

E 664
.P88 U5
Copy 1



Class E664

Book -P88V5

60th Congress }
2d Session }

HOUSE OF REPRESENTATIVES { Document
No. 1512 }

LLEWELLYN POWERS

(Late a Representative from Maine)

MEMORIAL ADDRESSES



Sixtieth Congress
Second Session

HOUSE OF REPRESENTATIVES
January 31, 1909

SENATE OF THE UNITED STATES
February 27, 1909

Compiled under the direction of the Joint Committee on Printing

WASHINGTON : : GOVERNMENT PRINTING OFFICE : : 1909

D. OF O.
AUG 8 1890

TABLE OF CONTENTS.

| | Page. |
|--|-------|
| Proceedings in the House | 5 |
| Prayer by Rev. Henry N. Couden, D. D | 6 |
| Memorial addresses by— | |
| Mr. Guernsey, of Maine | 9 |
| Mr. Burleigh, of Maine | 13 |
| Mr. Gaines, of Tennessee | 18 |
| Mr. Cole, of Ohio | 23 |
| Mr. Hamilton, of Michigan | 25 |
| Mr. Hayes, of California | 29 |
| Mr. Stanley, of Kentucky | 32 |
| Mr. Fowler, of New Jersey | 36 |
| Mr. Lloyd, of Missouri | 40 |
| Mr. Swasey, of Maine | 43 |
| Mr. Waldo, of New York | 45 |
| Proceedings in the Senate | 47 |
| Prayer by Rev. Edward E. Hale | 48 |
| Memorial addresses by— | |
| Mr. Frye, of Maine | 51 |
| Mr. Sutherland, of Utah | 54 |
| Mr. Smith, of Michigan | 59 |
| Mr. Dixon, of Montana | 61 |
| Mr. Hale, of Maine | 64 |



DEATH OF HON. LLEWELLYN POWERS

PROCEEDINGS IN THE HOUSE

MONDAY, *December 7, 1908.*

Mr. GUERNSEY. Mr. Speaker, it is with regret that I rise to announce the death of a former Member of this House, Hon. LLEWELLYN POWERS, and offer the resolution which I send to the Clerk's desk. At a later day I shall ask that the House set apart a time for its consideration.

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. LLEWELLYN POWERS, a Representative from the State of Maine.

Resolved, That as a further mark of respect to the memory of our deceased colleague, Hon. LLEWELLYN POWERS, the House do now adjourn.

The resolution was agreed to.

Accordingly, at 1 o'clock and 2 minutes p. m., the House adjourned until to-morrow at 12 o'clock noon.

SATURDAY, *January 16, 1909.*

Mr. GUERNSEY. Mr. Speaker, I ask unanimous consent to introduce the following order, and ask that it be read and considered at this time.

The SPEAKER. The gentleman from Maine asks unanimous consent for the consideration of the following order, which the Clerk will report.

The Clerk read as follows:

Order No. 15

Ordered, That there be a session of the House at 12 o'clock m., Sunday, January 31, for the delivery of eulogies on the life, character, and public

services of the Hon. LLEWELLYN POWERS, late a Member of this House from Maine.

The SPEAKER. Without objection, the order is agreed to.

There was no objection.

SUNDAY, *January 31, 1909.*

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, Hon. AMOS L. ALLEN, Representative from Maine.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our God and our Father, whose name is sacred to the heart of every true man and the inspiration of every noble deed, help us to realize that the highest service we can render to Thee is willing and unselfish devotion to the welfare of our fellow-men, which reflects itself on the pages of history, sacred and profane, in song and story, in monuments of bronze and granite.

We are here to-day in memory of one who served his State and Nation with patriotic fidelity and devotion and has left behind him a record worthy of emulation.

Inspire us with courage, zeal, and fidelity, that we may be worthy and pass on to the reward of those who, true to themselves, reflect in thought, word, and deed the character of their Maker.

Comfort, we pray Thee, his friends, colleagues, and those near and dear to him by the bonds of kinship with the blessed hope of the immortality of the soul, and Thine be the praise forever, in Jesus Christ our Lord. Amen.

The SPEAKER pro tempore. The Clerk will read the order for the day.

The Clerk read as follows:

On motion of Mr. Guernsey, by unanimous consent,

Ordered, That there be a session of the House at 12 m. Sunday, January 31, for the delivery of eulogies on the life, character, and public services

of the Hon. LLEWELLYN POWERS, late a Member of this House from Maine."

Mr. GUERNSEY. Mr. Speaker, I send the following resolutions to the desk and ask to have them read by the Clerk.

The Clerk read as follows:

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. LLEWELLYN POWERS, late a Member of this House from the State of Maine.

Resolved, That as a particular mark of respect to the memory of the deceased and in recognition of his distinguished public career, the House, at the conclusion of the memorial exercises of the day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The resolutions were agreed to.

MEMORIAL ADDRESSES

ADDRESS OF MR. GUERNSEY, OF MAINE

MR. SPEAKER: On the 28th day of July last, an honored Member of this body, a distinguished citizen and former governor of the State of Maine, passed from the activities of this world after an illness of several months.

He was, I believe, more widely and intimately known to the people of Maine, whom he has of late represented in the Congress of the United States, than any man who has appeared in public life in our State during the past forty years—the Hon. LLEWELLYN POWERS, of Houlton, Me.

It becomes my solemn duty as the successor to Mr. POWERS in Congress from the Fourth Congressional District of Maine to call attention to some of the characteristics and achievements of his long and active career. I first became intimately acquainted with him when he became governor of our State, and I soon recognized that he was a farsighted man, of unusual tact, and possessed unfailing judgment of men and public affairs.

LLEWELLYN POWERS was born in Pittsfield, Somerset County, Me., in 1836, the eldest of ten children, and of the eight boys six have attained distinction in the legal profession, and when LLEWELLYN POWERS was in active practice he was regarded as one of the best-equipped attorneys of the Maine bar.

His parents were of sturdy New England stock, several ancestors being in the Revolutionary war. He grew up in his native town, and fitted for college in its common schools and

Maine academies, and spent two years at Colby College, but, desiring to fit himself for the legal profession, he left at the end of two years and entered Albany Law School, where he graduated. He was not forgotten by his alma mater, however, and in later years received honorary degrees from Colby College.

In 1860 he returned to Maine and was admitted to the bar, and in 1861 began at Houlton to practice his chosen profession, which he continued for nearly forty years. His legal ability was early recognized, and he soon had a large and growing practice, in addition to which he took up the duties of a prosecuting officer, being elected as attorney for the State in his county, which office he held for three terms.

In 1873 he was sent to the state legislature, serving in that body three terms, and upon leaving there was elected to the Forty-fifth Congress at the same election with Eugene Hale and William P. Frye, who have so long and honorably represented the Commonwealth in the Senate.

At the end of his term of office he retired to private life and devoted his time and attention to his legal and business interests, except one term in the Maine legislature.

In 1892 he was again sent to the state legislature, and served for three successive terms, being unanimously chosen speaker the last term; and in 1896 was nominated and elected governor of Maine, receiving the largest plurality vote ever cast for a gubernatorial candidate in Maine. He was chosen a second time as governor.

During his legislative service in the Maine house he reported from an evenly divided judiciary committee, of which he was chairman, a bill abolishing capital punishment, and was successful in having the measure become a law. Many other pieces of important legislation in the interest of the State might be mentioned, but I will not weary you with their recital.

His administration as governor was one of the best that has ever been given the State of Maine. He gave to the office the same careful oversight that marked his private business, and on one occasion during the early part of the Spanish-American war, when there was strong pressure from all over the State to call an extra session of the legislature to appropriate money for the equipment of men and purchase supplies for the expected volunteer regiment, he was opposed to it on account of the large and needless expense to the State, and acting in accord with the judgment of other conservative business men of his party refused to call the extra session, but when funds were necessary he advanced the large sum of money required, and his patriotic and public-spirited action was approved by the next legislature, which refunded the money he had advanced from his private purse.

Soon after his retirement from the governor's chair he was chosen to fill out the unexpired term of the Fifty-seventh Congress occasioned by the death of Congressman Boutelle, in 1901, and was returned to Congress with each succeeding election, but he was obliged to withdraw from the renomination to the Sixty-first Congress, which had been tendered him by acclamation by the Republican party in his district, on account of his continued ill health.

His career in the National House of Representatives was marked by conservatism and sound business judgment in all matters in which he took part, and on account of his long experience in financial and legal matters he was always listened to with much attention and interest on pending questions relating to banking and currency and problems concerning statehood for the Territories, and his fairness and courtesy in debate won him many friends on both sides of this Chamber.

He was a firm believer and advocate of a revenue system which would afford protection to American industries and

workingmen and give American manufacturers the preference in our domestic markets.

He never posed as an orator, yet he was classed as a very effective speaker, and, with but one or two exceptions, no political speaker of Maine ever addressed a greater number of audiences during the campaigns. It seemed to be a part of his life to meet and mix with men and discuss the affairs of state and nation, and for more than thirty years he took part in every political campaign in Maine, and sometimes lent his voice to campaigns in neighboring States.

In his private life he was always regarded as the friend of the poor man, and many a prosperous citizen of the State has received his start from the kindly advice and financial assistance which it was their good fortune to receive from him, and it is said he never spurned one of his less fortunate friends of younger days when they came to him for aid.

He was a man of great tact and shrewdness and always preferred to conciliate rather than to antagonize.

He was a generous giver to charitable and benevolent objects, and it is said his donations to church organizations extended to almost every church which has been dedicated in the last twenty years in eastern Maine.

But, Mr. Speaker, words of eulogy can not add to or detract from the fame of this or any man; so having given a brief outline of the life and affairs of him who brought honor to his native State and district and whose service in this House was marked by dignity and wisdom, who was a kind and loving husband and father, I will close, leaving it to others to portray his greatness in more eulogistic terms.

ADDRESS OF MR. BURLEIGH, OF MAINE

MR. SPEAKER: My colleague, who so ably represents upon this floor the district formerly represented by our deceased friend, has so fully covered the salient points in his career that I may well confine myself to a personal and heartfelt tribute growing out of the cherished memories of an acquaintance and friendship extending over a period of more than forty years.

I first made the acquaintance of LEWELLYN POWERS in 1861, when, a year after his graduation from the Albany University Law School, he came to Houlton, the shire town of the great county of Aroostook, to enter upon the practice of his profession. I was living at the time in an adjoining town, where I was born. Very well do I recall the appearance of Mr. POWERS at that time, and the rapidity with which he impressed his strong and masterful personality upon the community. Young, affable, of splendid physique, alert of body and of mind, an indefatigable worker, he brought to his labors rare qualities of leadership and the elements that win success in the practice of the law. He combined with marked powers of concentration a wonderful capacity for close and sustained application. He not only had a comprehensive and thorough grasp of legal principles, but he possessed, moreover, the ability to detect at once the weak point in the case of opposing counsel, and the aggressive force to make the most of it. Like Ulysses of old, he was "full of resources." Few men in the history of the Maine bar have equaled him in the ability to so marshal the strong points in his case as to make them carry conviction to the minds of a jury.

But it was not alone in his profession, where he speedily built up a large and lucrative practice, that he attained distinction. Born on a pioneer farm, the eldest of a large family, he was forced from boyhood to be the architect of his own fortunes, and yet he did not enter into the competitions of life devoid of capital. He was peculiarly rich in the qualities that command success, in the full vigor of a splendid physical and intellectual strength, in abounding health, in self-confidence to meet and conquer the difficulties that confronted him, and in a personal magnetism that speedily drew about him a wide circle of devoted and admiring friends. There was in the make-up of Mr. POWERS no trace of snobbery or affectation. He was all his life in close and sympathetic touch with the plain people. Warm-hearted, cordial, and genuine in his dealings with those about him, he constantly extended the circle of his friendships. It was a real pleasure for him to meet old acquaintances and make new ones. His instincts were social. He loved the companionship of his fellow-men, and few there were who could resist the rare charm of his personality. As he came and went he had a cordial word of greeting for everyone he met. He looked out upon life with the spirit of an optimist, and from the depths of his own frank and generous nature radiated an atmosphere of hope and cheer upon those about him.

His own pioneer training stood him in good stead and specially fitted him for leadership in the community with which he had cast his lot. The great country of Aroostook of that day was only in the early stages of the splendid development that has since been achieved there. It was then a pioneer community, and it is doubtful if its own citizens had more than a vague conception of its vast resources still waiting the hand of development. A large part of its splendid domain, now covered with rich and fertile farms, was then a virgin forest. All over

it men were engaged in the slow, laborious work of reclaiming the wilderness to the uses of husbandry. Among the hardy, industrious people of this community Mr. POWERS soon won the distinction of admitted leadership, both at the bar and in its political life. He served for six years, with notable success, as county attorney, and for four years as collector of customs, declining a tendered reappointment. Then followed a membership in the Maine house of representatives for three consecutive sessions, during which he took a conspicuous part in its proceedings and made a name for himself all over the State. In 1876 he was elected Representative to Congress from the Fourth Maine District and served out his term with a degree of distinction not often vouchsafed to new Members. He was renominated by acclamation in 1878, but was defeated, in common with other Republican candidates, by the so-called "Greenback wave" that rolled over the State in the election of that year.

In 1883 Mr. POWERS again represented his home town in the State legislature, following which he was for a number of years out of personal politics, devoting his time and energies to the practice of his profession and the management of his large and growing timber-land interests.

In 1892, yielding to the earnest solicitation of his friends, he was once more elected to the State house of representatives, where he speedily became recognized as the Republican leader. He was returned to the house in 1895, and was unanimously chosen as its speaker, in which position he further strengthened his strong hold upon the people of his State.

In the summer of 1896 he was nominated for governor of Maine by acclamation, and elected the following September by a record-breaking majority.

It was my privilege to be closely associated with him in his canvass for the gubernatorial nomination, which terminated so favorably to him, and to see him in new lights. What particu-

larly impressed me at that time was his large and tolerant spirit and his willingness to overlook and forget present and past differences. He seemed to be singularly incapable of harboring personal or political animosities. He looked calmly out upon the situation in a broad and generous way, without jealousies and without recrimination. What impressed his friends at all times was the attitude of absolute fairness which he maintained toward those who at first were not favorably disposed to his candidacy. It was this spirit, I know, which ultimately made it possible for him to secure without opposition the high honor he sought. His record during the two terms he served as governor of Maine was a notable one. He brought to the many and exacting duties of the office the same calm judgment, firm purpose, and clear grasp of affairs that had won him eminence in other walks of life. The result was a record in administration in the highest degree creditable to himself and to his State.

I shall not undertake to enlarge upon his distinguished career as a Member of this House. Others who will speak here to-day, and who were more closely associated with him in its work, are far better qualified to do that. In paying this small tribute to my late colleague and friend of many years, I am impressed anew with a sense of the uncertainty of life. Four of the distinguished Members of this House from the State of Maine with whom it has been my privilege to serve on this floor have laid down the burdens of life and crossed that mysterious border line that separates time from eternity. Truly—

Death rides on every passing breeze.
He lurks in every flower.

In the death of LLEWELLYN POWERS his State and his country lost a man of large mold, who had in a marked degree the high qualities that win success both in private and in public life. Genial, tactful, untiring, he stood always in the open, having in

full measure, at all times and in all places, the courage of his convictions. He was called to high places of power and responsibility in the public service, and out of the fullness of his strength was able to discharge every duty that devolved upon him with signal ability and success. He performed well his part in the busy world of affairs. His work is ended. He is at rest. His death is sincerely mourned by a host of warm friends and admirers, who watched with interest his rise to influence in his State and in the Nation, and who felt a deep and an abiding pride in his distinguished career.

Leaves have their time to fall,
And flowers to wither at the north-wind's breath,
And stars to set; but all,
Thou hast all seasons for thine own, O Death!

ADDRESS OF MR. GAINES, OF TENNESSEE

Mr. SPEAKER: I rarely ever engage in a memorial service. I have made it a rule of my life to tell my friend of his golden characteristics while he lives. That may, as intended, give him some joy. It does me. I think that that is a much better rule than to wait until after he is dead and gone. But after his demise it is well to speak of his strong and valuable characteristics, that we as individuals, as a people, and as a Republic may profit by it. If the deceased had any faults, I never knew them.

I knew Governor POWERS intimately from the time he appeared as a Member of the Fifty-seventh Congress. His striking personality first attracted my attention. He was a man of large frame, large head, covered with a heavy shock of hair, crowning a thoughtful and expressive face. He showed every appearance of a delightful, social, generous, and thoughtful man. I knew him more intimately socially than I did in the House. I was thrown with him very frequently, almost daily, after the House adjourned.

He was very resourceful in conversation and in debate. With a wonderful fund of information upon most every subject, he was at ease with anyone anywhere. He was gifted in the knowledge of statecraft. His life was spent mostly as a public servant, and happy have been the results of his splendid stewardship. In these respects he was a very remarkable man.

You have but to recall the places of trust that he so well filled amongst his own people and in the Nation to be thoroughly convinced that he must have been a most useful man in every sphere of life.

He was born in 1836. He was one of ten children. There were eight boys, six of whom, we are informed, achieved distinction. We know that he did. I was talking with him one evening about the able supreme court that the State of Maine nearly always had, and alluded to some particular opinion, which, as I remember, I had used in a debate in Congress, and asked him if he knew the Judge Powers of that court who wrote the opinion, and in a modest way, but with a loyal pride, with sunshine beaming in his face, he told me he was his brother.

If he had a weakness, it was his extreme modesty at all times.

He was educated in the common schools, in the academies, and attended a university, which afterwards honored him. He then graduated in law from the Albany Law School, and came to the bar in 1860. He soon demonstrated his legal ability and his affability, and won the people, for in a short while they elected him as attorney for the State in his county. He was reelected, serving three terms, from 1864 to 1871. He was then appointed customs officer and served four years. In the trying year of 1873 he was elected to the legislature. He was reelected, serving three terms. He was then elected to the Forty-fifth Congress, thirty years ago. He served in the House one term, and retired to take up his private affairs. He again served in the legislature, a rather unusual thing to do, Mr. Speaker, after serving in Congress; but that showed that he loved his neighbors, and wanted to build up his State.

Again, in 1892, he was sent to the legislature. He served three terms. He was unanimously elected speaker the last term. Thus honors were heaped upon him. Then he was elected governor in the noted campaign of 1896. He was reelected governor, and must have made—and I am informed did make—one of the best executives that great State ever had, and Maine has always been noted for her great public servants,

many of whom I have personally known, of whom we frequently speak and from whom we often quote. I shall not stop to recite their names.

When the Spanish war began, I believe he was governor; and the question of equipping, so as to send promptly to the front, the patriotic volunteers of Maine was a question of dollars and cents, with the legislature not in session and no public funds available.

Being a man of large means, which he had accumulated by the sweat of his own face; being patriotic, as I think he always was, he opened his own purse and promptly equipped the troops. The legislature, appreciating his patriotic act, promptly indorsed his public-spirited act by refunding the money.

He was next elected to the Fifty-seventh Congress, succeeding Mr. Boutelle, a distinguished Member of this body for many years. He was elected to the Fifty-eighth, the Fifty-ninth, and the Sixtieth Congresses, declined a renomination, and died in July, 1908. I personally know that he did not wish to come back even to the Sixtieth Congress, but he said to me: "If my people want me to serve them, I shall obey their will."

We often "paired," but he never broke faith, through pressure, to change the pair in a trying struggle and vote. "They pressed me mightily, my boy, but I kept my word with you." How heroic, how honorable, that.

Here is about thirty-seven years of actual, official service, and I have not seen, even in the partisan press, at any time, a single uncomplimentary criticism of any of his public acts.

That, Mr. Speaker, speaks well of the man as a man and of his high sense of duty, thoroughly believing, as he did, that a "public office is a trust," as the Supreme Court of the United States said many years ago.

He was a man of deep convictions. He did his own thinking and he decided for himself, always having a keen sense of justice and feeling for the masses. I remember an instance here on the floor of this House, showing the strength of the man's character and his power to discriminate; and for the purpose of showing you his keen sense of justice and "where his heart was," I shall quote his words from the Record.

There was a bill pending in this House for reimbursing persons for customs duties paid under a rather lax protest on some building material—steel products.

His questions were serious and searching:

Mr. POWERS. I want to ask the gentleman two or three questions, so that I may be better able to vote intelligently on the bill.

* * * * *

Mr. POWERS. How many years does it show they were paying this extra duty of 15 per cent?

Answer. Four years.

Mr. POWERS. And these men paid the duty?

Answer. Yes, sir.

Mr. POWERS. The duty was added to the cost?

Answer. I can not tell you that.

Mr. POWERS. And they used the steel and manufactured it, and we poor fellows paid the price, and so did the people all over the country?

* * * * *

I think we may fairly presume that they (the claimants, or importers) charged their customers the additional duty, and that the consumers, rather than the importers, are the persons out of the pockets of whom the additional duty has to come.

Then he was asked by a Member—Republican—whom he had been questioning all this time, this embarrassing question: "You [Mr. POWERS] think, as a protectionist, that the consumer always pays the duty?"

Mr. POWERS. I think that when you import an article and add 45 per cent duty, that you sell it for 45 per cent more than you would if you did not pay the duty.

He was again interrupted by his Republican friend, and Mr. Powers in reply said:

I do not know if the gentleman gets my idea. If the importer adds the price of duty to the article, the consumer has to pay that additional price, and so the consumer pays the duty, and not the importer.

Then, another Republican Member exclaimed:

That is good Democratic doctrine.

Now, here is the point of my reference. Mr. Powers, not the least disconcerted, instantly replied:

It is a pretty fair doctrine. I say that the consumer pays the additional duty if he can not buy it at a less rate in the market.

He was known at that time on both sides of the House as a "standpatter," Mr. Speaker; but I say he had a keen sense of justice, and with both heart and head decided matters, particularly when they reached down to the fireside of the masses and home building in this country.

He was as loyal to his party and to party creed in a purely partisan contest as any man, I think, in Congress, but fostered his own judgment and individuality.

If you will recur to the hearings of the Banking and Currency Committee, you will discover, though rich in years and a sick man, that he was almost regularly present and took an active and inquisitive part in the grave and great consideration that was given the currency question by that committee during the last past session of Congress.

He was an indulgent husband. It was always a sunny day and starry night to him when his wife and children adorned his presence here in Washington. I have seen him meet them with tenderness and pride. I have seen him pained to part with the little ones as they returned to school. These scenes were noticeable, beautiful, and refining.

It is well that he lived. He fought life's battle well.

LLEWELLYN G. POWERS was most useful to home, to State, and to the Republic.

Mr. Speaker, his motto must have been, as ours should be, "Country, God, and truth."

ADDRESS OF MR. COLE, OF OHIO

MR. SPEAKER: I am grateful indeed for the opportunity of paying tribute to the memory of Governor POWERS. It was my good fortune to serve with him on the Territories Committee, and I early formed a high opinion of his ability and character. His consideration for the rights of new Members soon won for him a permanent place in their esteem.

Governor POWERS was a product of the State of Maine, and is truly typical of the manhood of that great Commonwealth. Maine's contribution to the grandeur of this Republic is universally recognized. Her citizens have ever fought for the triumph of right. Her statesmen had championed with commanding power the cause of human freedom. The patriotism of her people is an imposing fact in the Nation's history. In the judgment of her sister States, Maine stands for manhood—pure, noble, and exalted.

Governor POWERS, in both private and public life, has been true to the best traditions of his native State.

Nature bequeathed to him rare endowments of heart and mind. These were his sole reliance in life's contest. Fortunate is he so richly endowed of resources so royal. He carved out his own career unassisted. He conquered by his courage, and through years of toil succeeded. Emerson says:

Sculpture in its truest sense is history; and the sculptor chisels character from marble. Every trait recorded by the artist is first seen in real life.

The master hand of an unseen Sculptor carves character in the human form and face. With strict fidelity, true to each trait the lines are drawn. We have noted the potency of that truth in him whose memory we honor. The very form and expression of his face, deep furrowed with thought and care, displays great

strength and character. Resistance to circumstance, true measure of man's worth, is recorded there. The austere virtues by Bryant to purest gold compared were fadelessly impressed. Resolution was written there by an invincible will. Deep engraven was his determination to achieve high purposes. No mark of dishonor marred its rugged grandeur. There is no line typifying failure.

High intelligence, strict integrity, and imposing personality are qualities which the public seldom fail to recognize. He was chosen chief executive of the State of Maine. His name stands undimmed in that galaxy of magnificent men. He came with exceptional equipment to the discharge of duty as a national lawmaker. Laurels gathered in other fields of endeavor are of little note in this House. Here is found equality of merit. Demonstrated capacity to do is the only rule of recognition. The pretender is denied preferment. This unyielding rule proved no bar to his progress. He had measured every upward step in life by that same standard.

All his time and talent were devoted to his work. He comprehended the broader questions of national policy, but neglected not the trying details of lesser concerns. He was faithful in all things; negligent in none. He was sound in judgment, safe in council, fearless in action. The character of his services in the House of Representatives has won for him the respect and admiration of his fellow-Members, and entitles him to enduring remembrance as a faithful and capable public servant. His life is a splendid illustration of the possibilities of young American manhood. Under our system of free institutions there are no heights of human achievement to which he may not aspire.

So near is grandeur to our dust,
So near is God to man,
When Duty whispers low, Thou must,
The youth replies, I can!

ADDRESS OF MR. HAMILTON, OF MICHIGAN

MR. SPEAKER: LEWELLYN POWERS was my friend. We were associated in legislative work upon the Committee on the Territories, and in his service upon that committee he impressed upon its legislation the stamp of his mature judgment and experience.

He was born in Maine in 1836, and he loved the soil of his native State. His name will always have a place among Maine's most distinguished men, and to be among Maine's distinguished men is high honor.

He was county attorney, collector of customs, member of the Maine legislature, speaker of the Maine house of representatives, governor, and Representative in Congress.

With him faculty went with opportunity, and he was what the world calls a successful man—successful in business, successful in politics.

Whatever his hand found to do, he did it with his might, but at last his health failed, and one day he bade me good-by, stood for a moment watching reflectively the business of a busy session, which I think he had a premonition he was quitting forever, then went away out of it all.

The House of Representatives, to which he first came in 1876, and then again in 1901 to serve until his death, with its shifting membership, its varying types, its ambitions, and its failures, is not only representative politically and socially of our civilization, but it is a stage, typical of human life, across which some pass quickly, upon which some few linger, but from which most depart, having accomplished little of what they hoped for

Here, as elsewhere, some showy talent frequently succeeds, while sober diligence seldom receives its due reward.

There are waits between acts; administrations come and go; new messages arrive from new Presidents; but the curtain is never finally rung down, and "when you and I behind the veil have passed," others will crowd upon our footsteps.

Every man arrives here more or less a legislative experiment, and any dream that he may have had about his work holding his name forever above "the flood of years" suffers a change.

His identity becomes merged with that of many others in connection with some policy which may or may not survive to become a part of history on which the ayes and noes were called.

Down on the Avenue a blear-eyed old man on sunshiny days sits in front of his secondhand book store, smoking his pipe, and waiting while the feculent dust of the street blows in, and we go by on our way to the Capitol on the hill to help to make more history to be sold at secondhand.

And some men have made great noise and vociferation here on the hill; some have even become famous, but the dust of the street will after a time blow over their works sold at secondhand, just as it has blown over the works of thousands who have gone before them.

But the curtain is never finally rung down here. When it is, there will be an end of popular government.

Out of the stress and rush and rivalry of this scene LLEWELLYN POWERS went the way of all flesh—prince, peasant, harlequin, and sage—beckoned by a hooded figure in the wings.

He had finished his work. Whether he was satisfied with it or not depends upon his ideals.

Few men are satisfied with what they accomplish. George Frederick Watts spoke of his paintings as "only studies for the picture that might have been."

Bacon says:

If a man meditate much upon the universal frame of nature, the earth with men upon it—the divineness of the soul excepted—will not seem much other than an ant hill, where some ants carry corn and some carry their young, and all go to and fro, a little heap of dust.

Bacon's exception—"the divineness of the soul"—is the only element that makes the ant heap explainable.

If the reason of life is that life shall reproduce itself, run its short course, and then die, then life is a tragedy, and the greater the intelligence, the greater the tragedy.

The acquisition of knowledge, the development of character under discipline of circumstance only serve to educate a keener consciousness of the stinginess of happiness and the opulence of misery.

But the soul idea gives purpose to existence and dignity to effort.

No philosophy will ever satisfy men which can not throw a plank across the grave.

If the hope of continued, conscious existence after death ever fades out of humanity, then the light will have gone out of the world; the deepest inspiration to right living will have gone out of human conduct, and human existence will have become a meaningless tragedy.

With that hope we are on a journey toward superlative issues.

With that hope we are as much in eternity now as we ever shall be, and every day is a part of the evolution of a personality being trained for a higher destiny.

That hope transforms Bacon's ant heap and glorifies human endeavor.

Mr. Bryce, in his *American Commonwealth*, says:

Sometimes, standing in the midst of a great American Commonwealth, one is startled by the thought of what might befall this huge yet delicate fabric of laws and commerce and social institutions were the foundations it has rested on to crumble away. Suppose that all these men ceased to

believe there was any power above them, any future before them, anything in heaven or earth but what their senses told them of.

LLEWELLYN POWERS performed his duty to his State and to the Nation loyally and honestly. He was courageous, manly, loyal in his friendships, strong in his likes, strong in his dislikes, and never a waverer. He had keen zest in the pursuit of his business, the practice of his profession, and the performance of his political and official duties.

He died a manly, upright man who had used the talents given him to the best of his ability.

ADDRESS OF MR. HAYES, OF CALIFORNIA

MR. SPEAKER: It seems to me most fitting that when the scenes of strife and confusion which usually fill this Chamber have been succeeded by the Sabbath quiet we should put aside the ordinary activities and thoughts of the world and spend a little time in meditating upon the virtues and conduct of those of our colleagues who have penetrated the great beyond.

The great Giver of Life has so ordered things that after the allotted years that man spends in the activities and strife of this world he should pass on to another state of existence, where, no doubt, he will find new conditions and new opportunities for the exercise of all those powers which his schooling in this world has developed. Our fellow-laborer, LLEWELLYN POWERS, after a life of great activity and usefulness in business and the public service, has made this change. We can not penetrate the veil and discover what his present condition may be. It only remains for us to think of and talk over his useful life and derive such lessons and strength from it as we may.

When I entered the Fifty-ninth Congress, I at once came into close relationship with LLEWELLYN POWERS as a member of the Committee on Banking and Currency, of which he also was an old and active member. I should say that the strongest elements in his character were his absolute independence, his self-reliance, his boldness and fearlessness in defending those things that he conceived to be right and for the highest interests of his country, and attacking fiercely those things that he judged wrong or ill-advised.

But the legislative warfare of Mr. POWERS was never personal; it never had any bitterness in it. While he respected

the opinions of his fellows, while he freely yielded to them the same right of individual judgment and action which he claimed for himself, he did his own thinking; he made up his mind without much reference to the opinions of his fellows. After careful research and investigation, after informing himself as thoroughly as circumstances would permit, and having made up his mind upon any matter, he was like adamant; he could not be moved nor swerved from his purpose to be loyal to his own convictions by personal considerations, selfish suggestions, or any ulterior motive whatever. For these characteristics in his life I admired LLEWELLYN POWERS while he was among us; I revere his memory now that he has passed from us, and I am glad of this opportunity to testify to my appreciation of his strength as a legislator, to his strict honesty, and his unfailing courtesy to all his brother Members of this House.

The people of his district evidently knew of his sterling characteristics, appreciated his honesty and unselfish devotion to their interests, and his character as a man at their full value, and kept him here many years as their Representative. His service in this House has honored them as well as himself, and in his death the House has lost one of its most conscientious, industrious, and able Members, his district a Representative of the first order, and his country a statesman and patriot.

Mr. POWERS was not what would be called a religious man. His mind was of that practical turn which was interested in and busied itself with all the business and material activities of life; but he had a simple child-like trust, and I have no doubt that as he went down into the dark valley he could say in truth with the great poet of humanity,

I know not where His islands lift
Their fronded palms in air;
I only know I can not drift
Beyond His love and care.

If it be given to those who have entered the great beyond to have memory of the deeds done in the body and to know of the results of the life they led here, surely satisfaction must fill the heart of our brother in the realms above when he thinks of the useful and stainless life which he led in this world. Let us emulate his virtues; and while recognizing that like all humanity he had his frailties and failings, we can not do better than to follow in his footsteps in our service in this Chamber, and strive as he strove, with singleness of heart, to uphold that which is right, to fight with courage and persistence against that which is wrong in legislation, and to do our part in bringing the country which we all love up to a full realization of its highest ideals.

ADDRESS OF MR. STANLEY, OF KENTUCKY

MR. SPEAKER: LLEWELLYN POWERS was the scion of a martial race. Beneath the gentleness of his mien, the modesty of his manner, there was easily discernible the stalwart strength and the inflexible courage that under other circumstances would have made a warrior.

The elements
So mix'd in him, that Nature might stand up
And say to all the world, "This was a man!"

And the elements were so mixed as not only to make a model man, but a typical legislator. He came of a family of lawyers, too. It was not necessary to read his biography to know that LLEWELLYN POWERS was not only a jurist, but that he possessed fundamentally a judicial mind, clear, lucid, strong, practical. It was natural that such a man should become a lawmaker. It was fortunate for his people that he was so long intrusted with the great responsibilities which he discharged with such signal fidelity.

At this time we can look back over the career of this remarkable man with peculiar pleasure and peculiar reverence. He possessed that rare quality that Gibbon has aptly portrayed in Antoninus Pius—*equanimity*. It is necessary in a lawmaker, it is essential to a successful executive. This man did not seek the limelight. He was in no sense spectacular. Appreciating and deserving the confidence of the people, he sought their sober approval rather than their hilarious applause. He was not deterred by popular clamor. He was not intoxicated by fulsome praise. These qualities made him a great governor.

The phenomenal, the unprecedented majority which he received when a candidate for that high office indicated the confidence of his people, their unalterable faith in a man whom they had known so long and whom they had tried in so many, so varied, and responsible positions. And from my knowledge of the legislator and the man, it is with peculiar pleasure that I can contemplate him as the chief executive of a great Commonwealth. Fearless, possessing that serene courage that is not even conscious of danger, is not even conscious of its own fearlessness, any more than a saintly woman thinks of her sinlessness or virtue, it was a matter of course; firm as adamant, yet without stubbornness, modest, willing to hear, possessing that humility that always accompanies deep thought and great learning.

A good listener, conscious of his own fallibility, careful, considerate, patient in research, he at last reached his own conclusion; and when convinced of the rectitude and the wisdom of his action, no consideration of interest or fear could move him. There was a clamor in his own State, as there is clamor in every State when we stand upon the precipitous brink of war, and he turned a deaf ear to his critics, and then secured the end for which they boldly complained by the voluntary sacrifice of his private fortune.

He came into this House rich in honor and in experience. Without seeking the position, he discharged its duties with patience, with diligence, and with marked ability.

Back again to the practice of the great profession that he loved and honored he displayed his signal disinterestedness, his earnest desire to serve his people and do their bidding. Having been a Member of Congress, he became again a member of the state legislature. It is a simple incident, but it is a strong light upon character. I know nothing that indicates to my

mind more conclusively the self-abnegating patriotism of Thomas Jefferson than his willingness, his continual willingness, whenever the exigencies of the occasion or his sense of duty demanded, to lay aside the so-called "high honors" that encircle the brow of a man who has been chosen by his constituency to represent them in this Chamber, and to return to what by many are considered the smaller duties and the modest emoluments of a member of the state legislature.

He did it because he believed it was best for his State; and it is a pity, Mr. Speaker, it is to be regretted that more men rich in experience, in honor, beyond even the suspicion of personal ambition, do not return to their state legislatures and give to those bodies the benefit of splendid talents and long experience. Were it done, this atrophying of the authority and the power of the States, this failure of the state governments to exercise all the power and the authority that was conferred upon them by the Constitution, to preserve intact and in full their autonomy and their equilibrium in this constellation of States called the "Federal Government," would not be so manifest or so universally lamented.

In the state legislature, as in the Federal Congress, the modest work of LLEWELLYN POWERS was soon recognized. He was made speaker and, as I have said, governor.

There is another characteristic of this man which will be long remembered, and remembered most pleasantly, not by those who simply hear his name on the tongue of rumor or from the trump of fame, but those who are near to him. His humanity is a precious heritage to friends and to kindred. He was a great combination of head and heart. Humanity marked every consideration. He was strong, but he was not stern or cruel. It was a strange mixture of strength and gentleness. He felt for the fallen.

He sought to lift the burden from the bowed back of toil, to alleviate pain, and even the criminal he spared, so far as his duty to the State and the safety of society would permit.

Mr. POWERS abhorred capital punishment. He hesitated to take human life wherever it was found. He possessed that same humanity, that feeling for a brother's wrong as though that brother were his own, although they were only members of the same great family, and the brother was a stranger, bound to him by no bond of blood or creed or interest. At a time when this Nation was divided against itself, when "hate raged to flesh its fangs in hostile hearts," he won the admiration of his foes.

He was not sectional. He was not narrow. To be sectional and to be narrow is, in a sense, Mr. Speaker, to be cruel. The secret of the liberality of his mind is to be found in the goodness and tenderness of his great heart.

This brave, truthful, serene, modest, heroic man faced the grim destroyer, faced the untold mysteries of the beyond, and embarked upon that sea whose nether shores are eternity, with the same courage, with the same conscientiousness of his rectitude with which he met the duties of the day, and we have every reason to believe that he, upon his awakening, we know not where or how, shall still, void of fear and reproach, adorn a brighter and a higher and a happier sphere.

ADDRESS OF MR. FOWLER, OF NEW JERSEY

MR. SPEAKER: I want to speak only of my personal relationship with Mr. POWERS and the development of his character as it revealed itself to me in my committee. He came onto the Committee on Banking and Currency immediately after his entrance into Congress. For about eight years we sat together. I well recall the impression that he first made upon me—that of a rather surly and stubborn man. As time went on I discovered that he was always present at meetings, and often when there were no committee meetings. This brought us into frequent companionship. We had many long conversations, and it developed into a sort of personal relationship. I was not, of course, long in finding out that he was a man of thorough education, indeed, of ripe learning; and that he was not merely a student and scholar, of which he often gave evidence by quotations from the classics, but a business man of wide experience and rare acumen. He told me at one time that he had continued to study the classics long after he had finished his college course, which was evidenced by these frequent recitals.

BUT LLEWELLYN POWERS was a far better thinker than he was a student. He was a man of logical mind, and a man of such comprehensive mental grasp that he could keep the whole array of facts before him and arrive at conclusions which he could stongly defend. He was a man of intellectual honesty. He never deceived himself by counting an immaterial fact of greater value or force than it ought to have.

He had a highly judicial mind and would have made a great judge. His mind was keen, discriminating, just. He was a

man of perfect composure, of balance of mind, and in any discussion, however intense it became, he never seemed to lose the sense of fairness to his fellows; and whenever in the course of discussion he found that some one disclosed a larger view and more thorough study, he had that breadth of view and generosity of consideration to waive his own impressions in favor of what he believed was the more thorough understanding of his opponent.

I learned to think of him as a sweet character; not a single stinging word ever dropped from his tongue, and yet he was always strong, firm, steadfast, and persistent in the conclusions to which he had arrived after study and thoughtful deliberation.

I well remember one instance that was so peculiarly characteristic of his fair-mindedness. Although he had been for years of a certain opinion upon a given question—indeed, persistent in his defense of it, unvarying in the complexion of his view with regard to it, after a restatement of the case, even in the very last session of Congress and upon one of the very last days that he appeared in our committee, he referred to the restatement with a degree of interest that was marked in him—for he never showed that he was moved to any great degree—that he was deeply impressed, and virtually changed his attitude, saying:

I have believed this all my life, but I have come to the conclusion that I have been old fogyish with regard to it.

And so it was with him always.

He was simple, he was true, he was intellectually honest, he was self-respecting, he was self-reliant. He was deeply and profoundly a patriotic man, as I understand it. As I came to know him thoroughly and comprehended him, I discovered he was as proud of our country as any man I ever knew. He was proud of Maine; he was proud of the many great men

Maine had produced; he was proud of the fact that he was one of a family that had made its name respected; he was proud of the county in which he lived, and his little town. Often did he discourse upon the great county of Aroostook and of what it produced. He was not only proud of the family of which he was one of the sons, but he was proud of his own children.

The life of LLEWELLYN POWERS is typical of the best citizenship we have in this country. He was essentially self-made. Always devoted to every public duty, he was equally devoted to his private affairs. There was no detail so small or any consideration so slight in matters of legislation as ever to be brushed aside with indifference; and to him it came to be our invariable habit in our committee to look when discussing a close question and hunting for exact expressions for precise legislative language. This was because he had not only great ability and training, but because we could rely upon his intellectual integrity and discriminating judgment.

So that, as time went on, the man that I first looked upon as stubborn became simply a great, strong character, mingled, as has been happily said, with a peculiar simplicity and sweetness. I admired him; I liked him; and I confess to a feeling that I have for few men. I came toward the last years of my association with LLEWELLYN POWERS to hold him in affection. After all, when you say that a man is intellectually honest—and so define character—it is indeed, all there is of us. Character is a thing that is left in the world to impress the force of a human soul on those who come after us. It is only a possibility that as we pass away from the world it may have been improved, made a little better, a little more advanced, lifted a trifle above the plane it was when the soul entered. But certain it is there was nothing in the career of LLEWELLYN POWERS that his hand ever touched, that his mind ever recast, that was

not in a very marked degree improved and embellished by the fact that his mind had come in contact with it. And so I can fittingly recall this beautiful verse:

And when the stream
Which overflowed the soul was passed away,
A consciousness remained that it had left
Deposited upon the silent shore
Of memory images and precious thoughts
That shall not die, and can not be destroyed.

ADDRESS OF MR. LLOYD, OF MISSOURI

MR. SPEAKER: GOVERNOR POWERS was an unusual man in many ways. He possessed a good intellect, a strong will power, and was of affable and courteous manner. He was always pleasant and attractive in conversation and forceful and practical in public speech.

He was decided in his convictions of right and wrong and determined to do right as he saw it. He was considerate of the views of others and recognized the right of another to differ from him. His long connection with public service and varied experiences in official position made him unusually helpful in legislation. Few men had a better grasp on current needs and practical remedies than he. He was a partisan in politics, but an independent thinker on all public questions. A man of wealth, but of the greatest simplicity in manner and dress. He was always approachable and could be reached by the humblest as well as those more fortunate. He gave attention to the details of business and had superior judgment in determining what course to pursue in a given instance.

Governor POWERS gave more attention to his official duties while in Congress than would be expected of one of his age and extensive possessions. He took quite an interest in everything that was assigned to his committee in Congress and passed on every question after careful investigation. Few young men were more painstaking in research than he was.

Governor POWERS was solicitous always of the welfare of his family and the education and the training of his children. He

talked to me a number of times about them. He had definite plans for his children. He was methodical and thoughtful about everything pertaining to their future, as he was about the business, official or otherwise, that came to him.

He was a student of public questions, and his opinions were worthy of the greatest consideration. While he was a Republican in politics and followed the leadership of his party, he had his own views and did that which in his judgment was best for his country. He said that he believed his party usually right, but if wrong in a given instance he would remonstrate, but unless conscience was involved he followed the final action of his party.

Last year during the consideration of the currency measures he openly announced his views in speeches on the floor and otherwise. He was so conscientious in his actions here that he asserted his differences as to a financial policy from his colleagues and refused to accept what he believed to be a scheme which would fail to bring relief to the people.

He was a man of good habits and lived an upright life. He had some decided views on religion. I remember of two conversations in which the questions of Bible lessons were involved, and he expressed himself firmly in favor of the truth.

Governor POWERS has been missed more than most men here who leave us. He was especially helpful in counsel, but was a forceful and effective advocate on this floor as well. Death has claimed him as its victim. He has gone where his colleagues one by one must soon follow, into the beyond. Separations are sad, heartrending to family and friends; but what of the morn? Shall man survive the grave? Shall the hereafter bring the happy realization of the unity of the family circle?

It is not my purpose to philosophize as to the future, but to express in this presence my good fortune in having the acquaint-

ance and in enjoying the friendship of so good a man as Governor POWERS. I regret his departure—it is a loss to me—but his life was helpful in its influence. Imperfections he may have had, but if so, bury them and rejoice in the good he did in public affairs and in private life. Cherish the good he did, emulate his righteous deeds, and remember always that a faithful public servant has passed away.

ADDRESS OF MR. SWASEY, OF MAINE

MR. SPEAKER: I had not intended to occupy any time in this memorial service, for I knew that my colleagues from Maine were more intimately acquainted with the life of Congressman and ex-Governor POWERS than I was. Our homes were hundreds of miles apart, and I had no acquaintance with him during his early life, except what I gained through communication with his friends. Thirty-five years ago last January at our state capitol, at the inauguration of Hon. Nelson Dingley as governor of our State, was the first time, as I now remember, that I ever met LLEWELLYN POWERS. For three consecutive years in the legislature of Maine I served with him, and we were assigned to many of the joint and all of the special committees of those legislatures. It was an important period in Maine's legislation. There were great and beneficial reforms inaugurated under Governor Dingley. It was the first time that there had been a suggestion of taxation of public service corporations in our State. Important investigations into the previous financial management of our State were started.

The revision of our state constitution was another of the important measures. Under the wise leadership of Hon. Nelson Dingley, who served so many years with such honor and distinction in this great body, we wrought great changes in our legislation, and in all Mr. POWERS took an active leading part. Through the service upon those committees, associated as I was with Governor POWERS, I early learned that he was, as has been said here repeatedly, an able lawyer, a man of wide information, a man of honest purpose and of strong convictions. His record is the best testimony that can be presented as to his life work in

his home State, and the best evidence of the confidence reposed in him by the people who knew him best. After his service in the legislature and his further more intimate acquaintance with the people of our State, the record of the immense majority by which he was chosen our chief executive is more to his credit, more evidence of the qualities and characteristics that brought him success, than any words I can offer.

But, Mr. Speaker, I have been highly pleased, yea, eminently gratified to find that LLEWELLYN POWERS, after he had received all the honor that it was possible for his district and his State to confer upon him in a political sense, received here in this larger field of activity the implicit confidence and the large respect of the Members of this body, as evidenced by these eulogies which, now that he has passed through the valley of the shadow, have been so earnestly, honestly, and eloquently spoken on this occasion.

In behalf of his constituency, in behalf of the sovereign people of Maine who had honored him again and again, I want to thank the Members of this House for their words of comfort to his family and friends, and for the honor to all who have been interested in the great public career of LLEWELLYN POWERS.

I want to thank the speakers further for what they have said in honor and remembrance of those whom we have sent from that State, situated as it is in the northeast corner of this great Union. It is unimportant, perhaps, in some respects, compared with other States of the Union, but I am proud to realize that, though small and unimportant, our people have been able to contribute in so large a measure to the growth, development, and glory of the American Republic.

ADDRESS OF MR. WALDO, OF NEW YORK

MR. SPEAKER: In the death of our friend LEWELLYN POWERS this House has met with a distinct loss.

Governor POWERS was not one of the brilliant, showy Members. He seldom took part in debate, and was not himself one of the introducers of great measures. He was, however, one of the constant, laborious, unostentatious workers upon whom the real business of a legislative body rests; a man always present at the meetings of committees to which he belonged, nearly always in his seat at the opening of each daily session of the House, and an attentive listener to the discussions on the floor. During the four years that we sat together in the House Committee on Banking and Currency I came to know him well and to cherish for him a sincere friendship and regard.

He was frank and outspoken in his sentiments and did not hesitate to state strongly and vigorously his views upon measures and questions that came before that committee. His long and successful experience in business and in public life had naturally made him somewhat conservative in regard to measures for the reformation of our banking system. But when his experience and good judgment led him to believe a change in our present system was necessary and for the best interests of the banks and the people, he was strong and unwavering in his support of such change.

He was a man of great poise and self-control, and never let his support or opposition to measures in committee or on the floor of the House become a personal matter. Everyone felt that his support or opposition was only an expression of his honest views upon a public matter, which our colleagues would

not and did not allow to lessen his regard and esteem for other Members nor to interfere with their friendly relations.

He was a good man, a good friend, a valuable citizen and Member of Congress who will long be missed and his death sincerely regretted by his fellow-Members.

Mr. GAINES, of Tennessee. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have leave within the next twenty days to print remarks on the life, character, and services of the late Representative POWERS.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The SPEAKER pro tempore. In accordance with the resolutions already agreed to, and as a further mark of respect to our deceased colleague, this House stands adjourned until tomorrow at 12 o'clock noon.

Accordingly (at 1 o'clock and 43 minutes p. m.) the House adjourned.

PROCEEDINGS IN THE SENATE.

TUESDAY, *December 8, 1908.*

A message from the House of Representatives, by Mr. William J. Browning, its Chief Clerk, communicated to the Senate the intelligence of the death of Hon. LLEWELLYN POWERS, late a Representative from the State of Maine, and transmitted resolutions of the House thereon.

Mr. GALLINGER. Mr. President, I venture to inquire if there are other resolutions of a similar nature to be offered. If not, in behalf of the senior Senator from Maine [Mr. HALE], I offer the following resolutions.

The VICE-PRESIDENT. The resolutions submitted by the Senator from New Hampshire will be read by the Secretary.

The resolutions were read, as follows:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. LLEWELLYN POWERS, late a Representative from the State of Maine.

Resolved, That as an additional mark of respect to the memory of the Representative whose death has been announced the Senate do now adjourn.

The VICE-PRESIDENT. The question is on agreeing to the resolutions submitted by the Senator from New Hampshire.

The resolutions were unanimously agreed to; and (at 2 o'clock p. m.) the Senate adjourned until to-morrow, Wednesday, December 9, 1908, at 12 o'clock meridian.

MONDAY, *February 1, 1909.*

A message from the House of Representatives transmitted to the Senate resolutions commemorative of the life and public services of Hon. LLEWELLYN POWERS, late a Representative from the State of Maine.

FRIDAY, February 5, 1909.

Mr. FRYE. Mr. President, I desire to give notice that on Saturday, February 27, I will ask the Senate to consider resolutions commemorative of the life and character of LLEWELLYN POWERS, late a member of the House of Representatives from the State of Maine.

SATURDAY, February 27, 1909.

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Edward E. Hale, offered the following prayer:

Behold, I come quickly; and my reward is with me, to give every man according as his work shall be.

Blessed are they that do His commandments, that they may have right to the tree of life, and may enter in through the gates into the city.

For we know that if our earthly house of this tabernacle were dissolved, we have a building of God, an house not made with hands, eternal in the heavens.

Let us pray.

Father, Thou hast taught us this by Thy word in all ages by Thy well-beloved Son. To-day we are to go back in memory to those who have served Thee here and are now serving Thee in the larger service of that other world.

O God, be with us when we interpret history. Be with us Thou, when we look into the future to see what our own duty may be in these days that are before us. Show Thy servants in the Congress, show all persons in authority in the Nation, what it is to serve the living God and to bring in Thy law for our law, Thy rule for our passion, Thy strength for our weakness, and Thy love to be with us always, that we may bear each other's burdens, that we may find the duty that comes next our hands, that we may enter into that service which is perfect freedom.

We ask it as Thine own children.

Our Father who art in heaven, hallowed be Thy name. Thy kingdom come, Thy will be done, on earth as it is in heaven. Give us this day our daily bread. Forgive us our trespasses as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil; for Thine is the Kingdom, and the power, and the glory, forever. Amen.

Mr. FRYE. Mr. President, I offer the resolutions which I send to the desk.

The VICE-PRESIDENT. The resolutions will be read.

The resolutions were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate expresses its profound sorrow on account of the death of the Hon. LLEWELLYN POWERS, late a Member of the House of Representatives from the State of Maine.

Resolved, That the business of the Senate be now suspended, in order that fitting tributes may be paid to his memory.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and to the family of the deceased.

MEMORIAL ADDRESSES

ADDRESS OF MR. FRYE, OF MAINE

Mr. PRESIDENT: The Powers family was rather a remarkable one. Arba Powers, a stalwart man physically and mentally, built for himself a log cabin in Maine, and from his home sent out into the world eight sons equally stalwart in mind and body. All of them, by their own exertions, aided only by heredity and an early training in economy, thrift, and hard work, achieved success.

Nearly all of them held important public offices in Maine and elsewhere and discharged their official duties in a manner entirely acceptable to the people. These log cabins have, I think, made more valuable contributions to the Republic than have the homes of wealth and luxury. The oldest of these sons was Governor POWERS, to whose memory we pay tribute to-day. He had the advantage of education in our free schools, the first in the country having been established in the district of Maine.

It is an interesting incident that William King, our first governor, an ardent friend of Thomas Jefferson, visited him at his home at Monticello before he entered upon the duties of his office, and Jefferson, at his request, wrote the article in our Constitution which perpetuated our free-school system.

Mr. POWERS continued his studies in the academy; then for two years in Colby University; then entered the Albany Law School, from which he graduated with honor. He commenced the practice of the law at Houlton, in Aroostook County, the

northeast county of this country, then mostly in wilderness, now said to be, in the value of its farm products, the fourth in the United States.

He gained what in those days and in his State was a large and lucrative practice, so large that he was obliged to take as a partner his youngest brother, Frederick, who later on became a judge in our supreme court. Mr. POWERS was a business man of great sagacity, of clear foresight, and invested his surplus earnings in wild lands, which became very valuable and made him a wealthy man. At the time of his death he was the largest individual owner in Maine, having holdings amounting to 200,000 acres.

Mr. POWERS was attorney for the State for the county of Aroostook from 1864 to 1871; collector of customs for the district of Aroostook from 1868 to 1872; a member of the house of representatives in Maine for six terms, during one of which he was speaker; was elected governor of Maine in 1896 and re-elected in 1898. He was elected to the Forty-fifth Congress from the fourth district and elected to the Fifty-seventh Congress in April, 1901, to fill the vacancy caused by the resignation of Hon. Charles A. Boutelle, and to the Fifty-eighth and Fifty-ninth and Sixtieth Congresses.

I was a Member of the House in the Forty-fifth Congress when Mr. POWERS made his first speech. It commanded the attention of the House and made a favorable impression. While serving his State in its legislature he had a commanding influence in the enactment of important legislation. As governor he had strong convictions and the courage of them; he was fearless, not parsimonious, but wisely economical; and by his forcefulness, his tireless energy, his business sagacity, made his administration of the affairs of the State eminently satisfactory to the people, who reelected him by an increased majority.

Governor POWERS was a first-rate, all round lawyer, the product, I think, more frequently of the country than of the city practice. As an advocate he was forceful, exhaustive, and successful, if not eloquent.

As a legislator, his clear vision and business sagacity, together with his accurate legal knowledge and commanding presence, compelled attention and rendered him effective.

He was an ardent Republican, a firm believer in the protection policy, loyal to all of the fundamental principles of his party, and yet always tolerant to those differing with him.

He made hosts of friends and few enemies. Socially, he was very attractive, was a fine conversationalist, abounding in apt anecdote, and quick of wit. He was a devoted husband and a loving father.

He fought well life's battles, and won more victories than fall to the lot of most men. In his death his country, his State, and his family have suffered a most serious loss.

ADDRESS OF MR. SUTHERLAND, OF UTAH

Mr. PRESIDENT: Of right and of necessity our concern is for the living rather than for the dead, because the living need us and the living we can help. The dead can only be held in affectionate remembrance. The span of our days upon this earth is short, and there is so much to be done by the living for the living that the task of doing it will ever remain our chief and most imperative duty. Life itself is a series of battles, wherein each of us must play the soldier's part and assume the soldier's responsibility, contending with whatsoever weapons we can best use, accepting, if we are wise, the victories which we may win without too much self-pride and the defeats which we may suffer without too much self-pity, and submitting at the end serenely, patiently, and courageously to the inevitable stroke of that final grim antagonist against whom no man can prevail. To one who has grown weary of the strife the stroke is sometimes not unwelcome; but whether sweet or bitter, to-day or to-morrow or finally it comes to all, and the vacant places in the ranks are filled by new comrades and the battle goes on, for the militant business of the world must be done, whoever may fall. While the stern necessities of the living will not permit us to sit idly with the dead, it is fitting and proper that we pause in the conflict and pay passing tribute to the memory of those who, having borne with us the heat and the stress of the struggle, have passed on to their final rest. It is appropriate that we reverently give expression to our gratitude for what they did and our appreciation of what they were. For this purpose we are here this afternoon.

Mr. President, it was my good fortune to meet Governor POWERS very soon after I became a Member of the House of Representatives in the Fifty-seventh Congress, and during the sessions which ensued I became intimately acquainted with him. He was a man of striking personality. His face and figure were so sufficiently out of the ordinary that they will not soon be forgotten, and both are very clearly in my mind to-day. His frame was strong, almost massive; his head large and well formed; his features rugged, strong, furrowed with deep lines. His face, when in repose, gave an impression of sternness, but was full of enchanting kindness when illumined with the smile that always came at the word of a friend—a face, withal, full of character, expressive, thoughtful, which at once and instinctively inspired confidence and trust. His manner to all was gentleness and courtesy personified. He was by nature social—a lover of his fellows. He was a good conversationalist and a good listener, which is sometimes a more amiable, if rarer, accomplishment. He could tell a good story or listen to one with keen and intelligent appreciation. His good nature was infectious.

Mentally, he was, I thought, more sound than alert. He did not come to a decision quickly. His conclusions were not intuitive, but the result of patient, deliberate, painstaking, intellectual effort. Almost as a necessary consequence, having arrived at a determination respecting the merits of a proposition, he was immovable, albeit he was not dogmatic or stubborn. He listened to the views of others with an open mind; he did not differ for the mere sake of difference. He was an earnest partisan in the highest and best sense. A Republican all his life, the traditions and principles of that great party had been woven in the very warp and woof of his character, and yet he never hesitated to voice his disagreement whenever his party declared for something he could not indorse; but when he dis-

greed it was reluctantly, regretfully. Always he gave his own party the benefit of the doubt.

It is a trite thing to say of any citizen of the Republic that he is patriotic. That is the normal attitude, thank God, of all our people. It is equally a trite thing to say of any properly constituted man that he is humane. That is the common attribute of our modern civilization. But a good many people are patriotic in sentiment and humane in feeling who are neither in practice when the practice entails personal sacrifice. Governor POWERS believed that love of country was not a mere abstraction, but a deep and holy sentiment for which one should be willing to give his time and strength and property and, if need be, his life. When war was declared with Spain he was the governor of his State. He was urged to call a special session of the legislature in order that an appropriation might be made to equip and supply a regiment of volunteers for service in the field. This he declined to do, because of the great expense an extra session would involve, but instead he went into his own pocket and paid out of his personal means the great sum which was required to properly equip the troops and send them to the front. That the legislature at its next regular session promptly reimbursed him detracts in no measure from the generosity and patriotism of his act. There was no legal obligation on their part to do so, and most men would probably have called the legislature together instead of taking upon their own shoulders the burden and responsibility which he assumed without regard to the consequences.

He was strongly opposed to capital punishment. He thought, as many others have thought, that the poorest use to make of even a bad man is to kill him. The object of punishment for crime is threefold—to reform the criminal, to protect society against a repetition of the crime, and to deter others from committing like offenses. Capital punishment does none of these.

The death of the criminal precludes reformation; society is effectually protected by permanently depriving the criminal of his liberty, and life imprisonment operates as a deterrent quite as well as capital punishment. Sheep stealing was at one time a capital offense in England, but sheep stealing was as popular when the punishment was death as it has ever been since that punishment was abolished. Organized society has no more right to take human life as a matter of vengeance than has the individual. This was the way in which the matter presented itself to the mind of Governor POWERS, and as a member of the judiciary committee of the state house of representatives he succeeded in impressing his views upon his colleagues, with the result that his bill abolishing capital punishment in Maine was reported to the house and subsequently enacted into law.

This upright man and splendid citizen, having served his State and country with signal success and distinguished honor as legislator, as governor, and as Congressman for more than thirty years, on the 28th day of last July, passed from the conflicts of this world into the rest of the world that is to be.

What lies beyond the grave it has not been given us to know. The old, old question, at once the most pitiful and the most stupendous inquiry of the human race, echoing from the lips of Job through the vanished and the vanishing years, is to-day, as of old, the passionate and sometimes despairing cry of the human heart—"If a man die, shall he live again?" Science has measured and weighed the stars, analyzed the sunbeam, caught the rhythm and the music of the waves of sound, wrested from nature her choicest and most closely guarded secrets, and enslaved her most subtle and powerful forces, but to this one question she gives no answer which carries either hope or conviction. The lips of the young asking "whence" and of the old inquiring "whither" are alike unanswered. Faith alone vouchsafes a reply. Somewhere in the innermost

sanctuary of the self there is something which assures us that at the end we shall find a door and not a wall. The vast majority of mankind, when told that nature at the very heart is dead, experiences that fainting of the soul that comes in the presence of a supreme falsehood. Every cell and every nerve instinct with life cries out against it.

What, then, am I,
 An infant crying in the night,
 An infant crying for the light,
 And with no language but a cry?
 * * * * *
 My own dim life should teach me this:
 That life shall live for evermore,
 Else earth is darkness at the core,
 And dust and ashes all that is.

We stand upon a mountain top and look down long stretches of undulating forest, over grass-grown meadows and peaceful pastures filled with slow-moving and contented herds; we see the lordly river stretching like a ribbon of silver with long vistas of shimmering shallows and shadowed banks; we lift our eyes to the blue sky, and see here a fantastic cloud and there a hawk lazily drifting with outstretched and motionless wing. Our senses thrill with the glory of the vision; but the majesty of mountain, the beauty of field and river, the splendor of the sky, the witchery of cloud and sunlight and shifting shadow are not in the eye or the brain or the body of the beholder, but in the soul. We close our eyes, and the scene is gone from the physical sight, but we behold it, nevertheless, softened and subdued, yet filled with a tender and dreamful loveliness, still pictured in the marvelous gallery of the mind. Then may we not believe that, when the darkness of death is come and the cells of the brain go back to dust, a conscious something, above and beyond all nerves and tissues and cells and brain, which saw the picture and hung it in the memory, will mount from this earthly night of death into the light of the eternal morning?

ADDRESS OF MR. SMITH, OF MICHIGAN

MR. PRESIDENT: In the busy whirl of life, with its trials and exactions, we pause to pay a tribute to the memory of one of our late colleagues in the House of Representatives.

LLEWELLYN POWERS, for many years a Representative in Congress from the State of Maine, served with honor and credit to his Commonwealth and to the country. Maine has been limited in its geographical area, and almost unlimited in its material resources and seemingly inexhaustible in its wealth of able and distinguished men, many of whom have been chosen because of their special fitness for public place, and retained in the service with credit to the State which commissions them as long as they have been willing to serve.

Think of a State which has within a generation contributed to the public service a Fessenden and a Hamlin, a Blaine and a Reed and a Dingley, and is now so honorably represented by our colleagues, Senator Hale and Senator Frye, than whom there are no more able, conscientious, upright, worthy, or influential men.

I consider myself fortunate to have served with many of these men in the latter years of their public service. Reed and Dingley and Boutelle and Milliken were all colleagues of mine in the House of Representatives, and I learned something from each of them. I consider the country most fortunate to-day to be guided, as it often is, by the practical common sense and the wise experience of the distinguished Senators from Maine now in this Chamber. True to her high traditions, Maine commissioned our late colleague for duty here.

Mr. POWERS first entered public life as a young man, and retired after one term in Congress. He carried his shrewd commercial instincts into the busy world of affairs and made a business success of life. Later returning, after serving as governor of his State, he entered again into the activities of legislative life. I consider that we were fortunate indeed in his legislative companionship. He was modest and unpretentious, yet he was firm and substantial. He made few tenders of his sympathy or kindness of nature, but no one could come in contact with him and fail to appreciate that he was one of nature's truest men.

Mr. President, death places its hand upon all that lives, and in calling LLEWELLYN POWERS from an ideal home life and the activities and responsibilities of private and public employment nature drafted an honorable and a worthy son. His personality will long be missed in the House of Representatives and among those who loved him.

I simply desire to pay my tribute to his lofty character, his usefulness, and his fidelity, and I shall long remember the pleasure and the satisfaction I have taken in our companionship and association here.

ADDRESS OF MR. DIXON, OF MONTANA

MR. PRESIDENT: LEWELLYN POWERS was born in Pittsfield, Me., December, 1836, the eldest of ten children. He was descended from a family that had been prominent in New England for many generations, and whose name frequently appears on the muster rolls of the Continental Army. Born on a farm, he was educated in the common schools and academics of his native State and at Colby University. He entered the Albany Law School and graduated therefrom in 1860. He immediately returned to Maine and began the practice of his profession at Houlton, the county seat of Aroostook County. Of splendid physique, affable in manner, temperate in his habits, and industrious in his profession, front rank at the local bar was soon attained.

Like most young lawyers, he was soon attracted to the field of local politics. In 1864, four years after being admitted to the bar, he was elected prosecuting attorney of his county, and was twice reelected to the same position. He held the position of United States collector of customs for four years. In the early seventies he was sent to the Maine legislature for three consecutive terms and then elected as a Representative to the Federal Congress, serving one term in that body along with a distinguished delegation from the State of Maine which numbered among its members such men as James G. Blaine, William P. Frye, and Eugene Hale.

Defeated for reelection in the greenback agitation of 1878, he again took up the practice of his profession. Twelve years later he again entered public life as a member of his state legislature,

serving again three terms, during the last of which he was elected speaker.

Then followed his election as governor in 1896 and his reelection in 1898 by a majority of nearly 50,000. A few months after his retirement as governor he was again elected a Member of Congress, where he served continuously until his death on July 28, 1908.

Elected by the people of his own district three times as prosecuting attorney, six times as a member of the legislature, and five times a Member of Congress, his actual time spent in the public service covered a period of a quarter of a century.

Unlike most men who devote so much of their lives to the public business, Governor POWERS was also most successful in his own private business affairs. By his own exertions and good business judgment he accumulated a private fortune of considerable magnitude. Coming from a State justly celebrated for the sound conservatism of its people, he was by nature, blood, and training well fitted for the position of one of the leaders, both in business and political affairs.

It was my pleasure to have served with him for four years in the other end of this Capitol. The Maine delegation, famous for a century past for its strong membership in both Houses of the Federal Congress, was then famous for having three ex-governors of the State in a delegation of only four members.

Governor POWERS was a striking figure in that body, comprising a membership of nearly 400 men, the directly chosen Representatives of 90,000,000 people. Large and well-proportioned physically, swarthy of complexion, a massive head crowned with a shock of raven-black hair, he attracted notice among his fellow-Members. He was most genial in his manner, conservative in his speech, and fair in his judgment of both men and measures. Measured by any standard, his life was a success-

ful one. In business affairs, in the legal profession, and in the public service he had achieved distinction in all.

At the close of their life this can be said of but few men. Most men whom the world calls successful have only achieved success along some one line of action. Our so-called great and successful men have nearly always been deficient in some things.

To his wife and children, to his State, and to the Nation LLEWELLYN POWERS has left a record of an industrious, well-spent, well-ordered, and successful life.

So long as men of his type shall be selected as the chosen leaders of the people of the respective States of this Republic, all is well.

ADDRESS OF MR. HALL OF MAINE

Mr. President, I had hoped to secure some facts in a family historical way about the Powers family in Maine, a typical New England family, a household that is the real life of New England life, but the exigencies which I have made to details have misled their way, and I can only say here that our colleague, Governor POWERS, was the natural and distinguished representative of the New England family and far life and of nature's stimulating surroundings, and that it has distinguished as have been very few Maine families. I had the inspiration, the best inspiration for youth, of country life, country associations, of the training and education that come in New England, I know in Maine, from the district school and the academy and the religious and moral teaching that go with a sober and temperate community.

The Powers homestead was the seat of plain but ample country hospitality. The neighbors gathered there; the ministers in their rounds came to the Powers house; the boys and the girls, as they were born and reared, imbibed all the healthful influences that come from such a life; and when the day came and they went afar from home life and joined in the life of the larger world they were found equal to any occasion.

The family furnished distinguished lawyers and legislators and men of large and sagacious business minds, an stands to day in my mind as one of the best products of New England and Maine country life. One of the family was a first distinguished member of the supreme court of Maine, and when he voluntarily retired from that high place it was to the retreat of all our people. Others of the Powers family have joined in

taking the record of Maine in business and in legislation and in social life, and all have been active and influential factors.

There was none superior to the Governor. That is our fashion, Mr. President, in Maine. A man who has once been governor with us is always "Governor." He may be a Member of the House of Representatives, but we call him "Governor." He may come to the Senate, but he is "Governor." He may go to the Cabinet, or even to higher places, and I fancy we would always think of him and address him as "Governor." Mr. POWERS was always to the people of Maine, from the time that he served in our highest chief magistracy, "Governor" POWERS.

What my colleague has said of him, and what other Senators who shared in the pleasure of his acquaintance have said, is true. He was a leading and influential figure wherever he was seen. He was intelligent and faithful in his duties, courageous in his standing by his beliefs and convictions, and was never a negligible factor. In Maine, whether in its legislature or as its highest executive officer, or in Congress in the House of Representatives, upon whatever committee he served, and wherever he appeared and was seen and known, he had weight, he had consideration. He was of importance not by intrusion, for, as one of the Senators has just said most fittingly, he was by nature, while courageous and outspoken, a modest and reserved man. But wherever he was, he was of account.

We were proud of him in Maine, Mr. President. We were proud of his position in Congress, of the increasing weight of his character and his counsel as the years went by; and it was with a sense of great loss that Maine gave him up as a public servant.

He had in him great elements of what I may call the practical, shrewd side of New England character. He was not easily

moved in business or in politics or socially from what he believed to be the true and the practical course. It was shown in his business life. I knew him always quite intimately, from the time when he began practicing as a young lawyer in a young country shire town. He gained, in the estimation of his neighbors, friends and clients, and the people as a lawyer, as a business man (and was almost infallible in his judgment as to investments), the returns that would legitimately come to a young man from his growing resources.

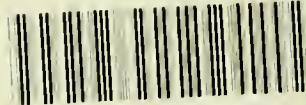
He was at last, as my colleague has said, one of the largest owners of valuable lands in the State of Maine, and he was worth, I suppose—what with us is a large fortune—a million dollars. He was not penurious. While he was frugal and saving, he had a large and generous mind.

I shall miss him, Mr. President, very greatly, because, coming from the same part of the State, we were thrown together closely; and I think I may say that in the years I have known him, with increasing regard, for more than forty years, we had no differences. He and I in political matters, in matters touching state interests, and what was of most account to our people, traveled together.

All of this companionship, Mr. President, all of this association, will dwell with me as long as I continue in public life. My colleague and I have had an unusually long service in Congress; I think I may say an unusually friendly and cordial service together. We have seen nearly everybody who has come here with us and in the other House disappear. Neither to him nor to me will the remnant of our days be the same with the new men. He and I will welcome them and act with them so far as we can helpfully, but we shall miss the departed, and none will we miss more than Governor POWERS.



LIBRARY OF CONGRESS



0 013 744 235 8

