evidence in this case is simply overwhelming and conclusive against the colored soldiers unless you resort to the proposition of a conspiracy which manufactures the evidence, and that is evidently the view taken by the defense. I will add you, therefore, to bear in mind the existence of this conspiracy as we go through the evidence, for you will find before you get through that not only did the members of this conspiracy consist of men of rare powers to plan and execute and foresee, but you will find in one instance particularly that they were endowed with the power of prophecy—the power to look into the weeds of time and see which grains would grow and which would not—that makes the perspectives of Daniel and Isaiah stale and uninteresting.

Quotes Officers' Judgments.

"Another thing to which I desire to direct your attention before discussing the evidence is the fact that judgment was passed upon these soldiers by their own officers."

Here quotations were made from the report of Maj. Fennell and the testimony of Lieut. Oliver and Capt. Macklin, where in they state that they believe the raid or have been made by members of the Twenty-fifth Infantry.

"It must be borne in mind also that at the time these officers made these statements they had full knowledge of the question of gun racks, full knowledge of the question of ammunition, full knowledge of all these things which are now relied upon as a defense, and, I think, they were fully satisfied that the men were guilty.

"Another thing which should be remembered at this time is that when the President dismissed these men, no one, either friend or foe, assumed that any one was guilty of the raid other than the soldiers. Every official and every other party who had inquired into the matter came to the same conclusion, and there was no dispute whatever at the time that these men were guilty of the charges—as serious as any ever made against a soldier."

Believes Negroes Participated.

After a detailed discussion of the evidence, Senator Borah said, in conclusion: "With some tediousness, and at the risk of taxing the patience of the Senate, I have gone over the evidence in this matter—the evidence which discloses, to my mind, the guilt of certain members of the Twenty-fifth Infantry in the Brownsville raid beyond a reasonable doubt. If guilty at all, they are guilty of murder—murder planned and deliberated on and executed with deadly precision. The one point in which the system failed was with respect to the number of their victims. They certainly expected to kill more than they did. No more serious charge than this was ever made against a soldier of the United States. For less offenses many a soldier has been condemned and shot at."

"In my mind it was treason; if not technically so, yet morally treason in the most aggravated form. In these times, when an air of dishonesty pervades certain parts of the social life of the nation, when an element which lives upon lawlessness, strife, and murder takes its treacherous hand here and there, playing with human life as with a toy; when the doctrine of riot is preached as a tenet of party organization—under such conditions, I say, to find this spirit of lawlessness, this appetite for crime, in our army, the body which is to maintain the flag wherever it floats, is startling beyond all words to express.

Upholds President's Course.

"Finding lawlessness there, so close to the vital forces of this government, what was the duty of those intrusted with the power and responsibility of dealing with it? Strike it down! Assert the majesty and strength and resolute judgment of the government in a way to inspire both respect and dread in all who so lightly weigh the worth of human life, or so trifly with the honor and good name of that great army, whose patriotism has been the pride of us all. Any other form of action—to hesitate, to compromise, to palliate, to excuse would be an injustice, and an outrage to the army, and constitute trifling consideration of the interests of 20,000,000 of people who look up to the government for protection to life.

"I can conceive of no greater mistake toward the negro than to invite at his encroachment upon the law, but that appetite for lawlessness which strange to say, lurks in the system of all races and demands as the highest function of a self-respecting nation the most vigilant consideration and the most prompt and unqualified and constant restraint. The friend of the negro (and he is the friend of the whole human race as well) is the man who deals with unflinching hand, both as to the matter of protection of his rights and the punishment for his wrong-doing.

"It would above all things—and this is to me of supreme importance—inspire in certain classes of the less intelligent of the colored race contempt for law and government. Riot and murder are largely things which are born of the mistakes of government and thrive in a country which compromises with and sanctifies over crime."

only been "scratched off," so to speak.

The full text of the speech of Senator Borah of Idaho, in defense of the president's action in the case of the negro soldiers who shot up Brownsville, as it appears in the Congressional Record, more than sustains the impression made by the newspaper reports that the senator did not leave Parker a leg to stand upon. And by the way, it is interesting to note that in inferring his contentions Senator Borah quotes a deliverance of General Robert E. Lee as justifying the course of the president.

Senator Borah is right. Harry Orchard deserves the extreme penalty of the law, but it is doubtful if he gets it. The best authorities on crime believe that a confessor should always receive some consideration for the benefits that may result in future cases. *Loisley & P. G. W.*

SENATOR BORAH UPHOLDS CHIEF EXECUTIVE IN DISMISSING COLORED SOLDIERS

IDAHO SENATOR REPLIES TO FORAKER

Strongly Condemns All Efforts to undo the Offense at Brownsville.

DECLARES EVIDENCE AGAINST SOLDIERS

Makes Clear His Belief That Testimony Shows Conspiracy of Negroes.

Insists That It Is the Duty of Those Entrusted With Responsibility of Dealing With Such Cases Should Assert the Majesty, Strength and Relentless Judgment of the Gov.

d&w
Senator Borah's speech in the Brownsville case will not tend to smooth over matters politically, for his comparison between the Brownsville affair and Orchard's various assassinations and crimes in the Far West can but embitter the situation.
—Springfield Republican.

GREAT TRIUMPH FOR SENATOR BORAH

Establishes Right on Floor of the Senate to Rank Among the Leading Lawyers of That Body.

(By H. J. Brown.)

WASHINGTON, April 29.—Senator Borah achieved a great triumph in the senate chamber today and established his right to rank among the leading lawyers of America's foremost legislative body. In a speech lasting an hour and a half he swept aside the cobwebs that have long enshrouded the Brownsville case and by reviewing and analyzing essential evidence, demonstrated the entire justice of the course pursued by the president in discharging the colored troops. So thorough was his grasp of the subject resulting from weeks of careful study and so logical was the presentation of his argument that senators heretofore in doubt confessed that they were satisfied after that speech that the president should be upheld.

Senator Borah spoke to a full senate and to galleries packed to their utmost. Never before in it recalled that any new senator had any such audience during the delivery of his maiden speech. It is customary for older senators to absent themselves when new senators deliver set speeches during their first two years. Today practically every senator was in his seat when Senator Borah began and not one left until he concluded. Many

Be other to have all of them.

Dash, B. O.
Senator Borah's speech on the Brownsville incident was not an answer to Senator Foraker's speech. It was a very brilliant and able lawyer's "argument" to the jury in defense of President Roosevelt's action in the premises.

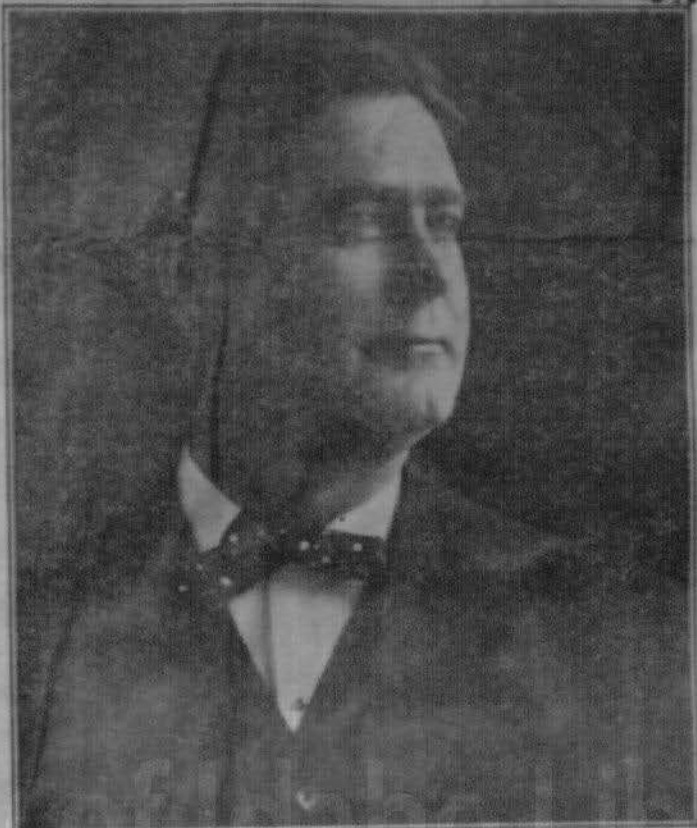
ernment in a Way to Inspire Respect and Dread—Opposes Efforts to Secure Leniency for Harry Orchard.

WASHINGTON, April 16.—Senator Noah of Idaho who, as special counsel for that state conducted the prosecution of W. D. Haywood, secretary of the Western Federation of Miners, whose trial on the charge of murdering former Governor Steunenberg attracted wide attention last year, today found opportunity in his maiden speech in the senate to express his disapproval of any effort to secure leniency for Harry Orchard, the self-confessed murderer of Steunenberg. The utterance was part of a speech by the senator on the Brownsville affair and was made in connection with a condemnation of all efforts to condone the offense at Brownsville. It was as follows:

"A cold blooded, inhuman, inhuman devil blows to pieces an ex-governor upon the doorstep of his home, is caught and confessed, and before the grave of the man who died a martyr to law and order is given, sentimentalism puts a halo upon the brow of the blackest spirit that ever escaped the grips of hell. Men wearing the uniform of a soldier of the United States, the insignia of government and the symbol of law and order, in the dead of night, while homes are defenseless, assault and attempt to murder whole families and finally succeed in committing one murder. To compromise with such an act or such a deed is cowardice; it is betrayal of government; it is an insult to every intelligent and right thinking negro, for it pre-supposes he is a traitor to his country and a criminal at heart."

Notable Speech.

The speech was notable by many striking phrases of oratory and attracted general interest. Besides containing an analysis of the testimony taken in the Brownsville case it was in reply to Senator Foraker's recent discussion of the same subject. Mr. Borah made very clear his belief that the evidence established a conspiracy on the part of some of the negro soldiers of the Twenty-fifth regiment to shoot up the town. "I contend," said Mr. Borah, "that the evidence in the case is simply overwhelming and conclusive against the colored soldiers, unless you resort to the proposition of a conspiracy which manufactured the evidence and is evidently the view taken by the defense." The morals of the army, he said, is paramount to any man's right to remain in it. If any man in the Twenty-fifth regiment participated in the riot and if others conspired at the crime, by concealing knowledge of it to shield the guilty parties, then both were guilty alike, he declared. Mr. Borah called attention to Mr. Foraker's suggestion that the citizens of Brownsville might have shot up the town to secure the removal of the negro soldiers.



United States Senator William E. Borah.

house members, including Nicholas Longworth, came to listen and stayed to the end. The marked attention with which the senators followed Mr. Borah was the very highest tribute they could pay. At the conclusion of his speech there was tremendous applause in the galleries and great confusion on the floor while Senator Borah was receiving the congratulations of his colleagues. It was fully two minutes before the vice president could restore order and permit the senate to resume business, for nearly every senator who heard the speech, regardless of party, extended his hand to Mr. Borah and complimented him on his first serious speech delivered in Washington.

Some idea of the impression made by Mr. Borah can be gathered by the remarks made to him by some of those who congratulated him. Senator Lodge, the greatest scholar in the senate, and a member of the military committee that investigated the Brownsville case, said:

"That is one of the best legal arguments I have ever heard in the senate. I thought I was very familiar with this evidence, having heard it all, but you brought out one or two very strong points which I had overlooked."

Senator Knox, accredited with being the leading lawyer of the senate, said:

"It is a gratification to hear that kind of an argument. The legal trend of your argument was perfect."

Senator Beveridge said it was a masterful presentation of the case. Senator Heyburn, congratulating his colleague, said:

"Old man, that was a remarkable speech."

Senator Bacon, the leading lawyer on the Democratic side, remarked: "I do not know whether you are a statesman or not, but you are a

"Now, I confess," he said, "that there might possibly have been a desire to attack the soldiers, but it seems that this conspiracy, if it had an existence, would not have turned its guns upon its own people."

Mr. Borah reviewed at length the testimony in the case and then announced his conclusion that "it discloses the guilt of certain members of the Twenty-fifth Infantry as participants in the Brownsville affair beyond a reasonable doubt." Mr. Borah dwelt upon the enormity of the offense, and the necessity of condign punishment, saying:

"No more serious charge than this was ever made against a soldier of the United States. For less offenses many a soldier has been condemned and shot at sunrise. To my mind it was treason; if not technically so, it is morally treason in a most aggravated

(Continued on Page Three)

BROWNSVILLE RIOT FORM OF ANARCHY, SAYS BORAH

Idaho Senator Defends Roosevelt and Scoffs At Foraker in Speech.

Accuses Foraker of Treason

Washington, April 26.—At first calmly and dispassionately analyzing the Brownsville case to show that the evidence against the negro soldiers "was simply overwhelming and conclusive, unless you resort to the proposition of a conspiracy which manufactures evidence," Senator Borah (Rep. Idaho) in his maiden speech in the senate this afternoon mildly scoffed at Senator Foraker's attitude, warmly defended President Roosevelt's action and finally turned his noted oratorical batteries against the growth of anarchy in the United States, of which he held the rioting of negro troops to be a part.

Rising to the height of his eloquence the eminent lawyer, who was engaged to the prosecution of the Moyer-Haywood-Peterson murder case last year at Boise, in which the two men tried were acquitted, adverted to the trial by exclaiming: "Riot and murder are largely things born of the mistakes of government and pride in a country which compromises and sentimentalizes over crime. A cold-blooded, inhuman, incarnate devil blows to pieces an ex-governor on the doorstep of his home, is caught and confessed, and before the grace of the man who dies a martyr to law and order is given, sentimentalism puts a halo upon the brow of the Blackest spirit that ever escaped the grasp of hell."

"In these times, when an air of disloyalty pervades certain parts of the social life of the nation; when an element which lives upon lawlessness, strife and murder, raises its treacherous hand here and there, playing with human life as with a toy; when the doctrine of riot is preached as a tenet of party organization—under such conditions, I say, to find this spirit of lawlessness, this appetite for crime in our army, the body which is to maintain the law wherever it flies, is startling beyond all words to suppose

lawyer.

Senator Warren, chairman of the military committee, said:

"That was a very fair analysis of the evidence and very complete. I think it convinced many senators who have not had an opportunity of viewing the testimony and who were in a very doubtful mind."

Even Senator Foraker, whose contention was completely disposed of by Mr. Borah, congratulated the latter, saying:

"You made a great speech. I wish I could agree with you on the facts."

It was the consensus of opinion that Mr. Borah made a great speech just such as was needed to clear the atmosphere. The Brownsville case has been standing so long and discussed in so many lights that there was no clear conception of the facts and considerable doubt in the minds of public men as to the true situation. This doubt was swept away today. Senator Borah was at his best untangling the question that had become much involved and it is admitted generally that his speech will tend largely to bring about a proper settlement of this long delayed question. No legislator wrapped in his clever unravelling of the tangle. It was a great day for Senator Borah and for Idaho.

To his mind certain members of the Twenty-fifth Infantry are guilty of "murder planned and perpetrated on, and accomplished with deadly precision." He said the one point in which the rioters failed was that they expected to kill more than they did. "No more serious charge than this was ever made against soldiers of the United States," he exclaimed, "for less offenses many a soldier has been condemned and shot at sunrise. To my mind it was treason; if not technically so, yet morally treason in the most aggravated form. To compromise with such a deed is cowardice."

Analyzes the Testimony Taken in the Brownsville Soldiers Case.

Brookly Eagle
SHOULD HAVE BEEN PUNISHED

Also Expresses Disapproval of Efforts to Secure Leniency for Harry Orchard.

Washington, April 26.—Senator Borah of Idaho, who, as special counsel for that state, conducted the prosecution of W. D. Hayward, secretary of the Western Federation of Miners, whose trial on the charge of murdering former Governor Steiensenberg attracted wide attention last year, to-day found opportunity in his maiden speech in the Senate to express his disapproval of any effort to secure leniency for Harry Orchard, the self-confessed thrower of the bomb which caused Steiensenberg's death. The utterance was a part of a speech by the senator on the Brownsville affray, and was made in connection with a condemnation of all efforts to condone the offense at Brownsville. It was as follows:

"A cold-blooded, inhuman, incarnate devil blows to pieces an ex-governor upon the doorstep of his home, is caught and

confesses, and before the grave of the man who died a martyr to law and order is green, sentimentalism puts a halo upon the brow of the blackest spirit that ever escaped the crypts of hell.

"Men wearing the uniform of a soldier of the Union, the insignia of government and the symbol of law and order, in the quiet of night, while homes are defenseless, assault and attempt to murder whole families, and finally succeed in committing one murder. To compromise with such an act or such a deed is cowardice; it is betrayal of government; it is an insult to every intelligent and right-thinking negro, for it presupposes he is a traitor to his country and a criminal at heart."

The speech was made notable by many striking passages of oratory and attracted general interest. Besides containing an analysis of the testimony taken in the Brownsville case, it was in reply to Senator Foraker's recent discussion of the same subject.

Says a Conspiracy Was Established.

Mr. Borah made very clear his belief that the evidence established a conspiracy on the part of some of the negro soldiers of the Twenty-fifth Regiment to shoot up the town.

"I contend," said Mr. Borah, "that the evidence in this case is simply overwhelming and conclusive against the colored soldiers unless you resort to the proposition of a conspiracy which manufactured the evidence, and that is evidently the view taken by the defense."

The morale of the army, he said, is paramount to any man's right to remain in it. If any man in the Twenty-fifth Regiment participated in the riot and if the others acquiesced at the crime by concealing knowledge of it to shield the guilty parties then both were alike, he declared.

Mr. Borah called attention to Mr. Foraker's suggestion that the citizens of Brownsville might have shot up their own town to secure the removal of the negro soldiers.

"The charge of a general conspiracy," he said, "involved the necessity of a long-prior preparation, the stealing of the shells and their distribution upon the streets of Brownsville, but, followed to its logical conclusion, if it is worth anything at all, this conspiracy not only steals the shells and scatters them upon the street, but it also furnishes the men who did the firing—the men who actually went upon the streets of their own town,

assaulted their homes, the wives and children of their friends, shot the arm off a policeman and murdered a citizen. Now, I confess that there might possibly have been a desire to attack the soldiers, but it seems that this conspiracy, if it had an existence, would not have turned its guns upon its own people."

He referred to "the judgment passed upon these soldiers by their own officers and quoted their testimony to that effect given prior to the Senate investigation.

"It must be borne in mind," he said, "that at that time the officers made these statements they had full knowledge of the question of ammunition, full knowledge of the question of gun racks, full knowledge of all these things which

are now relied upon as a defense and I think they were fully satisfied that the men were guilty."

Mr. Borah reviewed at length the testimony in the case and then announced his conclusion that "it discloses the guilt of certain members of the Twenty-fifth infantry as participants in the Brownsville raid beyond a reasonable doubt. It," he added, "they were guilty at all they were guilty of deliberate murder—murder, planned and deliberated on and accomplished with deadly precision. The one point in which the rioters failed was with respect to the number of their victims. They evidently expected to kill more than they did."

Dwells on Enormity of the Offense.

Having reached this conclusion Mr. Borah dwelt upon the enormity of the offense and the necessity for condign punishment, saying:

"No more serious charge than this was ever made against a soldier of the United States. For less offenses many a soldier has been condemned and shot at sunrise. To my mind it was treason; if not technically so, yet morally treason in a most aggravated form. In these times, when an air of disloyalty pervades certain parts of the social life of the nation; when an element which lives upon lawlessness, strife and murder raises its treacherous hand here and there, playing with human life as with a toy; when the doctrine of riot is preached as a tenet of party organization—under such conditions, to find the spirit of lawlessness, this appetite for crime, in our army—the body which it is meant to sustain the flag wherever it floats—is startling beyond all words to express.

"Finding lawlessness there so close to the vital forces of this government, what was the duty of those entrusted with the power and responsibility of dealing with it? Strike it down. Assert the majesty and strength and relentless judgment of the government in a way to inspire both respect and dread in all who so lightly weigh the worth of human life or who trifle with the honor of a good name and of that great army whose patriotism has been the pride of us all. Any form of action—inordinate, to compromise, to palliate, to excuse—would be an injustice and an outrage to the army and constitute trifling consideration of the interests of eighty million people who look up to the government for protection to life."

Mr. Borah dwelt at some length upon the accomplishments of the negro race since the abolition of slavery, and found much cause for congratulation; but he said, this fact could not excuse individuals from punishment for crime, even if such leniency should be in the interest of the race, which it would not be. Concluding, he said:

"Let it be understood by them and by all that this government is theirs as well as ours; that their hands, their labor, in slavery and out, helped to make it; that their valor and heroism helped to preserve it, and that justice will be meted out both in protection and in punishment; that the door of hope will not be closed nor an escape from the crime provided. Let it be known, as every man must at least know, that if this republic is to endure, obedience to the law is to be the first tenet of our faith, and that the great army of the United States must be one in which the women and children can feel perfectly secure when they retire for the night."

BORAH'S SPEECH PLEASED PRESIDENT AND FRIENDS OF THE ADMINISTRATION

Is Regarded as an Able Defense of
the Course Pursued in the
Brownsville Affair.

LOGICAL DISCUSSION OF EVIDENCE SUBMITTED AT RECENT INQUIRY

Claimed That Only Theory on Which a Defense Could Be
Based Was That of a Counter Conspiracy, and That
Such a Theory Was Unreasonable and Improbable—
Strong Points Pointing to the Guilt of the Negro Sol-
diers Are Brought Out.

(Capital News Special Service.)

Washington, April 21.—Senator Borah's speech on the Brownsville affray, delivered in the senate yesterday, is considered by the administration as a logical argument in support of the course pursued in that incident. Before going into a detailed discussion of the evidence, Senator Borah said:

The first question involved is a simple question of fact. That is, did any of the soldiers of the Twenty-fifth infantry participate in the riot of August 12 in the town of Brownsville? With the settlement of this question of fact, all other questions inhering in the controversy readily settle themselves. In other words, if it should appear from the evidence that any part of the Twenty-fifth infantry participated in this riot, that they went into the town, assaulted men, women and children, maimed a policeman for life and killed a private citizen, then I apprehend that no one would seriously contend that such men should remain in the army.

And if it should further appear from the evidence that, although not actually participating in the riot, a large number of the Twenty-fifth infantry must have necessarily known of the raid and have concealed that knowledge from the authorities, then I apprehend

in his speech: "It does not seem to have occurred to anyone to investigate upon the possibility that some of the citizens of Brownsville shot up their own town for perfectly obvious and plausible reasons and evident motives."

Again, he says: "The presence of those shells in the streets of Brownsville which had not been fired there is suggestively accounted for by the fact that company B took with it to Brownsville, as a part of its baggage, a box of exploded shells and a proportionate number of clips and that this box stood open on the porch of the Brownsville barracks where anyone passing could have helped himself. The conclusion seems inevitable that the shells were found in the streets of Brownsville because someone, for some purpose, had taken them from the box and scattered them there on the night of the raid."

I might quote further to show the charge of a general conspiracy involved the necessity of long-prior preparation, the stealing of the shells and their distribution among the streets of Brownsville. But, followed by its logical conclusion, if it is to be worth anything at all, this conspiracy must not only steal the shells and scatter

no one would contend that they should remain a part of the army. For, so far as the question of discipline and the good of the army is concerned, it would make but very little difference whether a party actually participated or whether he connived at the crime by concealing knowledge afterwards acquired so as to shield the guilty parties. So far as the good of the army is concerned, one party would be as guilty and as reprehensible as the other.

Furthermore, if it should appear, owing to the manner in which this raid was accomplished, the stealth, the well planned scheme and the method to conceal, that it is impossible to separate the guilty from the innocent, then all should go. For I take it that it cannot be a matter of serious controversy that the discipline and morale of the army is paramount to any man's right to remain a member of the army or a soldier therein. Not only is the good of the army paramount but the welfare, the safety of the home and the lives of the citizens and the confidence which the people are entitled to have in the army are, in every sense, paramount to any man's individual right to be and remain in the army or to have the right to enlist therein. For, as was so well said by General Lee upon a notable occasion, if there be innocent men under such circumstances, they must suffer in order that the discipline of the army and the welfare of the government may be protected.

I would not say that the discipline of the army or the good of the nation was paramount under all circumstances to a man's liberty, certainly not paramount to his life, but these are matters with which we are not called upon to deal at this time. The simple question involved in the Brownsville matter is, whether or not, under all the facts, these men are entitled to continue their contract with the government or whether or not the government is entitled, under the facts, to cancel that contract. The only action which has been taken is that which has severed them from the government and canceled the contract, and all this earnestness with reference to men's liberties and lives is not involved before this tribunal.

Before going into a discussion of the facts I want to call attention to the remarkable defense which it has been found necessary to make in order to explain so many of the incriminating facts against the soldiers. It seems to be conceded that the evidence with reference to the shells in the streets and the clips and the handbills is so direct and positive and so incriminating that there is no possible explanation other than that of a counter conspiracy. So, in order to get rid of these powerful circumstances, it has become necessary to charge that there was a conspiracy upon the part of the citizens of Brownsville and that this conspiracy stole the shells and scattered them upon the streets of Brownsville with the view of manufacturing evidence against the soldiers with the ultimate purpose of compelling a removal of

them upon the streets, but it must also furnish the men who did the thing—men who actually went upon the streets of their own town, assaulted their own homes, the wives and children of their own friends, shot the arm off a policeman and murdered a citizen. Now I confess that there might possibly have been a desire to attack the soldiers, but it seems that this conspiracy, if it had an existence, would not have turned its guns upon its own people. But I am not going to take up this conspiracy in full at this time. I simply want to call your attention to it to show you the kind of defense which it is necessary to make, because I contend that the evidence in this case is simply overwhelming and conclusive as against the colored soldiers unless you resort to the proposition of a conspiracy which manufactured the evidence, and that is evidently the same view which the defense is taking. I will ask you, therefore, to bear in mind the existence of this conspiracy as we go through the evidence, for you will find before you get through that, not only did the members of this conspiracy consist of men of rare powers to play and execute and foresee, but you will find in one instance particularly that they were endowed with a power of prophecy—the power to look into the seeds of time and see which grain would grow and which would not—that makes the prophecies of Daniel and Isaiah stale and uninteresting.

Another thing to which I desire to direct your attention before discussing the evidence is the fact that judgment was passed upon these soldiers by their own officers. (Here quotations were made from the report of Penrose and the testimony of Lieutenant Greer and Captain Mackland, wherein they state they believed the raid to have been made by members of the Twenty-fifth Infantry.) It must be borne in mind also that at the time these officers made these statements they had full knowledge of the gun racks, full knowledge of the question of ammunition, full knowledge of all these things which are now relied upon as a defense, and I think, were fully satisfied that the men were guilty.

Another thing which should be remembered at this time is that at the time the president dismissed these men no one, neither friend or foe, assumed that anyone was guilty of the raid other than the soldiers. Every official and every other party who had examined it came to the same conclusion and there was no dispute whatever at that time that these men were guilty of these charges—as serious as any ever made against a soldier. (Here was taken up a detailed discussion of the evidence.)

Booth is right when he says Orchard should hang, and he is sincere in saying he would like to see him hanged. But if Orchard were put out of the way there are demands of justice that would have far less chance of ever being satisfied than while Orchard lives. *Winn-Lippell*

Editorial Review
Brownsville Affair Revived.

The Brownsville shooting has been again brought prominently before the country by the senate debate, in which Senators Foraker of Ohio and Borah of Idaho, have made the two principal speeches, both of which are monumental examples of able oratory. Senator Foraker's effort can be admired as an evidence of his intense earnestness in the subject, as an exhaustive review of the case from his standpoint and as an argumentative discourse which lacks effectiveness only because he twists the facts and draws conclusions to suit his own purpose.

Senator Borah's speech was equally exhaustive, equally eloquent and more consistent with the facts as they have been disclosed in the investigations that have been held. There is a ring of honest sincerity about Borah's words, while people can not lay aside the impression that Foraker would not be so serious in the cause of the discharged soldiers if it were not for his bitter feeling against President Roosevelt.

Over a year and a half has elapsed since the affair at Brownsville, Texas. On the night of August 12, 1906, shots were fired from Fort Brown, where three companies of the Twenty-fifth Infantry were stationed, toward the town. The fort is really in the town, only separated from the houses by a wall. Immediately after the first shots a number of men, variously estimated at from 5 to 10, climbed over the wall, advanced into the town, fired into houses, shot at policemen and killed one man.

The efforts of Senator Foraker and others to show from the evidence that the shooting was not done by the colored soldiers have failed. The testimony, though conflicting in some respects, has been too conclusive as a whole.

The guilty men could not be identified. Their comrades in the fort, many of whom must have known who they were refused to tell. There was a conspiracy of silence. Under the circumstances it was felt that the maintenance of proper discipline in the army demanded the discharge of all the men. It must be readily apparent to any impartial or disinterested person that in a body of men, enlisted as instruments of maintaining the supremacy of law, no obligation of comradship which would prevent one from telling the truth could be recognized by those in authority.

Portland Oregonian
A WORD FROM SENATOR BORAH.

SENATOR BORAH, fresh from the West, lays in on the subject of leniency as it is involved in the Brownsville case, and according to report he has brought conviction to the doubting wisdom of the Senate. According to the view of the Idaho statesman, the Brownsville trouble was the result of conspiracy among the negro troops whom the President ordered discharged from the service. Directly in reply to Senator Foraker's argument of the other day, this view is presented with all the logical clearness and convincing relation of fact to the guilt of these men, that a lawyer of Mr. Borah's ability knows how to command. He presented the prosecution's case as if the Senate were a jury; and if the verdict were in doubt before, it is no longer so.

And in addition to the Brownsville matter, Mr. Borah had a word to say about the proposition of extending leniency to Harry Orchard—a word that commands unqualified approbation from those who hope that the Idaho authorities are moved with a sincere purpose to punish the murderer of ex-Governor Steunenberg. The summary of Senator Borah's estimate of the effort to save Orchard from the hangman's rope is contained in the sentence, which is worth quoting. Said Senator Borah: "A cold-blooded, lawless, incarnate devil blows to pieces an ex-Governor on the doorstep of his home, is caught, and confesses; and before the grave of the man who died a martyr to law and order is green scum-stalkum puts a halo on the brow of the blackest spirit that ever clasped the crystals of hell."

Senator Borah speaks with a logical and convincing condemnation of the guilt of the colored soldiers, and the entire justification of such punishment as they have received. But of this Orchard matter the Senator from Idaho spoke even with clearer authority. In his recent position as prosecutor, who used the testimony of this man, he had opportunity to acquire an intimate knowledge of the Orchard character; he was in intimate touch with the very malignant presence of the man and with every detail of his dastardly career.

It is to be gathered from the press report of the Borah speech that he has done the country some service by his lucid and convincing exposition of the Brownsville trouble. His pronouncement with respect to the proposed extension of clemency to Orchard should be of service to the State of Idaho, if the legal authorities of that state will so permit.

Parrot of Spokane, 9/23/06

Senator Borah is going to develop into a senator of value, judging from the way he starts out. While he was in a land fraud cloud at the time of election and for some time afterward, after shaking that off he has been taking an active interest in national affairs. His capability has never been questioned even by his enemies, and now that he is proving his sincerity and integrity Idaho has good reason for believing that a fair trial will make him one of the west's leading statesmen.

Good Boy, Bill

If any citizen of Idaho has a lingering doubt that a mistake was made when William E. Borah was selected to represent the state of Idaho in the United States senate, let him read the following extract from the Brownsville speech delivered by Borah, in reply to Senator Foraker, and forever disabuse his mind on this point:

In concluding his remarks and speaking of the negro race, the senator used the following language, which is food for thought to the black man, having the good of his people at heart.

"Let it be understood by them and by all that this government is their government as well as ours; that their hands, their labor, in slavery and out, helped to make it; that their valor and heroism helped to preserve it, and that justice will be meted out both in protection and in punishment; that the door of hope will not be closed nor an escape from crime be provided. Let it be known that as every man must at last know that if this republic is to endure, obedience to the law is to be the first tenet of our faith, and that the great army of the United States must be one in which the women and children can feel perfectly secure when retiring for the night."

Senator Borah Speaks

Knowing smiles are said to have played upon the countenances of many of the senators yesterday while Senator Borah of Idaho was making his defense of the action taken in the Brownsville affair. The speech was Mr. Borah's maiden effort before the Senate and was remarkable in many ways. To begin with it was cutting graphic. Its predominating theme was lawlessness, and not in many days has mob rule and dangerously impudent, unwhipped riotousness been so mercilessly flayed in the Senate as by this denouncer. Dispassionately tearing apart the story that the murderous raid had had its inception with the whites of Brownsville, who were bent on rebuking the negroes, he declared that had this been true it were improbable that the whites would have shot down their own.

There was nothing new in the facts that he voiced. But there was something new in the manner in which he delivered his convictions. He struck straight from the shoulder. No petty politics entered into what he had to say. He stood out fearlessly and gave his opinions for what they are worth. The smiles that are said to have flickered over certain faces were probably provoked by this very frankness. It is seldom exhibited in Washington for vital purposes nowadays and being unusual presumably proved amusing.

It will be well to keep an eye on the Senator from Idaho. His introduction was refreshing. It may be that he will not be satisfied to wallow in the stagnated pool. This will be interesting. He gives signs of being a live one in the great, sedate, dignified and eminently respectable hall of the dead.

FORAKER'S PLEA FOR NEGRO VOTES UPSET

Borah Demolishes Ohioan's Arguments Defending Brownsville Rioters.

Not American
SHOWS ACTUAL FACTS

Special Dispatch to The North American

WASHINGTON, April 23.

The speech with which Senator W. E. Borah, of Idaho, replied to the argument of Senator Foraker in the case of the dismissed negro troopers and the shooting up of Brownsville is conceded to have entirely demolished Foraker's premises and conclusions and to have left him in the pitiable position of a man who has been misrepresenting facts and conditions for the purpose of arousing race animosities and thereby contributing to a petty personal and political end.

Borah's speech was not an oratorical effort, but the presentation of a well-prepared case by a careful lawyer. He had examined all the testimony heard with respect to the shooting, had gone over all the lines of investigation and had concluded that no other course was open than that pursued by the President.

Time and time again in the course of his address did Borah challenge Foraker's statements of fact and his reasoning; time and time again he looked toward the Ohio senator, expecting him to take up these challenges.

But Foraker sat calm and silent, offering no protest against the manner in which he was being handled, no excuses for his conduct and no defense of his absurd contentions.

A point made by Borah was that it is an insult to the negro race to attempt to unite them because murder and violence has been committed by some of their number, and penalties imposed upon the men who are known to have had guilty knowledge of the crimes.

Borah's speech will aid the political situation by showing how Foraker has attempted to create capital for himself and against the administration and Secretary



BETA THETA PI
HOTEL ASTOR, 1700 N. 4th ST.

BETA THETA PI APR 1908

BANQUET AT THE HOTEL ASTOR, NEW YORK, MAR. 21, 1908

The toastmaster then introduced Senator Borah. It will be remembered that acting for the State of Idaho, the Senator was the attorney who prosecuted Moyer and Heywood and Pettibone at Boise last summer so ably. The toastmaster said:

"Brethren, it is my pleasure now to introduce to you another brother. He comes from distant parts. He is indeed a true exponent of our brotherhood because he believes that even an

undesirable citizen should be put on trial before he is sentenced. And if perchance he is not always able to make good, at least in the sense of convicting the undesirable citizen, I am persuaded he prefers that one such shall escape rather than any man may be jeopardized in his life or in his liberty or in his property without due process of American law honorably executed."

The Senator first paid a tribute to the fraternity saying that in his busy life he had perhaps neglected to keep up with its doings as he should, but that he should ever remember with deep gratitude what his chapter had done for him. How it had set before him ideals to be aimed at, principles to be followed and criteria to be measured by which had profoundly influenced his life.

He then took the motto of Idaho "Esto perpetua" as the subject of his toast, interpreting it to mean that the country should always and forever be governed by the common people.

The Senator is a born orator. He has much of the style of Bryan, but he is more deliberate and his statements are full of an impress of utter sincerity. He is a charming speaker. He has natural gifts in verbal dexterity which indicate a not remote Irish ancestry and we imagine he could talk delightfully about anything.

He spoke of the great leaders of our nation and of the "incorruptible, imperturbable power for good" which "has been the accumulated wisdom and combined action of the millions who make up the common people of the land—the rabble as they were called by the pharisee of old, the mob as they are called by the elect of today." "In these periods" said Senator Borah, "we see the marvelous strength and statesmanship, if you please, of the man at the plow, in the workshop, at the counting table, in the forest and mine." He then referred to the recent panic.

"A few weeks ago we had a panic—a well-dressed, highly aristocratic, thoroughly high-toned panic. Every one participating in the panic was many times a millionaire—a well respected, conservative man of business and a reactionary in politics. What caused the panic is still a matter of dispute. But this much is certain, it was a storm of the upper air. This much is certain, these scenes of lawlessness, recklessness, frenzy, theft, repentance, and suicide were not of the people's making. This much is certain, it was the deposits of the people, the small earnings of those with moderate means which were used to stay the frightful disaster inaugurated by the daring and recklessness of those leading business men."

"It was the revelry of the chosen few. The great mass of the people throughout this broad land, patient and forbearing, paying but little attention to this disturbance on the roof garden of finance, toiled on and by courage and conservatism did more to

bring back confidence than all else. If the masses had become excited as did those few hundred about the centres of conservative business places there would have been a holocaust of indescribable ruin from ocean to ocean."

"No matter who may be nominated by either party, no man will be nominated and elected this year (and I am talking now of what I know, and you may set it down as a fact) who does not represent the policies of President Roosevelt. It matters not if there are some people in New York City who think that the wheels of progress are going to turn backward. These will continue to move, and in the right direction. In all honesty, we should give praise to whom praise is due."

"But the doubters we have with us always. They swarmed upon the pathway of Washington, and while Sam Adams and James Otis agitated, and Hamilton, Jefferson and Washington built, the raven croak of doom was ever heard as day by day the great fabric of representative democracy arose out of chaos into stability and form. They haunted and harrassed the patient and sensitive soul of Lincoln, and even while this grand old republic was passing through the scourge of fire and countless nameless heroes from city and plain were dying with words of hope and cheer upon their pallid lips, were heard the same old prophecies of final defeat and the dissolution of the government, the same pharisaical voice telling of Lincoln's ignorance and blundering, of Grant's inhuman slaughter of men, of the disturbance of business over false sentiments about human rights."

"And now in the midst of the most remarkable and momentous civic struggle the Western world has ever known, involving questions which reach down to the very foundation of government and upon the proper solution of which depend the weal or woe of ninety millions of people—a struggle calling for courage as rare and patriotism as exceptional as any since this old ship started on her voyage, the industrious disciples of that old school,

A Tribute to the Moon.

Optimism addresses with the Baltimore Sun. Content and surprising calm bless its days. It frets not its soul with worldly things; it vexes not its spirit with evil thoughts. It notes a perfume in every spherule; there is gladness everywhere.

This is well, and we commend it to ourselves, as well as others who dearly love to see the brighter side of life. The sunshine is ever inside the Sun office, except when the moonshine is permitted to enter there. Lately, it has been the moonshine—and right joyous moonshine it has been, too. One night the Sun made note of it, and liked it so well that it made note of it a second time, saying:

"The beauty with which the moon bearded her soft Friday night, and which was referred to in the Sun yesterday, was such as to charm all beholders, suggesting the feminine character of the said celestial luminary. She compassed herself in hues of various bright micro-pink, orange, yellow, blue—all delicate and beautiful beyond description."

Byron rather thought the moon a suspicious character, but Byron seldom advanced absolutely ideal suggestions concerning things. He thought the moon responsible for a good many things not exactly in line with a correct and up-

right code of human conduct. Says he, in "Don Juan":

The devil's in the moon for mischief; they
Who called her shame, methinks, began too soon.
They misapprehend; there is not a day

The longest, not the twenty-first of June
Has half the business in a wicked way
To wrangle these single hours of moonshine wide—
And then she looks so modest all the while.

Old Don Juan was a bad lot, however, and it will not do to view the moon from his point of view at all. The moon is chaste, as the Sun says she is, ten thousand Byrons to the contrary notwithstanding. She shines as brightly, benignly, and beautifully here in Washington as she does in Baltimore, and she turns the people's thoughts toward optimistic trend as unerringly. The hues of "pink, orange, yellow, and blue" are just as "delicate and beautiful beyond description" here as there. We are struck for the moon—in fact, the moon carries every present in this office. The thing is unanimous with us. Hurrah for the moon, the "pale, inconsistent moon," but the best and dearest moon we ever saw or heard tell of, for all that! The great objection we have to the moon is that she isn't two moons—and sometimes they say she is, but we cannot answer for that.

REPLIES TO FORAKER

Mr. Borah Senator Borah Asserts Guilt of Negroes at Brownsville.

Washington, April 25.—Senator Borah, of Idaho, made a powerful speech on the subject of Brownsville in the Senate to-day and received the close attention of a full Senate and crowded galleries. The close of his remarks was greeted with a burst of applause, in which several Senators joined, despite the rules, and a great number of his colleagues congratulated him on his maiden effort. His speech was largely a legal argument in which he analyzed the testimony taken by the Committee on Military Affairs and attacked the contention that the people of Brownsville "shot up" their own town and murdered or wounded their own citizens to bring discredit on the negroes.

Mr. Borah, who conducted the prosecution of W. D. Haywood on the charge of murdering ex-Governor Steiensenberg, took occasion to express his disapproval of any effort to obtain leniency for Harry Orchard, the self-confessed thrower of the bomb which caused Steiensenberg's death. He said: "A cold-blooded, inhuman, inhuman devil blows to pieces an ex-Governor upon the doorstep of his home, is caught and confessed, and before the grave of the man who died a martyr to law and order is green sentimentalism puts a halo upon the brow of the blackest spirit that ever escaped the crypts of hell."

Men wearing the uniform of a soldier of the Union, the insignia of government and the symbol of law and order, in the quiet of night while homes are defenseless assault and attempt to murder whole families and finally succeed in committing one murder. To compromise with such an act or such a deed is cowardice; it is betrayal of government; it is an insult to every intelligent and right thinking negro, for it presupposes he is a traitor to his country and a criminal at heart.

"I contend," Mr. Borah added, "that the evidence in this case is simply overwhelming and conclusive against the colored soldiers, unless you resort to the proposition of a conspiracy which manufactured the evidence, and that is evidently the view taken by the defence."

Taking up the legal phase of the question Mr. Borah asserted that there must have been a "conspiracy of silence" on the part of the citizens of Brownsville, if Mr. Foraker's contentions were sound, or on the part of the soldiers, if the views of the large majority of the committee were well founded. Without such a conspiracy, he contended, some information regarding the actual culprits must have leaked out before now.

Citing, one after another, clashes which had occurred between the citizens and the soldiers, Mr. Borah established the ground for hatred of the people of Brownsville by the soldiers. He asserted that the shooting was done in kill houses, living rooms, bedrooms, etc., being fired into, instead of chimneys, porches, etc., as would have been the case had the citizens done the shooting. He quoted Major Blockson to the effect that the evidence of the soldiers' guilt was conclusive, the finding of the shells and clips being merely corroborative, and he pointed out that Blockson's conclusion was in entire accord with the view of Major Penrose, whose sympathy with his men had not and could not be questioned. He quoted negroes of Boston as asserting and justifying in informal resolutions the guilt of the soldiers. He quoted Captain Macklin, who found the shells and clips "hunched," as asserting that there could be no question of the soldiers' guilt.

By showing the location of the lights in the village and their brilliancy, Mr. Borah disclosed the unimportance of the darkness of the night on which Mr. Foraker laid so much stress.

Citing the direct evidence of the lieutenant of police, who lost his arm, he showed that he had no doubt whatever as to the identity of his assailants, nor was there the least likelihood that this unwise man was a party to a conspiracy which cost him so dear. He enumerated briefly the various points of evidence, presenting a powerful array. He showed that the entire evidence fell if it could be shown that any non-commissioned officer participated, and quoted evidence of a negro soldier, Miller, out on plea, who stayed at a saloon beyond the limits of the firing until the firing ceased, and then, without running, returned to the fort, climbed the wall and fell in in time for roll call.

Replying to Mr. Foraker's statement that the fourth gun, from which some of the shells were found, was locked up, Mr. Borah said that in the final analysis this fact was supported solely by the oral testimony of Sergeant McCurdy. He showed that when this same regiment, the 5th Infantry, engaged in a shooting affray at Sturgis, N. D., the sergeant testified that the key to the gunrack had never left his pocket, and yet the key was found in the pocket of a soldier killed in the raid on Sturgis.

BORAH AND ORCHARD.

Gazette Col. 2197 4/23/08
SENATOR BORAH delivered his maiden speech

in the Senate a day or two ago. It was characteristic of the man that in this, his first effort on the floor, he had the courage to attack so low an antagonist as Senator Foraker, and that on a topic in which the latter has deviated a very large part of his time and attention for a year past, and on which he had just made "the greatest effort of his life."

The Brownsville incident, however, is not what we wish to discuss just now, but rather a matter which came in incidentally in the course of the speech of the Idaho Senator. Probably in order to get his position stated clearly and strikingly before the whole country, he took occasion to speak of the movement for reprieving Orchard, and denounced that person in the strongest terms, alleging that the sentence of death ought to be carried out, and carried out now.

Mr. Borah was leading counsel for the state in the trials of Haywood and Pettibone. Orchard was his principal witness, and of course there was a report that immunity had been promised to him if he would confess fully. Orchard always denied this, and so did Borah and the other counsel. Possibly one motive of the Senator in wishing now to have the sentence carried out is to prove conclusively that there was no deal for the saving of Orchard's life. However that may be, his speech has brought the matter before the public again, where it has not been since the remarkable deliverance of Judge Wood in recommending a suspension of Orchard's sentence. In that deliverance, it will be remembered, the judge said that he believed Orchard's testimony was true; and he urged his respite on the ground that other indictments were still pending, and Orchard would be a valuable witness for the state in the trials which will follow these.

Judge Wood agrees with most of those who read, and pretty much all those who heard, the Orchard testimony that he was telling the truth. The jury that acquitted the defendants undoubtedly believed him. But how much use his evidence would be in any future trial is shown that the juries in the Haywood and Pettibone cases discarded this evidence which they believed to be true, because it lacked sufficient corroboration. Is there any likelihood that in any other trials the corroborative evidence will be stronger? Certainly to no others could Orchard's evidence be stronger than it was to those.

Another point of view is worth consideration. If not for its practical bearings, at least for the "human interest" of it. It is much to be doubted whether anybody is doing Orchard a service in trying to keep him alive. He has refused to ask for clemency—has even indicated that he would not accept it unless compelling to. He still believes that if his sentence is carried out he will go to Heaven; if it is not he will stay in jail. If there is anything at all in the idea of Heaven, certainly anybody ought to prefer a sojourn there to one in prison. Most people wouldn't, just the same; but Orchard seems to be sincere. It can hardly be a religious ecstasy that the man is in; it has lasted too long. It seems to be a calm belief that since he has been so wicked and committed so many crimes, and confessed them and done what he could to make restitution, and since, to use the ecclesiastical formula, he has accepted Christ as his savior, he is certain of going to heaven; and perhaps more certain of it if he in a manner expiates his crime on the scaffold than if he is only kept in jail a few years. That is a state of mind that would be impossible of attainment by most people, but it is one which is intellectually and emotionally intelligible.

Now from Orchard's point of view, any one who, like Senator Borah, wishes that he should suffer the penalty of the law, is doing him a real service. Borah did not do it for that reason—his horror of the prisoner is manifest in his every utterance, and it is clear he is looking at the matter from the point of view of what is due to society and the state, without any regard for the prisoner at all; but it is certainly strange that he and Orchard both agree upon the same practical conclusion—that the sentence of death should be promptly carried out.

Revised and corrected 10.
 Senator Borah of Idaho addressed the United States Senate on Monday last in defense of President Roosevelt's course in dismissing the colored soldiers of the 25th Infantry for shooting up the town of Brownsville, Tex., in August 1906. Senator Borah was educated at the Kansas State University, and this, his maiden speech in the senate, is likely to be read with interest by the people of this state. Mr. Borah takes issue with Senator Foraker, and has the advantage of not being charged, as that gentleman is, with an ulterior purpose in his treatment of the Brownsville affair. He paid tribute to the accomplishments of the negro race since the abolition of slavery, and found cause for congratulation; but he claimed this fact should not exempt individuals from punishment for crime.

MR. BORAH REPUDIATES THE FORAKER VIEW.

Senator Foraker's comprehensive and vigorous speech a few days ago condemning the President for discharging negro troops for alleged complicity in the attack on Brownsville elicited a strong reply yesterday from Senator Borah, of Idaho. Mr. Foraker spoke as a lawyer as well as a politician. Mr. Borah spoke from the standpoint of the lawyer. He is a recent addition to the senate and has yet to prove the quality of his statesmanship. The Idaho Senator reviewed the testimony minutely and said he was convinced beyond a reasonable doubt that certain members of the Twenty-fifth Infantry participated in the attack on the Texas town. These soldiers, in his view, were guilty of no less a crime than treason. It was the Government's duty, he declared, to assert its "majesty, strength and relentless judgment in a way to inspire both respect and dread. . . . Any other form of action would be an injustice and an outrage to the army and constitute trifling consideration of the interests of 80,000,000 people who look to the Government for protection to life." The negro vote in Idaho is a negligible quantity, although we do not intimate that Senator Borah would be less frank and fearless if it were greater. His defense of the President's action was spirited and weighty. Probably Senator Foraker will not consent to drop the Brownsville matter before the Chicago cage convention. But the incident might well be allowed to sink into inauspicious desuetude. The thoughtful element in Senator Foraker's party are very tired of it. 4-2

Wm. Foraker

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Post-Examiner 13.
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Wm. H. Jackson

BORAH'S HOT SHOT.

Senator Borah delivered a speech in the senate on the Brownsville affair to-day that is entitled to the calm, dispassionate perusal of every citizen

in the country. Some of the more vitriolic passages will may be omitted but the speech generally is a strong appeal to good citizenship. This nation is prone to forget. We forget great theater disasters and their loss of life; we become careless after a short period of extreme caution in connection with school building holocausts; a president is assassinated, and for a time the country is mad in its desire that all lawless organizations shall be wiped out; little children are kidnapped and murdered by degenerates, and we soon forget it. Senator Foraker has been unsparing in his condemnation of the action of the president in discharging the Brownsville soldiers. There is too much sentimentalism in connection with terrible crimes. Any man who read the Brownsville evidence knows that the president could have taken no other action and have maintained discipline in the army. As Senator Borah says, the morale of the army is paramount to any man's right to remain in it. The crime of the negro soldiers was one of the worst in the history of the American army. Then, the whole country recognized to what it would lead if the severest punishment were not meted to the guilty troops. However, since then, we have forgotten. Some sentimentalists, like Foraker, have undertaken to make political capital out of the affair. The result has been that there has been a feeling in some quarters that the negroes were treated unfairly. Senator Borah hewed to the line to-day, and the points he made are good ones to be remembered by the American people for all time.

A WORD FOR SENATOR BORAH

Senator Borah, fresh from the West, lays hold of the subject of lawlessness as it is involved in the Brownsville case; and according to report he has brought conviction to the doubting wisdom of the Senate. According to the view of the Idaho statesman, the Brownsville trouble was the result of conspiracy among the negro troops whom the President ordered dismissed from the service. Directly in reply to Senator Foraker's argument of the other day, this view is presented with all the logical clearness and convincing relation of fact to the guilt of these men, that a lawyer of Mr. Borah's ability knows how to command. He presented the prosecution's case as if the Senate were a jury; and if the verdict was in doubt before, it is no longer so.

And in addition to the Brownsville matter, Mr. Borah had a word to say about the proposition of extending leniency to Harry Orchard—a word that commands unqualified approbation from those who hope that the Idaho authorities are moved with a sincere purpose to punish the murderer of ex-Governor Steunenberg. The summary of Senator Borah's estimate of the effort to save Orchard from the hangman's rope is contained in one sentence, which is worth quoting. Said Senator Borah: "A cold-blooded, inhuman, incarnate devil blows to pieces an ex-Governor on the doorstep of his home, is caught, and confesses, and before the grave of the man who died a martyr to law and order, green sentimentalism puts a halo on the brow of the blackest spirit that ever escaped the crypts of hell."

Senator Borah spoke with a logical and convincing comprehension of the guilt of the colored soldiers, and the entire justification of such punishment as they have received. On this Orchard matter the Senator from Idaho spoke even with clearer authority. In his recent position as prosecutor, who used the testimony of this man, he had opportunity to acquire an intimate knowledge of the Orchard character; he was in intimate touch with the very malignant presence of the man and with every detail of his dastardly career.

It is to be gathered from the press report of the Borah speech that he has done the country some service by his lucid and convincing exposition of the Brownsville trouble. His pronouncement with respect to the proposed extension of clemency to Orchard should be of service to the State of Idaho, if the legal authorities of that state will so permit.

BORAH HAD QUALIFIED.

Far West people all are pleased when one of their men "makes good" in the varied life of the East. And the gratification has become so frequent in these later years, that it amounts to a condition rather than a sensation. It is rarely intermitted.

Here is the view one of the Eastern correspondents takes of Senator Borah of Idaho:

When William S. Borah, of Idaho, arose in the senate in defense of the course taken by the President in the Brownsville affair, there were few

present who knew that the speaker had earned the right to proclaim himself defender of the negro race at the risk of his life. Senator Borah is by no means an old man, and the incident referred to still lingers in the minds of his constituents. But for his courage the body of a negro would have dangled at the end of a rope and the town of Nampa, Idaho, would have the reputation of having had a lynching.

Senator Borah was plain Bill Borah in those days. He was one of the leading lawyers at the bar of Boise. There had been a ball game between teams representing Boise and Nampa. The Boise team had a negro for a mascot. After the game the negro was attacked on the field and he shot a white man. After he was placed in jail a mob stormed the structure.

While a reign of terror was on in Nampa, Bill Borah was busy with the governor of the state. He telephoned him the circumstances and asked permission to represent him officially. This was granted, and, securing a special train, he, Deputy Sheriff "Shad" Hodgib, who figured in the Haywood trial, and two others made the run to Nampa.

The mob had just broken into the jail when the special train arrived.

"What brings you here, Bill Borah?" one of the would-be lynchers cried.

"I came after this negro, and I'm going to take him away," was the answer.

"Not by a jugful!" yelled the mob.

But Borah went right ahead. He informed the mob that he had plenty of reserve force in the special train if fight was wanted, but he did not think the occasion warranted bloodshed. Then, with the negro in the center, the three nerry men boarded the train,

pushed down uplifted and threatening revolvers and quickly left the town.

There may be a little idealization in the story. Not much. And in any event, Mr. Borah is the sort of man to take his chances to preserve the good name of his state, to prevent any act which would stain the reputation of his commonwealth.

That sort of man is essentially brave. Added to courage, Mr. Borah has talent. He is by no means out-classed in the United States senate; and every one of his friends in the West is glad that he is winning the plaudits he deserves.

BORAH TO MAKE SPEECH.

Idaho Senator Will Take Issue with Furaker on Brownsville.

Senator Borah, of Idaho, yesterday gave notice in the Senate that on Monday next, immediately following the routine morning business, he will address that body on Senator Furaker's bill to re-evalute the negro soldiers who were dismissed without honor by the President as a result of the Brownsville affair. Senator Warner, who wrote the other bill having the subject in view, but proposing to reach it along the lines favored by the President, will speak on his bill on Tuesday.

Mr. Borah is a clear, forceful, and interesting speaker, and he has given much study to the Brownsville question. He has been asked by the members of the Military Affairs Committee, who are opposed to the Furaker bill, to make a speech and give his views on the question, and his announcement in the Senate yesterday was the outcome of this request.

While Senator Borah will not directly reply to Mr. Furaker's recent speech on the subject, he will present the opposite side, and it is understood that he will present evidence intended to discount that which Senator Furaker offered on Tuesday last in defense of the negro soldiers.

In his maiden speech in the United States senate a few days ago, Senator Borah caused the oldtimers there to sit up and take notice. His speech was on the Brownsville affair, upholding the acts of the president, and demonstrated that the west is producing men with just as great brains as the proud east. It is the custom for old senators to absent themselves when a new senator makes a set speech, but on this occasion not only were nearly all of them present but they sat enraptured with the eloquence and logic of the speaker. Senator Borah's colleague, Senator Heyburn, is another of the strong men of the senate, while Congressman French is ably upholding the state's interest in the house, which places Idaho in a fortunate position in being so ably represented.

Re-Boise-Idaho-Boise-Idaho
Wm. S. Borah - 1907

BORAH DENOUNCES NEGRO SOLDIERS.

The Evidence that They Shot Up Brownsville Is Conclu- sive, He Declares.

WASHINGTON, April 26. — Senator Borah of Idaho today was one of the prosecutors in the trial of W. H. Haywood in the charge of complicity in the

murder of ~~Stenberg~~ ^{Stenberg}. He made his initial speech in the Senate today, speaking in opposition to any legislation regarding the service of negro soldiers of the Twenty-fifth Infantry accused of shooting up Brownsville. At the close the Senators crowded around and congratulated him and he was warmly applauded by the galleries. Quite a sprinkling of negro spectators did not join in the demonstration.

Incidentally Senator Borah expressed disapproval of any effort to secure medals for Harry Orchard, the self-confessed thrower of the bomb which caused ex-Gov. Steunenberg's death. "A red-blooded, intemperate devil," he said, "blows a pistol all overboard upon the doorstep of his home, is caught and confessed, and before the grave of the man who died a martyr to law and order is green sentimentalism puts a halo upon the brow of the blackest spirit that ever escaped the crypts of hell."

"Compromise Is Cowardice."

Coming then to the subject of his speech, Mr. Borah said:

"Men wearing the uniform of a soldier of the Union, the insignia of government and the symbol of law and order, in the quiet of night, while homes are defenseless, assault and attempt to murder whole families, and finally succeed in committing one murder. To compromise with such an act or such a deed is cowardice; it is betrayal of government; it is an insult to every intelligent and right-thinking negro, for it presupposes he is a traitor to his country and a criminal at heart."

The evidence in this case is simply overwhelming and conclusive against the colored soldiers, unless you resort to the proposition of a conspiracy which manufactured the evidence, and that is evidently the view taken by the defense.

Concerning Mr. Foraker's suggestion that the citizens of Brownsville might have shot up their own town to secure the removal of the negro soldiers, Mr. Borah said:

"The charge of a general conspiracy involved the necessity of a long-past preparation, the sending of the shells and their distribution upon the streets of Brownsville, but followed to the logical conclusion, if it is worth anything at all, this conspiracy and only stands for shells and scatters them upon the street, but it also furnishes the men who did the firing—the men who actu-

ally went upon the streets of their own town, assaulted their homes, the wives and children of their friends, shot the men off a balcony and murdered a citizen. Now, were there possibly here some men who attacked the soldiers but to secure that line of conspiracy, if it had an existence, would not have turned the guns upon its own people?"

Proof of Guilt Conclusive.

Mr. Borah resumed the testimony in the case and declared that "it disclosed the guilt of certain members of the Twenty-fifth Infantry as participants in the Brownsville raid beyond a reasonable doubt. If they were guilty at all they were guilty of deliberate murder. The one point in which they failed was with respect to the number of their victims. They evidently expected to kill more than they did."

"No more serious charge than this was ever made against a soldier of the United States. The law demands that a soldier has been condemned and shot as a traitor. To my mind it was treason, if not technically so, yet morally treason in a most aggravated form."

"In these times, when an act of disloyalty forfeits certain parts of the social life of the nation, when an element which lives upon lawlessness, crime and murder raises its torches and holds us up with a lamp when the duties of men are shrouded as a token of their organization, under such conditions to stand this sort of lawlessness and appeals for mercy, to our American body which is to maintain the dignity of our people, is a starting beyond all words to express."

THE BROWNSVILLE MASSACRE

Senator Borah of Idaho, characterized the ~~tragic~~ ^{outrage} in the proper terms yesterday, when, speaking in the Senate, he declared that the shooting up of the Texas town, which had been definitely proved to be the work of colored soldiers, was "deliberate murder," and, morally if not technically, treason, since it was an utter betrayal of the trust and confidence reposed in the soldiers of the American army by the people of the United States. Senator Borah was eminently right in saying that the army should be a protecting force in which

women and children could feel perfectly safe when they retire for the night. The negro troops at Brownsville not only offered no security or peace of mind to the inhabitants of the town in which they were quartered, but they were a continuing shadow of terror and finally a sweep of violence and murder upon the defenseless people who should have been guarded as they slept.

Not all the political sophistries of Senator Foraker can hide these facts and the American people are not to be deceived in the truth of this most sinister evidence of race hatred and persistent savagery.

Thanks to Borah.

Senator Borah's address in the senate yesterday in reply to Senator Foraker was a wholesome exposition of a subject that has been much confused by political and sentimental claptrap. The Brownsville affair is not a race question except as it has been made so by inconsiderate and ill-advised championing of the dismissed battalion for reasons which cannot be considered humanitarian or patriotic though they pretend to be both. The soldiers were not dismissed from the army because they were negroes, but because some of them had committed a lawless act and others who must have known the identity of the offenders shielded them by refusing to name them when asked. A crime had been committed against the law of the land and against military discipline which could not be ignored. If white soldiers had been guilty of the same offense the President would have seen unfaithful to his trust as commander-in-chief of the army by election of the people if he had not followed a similar course. Senator Borah makes this clear. If the dismissed battalion had been composed of white soldiers the justice of the act would have been long ago admitted and all clamor stilled. It would have been encouragement of that spirit of militarism such as is the curse of some European countries if the matter had been passed over. A conspiracy of silence to shield the guilty tainted the whole battalion and made its disbandment necessary as a measure of public safety.

BORAH MAKES GOOD.

Senator Borah achieved a great triumph in the Senate yesterday. A triumph all the more remarkable as he is one of the youngest senators. *Times-Herald*

Usually senators are expected to hardly be heard during their first two years.

But Borah not only made a set speech, but he spoke to a crowded gallery and a full Senate.

At the close of his argument—it was mainly an argument on the legal value of the evidence in the Brownsville case—all the Senators, regardless of party affiliations, congratulated him, proceedings being interrupted for the purpose.

The Democratic leader, lawyer, Senator Bacon, unhesitatingly said to Borah:

"I do not know whether you are a statesman or not, but you are a lawyer."

Foraker, whose antagonism in the matter is known to the world, said to him:

"You made a great speech. I wish I could agree with you on the facts."

Idaho is prouder than ever of its delegation in Congress—of Heyburn, French, Borah.

FORAKER AND BORAH.

In his recent speech before the senate, Senator Foraker made a legal argument in favor of the contention that the three companies of colored troops dismissed by President Roosevelt without honor, had no part in nor knowledge of the Brownsville shooting affray. He discussed the testimony with great lucidity, analyzed the features that, in his opinion, predominated and cleverly drew his conclusions, to the admiration of the galleries.

A few days later Senator Borah, of Idaho, who gained a reputation as a skilled lawyer in the trial of Meyer, Haywood and Pettibone on the charge of conspiring to murder Ex-Governor Steunenberg, delivered his maiden speech before the senate, in answer to Senator Foraker. Borah's effort is described as a masterpiece of lawyer's logic. He analyzed the testimony at length, pointed out the weak spots in Foraker's argument and led up to the "irresistible conclusion" that the dismissed colored troopers were guilty of shooting up the town of Brownsville. That is, if Senator Borah's interpretation of the evidence is sound, his conclusion is not to be controverted.

The Blade refers to this debate without prejudice. Our purpose is to show how two distinguished lawyers, possessing the same information, obtained from the same source, can confuse the public mind. Admitting that both are thoroughly honest, each by permitting his conviction to pilot his argument is able to utilize facts common to both as proof that the other is wrong.

It is little wonder that the mind of the layman is enveloped in a maze of doubt. The question, "Who Shot Up Brownsville?" promises to be as mysterious as that other question, passed from decade to decade, "Who struck Billy Patterson?"

The Brownsville Inquiry

The interminable discussion concerning the alleged "shooting up" of Brownsville by negro troops is on again in the United States Senate. Senator Foraker has made a strong plea in defense of the troops and Senators Borah of Idaho and Warner of our own state have expressed themselves as strongly on the other side.

Senator Foraker has been all along conspicuous as protagonist on behalf of the soldiers. In the North American Review for April he examines the case in considerable detail and asserts that there is not a scintilla of reliable evidence to prove that the shooting was done by the negro soldiers. The same in fuller detail is the contention of the more elaborate speech recently made in Congress. Accept his views and you cannot entertain any doubt for a moment that the soldiers are innocent and victims of a foul conspiracy.

On the other hand Senators Borah and Warner, disclaiming any unfavorable bias against the negro troops on account of race or color, after carefully sifting the evidence, assert without hesitation or qualification their belief that the soldiers were guilty and richly deserving of all the punishment so far inflicted on them.

Who shall decide when doctors disagree? The plain man who cannot follow the evidence in detail may well be at a loss when on the same evidence capable, clear-headed lawyers reach such opposite conclusions. One hardly wishes to affirm that a majority should be decisive, the opinions of the two outweighing that of one, though the governmental decision must be reached in that way.

In default of a better criterion let us weigh the three men. Grant to them equal acumen in the solution of legal puzzles, and equal ability to sift evidence. Mr. Foraker is a man of great ambitions, which he appears to think will be promoted by the advocacy of the negro soldiers' cause. He is also a good hater and a splendid fighter and President Roosevelt and Secretary Taft are the persons, of all others, whom he prefers to fight.

On the other hand Senators Borah and Warner, men, we may believe, of equally good judgment, have no such personal considerations to make them twist evidence to suit their own views. So without forming a judgment on this ground alone it forms a very good argument for believing that the truth is more likely to be on their side.

Booth and Harwood
BOOTH ON ORCHARD.

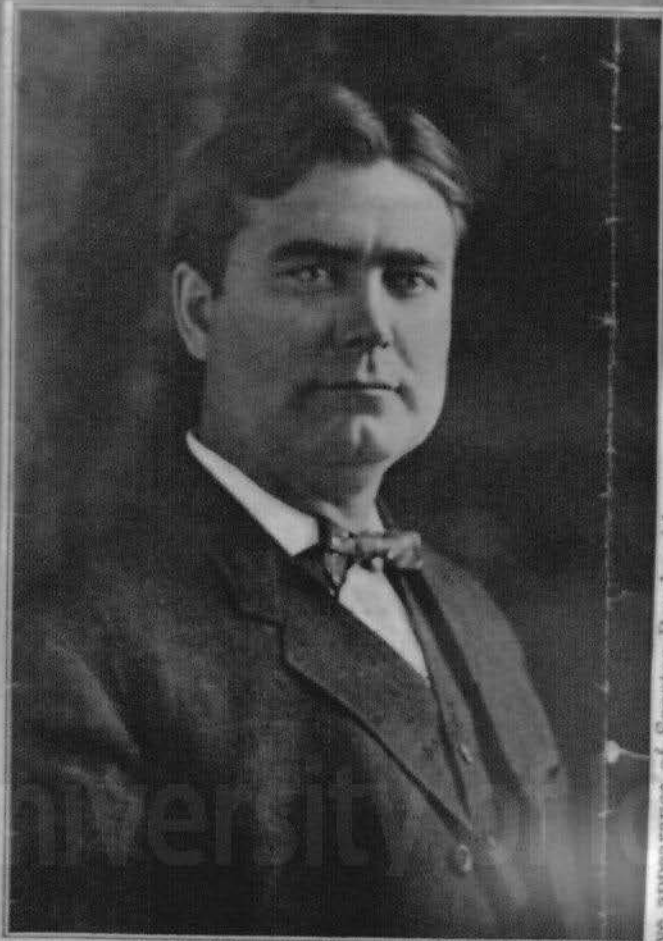
Senator **Booth** of Idaho, made his maiden speech in the senate last Monday. It was on the Brownsville affair. He defended the act of the administration in discharging from the service certain companies of the Twenty-fifth Infantry. The senator made a strong speech, one that marks him as a man of unusual ability.

One paragraph of the speech has attracted wide attention. He, it will be remembered, was the lawyer who prosecuted Harwood, charged with being a party to the brutal assassination of Governor Stumpsonberg. The chief witness in the case was Harry Orchard, who confessed to the assassination, but said Harwood and others were in the conspiracy. The senator in his speech Monday used the following language:

"A cold-blooded, inhuman, unscrupulous devil blocks to give an ex-governor even the duststep of his name. He caught and confessed, and before the gaze of the man who God's mercy to law and order is given sentimentalism puts a halo upon the brow of the blindest scoundrel that ever escaped the straits of hell!"

Of course he referred to Orchard. Notwithstanding the confession he believes he should expiate the awful crime which he himself says he committed by giving the pardon of the law. There will be a host of people in the world who will fail to agree with the senator in this. They believe that having exposed the gang concerned in the assassination, Orchard should be made the subject of clemency. The judge before whom the cases were tried seems to be of this opinion. He believes that Orchard told the truth, and that his confession and the exposure of the guilty parties will be a wholesome warning to that class of rascals who delight in pandemonium.

Senator Booth does not believe in putting a halo upon a confessed murderer or a traitor, or upon any one of the criminal classes, apparently, and in that he is right. If Orchard escapes the penalty of his awful crime it will be clearly an act of pure mercy and not of justice. Under the law he must be punished. He says so himself, and is reported as having declined to petition for clemency.



SENATOR WILLIAM EDGAR BORAH, OF IDAHO

prospective appearance of Senator Borah with more than an ordinary Senator Borah is a man of plain speech and manner, a requisite in the constitution of men which makes for success in the great West of which Idaho is an important part. He is a modest character, but a fighter who has made enemies who sought to besmirch his very entrance into the nation's political center, but fell far short and retired in their own disgrace. Senator Borah has up to his election to the Senate devoted his entire time to the practice of law. He has never aspired to public office, and his trials as Senator are initiating him into a sphere of which he has heretofore known nothing. An Illinoisian by birth, he removed to Idaho after being educated in the schools of his native State and after admittance to the bar in Kansas. In seventeen years of law practice he excelled to the point where the Republicans of Idaho thought him well qualified for the Senatorship. As a practitioner of exceptional talent he was chosen as a member of the Senate Committee on the Revision of the Laws of the United States, a body which, when called upon for service, renders important results.

SENATOR FRED T. DUBOIS, of Idaho, during his long terms of service in the House and Senate, gained a reputation for personal popularity which accrues to but few in the brief career allotted man. Therefore, when he was retired, lamentation was a widespread article in currency. And, in accordance with the spirit of the occasion, it was of no little consequence when he remarked at the Capitol one day:

"Gentlemen, it grieves me to leave Washington, but I want to say this: If it were within my power to choose my successor in the party of the opposition—the Republican—I would put my mark opposite the name of William Edgar Borah as the man to step into my place. You will like him here in Washington, and, furthermore, he is a man remarkably adapted to the toil and trials which will confront him. He will excel in all the avenues of effort demanded a high-class Senator, so my loss is the country's gain."

That encomium coming, as it did, from a partisan antagonist meant a great deal to the men and women in Washington who watch the careers of public men. They accordingly view the

BORAH REPORTS BILL

(Special to The Herald.)

Washington, April 15.—Senator Borah today favorably reported from the legislation committee his bill permitting the use of all funds derived from the sale of lots in towns in connection with irrigation projects in the erection of schools, construction of water and sewer systems, etc., in such towns. Before filing his report he secured the authority of the committee to amend the bill permitting the use of all these funds instead of 50 per cent, as originally proposed.

Senator Borah will have a hearing this week in support of the bill requiring railroads to maintain an average speed of sixteen miles an hour carrying ten or more cars of live stock.

Senator W. E. Borah.

Wm. E. Borah has been sworn in as a Senator of the United States for the State of Idaho.

It is seldom that one attains this high position at such an opportune time as Mr. Borah. He is unusually endowed naturally. His mental equipment is remarkably fine. Few men are given more ability to commence with. In addition he is a student and has added constantly to his natural gifts by consistent mental labor. He is young in years, in vigorous health, and possessed of a most pleasing personality.

A great battle is in progress between the forces for good and evil. The people's rights have been encroached upon, in many cases taken away from them, and used by unscrupulous persons and powerful agencies for their own enrichment and against the betterment and uplifting of the people.

There are reformers all over the land, fighting to restore to the people their lost rights and advantages. These reformers are called by various names and belong to various organizations. Among those conspicuous are President Roosevelt, Wm. J. Bryan, Senators La Follette and Tillman, Governors Johnson, Hanly, Folk and Hughes and Mayor Tom Johnson, Tom Watson and Wm. R. Hearst.

It would be easy to add to the list. One may not be able to agree with any one of these in all he stands for. It should not be difficult for the great majority to agree with every one of them on the chief thing he stands for, "the restoration to the people of their rights under the Constitution, and the determination that every individual should be given an even show." Those who have grown enormously rich and powerful through special privileges granted them by legal enactments at the expense of the people, resist each and every and all effort to restore to the people, by legal enactment, that which rightfully and morally belongs to them.

The contest is a simple one. The reformers are for the people, those opposed to the reformers, the "stand-patters," are not.

Senator Borah's instincts are all with the people. He is a natural reformer. He quit the Republican party of Mark Hanna to follow Mr. Bryan. He approved of the Democratic platforms of 1896 and 1900, and approves of them yet, and also of Mr. Bryan.

He returned to the Republican party, but carried his convictions along with him. In two years after his return, i. e., in 1902, he wrote his convictions into the State platform and kept them there, and his party won the State. It was a radical tariff reform plank in that 1902 platform. Mr. Borah was the unmistakable choice of his party at that election for United States Senator, but the Mormons defeated him in the Legislature. The Mormons didn't like Judge Heyburn, but they feared Borah. The Mormons don't like Senator Heyburn now, nor do they like Borah. They nominated and elected Borah

Senator at the last election, not because they liked him, but because they feared him. The Mormons believed that unless they nominated Borah and gave him their united support, the Democratic party would carry the State—anything was preferable to that, so far as they were concerned.

Senator Borah knows this is a plain statement of fact. Everybody in Idaho knows it is. Borah's impulses, instincts, are all against the Mormon power in Idaho, the same as they are with the reformers. He comes upon the scene of action at Washington and in Idaho wonderfully well equipped to be a great power for good. He has exceptional advantages. He is absolutely under no obligations to the Mormon hierarchy, as that polygamous outfit took him because they couldn't get away from it,

and he is absolutely under no obligations to the "stand-patters," for they had no use for him and would have defeated him if they could. His career will be watched with unusual interest, not only in Idaho but the country.

If Senator Borah will be guided by his inner self, by his uninfluenced instincts, he will be a great factor in the mighty struggle now going on.

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BORAH BILL WILL PASS

Irrigation Measure Has Numerous Friends and No Opposition.

Prof. C. C. Johnson
CHESEBROUGH NEWS BUREAU, Wash. D. C., April 14.—Unless unexpected opposition develops, the Borah irrigation bill should pass and become a law before the close of the present session of Congress. The bill, which permits use of money derived from the sale of lots in townships on Government irrigation projects for the erection of schoolhouses, construction of sewer and water systems, etc., is heartily endorsed by the Reclamation Service, and there is comparatively little opposition. The arguments against the bill are more than offset by the benefits that would result from its passage, and the fact that the proposed law would benefit every town established on a Government project will secure it strong backing from Western men in both branches of Congress.

—In his report on the bill, made by direction of the committee on irrigation, Senator Borah says:

Under the present reclamation act there is no provision of law by which improvements can be made for the proper development of the towns during the period before their incorporation and at a time when it is impossible to levy taxes, and at a time when the greater part of the surrounding country is held by settlers under homestead entries, and therefore not subject to taxation. The condition as it now exists under the reclamation act has been found to hamper and practically prevent the development of towns upon the adjacent reclamation projects. There are no means by which schoolhouses, sewers, or sidewalks or cemeteries or other necessary public improvements can be had. In the matters of education and health such towns are in a large degree helpless. The extent to which such towns are injured and retarded in their development and growth is manifest to all who have observed the matter, and there is a demand from the towns upon the reclamation projects for this kind of legislation. Towns upon the Carey projects, side by side, almost with the towns upon the reclamation projects, have moved ahead, have the educational facilities, healthy sewer systems, of which the reclamation towns are wholly deprived.

The bill has been thoroughly gone over by the department having in charge the reclamation service and is made, with the approval of the department, it being deemed absolutely essential that some means be provided by which the health and the educational interests of the people in this vicinity can be taken care of.

It is also considered that the amount expended for these purposes will be well repaid in the increased value of town lots, which the law will undoubtedly bring about.

The measure especially provides for the turning over of these public buildings, schools, etc., as soon as the towns are organized under state or territorial law and are prepared to take over the same. The department will not be called upon to have the supervision of the improvements any longer than the organization of the town. In fact, the bill is designed to meet a great necessity arising out of the situation as it exists until the town is properly incorporated and taken care of under state or territorial law.

U. S. SENATORS IN PRIVATE EMPLOYMENT.

At the conclusion of the Pettibone trial and upon leaving the Washington Senator Borah announced his withdrawal from the law firm established by him and that he would not engage in professional practice so long as he remained in the senate. The correctness of this attitude is only equaled by the tardy of its observance. Senator Spooner, upon his retirement from the senate, declared that he must return to the practice of law as a matter of personal justice, as he

had thought it best not to practice while in the senate but as he needed the income he must resume the work, which meant the losing side of public life. With this one exception there is no instance now in mind but what senators and representatives have felt free to supplement their salaries with private employment. Indeed, candidates have frequently said they did not care so much for the office as for the prestige it would give them in their private business. And that is precisely the danger of it. The office gives them a prestige by which they may more easily overcome a competitor in private life who has no such great public position behind him. Litigants who go into court with a United States senator on their side are apt to have an influence with courts and jurymen out of proportion to the merits of their case as compared with some poor and weak person who is not able to secure like prestige on his side. Similar advantages in favor of the powerful political favorite exist in numerous respects that seem to render it highly improper to use such honors as the people have given them for the furtherance of the private ends of themselves or of others. The only wonder is that such improprieties should have been so long unrecognized and unchecked. Mitchell would not be in the grave, or Burton be an outcast if the distinction between public office and private pursuits had been drawn earlier. Bailey would give his right arm today if political morals had earlier intervened to prevent his accepting attorney's fees from the Standard Oil company while holding the commission of his state as its federal senator. The right of the man in office to add to his fortune and power by exploiting private sources of wealth is one of the oldest and most dangerous of the prerogatives of the governing class. It has never failed to result in side rewards, satellites, sycophants and rings through whom the powerful favorite has fattened while the slaving peasant has starved. The Tribune heartily commends Senator Borah for promptly freeing himself from the obligations of private motives while in the discharge of a public trust. We hope he can go a step further in also pointing out by example, if not by precept, the injustice of representing, even without fee or hope of reward, individual claimants before the various departments where there is a defendant or an adverse interest to be affected. It is entirely reasonable to suppose that many innocent persons have had their rights impaired or jeopardized by reason of some counter-interest first securing the ear of a senator or representative in pushing its case before a bureau. Of course, to deprive senators of the privilege of making

an ardent champion out of some suit or whose case he has urged before the departments is something of a sacrifice, but it ought not to be too much of a sacrifice to ask, considering all the public and private dangers it avoids and all the like safeguards it secures.

W. H. H. Thanks to Borah. *Apr 11*

Senator BORAH'S answer to Senator FORAKER yesterday in reply to Senator FORAKER was a wholesome exposition of a subject that has been much confused by political and sentimental claptrap. The Brownsville affair is not a race question except as it has been made so by inconsiderate and ill-advised championship of the dismissed battalion for reasons which cannot be considered humanitarian or patriotic though they pretend to be both. The soldiers were not dismissed from the army because they were negroes, but because some of them had committed a lawless act and others who must have known the identity of the offenders shielded them by refusing to name them when asked. A crime had been committed against the law of the land and against military discipline which could not be ignored. If white soldiers had been guilty of the same offense the President would have been unfaithful to his trust as commander-in-chief of the army by election of the people if he had not followed a similar course. Senator BORAH makes this clear. If the dismissed battalion had been composed of white soldiers the justice of the act would have been long ago admitted and all clamor stilled. It would have been encouragement of that spirit of militarism such as is the curse of some European countries if the matter had been passed over. A conspiracy of silence to shield the guilty tainted the whole battalion and made its disbandment necessary as a measure of public safety.

BORAH'S TOWNSITE BILL
APPROVED BY SENATE

Adm. B. H. H. *Apr 11*
Republican Special Service.

Washington, April 11.—The senate today, on motion of Senator Borah, passed a bill introduced by the 110th senator providing for the disposition of townsites located within reclamation projects. The bill authorizes the secretary of the interior, in his discretion, to sell lots in townsites within the limits of lands benefited by such irrigation projects and to accept payment for the lots in ten annual installments, or all cash. The secretary is also authorized by the bill to set aside 50 per cent of the proceeds of such sales for municipal improvements and school facilities. It is probable that the Borah bill will be substituted in the house for Representative French's bill of like import.

BORAH MAKES FIRST SPEECH IN SENATE

Apr 24
1887
Condemns Wanton Acts of the
Negro Soldiers at
Brownsville.

HE REPLIES TO FORAKER

No More Serious Charge, He
Says, Was Ever Made
Against a Soldier.



WILLIAM E. BORAH,
Senator from Idaho.

WASHINGTON, April 24.—
Senator William E. Borah made his maiden speech in the Senate today on the Brownsville affair, making issue with Senator Foraker.

The speech was made notable by many striking passages of history and attracted general interest. Besides containing an analysis of the testimony taken in the Brownsville case, it was a reply to Senator Foraker's recent discussion of the same subject. Borah made very clear his belief that the evidence established a conspiracy on the part of some of the negro soldiers of the Twenty-fifth regiment to shoot up the town.

"I contend," said Mr. Borah, "that the evidence in this case is simply overwhelming and conclusive against the colored soldiers unless you resort to the proposition of a conspiracy which manufactured the evidence, and that is evidently the view taken by the defense."

Borah called attention to Foraker's suggestion that the citizens of Brownsville might have shot up the town to secure the removal of the negro soldiers.

"Now I confess," he said, "that there might possibly have been a desire to attack the soldiers, but it seems that this conspiracy, if it had an existence, would not have turned its guns upon its own people."

Borah reviewed at length the testimony in the case, and then announced his conclusion that it discloses the guilt of certain members of the Twenty-fifth infantry as participants in the Brownsville affair beyond a reasonable doubt.

Borah dwelt upon the severity of the offense and the necessity of condign punishment, saying:

"No more serious charge than this was ever made against a soldier of the United States. For less offenses many a soldier has been condemned and shot at sunrise. To my mind it was treason; if not technically so, yet morally treason in a most aggravated form. In these times, when an air of disloyalty pervades certain parts of the social life of the nation; when an element which lives upon lawlessness, strife and murder, raises its treasonous hand high and there, playing with human life as with a toy, when the doctrine of riot is preached as a tenet of party organization—under such conditions to find this spirit of lawlessness, this appetite for crime, in our army—the body which is to maintain the flag whenever it floats—is starting beyond all words to express."

Borah dwelt at some length upon the accomplishments of the negro race since the abolition of slavery, and found much cause for congratulation; but, he said, this fact could not excuse individuals from punishment for crime even if such leniency should be in the interest of the race, which it would not be. Concluding, he said:

"Let it be understood by them and by all that this Government is their Government as well as ours; that their hands, their labor, in slavery and out, helped to make it; that their

valor and heroism helped to preserve it, and that justice will be meted out both in protection and in punishment; that the door of escape from crime is provided. Let it be known, as every man must at last know, that if this republic is to endure, obedience to the law is to be the first tenet of our faith, and that the great army of the United States must be one in which the women and children can feel perfectly secure when retiring for the night.

BORAH CALLS NEGRO TROOPS TRAITORS

22-11
Times
Apr 24
1907

Scoffs at Foraker's Plea That They Were Innocent Victims of Brownsville Raid.

THEY DID SHOOT UP TOWN

Compares Defense of the Negroes with the Effort to Obtain Leniency for Harry Orchard.

Special to The New York Times.
WASHINGTON, April 24.—The strongest defense of the Administration's action in dismissing three companies of the Twenty-fifth Infantry, colored, for complicity in the raid on Brownsville, Texas, on the night of Aug. 13, 1906, that has yet been made was delivered in the Senate this afternoon by Senator Borah of Idaho, in his maiden speech as a Senator.
It was a legal argument, and Senator Borah declared with great emphasis, as a result of his analysis, that some members of that black battalion certainly did the shooting. "Murder, planned, deliberated upon, and executed with deadly precision," he called it, and declared that "for less offenses many a soldier has been shot at sunrise."
"To my mind it was treason," he said; "if not technically so, yet morally treason in its most aggravated form. To find this spirit of lawlessness, this appetite for crime, in our army, the body which is to maintain the flag wherever it floats, is startling beyond all words to express."
Many negroes were present, but it was by no means so nearly a solid black audience as that which heard Senator Foraker the other day. The diplomatic gallery was well occupied, and in the President's row sat Mrs. Taft, with Theodore Roosevelt, Jr. Senator Foraker, whose argument had been the constant target of Senator Borah's logic and sarcasm, went over and shook hands warmly with his antagonist.
Borah gave Foraker many openings to get into the discussion, but Foraker refused to be tolled along.
Senator Borah, who was special counsel for the State of Idaho in the prosecution

of the officials of the Western Federation of Miners for the killing of ex-Gov. Steiensenberg, speaking of Harry Orchard, the self-confessed murderer of Steiensenberg, said:

"A cold-blooded, inhuman, infernal devil blows to pieces an ex-Governor upon the doorstep of his home, is caught and confessed, and before the grave of the man who died a martyr to law and order is green, sentimentalism puts a halo upon the brow of the blackest spirit that ever escaped the crypts of hell.
"Men wearing the uniform of a soldier of the Union, the insignia of government and the symbol of law and order, in the quiet of night, while homes are defenseless, assault and attempt to murder whole families, and finally succeed in committing one murder. To compromise with such an act or such a deed is cowardice; it is betrayal of government; it is an insult to every intelligent and right-thinking negro, for it presupposes he is a traitor to his country and a criminal at heart."
Senator Borah made very clear his belief that the evidence established a conspiracy on the part of some of the negro soldiers of the Twenty-fifth Regiment to shoot up the town.
Mr. Borah reviewed at length the testimony in the case and announced his conclusion that "it discloses the guilt of certain members of the Twenty-fifth Infantry as participants in the Brownsville raid beyond a reasonable doubt."
"he added, "they were guilty of all; they were guilty of deliberate murder—a murder planned and deliberated on and accomplished with deadly precision."

SENATORS AS LAWYERS

Some Senators are aware that the original intent of the United States is granting the privilege of practice before the Senate. So long as the privilege of the senatorial fathers are not infringed upon they give the business only perfunctory attention, permitting it to crawl along sleepily from day to day; but the instant a proposition like Mr. Borah's comes up nothing could exceed their vigilance. The junior member from Idaho wishes to amend the criminal code and abridge the ancient prerogatives of the Senators by forbidding them to practice law for pay. As the statute stands it is a criminal offense for them to take fees for any service performed before the Government departments, courts-martial and commissions in cases where the public has an interest either direct or indirect. Mr. Borah desires to extend the prohibition to the civil courts.
Naturally there is opposition to his amendment. The right to serve the corporations in court is only less lucrative to our dignified and virtuous Senators than the right to serve them in Congress, and it is not to be expected that they will give up either one without an energetic struggle. Not without reluctance have they foregone the privilege of practicing before the departments. It is recalled that one distinguished member of the most powerful legislative body on earth made a formal contract with his partner before he left home for Washington to the purport that the fees which he should obtain by practicing before the departments unflinchingly should be his own exclusive perquisites, though later, in a crisis of the firm's affairs, the contract was modified with more

or less ingenuity. The scandalous affair throws a purple glare over the masses which guide the Senatorial mind and indicates a certain necessity for legal restraint wherever it can be imposed without too much difficulty.

The reason why Senators ought not to be permitted to practice before the departments is plain enough. Their influence would dominate the individual who had to decide the cause and justice would be bought and sold in every public office, just as it has been in the land department. No man ought to practice law before a judge whom he is in a position to coerce, and every member of the Senate can coerce the department heads if he chooses. The same is true, though in less degree, of the courts. Of course a Senator could not turn a judge who disobliged him out of office, but he could make things very unpleasant for him and he could deprive the unfortunate man of the hope of promotion. Senatorial courtesy bars from Federal office every person who has made himself obnoxious to any Senator. This principle has been established by the Senate to help fortify the members' machines in their respective states. As an application of the golden rule it is beyond praise, but it does not encourage independence in Government officials.

Senators can and do bully judges and pervert justice, but that is not the strongest reason why they should be prohibited from practicing law while they are in office, though it is strong enough. The simple fact is that Congressmen are trustees of the public welfare and they cannot devote their time to a law practice or any other exacting employment without betraying their trust. The idea that the business of legislation is a mere diversion which can be performed at odd moments when nothing more important is on hand is false and pernicious. Lawmaking for the United States is an occupation weighty enough to consume the whole of any man's time and energy if he does his duty; and the fact that so many Congressmen do not do their duty accounts for the great body of crude and ignorant legislation under which we suffer.

But this is not the worst of the matter. It stands to reason that a Congressman who devotes his time and intelligence to the service of corporations in the courtroom cannot instantly change the whole trend and character of his thought as soon as he enters the halls of legislation. What he is in court, that will he also be in Congress. If he is the paid attorney of a corporation in one place, he will be the same in the other. It flies in the face of all reason and experience to expect anything else. When a man goes to Congress it ought to be for his country's service, and not to build up a private law practice. Certainly it

ought not to be for the purpose of serving in court those corporations whose activity is directed against all equitable control. In the United States Senate today the beef trust, smelter trust, express trust, powder trust, Standard Oil trust and many others have their notorious representatives. If these representatives are permitted not only to direct legislation for the interest of their principals, but also to dominate over the courts, where shall the plain citizen go for justice when he is in controversy with a powerful corporation?

For a Senator to practice law is not a mere "breach of taste," as Mr. Taylor delicately put it. It is wrong as Mr. Borah declared, and everybody ought to commend his courage for stating the fact plainly. Mr. McLearn, of Mississippi, thought that every member "ceased to be a lawyer when he entered the Senate," but the fact is that many of them only begin to be lawyers then. The practice and fees which they could never get before enter to them readily enough as soon as they are able to reinforce their ability as men with their influence as Congressmen. Mr. Bailey is a sufficient example of what the practice of law brings even the ablest Senator to. Those who cannot live without the fees ought to stay at home, or if they are already in the Senate they should follow Mr. Spooner's example and resign. For shame's sake, if for no other reason, the Senate ought to adopt Mr. Borah's amendment.

The Increasing Importance of William E. Borah.

Until the trial of WILLIAM D. HAYWOOD as a principal in the murder of ex-Governor STEINBERG of Idaho the name of WILLIAM EDGAR BORAH of Boise was unknown in the East. Mr. BORAH made the closing argument for the State in the Haywood trial. HAYWOOD was acquitted. Immediately after his appearance as a prosecutor in this murder case Senator BORAH was tried on a charge of conspiracy to defraud the Government of timber lands. Had he desired he might have had the indictment quashed, but he preferred to stand trial. He was acquitted on October 2, 1907, and the announcement of the verdict was the signal for general rejoicing among the citizens of Boise.

Senator BORAH took his seat in the Senate chamber on the opening of the Sixtieth Congress. His most notable manifestation of activity was a speech in defence of the dismissal of the Brownsville troops. In this speech he defended with high enthusiasm the President's course. His remarks made slight impression on the East. In substance and in structure they were below the stand-

ard set by Senator FORAKER's report and remarks on the same subject. Senator BORAH's speech was a creditable effort, however, and in the West it aroused considerable interest.

The quality of his rhetoric seems to have been approved in the White House, for now it is announced that the United States District Attorney and the United States Marshal who were concerned in the prosecution of the Senator have been removed from office, they being charged with persecuting him and with hatching a political conspiracy to injure him. Senator BORAH demanded their removal, and against the protests of the Attorney-General the President removed them. This week Senator BORAH will second the nomination of WILLIAM HOWARD TAFT for President in the Republican national convention.

This is the simple story of the rise in public importance of a farsighted and presumably capable lawyer and politician of Idaho. It is worth studying for those who aspire to weight and influence in the councils of the nation.

TIMES, AUG 7
Washington

SENATE UPHEAVAL WINTER PROSPECT

Younger Men Determined to
Crush Domination of
the Old Ring.

LA FOLLETTE LEADS
BAND OF REFORMERS

Has Scored Many Notable Vic-
tories, and Expects to Do More
With Allison Gone.

By J. C. WELLIVER.

Reorganization of the Senate, which began in reality when President Roosevelt squeezed from that reluctant body the almost unanimous vote by which

it passed, a little more than two years ago, the railroad rate law, is proceed-
ing.

The rate bill's passage was accom-
plished by processes of moral suasion.
The conservatives of the Senate, though
not liking the measure—and there were
poetry of such on both sides of the
party line—were made to believe that
there was a public sentiment demand-
ing the law, which it would be danger-
ous to ignore. So the bill passed. But
that struggle was not marked by any
particular evidence of the sort of
changes which have taken place since.

La Follette had just come to the upper
chamber in time to take a prominent
part in that debate. Defying precedents,
he entered the debate and made a
great speech, offering numerous radical
amendments, among them one for a
physical nationalization of the railroads,
which received a respectable vote, in-
cluding that of half a dozen Republi-
cans. But even then there was no evi-
dence that the new radicalism was go-
ing to have the direct effect of making
many changes in the personnel of the
body.

His First Victory.

Now, however, it is plain that La
Follette was building wiser than he
knew, for the purpose of his radical
propaganda. The first senatorial change
attributed directly to La Follette in-
fluence was that occasioned by the de-
feat of John Fairfield Dryden, Senator
from New Jersey. La Follette was in
league with the Independents in Jersey
who made the fight against Dryden; he
talked for them and he was much in
conference with them. They gained
power enough to dislodge a close Leg-
islator; Dryden was beaten; and the
first senatorial seat hung at the Wis-
consin man's belt.

Meanwhile La Follette had taken an
interest in behalf of Norris Brown, can-
didate for Senator in Nebraska. Brown
was elected. The Wisconsin man early
developed a feud with Long, of Kansas,
and now Long has been defeated, and
his defeat is popularly attributed direct-
ly to speeches by La Follette against
him in Kansas.

La Follette didn't approve of Senator
Albert B. Kittredge of South Dakota,
and La Follette has talked much in
South Dakota, where he has a large fol-
lowing. Kittredge was defeated this
spring, in the State-wide primary, and
Governor Ole I. Crawford, another of
the La Follette type, was nominated by
the Republicans for Senator.

Invaded Oregon.

La Follette also had invaded Oregon,
and aired his reasons for believing that
Senator Fulton was an undesirable. Ful-
ton was defeated, and the State primary
named George Chamberlain, a Demo-
crat now governor of the State, for the
succession. He will be elected, under
the Oregon law, by the unanimous vote
of the Legislature without regard to
politics.

La Follette and his Wisconsin out-
leaver, the veteran Spooner, did not mix
well. They represented the opposite fac-
tions in the State. Spooner a stalwart,
La Follette a half-breed, Spooner, rather
than make a race for re-election with
La Follette certain to fight him, re-
signed his seat, and permitted Isaac
Stephens, a millionaire lumberman, to

be sent for the short term to the Senate. Stephenson had been the friend of La Follette, and La Follette supporters in the Legislature made him Senator. But after he had taken his seat he began presently to affiliate with the conservative crowd; it was charged that he constantly indulged in vicious and insulting remarks about La Follette. He didn't vote with La Follette, except rarely, and in short, a breach developed which led to open rupture.

Opposes Stephenson.

Now, Stephenson is out as a candidate for reelection, and La Follette is opposed to him. It is set down as reasonably certain that, whoever may be elected, he will not be Stephenson. La Follette's hold on Wisconsin is too good for that.

During the last session La Follette began to gather about him a few younger Republican Senators, a nucleus or organization for the future. Borah of Idaho and Brown of Nebraska were constantly with him; Burkett was of times but commonly for political reasons relating to the sentiment of his home state, rather than from liking for La Follette. For precisely similar reasons Dooliver at times supported La Follette propositions.

Then came the big fight for the four battleship proposition. Beveridge was the leader of the younger and independent element this time. He organized a line fight, and although he did not succeed in forcing the Senate to grant the President's demand for four Dreadnoughts, he did go so far as to make insurrection respectable.

That battleship fight showed the determination of the younger element hereafter to insist on its opinions, even though they might interfere with the designs of the traditional elder statesmen.

Want More Progress.

It is not quite accurate to refer to the insurgent Senators as the "younger group," though in the main they are thus accurately described. But the line of division is not age; it related to views on public questions. The insurgents are the men who believe the legislative program has progressed too slowly; who would much more rapidly extend the Government's controlling power over corporations and especially over interstate commerce, who indorse and accept in general the Roosevelt policies, and in the main the Bryan program.

Some of them go with Bryan to the extent of favoring insurance of bank deposits, notably Brown and Borah. They are arrayed against the ancient Aldrich-Hale-Gallinger-Burrows-Perkins-Warren regime, which assumed to dominate the Senate, and for many years has succeeded. These men are the conservatives. They oppose the reduction of whatever it is of the Roosevelt policies.

Affiliated with the Republican progressives always has been a good share of the Democratic strength in the Senate, and with the Republican conservatives, on the other hand, a considerable group of the old-fashioned elder Democrats have allied themselves; men like Daniel Teller, and others of that school of Democracy.

Allison the Master.

The elder statesmen—and the term is now used to include the veteran conservatives of both parties—have held their power by reason of dominating the great committees. Senator Allison, as

chairman of the Republican caucus, was the real apex of the scheme. It was he who named the Republican committee on committees. This committee was entrusted with picking up the Senate committee assignments, and this job was always arranged to give the conservative elders and their close associates complete control of the big and powerful committees. Controlling those, they gave the others—the great majority, incidentally—of the Senators such assignments of less important committees as could be passed out to them.

But such committees as Finance, Appropriations, Judiciary, Military Affairs, Naval Affairs, and the like, were carefully kept within control of the "Senate Family," as the veteran group was and is called.

Control of the committees meant everything. There legislation is made up. Thus the recalcitrant independent is punished, his "little bill" is obstructed. It may be of great local or sentimental concern to him, but that is unimportant. If he is in bad odor, he gets the ax. It is a discouraging game for an ambitious young statesman to experience.

Fought the Elders.

It was La Follette who first, deciding that he could struggle along without any consideration at the hands of the elders, cut loose and accepted the fate without murmur. Patronage was used against him. Nominations were held up when he was interested in them. His colleague, Spooner, was one of the founders of the old organization; La Follette, because he had had the temerity to oppose Spooner, must be crushed. The only difficulty was that he didn't crush. He got the floor from time to time and said what he thought; he went on the platform when Congress was not in session, and told his troubles to the country. He has been getting returns—and scraps.

As a result of all these things, the progressives are going to be stronger in the next session, and in the next Congress especially than ever before. Their numbers will be vastly greater, and their courage augmented.

Others At Loss.

Allison is gone, and he it was who, with the master hand of a true diplomat, for many years used regularly to smooth out differences and adjust matters; always in the interest of the elders, indeed, but always on such a basis that the newer element could not take grievous offense. Without him, the blunt and plain-spoken Aldrich, Hale, and Frye will find themselves handicapped as never before in efforts to keep down the insurrection.

It is rather expected that the first real fight will come when the committees of the Senate are to be reorganized at the beginning of the next Congress. The elders always have been allowed to dictate, practically, the com-

mittees on committees. There are growing manifestations of a disposition to make a fight on this system, to have a showdown, to insist that the distribution shall be more equitable.

Senator Aldrich had the fight of his life to pass a currency bill, and won. He will have another just like it to retain his hold on the machinery of the upper house; and if he does not meet a signal defeat before the end of his present—which it is understood he has declared to make his last term, then it will be surprising to the younger Senators who are planning for his downfall.

The Phila. Evening Item.

A Grave Question

Most people have read a good deal about the occurrence at BROWNSVILLE, TEXAS, which took place August 13 last, where people were SHOT and PROPERTY DESTROYED. It has since become a NA-

TIONAL QUESTION, and it is said, will figure in the coming POLITICAL CAMPAIGN.

The charge has been made that the TWENTY-FIFTH INFANTRY, U. S. ARMY, stationed at Brownsville (colored troops) in part entered that city at midnight, when citizens were defenseless, and assaulted them in their homes, killed one citizen, maimed another and committed other depredations.

But the contentions which have since then been aroused over the FEDERAL INVESTIGATIONS and the DENIALS OF PARTICIPATION on the part of some of the SOLDIERS, have, altogether, left many of the public, particularly East, in the DARK as to the TRUTH of the matter.

To shed light on that point, CONGRESSMAN WILLIAM E. BORAH, of Idaho, a few days ago, made a SPEECH in the House deserving careful consideration, as it bears all the indications of having been PREPARED WITH GREAT LABOR AND CARE in explanation of what ACTUALLY OCCURRED.

MR. BORAH announced that he had STUDIOUSLY INVESTIGATED ALL AVAILABLE EVIDENCE OBTAINABLE from any and all sources. His motive is most evidently fair and just. If he can be shown in ERROR, he says he would welcome it.

SENATOR FORAKER, from Ohio, in an article recently published in a magazine, made this statement: "The most careful testimony elicited only showed the ANIMUS OF THE CITIZENS, and a reason why they might have ATTACKED the SOLDIERS, but none whatever why the soldiers should attack the CITIZENS."

It is regrettable that this question has become LARGELY PARTISAN, for the citizens of this land are far more concerned about the FACTS, and the FUTURE upon which those facts bear heavily upon, than they are about which PARTY the Texas contestants belong to.

MR. BORAH said he did not intend to answer MR. FORAKER'S argument, but would confine himself to the EVIDENCE. He said there might possibly be some evidence showing why the CITIZENS might have ATTACKED THE SOLDIERS. "But I submit that there is no evidence to a reasonable mind why the CITIZENS should have attacked THEMSELVES. The soldiers were not attacked. No bullet went in the direction of the garrison, and no soldier was disturbed in the remarkably sound sleep which all (so many) were enjoying that night."

The Item cannot go into the full details of MR. BORAH'S remarkable and very long story of a vast amount of evidence he has gathered together, but readers who are interested can doubtless obtain a copy of his speech if they write him for the purpose at Washington.

Summarizing all of this evidence MR. BORAH said: "The

bullet which were afterwards picked up in the different houses, by experts, were found to be GOVERNMENT BULLETS, and that they had been fired from either a KRAG or a SPRINGFIELD RIFLE. The only parties in that country who had Springfield rifles were the COLORED SOLDIERS."

The evidence shows that scattered over the ground over which the raiders traveled were found the SPRINGFIELD SHELL and the SPRINGFIELD CLIP. No Krag rifle shells were found.

The BULLETS found imbedded in walls, etc., were shown to contain LEAD, ANTIMONY and TIN. The GOVERNMENT contract with the makers called for only LEAD and TIN. Further inquiry elicited the fact that BACK IN 1905 these makers used LEAD, TIN and ANTIMONY in making bullets. Part of these last described bullets "went to Fort Niobrara and went to these soldiers. Nothing but a Divine revelation could be STRONGER EVIDENCE against these men than that," adds MR. BORAH.

"We have the DIRECT EVIDENCE of some FIFTEEN OR TWENTY WITNESSES, coming from all walks of life, all professions and all trades," some of which, given in detail, are direct testimony that negroes in United States soldiers' uniforms were shooting in alleys and streets, "all going to prove the PARTICIPATION of these SOLDIERS in the Brownsville raid."

MAJOR PENROSE is quoted as saying: "They (the soldiers) slipped out of quarters, DID THE SHOOTING, returned while companies were forming, and at some time during the early hours of the morning CLEANED THEIR RIFLES. This is all made possible from the fact that the shooting all occurred within two short blocks of the barracks."

MR. BORAH continues: " * * * "SOMEONE who was identified with the NON-COMMISSIONED FORCE was cognizant of this RAID. That is one of the reasons why it is a necessary conclusion from the evidence of this case that not only were there those who PARTICIPATED, but those who must inevitably have KNOWN SOMETHING of it who did not ACTUALLY participate in it.

"Now, Mr. President, I have gone over some of the evidence which discloses, to my mind, BEYOND A REASONABLE DOUBT that some of these SOLDIERS participated in that RAID. If they were guilty at all, they were GUILTY OF MURDER thought upon and PLANNED and DELIBERATELY EXECUTED."

"The NEGROES have helped to BUILD UP THIS COUNTRY. Their LABOR in and out of slavery have HELPED TO BUILD, and their VALOR has helped to PRESERVE IT.

"But NO MAN may teach them that THEIR GOVERNMENT WILL CONNIVE AT A BREACH OF THE LAW."

Pen Picture

Borah of

Idaho

The great speech of Senator Borah dealing with the question of the discharged troops of colored soldiers and the argument sustaining the president and Secretary Taft in their course has renewed interest in the Idaho orator.

By none of Senator Borah's friends was this early and magnificent manifestation of his oratory, his scholarship and character expected. The people of the state for years have known his size, having had occasion frequently to take his measure, but opportunity for the unfolding of distinguished powers comes slowly in congress, and it was supposed the country at large would not know Senator Borah till the accustomed period of reticence and observation had passed. So that there is now throughout the state, because of an exception to that rule in his case, much quiet rejoicing and natural pride.

In the history of the state this is the first time Idaho has ventured to aspire, through a congressional representative, to leadership of the federal legislature, and the first time perhaps in the history of the country so small and so new a commonwealth has enjoyed this preeminence. Whether this opening by Senator Borah is to close later with a universal verdict of senatorial mastery time will tell. Senator Borah is not yet of the age of 45 years and has been a member of the senate but a few months. His Idaho friends have no doubt of the outcome.

An Inspiration to Young.

In the steady progress of Mr. Borah to the very forefront of state leadership is a great store of inspiration for the poor young man of education and tenacity who comes west. Just a little more than 18 years, without money and no Idaho acquaintance, he began to look for clients. Before he found them he tried several localities, finally making his stand at Boise. By the

hardest kind of study and the intensest application to his business profession he went forward rapidly. While not desirous of making politics a profession alongside the law, his speech-making facilities in early days were so pronounced that the demand for his services on the stump at each campaign could not be ignored. He always spoke well and never left an audience without imparting some new thought and a more serious view of political life and political contest.

First State Recognition.

I think it was in 1882 at Weiser that he received state celebrity by a strong political harangue in a republican state convention. From that time to this not a town of any size or prominence that has not been charmed or instructed by his oratory. He once said to me: "I must have something to say or I must remain quiet," and that seems to be the secret of his forensic success; that, and a magnificent voice and a genial presence. It used to be said of Hucoco Conkling that all his speeches, the most important, as well as those which were made on trivial occasions, were the result of serious and protracted reflection. In a less degree this might be said of Senator Borah's speeches. He outlines them in advance and I dare say, few, if any, of his most beautiful periods are spontaneous. This does not mean his powers of oratory are not, like the poet's talent, natural gifts, but it does mean that however prodigal these inherited attributes, he is sensible enough to know that cultivation makes improvement. He is logical and free in the use of speech at all times, but it would be a mistake to assume that back of his best speeches there has been no study or reflection. They are prepared and well prepared.

The Upheaval of 1896.

I can never forget the political up-

never in this and other states in the year 1896. Ours was one of the most radical of the silver states. The great mass of Idaho republicans deserted the party on one presidential issue of that year. Mr. Borah went out with

the rest. His speech in the little dingy room of the Capitol hotel at Boise, whether a few of the leadership had assembled to arrange for the launching of the "silver republican" party, was the clearest and best all-around presentation of the cause I ever heard. Borah did not want to surrender the name "republican" by giving it a prefix and held out to the last to make no change except to insert in the platform an indorsement of the principle of bimetalism. In asserting his reasons for the adoption by the general government of that doctrine, he then drew a picture of the lawlessness of the great corporations, of the abuses of our federal institutions by men of corrupt wealth, and expressed the hope that the doctrine he advocated, if incorporated into our national system, would help to fetch these lawless bodies to their knees.

"On no other principle do I disagree with the republican party, and when that issue is settled I and my friends are ready to resume allegiance to the old party."

It was a magnificent effort, but the excitement occasioned by the issue vitiated calm reason and we repudiated the name but not without heartburns and a hard struggle in open convention the next day.

It fell to my lot to act as chairman of the platform committee and I tried every scheme of phraseology in drafting the platform to appease the most radical silver men and yet retain the name, "republican," and still claim the state organization.

Nothing was accomplished in that line and with Dubois and Borah in the lead the silver republican party made two campaigns, one a failure, and by a system of fusion of the silver people the second time we won out. Republicans were not especially proud of the victory.

Humorous Reference Later.

In a speech delivered during the last campaign in Rathdrum, Mr. Borah humorously referred to that incident.

"My distinguished opponent (Senator Dubois) spoke here a few nights ago, addressing himself to two important subjects, that is, the Mormons and myself. (Laughter and applause.) He took a little kindly fling at me by saying that in 1896 I followed him out of the republican party. I am here to confess to you that that is one statement, at least, in his speech which is true. (Laughter.) I am here to say, further, that I presume the great political mistake of my life, and one which will always be charged up against me as long as I live, and which I will always hear of in every campaign, is the fact that I once followed Senator Dubois. (Laughter.) And I desire to say to the young men of the state of Idaho in this campaign, that about all that I can make out of that incident is to warn you not to repeat the mistake in this campaign, and not to follow him out of the re-

publican party upon the Mormon question. (Laughter and applause.) In about six years he will still be running for office and he will say that this young man, in 1896, separated himself from the republican party to support me, and then he will have to admit that the Mormon question is just as dead as the silver question was within three years after he was elected to office. (Laughter and applause.) I am perfectly willing to pay my friend the compliment of saying to you that he stated one fact which was a fact in his speech."

Borah opposed fusion as earnestly as he had the relinquishment of the old party name, but the radicals, led by Dubois, carried the day. With "free silver" as the slogan anything could be carried in those days.

The national silver party by this time had faded away. The republicans of the state returned to the party, and by reason of this rehabilitation the state has been republican ever since. There is no disintegration in the organization due to those early departures. The return of the dissatisfied ones followed immediately upon the recognition of the fact that after all free silver was something of a delusion. The staunchest of the old-time gold-bugs are now friends of Borah, and his most hopeful allies. Borah was never anything but a republican in those beliefs and principles of government which are the essential criteria of republicanism. His temporary detour from the highways of the party years ago was never intended by him or his friends to be taken as a final renunciation of the controlling party principles.

Ambitious as Lawmaker.

Contrary to the general impression, Senator Borah does not aspire to rank higher as an orator than a lawyer or statesman. In the last few years, having amassed a competency in the law, his time has been considerably spent with the ancient and modern philosophers of government. As soon after his election to the senate as it could be accomplished he closed up every avenue likely to attract his attention from his congressional duties. He turned over his lucrative law practice, as far as it could be done, to others, and in the most comprehensive and effective manner he consecrated himself to the labors of his high office. The value of concentration as a factor in every success is fully realized, and shutting the doors of his Boise law office behind him he simply exemplified his well-considered theory of success as it pertains to his work as a national legislator.

The Law and Order Class.

Senator Borah belongs to the so-called law and order class in response to all the natural and acquired impulses of his life. As a lawyer he believes in the sacredness of the law and its precepts as firmly as the historian does in events. Law principles are things with him and things that are necessary to the highest attainments in civil and political life. He doesn't believe that the law can be ignored or disregarded with impunity and any attempt in that direction he believes ought to be punished as the law pro-

vide.

During the famous *Coeur d'Alene* presentations I became intimately acquainted with this side of his life. The learning, the zeal, the perseverance he threw into those cases grew out of his love of law and his determination to see that the supreme power of the state was vindicated. He is and always has been, through and through, of the law and order class. He can't be anything else.

Borah's Private Life.

Senator Borah's private life is ideal. His home in Boise is one of the most beautiful in that beautiful city. To facilitate his law studies he possesses one of the largest home libraries—perhaps the largest in the state. It has been my pleasure to spend many hours in it. In gathering his books he has exercised a most discriminating choice. His rule is to acquire books for use and not merely for ornament. Works of a political, historic, economic trend are nearest to his reading table. He reads newspapers regularly and the solid stuff in the magazines. He enjoys to talk about what he has read and praises and criticizes authors and editors as if some personal interest attached to their writings.

His Abstemious Habits.

His abstemious habits—he neither uses tobacco nor spirits in any form—contribute immensely to the leisure of the library. No one who has occasion to discuss with him a question of philosophy or government or science will think his time with his books is wasted or misused. He has a wonderful way of getting the best out of a book, magazine or newspaper article in the shortest possible time.

Twelve years ago he was married to a daughter of Ex-Governor W. J. McConnell of this state. This good lady adds a fine charm to their home and lacks neither the grace nor means of making it attractive and hospitable. Their fireside has not been hallowed with children, but both the senator and Mrs. Borah have a passionate love for the little ones and their doors and lovely lawns are frequently opened to them.

The Borahs are greatly admired in Boise. Not to be a friend of "Bill" Borah in Boise is simply not to be at all. This friendship is not the kind that is limited by politics. Democrats no less than republicans feel kindly toward the hospitable house of Borah. If the first step to public or private success is to have your neighbors with you Borah certainly long ago was assured in a hundred ways of that success.

There may be men in Idaho who have made more speeches in the last ten years than Senator Borah, but no man has made as many in that time worth remembering. There is sure to be in any of his speeches something new, something instructive or something indicative of a strong, firm, courageous nature. This is true of his ordinary stump speech just as it is of his well-arranged classic efforts for the exclusive audience.

Perhaps of all of Senator Borah's speeches that simple eulogy at the grave of his martyr-friend, ex-Governor Steunenberg, will longest be remembered. It is as simple and sincere as Lincoln's Gettysburg speech. No flights of oratory nor forced climaxes mar its beauty. It was genuine eloquence.

Senator Borah.

Senator Borah of Idaho has just made a speech in the United States senate, greeting President Roosevelt when he disbanded the colored soldiers on the ground that they took part in shooting up Brownsville, Tex. Borah has been prosecuting the Moyer-Haywood-Petibone murder case at Boise and at the close of his recitation of the members of the Twenty-fifth Infantry, in which he declared half the soldiers were guilty of murder, "planned and deliberated on and accomplished with deadly precision," he said, "Riot and murder are largely things born of the mistakes of government and pride in a country which compromises and sentimentalizes over crime. A cold-blooded, inhuman, inhuman devil blows its pieces an explosion on the doorstep of his home, a convict and confessed, and before the grave of the man who dies a martyr to law and order is green, sentimentalism puts a halo upon the brow of the blindest spirit that ever escaped the crypts of hell. In these times when an air of disloyalty pervades certain parts of the social life of the nation, when an element which lives upon lawlessness, strife and murder raises its treacherous hand here and there, playing with human life as with a toy; when the doctrine of riot is preached as a tenet of party organization, under such conditions, I say, to find this spirit of lawlessness, this appetite for crime in our army, the body which is to maintain the flag wherever it flies, is startling beyond all words to express." In this way did the senator bring to the consciousness of his hearers the fact that what we need in this country is genuine reform.

Review of the 22nd 1908

THE MAN OF THE HOUR IN IDAHO.

THE new senator from Idaho who was seated March 4, 1907, has the distinction of being the only senator holding his seat by a direct vote of the people, or as near that as possible under the Constitution, also of never having held political office up to the time of his election to succeed the Hon. Fred T. Dubois. He, however, has always been a close student of politics, and in his college days in Illinois and Kansas was known as a campaigner and "a rattling good spell-binder."

Senator Borah was born on a farm at Fairfield, Wayne county, Illinois, June 28, 1862. He is the son of William N. and Elizabeth (West) Borah, whose paternal grandparents came from New England. His father was a native of Kentucky, and his mother was born in Indiana.

HIS EARLY TRAINING.

The senator's early training was received in the public schools of Fairfield and the Southern Illinois academy at Effeld, Illinois. He later entered the Kansas State university at Lawrence, Kan., from which institution he was graduated with the degree of M. A. The foundation of the career of the present junior senator from Idaho was laid in the law office of Mr. A. M. Lashley at Lyons, Kan., where he remained a year and one-half and was admitted to the bar in 1888. Convinced however, that there was a broader field of action further west, he moved to Boise, Idaho, where in 1891 he opened a law office, and has been in active practice there ever since.

NATIONAL REPUTATION.

The senator's one particular case that gave him a national reputation and endeared him to all law-abiding citizens of his state was his masterly handling of the prosecution of the dynamiters, who during the labor troubles at Custer d'Alens dynamited the Bunker Hill Sullivan mine. In that diabolical plot the strikers killed several non-union miners. Governor Steunenberg declared martial law and placed the present senator in charge of the prosecution of the offenders. Though embarrassed at many turns in the case, he succeeded in convicting one of the dynamiters of murder and 12 others of felony. Eight others whom he had indicted escaped the law by bribing the soldier guard and breaking jail, and were never retaken.

STEUNENBERG CASE.

Mr. Borah's reputation was principally local until he became identified with the prosecution in the Steunenberg case. He was one of the party of Boise citizens and friends of ex-Governor Frank Steunenberg who went to Caldwell the night of the assassination, Dec. 28, 1895, and through personal attachment to his married friend

secured a citizen of Idaho and an attorney of ability, he has from that hour, taken a very active part in bringing to justice the perpetrators of that awful crime. He has been associated with every step in the preliminary investigations and identified with all the court proceedings in the case.

HAYWOOD TRIAL.

The trial of W. D. Haywood commenced May 3, 1907, and lasted until July 24. Haywood and his associates were arrested in Denver Feb. 17, 1906, and brought to Boise on the 18th of the same month. The first notable effort of Senator Borah in connection with the trial was his argument in opposition to the motion of the defense for a bill of particulars, which was overruled by the court. His address to the jury is conceded to be one of the most notable deliverances of the times. While it was courageous, forceful and profoundly impressive, it was totally devoid of abusive utterances.

HARASSED BY ENEMIES.

During this trial Senator Borah was harassed by political and other enemies, whose operations finally culminated in his indictment in the United States court, in an alleged conspiracy to defraud the government out of timber lands. So soon as the Haywood trial was ended, he demanded an immediate hearing, but the government attorneys wanted more time. The trial of the senator was finally begun on Sept. 22. The government sent several able prosecutors to Boise to assist the district attorney; they placed dozens of witnesses on the stand, but none of them connected the senator with any improper conduct. Only one witness was placed on the stand by the defense—Mr. Borah himself. He admitted that he had been attorney for the Barber Lumber company, whose operations were under investigation by the government, prior to his election, and as such attorney he passed on such papers as were brought to him. The case was submitted to the jury without a word of argument on the part of the defense, and in exactly 14 minutes the jury returned a verdict of not guilty.

Senator Borah was given a spontaneous and general demonstration in Boise following the announcement of the verdict which emphasized the completeness of his vindication.

IS VERY POPULAR.

His fearless conduct in the management of the Steunenberg case, together with his recognized ability as a lawyer, made him a popular candidate for the senatorship. In the primary elections he succeeded in electing delegates to the state convention at Pocatello, on Aug. 2, 1904, favorable to his candidacy for the senatorship, after a long and bitter struggle. Mr. Borah was victorious in having a plank inserted in the platform of the convention pledging all the candidates of his party to the legislature to vote for him for United

States senator.

HIS ELECTION.

This practically made an election of United States senator by a direct vote of the people, and at the polls Idaho showed her approval of Mr. Borah by electing 14 members of the legislature pledged to him out of 17 voted for, and on Jan. 15, 1907, the senate and house of Idaho formally elected him to the United States senate.

Senator Borah was married April 23, 1866, to Miss Mamie McConnell, daughter of ex-Governor W. J. McConnell of Idaho. The senator's life has been too busy a one to be much of a club man. He is an Odd Fellow and a Knight of Pythias.

University of Idaho Library

FOSTERING THE SPIRIT OF UNREST.

Wallace Union Mining Edition. Feb 1918.

Senator Borah is evidently one of the few republican representatives in congress that is still trying to prove that the platform promises of 1908 were made in good faith and will be redeemed at their face value. His defense of the income tax is bristling with salient points and its application is easily more far-reaching than to the immediate subject in hand. His comment on the general unrest is especially pertinent.

He says: "Never since this government was launched has there been such a restless spirit among the great mass of the people, such ugly questioning, such persistent inquiry. No part of the government seems to escape challenge or criticism, and it is fast becoming popular to scoff at the constitution itself. An unquiet, dissatisfied, suspicious public mind is the public mind of today."

Senator Borah has been charged with being a near-insurgent, but in company with many others of his party and out of it he is seeing things in their proper perspective and from the broader point of view than the merely partisan attitude of the opportunist. It is only a few days since that Senator Elkins was railed at by the partisan press because he insisted on a resolution that looked to a fair and full investigation of the high cost of living, regardless of where the blame might fall when the conclusions were reached. All this is but an indication that there is a leaven working that is arresting the old lines of cleavage and making for increased independence in public life and increased safety for the vital interests of the government.

The question of equalizing the burdens in taxation is very near to the heart of things and the contention of the senator that the mind of the people is in a state of suspicion and discontent toward the government that permitted taxation in the protection of wealth and in exemption of "incomes which sustain luxury and breed idleness and idiocy" is a voicing of a popular protest, and many will applaud the sentiment that, "if this amendment can be defeated this, the government of the people, for the people and by the people, will stand alone among all the civilized nations of the earth shorn of the power to tax that form of wealth best able to bear the burdens of the government."

*Finished Feb 18 1910
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