

proof of the necessity for a constitutional amendment. This case before the Senate is only one of the many which, to my mind, show the need of a change in the method of electing United States Senators. The present method places the choice too far from the people, and in consequence the rights of the people are in danger of being disregarded.

It is year by year becoming more obvious that the election of Senators must be placed in the hands of the people themselves instead of in the legislatures. We must get back to the fundamental idea of equality; we must remove all chances for scandals; we must come nearer the people; we must be in touch and in sympathy with their aspirations and wishes; we must by constitutional amendment give the voters of the United States the power to elect by their own votes the men who are to represent them in this Chamber.

Mr. CHANDLER. Mr. President, on two previous occasions I have spoken at length upon this constitutional question, and I have very little to say except in repetition of what I then said. I have some desire to make allusion to the eloquent and lengthy discourse a few days ago of the Senator from Michigan [Mr. BROWN]. Few as my words shall be, I am aware that it is getting late in the afternoon. Saturday afternoon is one of the times when Senators are unwilling to stay, and I think perhaps I had better refrain from speaking now and proceed on Monday forenoon. The Senator from Connecticut [Mr. PLATT] intends to speak, and at least for this afternoon I yield to him.

Mr. PLATT of Connecticut. I do not know, Mr. President. I think, after the suggestion of the Senator from New Hampshire that he preferred not to speak in a thin Senate on Saturday afternoon, when Senators make a sort of half holiday on the occasion, I would scarcely be expected to go on at present.

There is another suggestion which I should like to make. That other observation is this: I had desired to hear what the Senator from New Hampshire, who is chairman of the Committee on Privileges and Elections and heads the minority report in this case, would say upon it; not that I felt that I should be able to answer him, but I should like to know from his own lips before I speak what his position is or is to be. I think a better arrangement is that the Senator, immediately after the routine business on Monday morning, shall go forward with his speech, and I will endeavor to follow him with some short remarks.

Mr. CHANDLER. I was in hopes that I would entice the Senator from Connecticut to go on and speak before I did. Under the circumstances I will not speak this afternoon, but will move an executive session.

Mr. PETTUS and Mr. DANIEL addressed the Chair.

Mr. CHANDLER. I yield to the Senator from Alabama.

Mr. PETTUS. I was not desiring to avail myself of the floor, except merely to move an adjournment.

Mr. CHANDLER. Then I yield to the Senator from Virginia.

#### PUBLIC BUILDING AT NEWPORT NEWS, VA.

Mr. DANIEL. I ask leave of the Senate to call up for present consideration the bill (S. 2572) to amend an act entitled "An act for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va.," approved February 21, 1899.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill which had been reported from the Committee on Public Buildings and Grounds with an amendment, on page 2, line 4, before the word "thousand," to strike out "fifty" and insert "twenty;" so as to make the bill read:

*Be it enacted, etc.,* That the act approved February 21, 1899, entitled "An act for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va.," be, and the same is hereby, so amended as to direct the Secretary of the Treasury, in acquiring the site and in erecting said building, in addition to the uses therein provided for, to provide suitable court rooms, clerks' offices, marshals' offices, and all other necessary and convenient quarters for the Federal courts and officers in all courts authorized now or hereafter to be held at said point; and an additional sum of \$120,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay for such additions and changes.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### SENATOR FROM PENNSYLVANIA.

Mr. PETTUS. I move that the Senate adjourn.

Mr. PENROSE. I wish to ask the Senator to yield to me for one moment to make a statement in reference to the Pennsylvania case.

Mr. PETTUS. I withdraw the motion.

Mr. PENROSE. Mr. President, I think it should be understood by every member of the Senate that the Quay resolution shall be taken up immediately after the reading of the Journal and the disposal of routine morning business upon Monday next. I understand from the information I can receive that there are at

most two or three speeches to be made in favor of the minority report of the committee. How many are to be made on the other side I do not know; but there can be little doubt that if Monday and Tuesday are devoted to the consideration of this question all the debate can be indulged in that is required by the nature of the case or by the wishes of any Senator. I hope that will be the understanding of the Senate.

Mr. PETTUS. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 5 minutes p. m.) the Senate adjourned until Monday, April 23, 1900, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES.

SATURDAY, April 21, 1900.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

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

#### NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Illinois demands the regular order, which is for the further consideration of the naval appropriation bill. The Clerk will read the first amendment.

The Clerk read as follows:

In line 9, page 1, of the bill, after the word "pay," insert "and allowances prescribed by law."

The SPEAKER. The question is on agreeing to the amendment.

Mr. UNDERWOOD rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. UNDERWOOD. I rise for the purpose of withdrawing my demand for a separate vote on each amendment; and in making that request, I wish to say a few words to define my position. I ask unanimous consent that I may have three minutes for that purpose.

The SPEAKER. The gentleman from Alabama withdraws his demand for a separate vote on each of the amendments, and asks unanimous consent of the House to be heard for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. UNDERWOOD. Mr. Speaker, I merely wish to say that in demanding a separate vote on each amendment last night, I did so because I felt that on this side of the House we had not had an opportunity for a fair and reasonable discussion of the proposition before the House. It was intimated when the question came up that we were to have two hours' debate on the armor-plate question. When the point was reached we were denied that privilege. In discussing the point of order, when I was strictly in order—and any gentleman who examines the RECORD will see that every word I stated was directly on the point of order and not outside of it—the House refused to allow me to proceed.

Under such circumstances there is but one remedy that the minority can resort to, and that is to let the majority know that it will not expedite the bill or make time if it undertakes to throttle a fair and reasonable hearing on the part of the minority. For that reason I demanded a separate vote on each amendment. Having demonstrated, I think, to the satisfaction of the gentlemen on that side that they have not by their course expedited their bill, there is no reason for us to continue these tactics, and I therefore withdraw the demand for a separate vote.

Mr. FOSS. Mr. Speaker, I ask unanimous consent that I may have three minutes.

Mr. WHEELER of Kentucky. In reply only to what the gentleman from Alabama has said?

Mr. FOSS. In reply to what he has said.

Mr. RIDGELY. I would like unanimous consent, Mr. Speaker, to make a request.

Mr. FOSS. Well, Mr. Speaker, I will withdraw my request.

The SPEAKER. Does any other gentleman desire a separate vote on the amendments?

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois may have the three minutes he desires.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the gentleman from Illinois [Mr. FOSS] may have three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSS. Mr. Speaker, I want to state, in reply to what the gentleman from Alabama has said, that I was perfectly willing there should be general debate on some of the provisions of this bill, and I so stated. But when the time came to arrange for general debate, I was unable to get an agreement. Gentlemen upon the other side had repeatedly attempted to delay this measure and had insisted upon attempting to overrule the decisions of the Chair, so that I was placed beyond the pale of making an agreement with the gentlemen upon the other side. When I tried

to make an arrangement, and when the gentleman from West Virginia [Mr. DAYTON] agreed to have a general debate of fifty minutes, thirty minutes of which was to be controlled by the other side and twenty minutes by this side, the gentleman from Alabama threw out a remark which raised the righteous indignation of the gentleman from West Virginia [Mr. DAYTON], and then all attempts for an agreement on general debate ended.

Mr. UNDERWOOD. The gentleman will recognize the fact that we stated on this side that we desired an hour's debate. [Cries of "Regular order!"]

Mr. RIDGELY. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Kansas address the Chair?

Mr. RIDGELY. I will not at this time, Mr. Speaker, call for a separate vote; but I do ask, in view of the fact that we on this side have been denied the privilege of discussion, that I be allowed to print a letter and some remarks that I would have presented upon the bill had I been permitted.

The SPEAKER. The gentleman from Kansas asks permission to print some remarks upon the bill. Is there objection? [After a pause.] The Chair hears none.

The question is on agreeing to the amendments.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time; and it was read the third time.

Mr. VANDIVER. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. VANDIVER. I rise for the purpose of offering a resolution which I send to the Clerk's desk, a motion to recommit the bill with the following instructions.

Mr. FOSS. I reserve a point of order.

The SPEAKER. The resolution will be read for the information of the House and the Chair.

Mr. VANDIVER. Allow me to preface the motion by saying that it is not exactly the same proposition that we offered yesterday and which was ruled out of order. We offer this morning this motion on behalf of the minority members of the committee as a compromise, more particularly because some members of the minority thought it a better proposition and one not so likely to meet with disfavor, because it shows our intention to be reasonable and even abundantly liberal, so far as providing armor for the vessels now waiting for armor. I am directed by the minority to present this as a compromise or an alternative proposition. If you defeat it or strike it out on a point of order, you are responsible for leaving the vessels without the armor.

Mr. FOSS. I make the point that debate is not in order.

The SPEAKER. The point of order is well taken. The Clerk will report the proposition of the gentleman from Missouri [Mr. VANDIVER] for the information of the House.

The Clerk read as follows:

Armor and armament: Toward the armament and armor of domestic manufacture for the vessels authorized by act of March 2, 1895; for those authorized by the act of June 10, 1896; for those authorized by the act of March 3, 1897; for those authorized by the act of May 4, 1898; for those authorized by the act of March 3, 1899, and for those authorized by this act, \$4,000,000: *Provided*, That in contracts for armor plate for any of the vessels above mentioned, the Secretary of the Navy is authorized to procure armor of the best quality at an average rate not to exceed \$45 per ton of 2,240 pounds, including royalties. If, after due advertisement, the Secretary of the Navy should be unable to contract for such armor designated above, then, and in that event, the Secretary of the Navy is authorized to procure armor of the best quality for the battle ships *Maine, Ohio, and Missouri*, now awaiting armor, and to pay therefor not to exceed \$55 per ton of 2,240 pounds: *Provided further*, That if the Secretary of the Navy finds, after due advertisement, that armor plate of the best quality can not be purchased from private manufacturers of armor plate for \$45 per ton of 2,240 pounds, then, and in that event, he is hereby directed to procure or purchase a suitable site and erect thereon an armor-plate factory, at a cost not to exceed \$4,000,000; and to carry out the purposes of this provision the sum of \$2,000,000 is hereby appropriated and made immediately available, out of any money in the Treasury not otherwise appropriated. The following restriction, under the heading, "Armor and armament," in the act approved March 3, 1895, entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes," namely, "And *provided further*, That no contract for the armor for any vessels authorized by this act shall be made at an average rate exceeding \$300 per ton of 2,240 pounds, including royalties," is hereby removed, and the Secretary of the Navy is authorized to let the contracts for the vessels therein referred to, subject to all other requirements relating to the same as contained in said act of March 3, 1895, except as to sheathing and coppering, which is hereby made discretionary with the Secretary of the Navy.

Mr. FOSS. I make the point of order that it is not in order to move to recommit the bill with instructions to bring in a provision which is in violation of Rule XXI.

Mr. VANDIVER. I would like to be heard on the point of order.

The SPEAKER. The Chair does not wish to hear the question discussed, as he is ready to decide it.

This motion to recommit contains propositions which would not be in order if offered as amendments upon this bill in the Committee of the Whole or in the House. It has been long and well settled that there can not be referred to the committee, to be added to a bill as an amendment, a proposition which would not be in order if offered as an amendment in the Committee of the Whole

or the House. This rule has been established to prevent circuitry of action. The Chair therefore sustains the point of order and declares the motion of the gentleman from Missouri out of order.

Mr. VANDIVER. Will the Chair allow me—

The SPEAKER. The Chair has decided the question; and debate is not in order.

Mr. VANDIVER. Then I rise to a parliamentary inquiry. As the Chair has announced his decision on this question, I wish to know whether he would now entertain a motion to recommit generally, without instructions.

The SPEAKER. The gentleman has made one motion to recommit; and only one such motion is in order.

Mr. VANDIVER. That motion was ruled out of order. A motion which is ruled out of order can not be considered as a motion offered under the rule.

The SPEAKER. On that view of the case the Chair is rather disposed to hold that a motion to recommit generally would be in order.

Mr. VANDIVER. Then, Mr. Speaker, I move that the bill be recommitted.

The question being taken on the motion of Mr. VANDIVER, it was not agreed to; there being—ayes 55, noes 95.

The question being taken on the passage of the bill, it was passed.

On motion of Mr. FOSS, a motion to reconsider the last vote was laid on the table.

#### COMPENSATION OF UNITED STATES COMMISSIONERS.

Mr. LANHAM. I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 10840) providing compensation to United States commissioners in Chinese deportation cases.

Whereas United States commissioners are by law required to take cognizance of Chinese deportation cases, issue warrants for their arrest, hear the cases, enter final judgment therein, and issue orders of deportation in case of final judgment that the Chinese person has no right to remain within the United States; and

Whereas there is no compensation provided by law, as held by the Attorney-General and the Auditor, for the hearing of such cases; and

Whereas there is no compensation provided by law for such orders of deportation: Therefore,

*Be it enacted, etc.*, That hereafter there shall be allowed to the several commissioners of the United States for services in Chinese deportation cases the same fees and per diem as is now chargeable in criminal cases before them, and for an order of deportation the sum of \$2 in each case, to be taxed and collected in the same manner as other accounts are now payable by law. Sec. 2. That this act shall take effect from the date of passage.

The amendments reported by the Committee on the Judiciary were read, as follows:

Strike out the preamble.

Strike out, in lines 1 and 2, on page 2, the words "and for an order of deportation the sum of \$2 in each case."

Strike out section 2.

Mr. PAYNE. I understand that this bill has been reported from the Committee on the Judiciary?

Mr. LANHAM. It is a unanimous report. The reasons for the passage of the bill are clearly stated in the preamble—to allow the United States commissioners compensation for services rendered in connection with the deportation of Chinese found unlawfully within the United States. The accounting officers of the Treasury have decided that under the existing law, such cases being held to be civil cases, they can not make any allowance of compensation for such services.

There being no objection, the House proceeded to the consideration of the bill.

The amendments reported by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. LANHAM, a motion to reconsider the last vote was laid on the table.

#### BRIDGES ACROSS OCMULGEE AND OCONEE RIVERS, GEORGIA.

Mr. BARTLETT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10097) to authorize the Atlantic and Gulf Short Line Railroad Company to build, construct, and maintain railway bridges across the Ocmulgee and Oconee rivers within the boundary lines of Irwin, Wilcox, Telfair, and Montgomery counties, in the State of Georgia.

The SPEAKER. The gentleman from Georgia asks unanimous consent for the present consideration of a bill which the Clerk will report.

The bill was read. It provides that the Atlantic and Gulf Short Line Railroad Company, a corporation duly incorporated and existing under and by virtue of the laws of the State of Georgia, be and is authorized to construct, build, and maintain across the Ocmulgee River a railroad bridge for the passage of railroad engines and cars, at such point as may be selected by said company and approved by the Secretary of War, within Irwin, Wilcox, and Telfair counties, in the State of Georgia.



The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The amendments recommended by the Committee on Interstate and Foreign Commerce were read, and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. BARTLETT, a motion to reconsider the last vote was laid on the table.

LIGHT AND FOG SIGNAL, DELAWARE BAY.

Mr. WANGER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9566) authorizing the establishment of a light and fog signal on the new breakwater, harbor of refuge, Delaware Bay.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the present consideration of a bill which the Clerk will report.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is hereby authorized to establish a light and fog signal on the new breakwater, harbor of refuge, Delaware Bay, at a cost not exceeding \$30,000.

The SPEAKER. Is there objection to the present consideration of the bill?

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. WANGER, a motion to reconsider the last vote was laid on the table.

BRIDGE OVER BIG SANDY RIVER BETWEEN WEST VIRGINIA AND KENTUCKY.

Mr. JOHNSON. Mr. Speaker, I ask for the present consideration of the bill (S. 4051) to authorize the Ohio Valley Electric Railway Company to construct a bridge over the Big Sandy River from Kenova, W. Va., to Catlettsburg, Ky.

The bill was read. It provides that it shall be lawful for the Ohio Valley Electric Railway Company, a corporation organized under the laws of the State of West Virginia, to construct and maintain a bridge, and approaches thereto, over the Big Sandy River from a point in the town of Kenova, W. Va., to a point in the town of Catlettsburg, Ky.; that said bridge may be constructed to provide for the passage of railroad cars, wagons, and vehicles of all kinds, for the transit of animals, foot passengers, and all kinds of commerce, travel, or communication; and said corporation may charge and receive reasonable tolls therefor, subject to the approval of the Secretary of War, and to such changes as he may think proper from time to time.

The SPEAKER. This bill is in order, being a Senate bill—

Mr. DALZELL. One moment, Mr. Speaker.

Mr. PAYNE. Has the House committee reported a similar bill?

The SPEAKER. It is a Senate bill, with a similar House bill reported by the House committee, carrying no appropriation.

Mr. JOHNSTON. The committee have reported the House bill unanimously.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. JOHNSTON, a motion to reconsider the last vote was laid on the table.

On motion of Mr. JOHNSTON, the corresponding House bill was ordered to lie on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 222) to provide a government for the Territory of Hawaii, had further insisted upon its disagreement to the amendment of the House of Representatives, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CULLOM, Mr. CLARK of Wyoming, and Mr. MORGAN as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following resolutions:

*Resolved*, That the Senate has heard with deep and profound sorrow of the death of Hon. LORENZO DANFORD, late a Representative from the State of Ohio.

*Resolved*, That the business of the Senate be now suspended in order that fitting tribute may be paid to his eminent public services and high personal character.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives.

*Resolved*, As a further mark of respect to the memory of the deceased, the Senate do now adjourn.

AGNES K. CAPRON.

The SPEAKER laid before the House the bill (S. 1906) granting an increase of pension to Agnes K. Capron, with a House amendment, disagreed to by the Senate.

Mr. LOUDENSLAGER. I move that the House insist on its amendment and agree to the conference requested by the Senate.

The motion was agreed to; and the Speaker appointed as conferees on the part of the House Mr. LOUDENSLAGER, Mr. BROMWELL, and Mr. STANLEY W. DAVENPORT.

LILLIAN CAPRON.

The SPEAKER laid before the House the bill (S. 1905) granting an increase of pension to Lillian Capron, with a House amendment, disagreed to by the Senate.

Mr. LOUDENSLAGER. I move that the House insist on its amendment and agree to the conference requested by the Senate.

The motion was agreed to; and the Speaker appointed as conferees on the part of the House Mr. LOUDENSLAGER, Mr. BROMWELL, and Mr. STANLEY W. DAVENPORT.

SECTION 933, REVISED STATUTES.

The SPEAKER laid before the House the bill (H. R. 8366) to amend section 933 of the Revised Statutes, with a Senate amendment thereto.

Mr. JENKINS. Mr. Speaker, I move that the House nonconcur in the Senate amendment, and agree to the conference asked for by the Senate.

The motion was agreed to; and the Speaker appointed as conferees on the part of the House Mr. JENKINS, Mr. KAHN, and Mr. TERRY.

EAST WASHINGTON HEIGHTS TRACTION RAILROAD COMPANY.

The SPEAKER laid before the House the bill (H. R. 4604) to amend the charter of the East Washington Heights Traction Railroad Company, with Senate amendments thereto.

Mr. JENKINS. I move that the House agree to the Senate amendments.

The motion was agreed to.

ENROLLED BILL SIGNED.

Mr. BAKER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title; when the Speaker signed the same:

H. R. 10449. An act making appropriations to supply additional urgent deficiencies in the appropriations for the fiscal year ending June 30, 1900, and for other purposes.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. BISHOP, for ten days, on account of important business. To Mr. CROMER, for ten days from April 23, on account of important business.

AMERICAN REGISTER FOR STEAMSHIP GARONNE.

Mr. JONES of Washington. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3465) to provide an American register for the steamship *Garonne*.

The SPEAKER. The Chair would advise the gentleman from Washington that the Senate bill does not seem to be here. It has not come over from the Senate, and it has not been reported from the committee.

Mr. JONES of Washington. The committee of the House reported a similar bill.

The SPEAKER. That is a House bill; but the Senate bill is not here.

Mr. JONES of Washington. I supposed it was. It passed the Senate several days ago.

The SPEAKER. It has not been reported from the committee.

BROOKLYN FERRY COMPANY, OF NEW YORK.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent for the consideration of the bill S. 3535, which is on the Speaker's table. A similar bill has been reported by the House committee.

The Clerk read as follows:

A bill (S. 3535) for the relief of the Brooklyn Ferry Company, of New York.

*Be it enacted, etc.*, That the claim against the United States of the Brooklyn Ferry Company, of New York, a corporation organized and existing under the laws of the State of New York, with its principal place of business in the borough of Brooklyn, city of New York, owner of the ferryboat *New York*, for damages caused by collision between the said ferryboat and the U. S. S. *Dolphin*, in the East River, near Brooklyn, on the 1st day of August, 1899, may be sued for by the said ferry company in the United States district court for the eastern district of New York sitting as a court of admiralty and acting under the rules governing such court, and said court shall have jurisdiction to hear and determine such a suit and to enter a judgment or decree for the amount of such damages, if any shall be found to be due, against the United States in favor of the said ferry company, upon the same principles and measure of liability, with costs and interest, as in like cases in admiralty between private parties, and with the same rights of appeal.

SEC. 2. That such notice of the suit shall be given to the Attorney-General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney-General to cause the United States attorney in such district to appear for and defend the United States.

SEC. 3. That should damages be found to be due the said ferry company, the amount of a final decree therefor shall be paid out of any money in the United States Treasury not otherwise appropriated.

Mr. GAINES. What is this lawsuit about?

The SPEAKER. Is there objection?

Mr. CANNON. I would like to know what it is about?

Mr. SHERMAN. I will be glad to make an explanation.

Mr. TERRY. Reserving the right to object, I would ask the gentleman to make an explanation.

Mr. SHERMAN. In August, 1899, the *Dolphin* collided with the ferryboat *New York* in the harbor of New York. It is claimed by the ferry company that the accident was by the fault of the *Dolphin*. This bill permits the ferry company to prosecute their claim in the United States district court for the southern district of New York, and if the judgment is obtained by that company against the United States—and of course, in order to obtain a judgment, it must be established that the fault was with the *Dolphin*—then it appropriates the money to pay the damage.

Mr. CANNON. I will ask the gentleman whether there was a board that examined into this matter. In the Revised Statutes there is a provision that a board shall take this matter into consideration and report.

Mr. SHERMAN. Not that I am aware of. I am not sure about that.

Mr. CANNON. I have no doubt that there was.

Mr. SHERMAN. I think it has never been acted upon. That is my recollection; but I am not sure.

Mr. CANNON. Then they ought to exhaust their remedy. I will say there is a provision of law that applies to all this class of cases. It authorizes the appointment of a board to take into consideration as to whether there was negligence upon the part of the officers of the United States or not.

Mr. FITZGERALD of New York. A naval board was appointed, and that board exonerated the officers of the Navy.

Mr. CANNON. Then that is an end of it.

Mr. FITZGERALD of New York. The naval board always exonerates the naval officers. It is an ex parte board.

Mr. CANNON. On the contrary, they do not always exonerate them. Every session of Congress there come many findings that are appropriated for substantially as a matter of course, and that is the remedy; and this is the first time that I ever have heard of an action being brought like this. It is a mere claim, and ought not to be sent to the court, because the other remedy is provided, and they have resorted to the other remedy and failed.

Mr. FITZGERALD of New York. If the gentleman will permit me, the owners of this boat have no redress before this board. This board is appointed by the Navy Department to ascertain for the information of the Navy Department as to whether any of its officers are guilty of negligence. The owners of the vessel have no standing there. They have no opportunity to present their case, as they would in a court of law. This merely authorizes the district court of the southern district of New York, sitting as a court of admiralty, to determine the question.

Mr. CANNON. Oh, certainly.

Mr. FITZGERALD of New York. If the *Dolphin* had been owned by private individuals they could have gone to court and litigated the question between them; but as it is a Government boat it is necessary to have a special act.

Mr. TERRY. Does that bill come from the Committee on the Judiciary?

Mr. SHERMAN. It comes from the Committee on Claims, which favorably reported a House bill. The Senate bill has not been reported to the House, but an identical House bill has been favorably reported.

The SPEAKER. Is there objection?

Mr. CANNON. Well, I will say, touching this matter, for the reason referred to, and, in addition to that, the unheard-of thing of appropriating beforehand an indefinite appropriation to pay, the rule being if the United States has a judgment rendered against it that the judgment shall be certified, I feel quite sure that if this matter is looked into they have had their remedy and failed; and I do not want this bill to pass without time for carefully examining it.

The SPEAKER. Objection is made.

#### GOVERNMENT FOR HAWAII.

The SPEAKER. The Chair lays before the House the Hawaiian conference bill.

The Clerk read as follows:

*Resolved*, That the Senate further insist upon its disagreement to the amendments of the House of Representatives to the bill (S. 222) to provide a government for the Territory of Hawaii, and asks for a further conference with the House on the disagreeing votes of the two Houses thereto.

*Ordered*, That Mr. CULLON, Mr. CLARK of Wyoming, and Mr. MORGAN be the conferees on the part of the Senate.

Mr. KNOX. Mr. Speaker, I move that the House further insist upon its amendments and agree to the conference.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. KNOX, Mr. HITT, and Mr. MOON.

#### BRIDGE ACROSS TALLAHATCHIE RIVER, MISSISSIPPI.

Mr. SPIGHT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3934) to authorize the con-

struction of a bridge across Tallahatchie River, in Tallahatchie County, Miss.

The Clerk read the bill at length.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time; and it was read the third time, and passed.

On motion of Mr. SPIGHT, a motion to reconsider the last vote was laid on the table.

Mr. SPIGHT. I ask that House bill 9924 be laid on the table.

The SPEAKER. Without objection, this order will be made. There was no objection.

#### STEAMSHIP GARONNE.

Mr. JONES of Washington. Mr. Speaker, I ask that the Committee on Merchant Marine and Fisheries be discharged from the consideration of Senate bill 3465, to provide an American register for the steamship *Garonne*, and I ask unanimous consent for its present consideration.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Commissioner of Navigation is hereby authorized and directed to cause the foreign-built steamship *Garonne*, owned by Charles Richardson, of Tacoma, State of Washington, and Frank Waterhouse, of Seattle, State of Washington, citizens of the United States, to be registered as a vessel of the United States.

The SPEAKER. The gentleman from Washington asks unanimous consent for the discharge of the House committee from the consideration of Senate bill 3465, just reported. Is there objection?

Mr. PAYNE. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman why this vessel can not be registered under the present law?

Mr. JONES of Washington. She can not be registered under the present law without a special act. The repairs on the vessel are almost equal to her full value; the repairs amount to about \$50,000 and the value of the vessel is \$80,000. I will say that in 1898 the vessel was engaged in the Alaska trade, carrying American goods from Victoria, under certificates of export given by the Department for exportation, to Vancouver and then to Alaska.

Afterwards it was decided that none of these certificates should be issued, and the representative of the owners of this vessel came here and arranged with the Treasury Department by which the objections could be obviated; and after they had secured 465 passengers and 800 tons of freight, the Treasury changed the ruling again and cut them out. The whole matter has been investigated by the Senate, and it passed unanimously. It has been investigated by our committee, and we think the equities are very strong. The report is very full and sets out all the facts. The Secretary of the Treasury recommends the passage of the bill.

Mr. PAYNE. Were the repairs made in an American shipyard?

Mr. JONES of Washington. Yes; at Seattle.

Mr. PAYNE. She was never wrecked or anything of that kind?

Mr. JONES of Washington. No.

Mr. PAYNE. Simply a foreign vessel brought to an American shipyard and repaired?

Mr. JONES of Washington. Yes; but the special equities are very strong and her owners are Americans.

Mr. PAYNE. The special equities seem to be that the owner had some advantage over other foreign owners for being allowed under the Treasury regulations to engage in that trade.

Mr. JONES of Washington. No; all vessels were allowed to engage in it; but the Treasury Department changed its ruling and said that they would not allow export certificates to issue. I will say that this vessel was chartered by the United States Government and the charter is about expiring.

Mr. PAYNE. For what purpose was she chartered?

Mr. JONES of Washington. To transport troops to the Philippine Islands. The report on this bill is long, but it will explain the whole matter fully. The Senate investigated it thoroughly, and it passed unanimously.

Mr. RICHARDSON. Has the bill been reported from the committee?

Mr. JONES of Washington. Yes; unanimously.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. JONES of Washington, a motion to reconsider the last vote was laid on the table.

Mr. JONES of Washington. Mr. Speaker, I move that the House bill 10656, similar in character, lie on the table.

The SPEAKER. The gentleman from Washington asks that the House bill 10656, similar in character, lie on the table. Without objection, that order will be made.

There was no objection.

#### EULOGIES ON THE LATE REPRESENTATIVE EVAN E. SETTLE.

The SPEAKER. The Chair calls attention of the House to the special order set for 1 o'clock, which is the eulogies upon the life



and character of the late Representative SETTLE, of Kentucky, and will recognize the gentleman from Kentucky, Mr. GAYLE.

Mr. GAYLE. Mr. Speaker, I ask for the adoption of the resolutions which I send to the Clerk's desk.

The Clerk read as follows:

*Resolved*, That the business of the House be now suspended in order that suitable tribute be paid to the high character and eminent public services of the Hon. EVAN E. SETTLE, late a distinguished member of the House of Representatives of the United States from the State of Kentucky.

*Resolved*, That as a mark of respect for the memory of the deceased, the House, at the conclusion of these memorial exercises, shall stand adjourned.

*Resolved*, That the Clerk of the House transmit a copy of these resolutions to the family of the deceased statesman.

*Resolved*, That the Clerk communicate these proceedings to the Senate.

The resolutions were unanimously agreed to.

Mr. BERRY. Mr. Speaker, before these eulogies begin, I ask that gentlemen who have desired to speak on this occasion and who are now absent may be permitted to print their remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. BERRY]? The Chair hears none.

Mr. GAYLE. Mr. Speaker, the sad duty devolves upon me of supplementing the resolutions just offered with a brief summary of my predecessor's short but remarkable career.

Born in Franklin County, Ky., in the year 1848, the earlier years of his life were spent in the cities of Frankfort and Louisville, Ky. He graduated from the Louisville Male High School at the age of 18, and immediately came to Owenton, Owen County, Ky., to begin the battle of life. He accepted the position of deputy county clerk, and a year later, by a special act of the Kentucky legislature, he was granted license to practice law.

His unusual ability as a lawyer, combined with his extreme youth, attracted immediate attention, and he was soon the acknowledged leader of the Owenton bar. For thirty years he followed successfully the practice of law and was considered one of the most powerful advocates of his State. He served two terms as county prosecuting attorney and was elected for a third term, but resigned to accept a seat in the Kentucky legislature, where he served with distinction for two terms. In 1894 he became a candidate for Congress—virtually forced into the race by those who knew and admired his ability and recognized his peculiar fitness for the office. Although defeated, he had conducted his canvass on such a high plane as to thoroughly win the admiration and respect of his district, and the Democratic nomination for the Fifty-fifth Congress was procured with but little effort.

As a proof of the high esteem in which he was held by his party, the nomination for the Fifty-sixth Congress was given him without opposition. He represented a district that for more than half a century had been famous for the illustrious statesmen it had furnished. The eloquence of its Representatives had become proverbial. More was expected from the member from the "Old Ashland" district because of the fame of those who had gone before.

I shall leave to those who were with him in the Fifty-fifth Congress to say how well he sustained the reputation of his district during his short career. There are few men that I can recall that, for so short a period of service in national politics, were more extraordinary than EVAN E. SETTLE. A man of the highest order of intellect, quick, discriminating, comprehensive. Possessing all the attractiveness of the orator, the impressions he made were deep and lasting. His memory was retentive, his voice clear and ringing, and his delivery pleasant, his manner and general bearing attractive, and his personal appearance in any assembly would command attention. His addresses on this floor and at the banquet tendered Governor Roosevelt at Chicago were sufficient to place his name on the national roster of orators.

It is a peculiarly sad thought to contemplate the death of one so well fitted to render his country great service. Standing upon the threshold of a brilliant career; endowed with a strength and robustness of brain and body that gave him confidence in himself and his ability to gratify his highest ambition in public life; surrounded by a family he adored; firmly established in the hearts of his people, he confidently anticipated triumphs yet to be. His constant and exhausting labors for his party in the late bitter campaign in Kentucky had just ended—labors that had doubly endeared him to his party associates. He had just returned to his home for a few days' rest before coming to Washington to enter upon his official duties when he received a higher summons to "come up hither." He passed away so suddenly, so unexpectedly, that we who knew and loved him best can even now scarcely realize that he is no more.

We buried him in the little cemetery on a hill overlooking his modest home, among the scenes of his youth and early manhood, near those whom in life he loved so well, beneath the sod of his beloved "Sweet Owen;" and, though his career was finished before it was well begun, we feel that his life has not been in vain. The sphere of his influence will extend beyond the grave, and others with whom the battle of life is not easy and the prospect

at the beginning is not bright will learn from his life that true merit will win and that wealth is not always essential to political success.

While the nation and his native State mourn his untimely death, it is upon his family that the severest blow has fallen. Whatever can be said of EVAN E. SETTLE as lawyer, orator, and statesman, pales when compared with him as husband and father. It was only at his own fireside that his full measure could be taken. He was never happier than when surrounded by his loving wife and interesting children, and no days of labor ever so worried him, no problem ever so vexed him, that his mind and heart turned not to them, and a smile of peace wreathed his face when he heard the prattle of his little ones as his shadow fell across the threshold of his happy home.

May the "Father of the fatherless and the Judge of the widows" be with them and comfort them.

Mr. ADAMSON. Mr. Speaker, it is not usual for me to speak on such occasions in this House, nor would I make mere formal offering now, but with gratitude and love for a true and valued friend, "faithful and just to me," I would render heartfelt tribute to the memory of EVAN E. SETTLE. Should it be the will of Heaven that I must be gathered to my fathers while serving in this high place, I would that no man should speak in my funeral or eulogy, save as moved by like sentiments of affection and sorrow.

Prior to our association in the Fifty-fifth Congress, which we entered together, I had no personal acquaintance with Mr. SETTLE. True, his reputation had been established as an able campaigner and eminent lawyer, but of his private character and personal history I knew nothing. Our acquaintance, however, rapidly ripened into friendship, which deepened and strengthened until the end of his life. I was frequently his guest, and to him and his delightful family, loved by him with a devoted self-effacement next to adoration, I became indebted for many happy and profitable hours, his ready and varied learning, equipping and enriching the most splendid common sense, rendering his suggestions valuable on all important questions. Modest and reserved, yet vigilant and zealous, he asserted his own rights and protected the interests of those whom he represented. Studious and industrious, giving attention to substance as well as taste and style, he was eloquent and ornate without sacrifice of logic, sense, or force. Scrupulously correct and decorous in his intercourse with others, he was too magnanimous to offend the weakest, while his dauntless nobility of soul would defy and despise the strongest if that strength dared attempt wrong or oppression.

It is often the misfortune of greatness to shrink and dwarf on near approach, but he was one of the few really great men I have ever known who appeared better and greater with longer and better acquaintance. He would have been at home in the ideal Congress described by the satirist as—

The honored scene  
Of patriot deeds, where men of solemn mien,  
In virtue strong, in understanding clear,  
Earnest though courteous, and though smooth sincere,  
To gravest counsels lent the teeming hours,  
And gave their country all their mighty powers.

Well do I remember the fateful day when the sad tidings of his death came, too late for me to reach his funeral, and how my soul went out in sympathy to his stricken family, most sorely bereaved by a loss irreparable to us all. Most deeply do I lament the seemingly untimely death which cut him down in the flower of his manhood and the meridian of his usefulness; but we ought more deeply to thank God that he lived, and no doubt accomplished the mission whereunto he was sent as completely as erring mortals ever do; for I am persuaded that his life was well spent, and with the approval of Heaven he was called home in God's own time, leaving precepts, example, and achievements as a rich legacy not only to those near and dear to him, but to all his countrymen, whom he loved with patriotic fervor worthy of imitation, for next to the God he adored he loved his fellow-man.

His brief but brilliant career was at once a vivid revelation and an enduring object lesson to inculcate every manly virtue, and in living, quenchless light blazon the strength and beauty of lofty patriotism and spotless public character. His short but devoted life in the family circle was a benediction to his loved ones which will sustain, encourage, and bless his latest posterity. His example will lend inspiration to our youths to choose the paths of industry and integrity as the unfailing avenues to success and honor. His public course presents a perfect model for the study and emulation of statesmen. Untiring and insatiate in searching for knowledge, he always discriminated in its acquisition and use, verifying the proverb:

Give instruction to a wise man and he will be yet wiser; teach a just man and he will increase in learning.

Nor did he limit his knowledge nor confine his affection to the sordid and fleeting concerns of this life. He realized that "it is not all of life to live nor all of death to die;" that this ephemeral

existence could not be the end of man. His whole life beamed forth "the wisdom that is from above"—"first pure, then peaceable, gentle and easy to be entreated, full of mercy and good fruits, without partiality and without hypocrisy."

With his sorrowing widow and children I share and mourn his loss, but with them I glory in the life that he lived, radiant and teeming with truth, benevolence, and virtue, and rejoice unutterably that he trod "the path of the just," which "is as a shining light that shineth more and more into the perfect day."

Dear and honored friend, farewell, but not forever! Thy life has only begun. Though thy star has faded from earthly skies, it has already arisen to shine on a fairer shore.

Bright be the place of thy soul;  
No lovelier spirit than thine  
Ere burst from its mortal control  
In the realms of the blessed to shine.

May others like unto thee arise to teach and lead our people, glorify our Republic, and exalt our race.

Mr. ROBINSON of Indiana. Mr. Speaker, EVAN E. SETTLE was my friend, and I approach the subject of his eulogy fully conscious of one's weakness when he speaks of friend. I loved him, as all did who knew him well. Were I to select my close and early associates in the Fifty-fifth Congress, he would be among the first.

Our association and mutual friendship bound us together with "hoops of steel" and enabled me to know him as he was and to learn those qualities that made his life that success "which fate reserves for a bright manhood." His career will remain an inspiration to the young. Not blessed with the favors of fortune, he won his way to a good education, and before he was of age entered the profession of law and graced it with his eloquence and ability till his death.

He was honored by his people in ways befitting his high character—as county attorney, as member of the State legislature, as delegate to the Democratic national convention at St. Louis in 1888, and last was honored with a seat in Congress.

From that time on I knew him, and in feelings shared the glory of his triumphs and success, for I regarded him as a brother.

Mr. SETTLE was early able to make his mark in the House of Representatives, and gain an influence not usually accorded to a first-term member. He justified the favors and confidence shown him.

Though a partisan, and by his assignment on the Election Committee compelled to argue partisan questions on the floor in a partisan way, yet he never uttered a word or sentiment—and I call every member here to witness—that stirred up party feelings in his discussions. Much of this was due to the personality of the man.

Mr. SETTLE was an orator among the orators of Kentucky, which State has furnished so many of finished culture.

He was in demand at all manner of public speakings, and with a special devotion to his church he raised his eloquent voice on many occasions in Kentucky in her behalf.

On the 1st day of June, 1898, on occasion of the Congress sweeping away the last vestige of political disabilities growing out of the war of the rebellion, Mr. SETTLE shed a luster on one of the happiest incidents of legislation of the memorable Fifty-fifth Congress. He uttered these beautiful sentiments:

Mr. SETTLE. Mr. Speaker, I think when the permanent RECORD of this day's session is made up it would be incomplete indeed if some Representative from the South, some man who is supposed to be in sympathy with the Southern people in their present and their past relations to the General Government, did not avail himself of the opportunity to respond to the generous sentiments that have been uttered on the floor of the House by the gentleman from Ohio and the gentlemen from Iowa and Wisconsin in the conduct of this bill to-day, for notwithstanding we may all say this is a just bill and ought to have become a law years ago, yet we from the South must agree that it is none the less a generous bill; and Southern Representatives should not hesitate so to declare in their places here, for had we been the victors we might not have been so generous as they.

This bill is but the culmination of the course of events that have been gradually approaching this point for ten or fifteen years past. I have seen it in the present session. I have heard the great battle hymn of the South—"Dixie"—receive as generous applause in Northern capitals as was accorded to the "Star-Spangled Banner" and "Marching Through Georgia." And it came not from Southern sympathizers, but from the generous people of the North, who took that occasion to say, in this way, to their brethren at the South: "We embrace you and have learned to forget all past differences." [Applause.]

It happened to be at a down-town theater the other evening. In the interval between the acts it has become the custom not to go out, but to remain and hear the orchestra discourse patriotic anthems and airs. After the band had ceased playing some gentleman arose and proposed "Three cheers for McKinley." The vast audience gave them with a will. Then three cheers were proposed for Dewey, the hero of Manila, which were also responded to. And then some gentleman, whom I took to be a military officer of rank, arose in his place, and, waving his hand in the air, said, "Three cheers for a united country!" Gentlemen, that sentiment caught me, and it caught that vast house. [Applause.]

I thank God that I have lived to see this day. We sometimes thought that the great war between the States was an unmitigated evil, but in the providence of God it, accompanied by other agencies, has proved to be a great blessing. That war was not of chance or of accident. It came as the winds come and as the storms come and as all things else come—in response to the eternal purposes and behests of Him who "holds the wind in His fist and the hearts of men in the hollow of His hand." [Applause.]

The beginning of the war was the acme of that sectional hate which had been growing and increasing in bitterness for thirty years. The North had no love for the South, and the South had no respect for the North. The conflict was irrepressible. The world looked on at the magnificent display of courage and fortitude exhibited through four years of battle and strife, and while one rebel could not, as he thought at the beginning, wipe out five "Yankees," the sequel showed that he could put them to considerable exertion. [Laughter and applause.]

When valor and courage and endurance shall no longer command the praise of men, when tribute shall be denied to those who endured privation without complaint and suffered all manner of sacrifices without murmur, then we might hesitate to unroll the curtain of that past and let its scenes pass in panorama before us. But Heaven forbid in this day, when one touch of nature has made us all akin, that I should fear in this presence to hold up for admiration the prowess of the gallant boys in the trenches and the field, wearing the blue or wearing the gray, who gave to the cause of their country their lives, their fortunes, and their sacred honor. [Applause.]

But the end came at last. These Southern knights went down to their home, and many of them can not be reached by any provision of earthly statute now.

"Many of those good knights are dust—  
Their good swords rust,  
Their souls are with the saints, we trust."

They went down to their desolated homes and despoiled fields, and without complaint they set about the task, the herculean task, of rebuilding those waste places and restoring their ancient splendor. Her sons laid down their arms in good faith, and in the same spirit they laid their hearts upon the altar of their country and took their step to the music of the Union. I do not believe, gentlemen, that the American people were ever so united as they are to-day. The men who stayed at home were the last to forgive, but the men who fought have always been the first to forget. [Applause.]

And now we are hastened to this era of good times by the war in which we find ourselves involved. We shall free Cuba, but we shall do more than that. We shall free ourselves. The greatest of English poets, in speaking of the divine quality of mercy, has said that—

"It is twice blest:  
It blesseth him that gives and him that takes."

If we shall confer a gracious boon upon the people of that unhappy island, we shall receive a blessing from Heaven, such perhaps as we may not be able to contain. Out of this baptism of fire and blood wherewith we are now being baptized we shall come forth, I doubt not, new men and new women, clean every whit, with sectional hate and sectional bitterness clean gone forever. [Applause.]

That were a consummation devoutly to be wished; that were the summum bonum, the great desideratum; that were well worth all the treasure we may expend and all the blood that may be shed. In the language of the great Kentucky editor, this war has already forever eliminated the sectional contest. There are thousands of old Confederates who are to-day happy in the thought that before they have been called to join the silent bivouac of the dead they have seen the North and the South united in battle array beneath the Stars and Stripes.

"Flag of the free heart's hope and home!  
By angel hands to valor given!  
Thy stars have lit the welkin dome,  
And all thy hues were born in heaven."

[Applause.]

The applause that greeted these patriotic sentiments were alike complimentary to the orator and to the members of the House. This Southern flame that warmed the hearts of all patriots on that day should be embalmed and perpetuated in this form and in the hearts of his countrymen as fitting gems of thought and patriotism, sparkling with the personal traits of the man and sustaining his fame and eulogy.

In private life and in his public career his inspirations and aspirations were noble and manly and his record, thus molded, for statesmanship, unsullied honor, ability as a debater, eloquence as an orator, geniality and lovable spirit as a man, may well be pointed to with pride in years to come by his loved ones and by his associates and friends.

Brilliant as were his talents, eloquent as an orator, able as a lawyer, yet he shone the brightest in his family circle and in the circle of his friends. Modest and unassuming in his manners, yet he never did things by halves. Ardent in his labors, able and well equipped, he yielded to the demands of his party in Kentucky with his usual fidelity, and labored beyond human power till the end of the campaign in November, 1899, then succumbed and died, a sacrifice to the cause of his party.

Mr. COWHERD. Mr. Speaker, there is an old proverb, sometimes misused, that bids us say naught but good of the dead. To me it seems that reverence for the dead, the affectionate regard which bids us to forget their faults and commemorate their virtues; the kindly sympathies that go from all good men and women to those who stand beside a new-made grave, are among the redeeming traits of our all too human lives. I have sometimes thought that the crush of our daily work in this rough world was apt to obscure the finer sensibilities of men. We too frequently veil sympathy behind indifference. We too frequently are accustomed to mask our love as though it were a fault. But in the presence of great sorrow these false growths are brushed aside and eyes that look through tears see with a clearer vision, and hearts that have throbbed with sorrow beat in kindlier unison.

It seems to me a fitting thing that, when the stern angel of the bitter cup has pressed the sleeping potion to the lips of one who so lately moved and wrought among us, we should take a few brief hours from the press of business to embalm here in the record of our daily work the memory of his deeds and the tribute of our respect.

It was my good fortune in the lottery for seats in the Fifty-fifth



Congress to find that I was seated next to EVAN E. SETTLE, of Kentucky, and as by that enforced proximity a chance acquaintance ripened into friendship I grew more and more to bless kind fortune that had given me such a neighbor.

You all remember, who were here at that time, the extra session, occupied as it was upon a single measure and with tedious adjournments, gave but little opportunity to test the mettle of the men that came then for the first time to the House; and yet I well remember how, on the dull, dry question of how many days the House could adjourn without the consent of the Senate, Mr. SETTLE made a speech of such interest and force that it attracted at once the attention of the older and more observant members of the House. And later—in the succeeding session—when his kindly spirit found more congenial opportunity in the discussion on the bill referred to by the gentleman from Indiana [Mr. ROBINSON]—the bill providing for the removal of political disabilities of those who had taken part in the civil strife—he burst forth into such eloquent words that his place was at once fixed both in the minds of those who heard him and in the hearts of all his countrymen.

Mr. Speaker, I believe I do no injustice to the living when I say that of all the men who came first to the House in the Fifty-fifth Congress no man at its close left it occupying a higher place in the minds of those who had met him on the floor and in the hearts of the people of the country than the man whose untimely death we mourn to-day.

It is as true now as when the Roman said it, that orators are born, not made. And there was something in this man—something other than the pleasing presence he possessed; something other than the keen logic that saw through the subtleties of every proposition; something other than that grace of diction that seemed to find always the fittest phrase and the most eloquent expression—there was still that undefinable something which, reaching out to the minds and hearts of his audience, told them when he rose he was one of those who had a message to deliver.

I do not remember ever to have heard him take part in those rancorous and acrimonious political debates that sometimes occur on the floor of this House. I never thought his was one of those spirits that loved to "ride the storm;" while he did not shun, he did not seek controversy. I always thought his genial soul found its more fitting sphere in those occasions that not unfrequently occur when men lay aside political partisanship and rise to that broader plane of a common and united citizenship.

Mr. Speaker, it occurred to me as I watched his career here in the House—knowing as I did his power of speech, and knowing also that he enjoyed the duller, but not less necessary work of the committee—that there lay before him a broad field of future usefulness. And knowing also as I did the genial, social spirit of the man that loved so well that meeting here in friendly intercourse that forms, as we all know, the fairest portion of Congressional life, it seemed to me that in the atmosphere which surrounded him here he would meet the best fruition of his powers.

But his experience has been, alas, that which too frequently meets us in this world. The hard-won prizes come too late. The apple turns to ashes on the lip. The flower fades in the plucking. The curtain falls before the actor hears the plaudits of those he sought to please. EVAN SETTLE'S work is done. I trust that I shall not here offend the proprieties with undue laudation; but I do feel that every man that knew him in this life will join with me in saying, whatever may have been his faults, he was the highest type of a Christian gentleman in its truest and best sense—a gentleman. In two years of daily intercourse I never heard fall from his lips one word that might not have been uttered in the presence of wife or daughter.

Mr. Speaker, what rests for us beyond the grave we do not know. No man's eye has ever penetrated the mysteries which shroud the tomb.

Yet love will dream, and Faith will trust,  
(Since He who knows our need is just),  
That somehow, somewhere, meet we must.

And in that meeting place of noble souls I believe there will still be found God's work for manly men and loving women, and in that place and in that work I believe EVAN E. SETTLE is to-day taking a gracious and a generous part.

Mr. Speaker, for the love I bore him living, for the fragrant memory I cherish of him dead, I come to render this poor tribute of my affection and respect to-day.

Mr. BRANTLEY. Mr. Speaker, we meet to-day to pay tribute to the memory of our departed colleague, EVAN E. SETTLE, and it becomes me as one who in life called him friend, and who now loves his memory, to find as best I can the words that will fitly and aptly ascribe to him the virtues he possessed and the rare gifts with which he was endowed.

I am painfully conscious of the paucity of the language at my command for this purpose and of my inability to do even the simplest justice to the name he left behind him, and yet I am sustained in my undertaking by the knowledge that his memory will

ever live in the hearts of those who knew him, and that no charm of rhetoric or melody of speech can brighten it, or even picture it, as it glows and lives within us.

He has "gone before to that unknown and silent shore," and I mourn his removal from among us, and because I mourn I seek now to add my own weak tribute to the eloquent words that have already been so earnestly spoken concerning him.

When the wires a few short months ago flashed across our land the announcement of his death there came to all who knew him a sense of loss and pain akin to the shock of a personal bereavement. It was fitly so, for none knew him but to love him, and none knew him but then and now mourn his untimely end.

When we left him at the close of the Fifty-fifth Congress he was possessed of his full, manly vigor, and, as we supposed, with long years of usefulness and of honor before him. He had been reelected to this Congress, and here we expected to find him upon our return.

Little did we know that his days had then been numbered, and that the end was nearly reached, and that never more would he answer to the roll call of this House.

Our ignorance there but again confirms the oft-repeated lesson that mortal man is not in the confidence of the Giver of life and death, and knoweth not what decrees He has entered or when they will be enforced. We are again admonished to keep our houses in order and to be ready for the final summons to us.

The great ability and superb oratory of Mr. SETTLE were permitted to illumine but one Congress, and yet in that brief space of time he was allowed to achieve as much of fame and renown as comes to some in many terms, and more than ever comes to many others. The compensating law of an all-wise Providence is here, as everywhere, disclosed, if we but seek to find it.

I will remember his first appearance in an extended debate. The occasion was a contested election case that had been reported from the committee of which he was a member. When he arose to speak, his intellectual face and clear, clean-cut features and attractive presence at once claimed the attention of the House. His opening sentences chained that attention to him, and there it remained until he had concluded.

I can recall now the music of his sweetly modulated voice and the rhythm of his well-chosen words as he constructed sentence after sentence of masterful logic, of keenest satire, and of eloquent and polished periods. That speech established his reputation as an orator and won for him a place in the front ranks of the great debaters of the House—a place which he retained and from which he would have gone to higher stations yet had not death's icy hand laid claim upon him.

We mourn that his eloquent tongue is forever silenced; we miss the charm and the spell of his rare oratory, and we miss his wise counsel in our deliberations; but more than these things we miss and mourn him.

Few men were better gifted than he in the art of making and holding friends. He was warm and generous in his nature and as gentle and sympathetic as a woman. Full of dignity, he was ever tender, yielding, and approachable. His was a strong nature, and yet one that was not formed in a rough and rugged mold. He did not display but concealed his strength in an affable and polished bearing.

Always of pronounced convictions, he was slow to obtrude them, and was ever charitable to the opinions of those with whom he disagreed; but loyalty to his convictions and his friends was a part of his nature.

His high character, his charming personality, his graceful manner, his delightful comradeship—these are the things that in the solemnity of this occasion come close to our hearts.

Fashioned as he was, it was but natural that he should draw men to him and hold them there with hooks of steel. The hold that he had upon the hearts of men still lives, though he is gone from among them.

It was not my privilege to know him until I met him here at the opening of the last Congress. Until that time his life and mine had never touched; and yet as he lived and moved among us I saw enough of him to come within the charmed circle of his influence, and I was proud to know him and to claim him as my friend. I saw enough of him to appreciate his worth, and to know that no truer or more ideal Representative ever sat in this Chamber, and none who better illustrated here the great State to which he claimed allegiance. Possessed of the chivalrous manhood and the lofty patriotism inherent in his own people, he not only adorned this body but he was ever ready to do and to die in the defense of those he served. Indeed, it was at the feet of Kentucky, in battling, as he believed, for the preservation of her institutions and her ideals, that he laid down his life.

It was when flushed with victories and while reveling in his own great strength, surrounded by loved ones, that "God's finger touched him, and he slept."

Sorrow ever follows in the wake of death; but when the strong man becomes the victim, how pitifully weak is all human strength

revealed! How infinitely sad to see the hope of family and of country cut down! How distressing to behold dependent ones bind up their bleeding hearts and seek elsewhere for guidance and for strength!

It is not for us, however, to inquire into the ways of Providence. We must bow in humble submission to the Divine will. Our colleague sleeps the eternal sleep; and while we can not arouse him, we can, from the life he lived, draw lessons of duty, of patriotism, and of love and, thus inspired, carry on the work in which his labors shared.

He sleeps, and no rude sound of jarring faction or clashing contention disturbs him. No pain of doubt or fear annoys him. No disappointment or failure threatens him. No weariness of body or of brain can reach him. Calmly and peacefully he slumbers, and earthly ills and earthly cares are not about him. His rest has come—a sacred, hallowed rest for heart and hand and brain—a sweet and everlasting rest.

We say to him now, "Nobly you lived and bravely you died, and while we miss you and need you, we would not if we could interrupt the peace and happiness that you have so fairly won. We would not bring you back to toil and strive again. You have kept the faith and paid the last great debt, and the crown of immortality is yours. We bid you wear it, while we with unconcealed grief mourn your absence and sing requiems of praise to the peerless and priceless memory that you have left behind for us to cherish and revere."

Mr. MANN. Mr. Speaker, Judge SETTLE and I were both new members and both placed on the Committee on Elections No. 1 of the last Congress. That committee was very busy at the session of Congress commencing two years ago last December. It had a number of hotly contested cases before it. Judge SETTLE was a new Democratic member, and I was a new Republican member.

We faced each other across the table, and we soon became congenial spirits. I think that our friendly relationship might properly have been termed affectionate. I grew to have a great admiration for him as well as a great fondness. I thought I saw in him a wonderful ability, both oratorically and intellectually. And when at one time, in the winter during the short session of last year, Mr. Hope Reed Cody, the brilliant young president of the Hamilton Club, of Chicago, was in Washington and said to me that the Hamilton Club was preparing to give a great non-partisan banquet in celebration of Appomattox day and that he wished to obtain the finest speaker possible from the South to respond to the toast, "Robert E. Lee," the thought of SETTLE instantly came to my mind, and I said to Mr. Cody at once, "I think I know the very man whom you want." I went into the House, which was in session, and asked Mr. SETTLE if he would come out and meet a very dear friend of mine. We went out, and I introduced them. They were both most brilliant and most lovable men.

They seemed to almost fall in love with each other at sight.

Cody stated the circumstances and asked Mr. SETTLE if he would make the speech which was desired. The Judge said that he would; and he afterwards told me that he could not resist the winning way of Mr. Cody, although he did not see how it would be possible for him to keep his engagement without great trouble for himself. Probably the most triumphant appearance of his life was at that banquet. It was held in the immense hall of the Auditorium Building in Chicago. The parquet had been floored over on a level with the stage for the banquet tables. Nearly a thousand banqueters were present, while the balance of the hall was filled with upward of 2,000 other guests of the club—both ladies and gentlemen. It was the most impressive banquet that I have ever witnessed.

Gen. John C. Black, the gifted orator of Illinois, responded to the toast on General Grant in a brilliant speech. Judge SETTLE was not well known to the audience and not so much was expected of him. But he soon had completely captured it. His magnificent oration was the address of the evening. He had the audience in complete sympathy with him after the first sentences. As he proceeded the building rang with applause and approval. The heart of his audience seemed to reach out and embrace with sweetened thought the memory of the devoted commander of the Confederate armies. His speech was, of course, a prepared and written one, though he did not read it.

The most remarkable scene I have ever witnessed in a public assemblage occurred during its delivery. The speaker had been referring, of course, to the great conflict both of thought and of arms between the North and the South; and the renewed expression of reconciliation growing out of and accompanying the Spanish war, when turning aside from his prepared effort and looking into the faces of his expectant and admiring audience, he said with a wonderful depth of love and pathos in commencing a new sentence: "My brothers." The whole audience seemed at once as if by an electric shock to feel the inspiration of the sentiment of brotherhood. The entire gathering arose, as if one man, with

cheers and shouts of approval and the waving of handkerchiefs and napkins, with the light of responsive love gleaming out of the faces of all and tears streaming down the cheeks of many. It was a sight never to be forgotten and never to be seen again. The tenderness of the expression of the speaker was so touching, the clear response of the audience was so instantaneous that the very air seemed to thrill and throb.

No man ever made a greater impression upon an audience anywhere. It seems to me now as though he had poured his life out into that speech. He was a man from the South who had come into the North to defend the memory of the one who had led the forces of the South in battle against many of the men whom he was to address. He was to speak about a lost cause, which the North had crushed at great loss of its blood and treasure. But he did not come with an apology. He was true to the memory of those who had been defeated and still truer to the reunited people. His address in Chicago endeared him to the people there. It added to their feeling of affection for the South. If he had lived, Chicago would have insisted upon hearing from him often again. But he has gone beyond. Cody, the gifted young leader who brought him to our city, went almost at the same time.

The world could ill afford to spare either of them. But their memory and works are left us. What they did is an inspiration for our future. We must, with others, assume the burdens which they would have helped to carry. Let us try to emulate the sweetness of their temper, the brightness of their smile, the gladness of their greeting, the intensity of their patriotism, the strength of their character, and the nobility of their souls. In loving admiration we still hold them in our hearts and minds.

Mr. PUGH. Mr. Speaker, if the present service in which the former associates of EVAN EVANS SETTLE are engaged were to constitute an essential part of the record of his virtues, the little that I might hope thus to contribute to perpetuate his memory would perhaps cause me to refrain from speaking; but I am conscious of the fact that however comprehensive the eulogium or elegant the diction in which it is couched, the real, the lasting, the ineffable record of the life and character of our departed friend has been formed by himself upon the hearts and in the lives of others. It was not my good fortune to have known him well in early life. Indeed, my intimate acquaintance with him, which soon developed into sentiments of personal friendship, began when we met as colleagues in this House.

Although we did not agree in political matters, I was not long in discovering that in his magnanimous nature political differences constituted no barrier to the most cordial social relations, and being the only Republican colleague of his from Kentucky who now holds a seat on this floor, I should feel untrue to myself and false to that friendship if I should fail to bear testimony in some way to his great merit. Versed with the powers of oratory that few men possess, yet modest, unassuming, unaffected, the very essence of simplicity and sincerity, he soon won his way to the hearts and high esteem of his associates. Skilled in the arts of an accomplished advocate, he disdained all manner of empiricism. With steadfast, patriotic purpose he sought for the truth in matters involving the welfare of the community, and at all times had the courage of his conviction. His soul was cast in too liberal a mold to suffer him to temporize for passing effect.

It has been said that "crime is a curse only to the period in which it is successful; but virtue, whether fortunate or otherwise, blesses not only its own age but remotest posterity, and is as beneficial by its example as by its immediate effects." The faults and frailties of men perish with them, while the good they do lives on and is multiplied through successive ages. Hence the service of this hour, a privilege cherished by us who loved him well, is, after all, the discharge of a public rather than a personal duty.

He whose untimely loss gives occasion to our tributes was essentially self-made. Born to poverty, an orphan in childhood, struggling unaided against adverse surroundings, his intrinsic merit early manifested itself. His innate love for his fellow-man, his tender sympathy for the disappointed, the distressed, and the afflicted, coupled with an unusual personal magnetism, drew to him a lucrative clientele and an invaluable support, inseparable throughout his career. As a lawyer and as an official he soon achieved marked distinction, always retained and ever increasing; but the beautiful story of his life clusters about his hearthstone, his social and religious associations. Eminently domestic, self-sacrificing, and considerate, a companionable husband, an exemplary father, in the very noon of vigorous manhood, when "his eye was not dim nor his natural force abated," he was suddenly summoned to the last final awakening, and, without fear or murmur, passed into "that port where all may find refuge from the storms of life."

Reverting for a moment to that misty Sabbath day and the scenes connected with the last sad rites: One glimpse at the overcrowded church where he had for years been a faithful worshiper



the wilderness of floral offerings about the open casket, the wreathed and vacant chair in which he was wont to sit with closed eyes while leading the choir in sacred song, the saddened faces of neighbors in the different walks of life, the tenderly touching tributes of family and friends, told it all as tongue can not tell.

He is gone. We deeply deplore his loss. We long in vain for "the touch of the vanished hand and the sound of a voice that is still." Such, nevertheless, is death; and yet—

Death is the crown of life;  
Were death denied, poor man would live in vain;  
Death wounds to cure; we fall, we rise, we reign;  
Spring from our fetters, fasten to the skies,  
Where blooming Eden withers from our sight.  
This king of terrors is the prince of peace.

Then rest, dear friend, in peace; the peace of God which passeth all understanding.

Mr. BERRY. Mr. Speaker, Hon. EVAN SETTLE was born December 1, 1848. His life was passed in Kentucky, where he died November 16, 1899. He was educated in the best schools of his State, and when but 17 years old began the study of law, for which he had a natural adaptability. At the age of 19 years he was admitted to the bar by special act of the legislature, and soon took a good position in his profession. He represented the Seventh Congressional district of Kentucky, one that had been made famous by Henry Clay, Marshall, John C. Breckinridge, John J. Crittenden, James P. Beck, Joseph C. Blackburn, and W. P. C. Breckinridge, all of whom had enjoyed national reputations.

His service in local positions and his brilliant career in the Kentucky legislature fitted him for the position of Congressman. His ability was soon recognized by associates upon this floor in the Fifty-fifth Congress. He stood for reelection to the Fifty-sixth Congress and was chosen by an overwhelming majority. Our districts border upon each other, and we often addressed the same audiences, composed of about equal numbers of our constituency. I know, therefore, in what high esteem he was held by his people, and our homes were not distant.

After the adjournment sine die of the Fifty-fifth Congress and the members were scattered over the country seeking relaxation and pleasure, EVAN SETTLE returned with his family to his home at Owenton. He was then the picture of health and manly vigor, the pride of the people he had so faithfully represented. His interesting family were gathered around him, and happiness reigned in his household.

In the month of June the Democratic convention assembled at Louisville to nominate a State ticket. Mr. SETTLE was there representing "Sweet Owen," as his county is called, and after a struggle such as was never seen in Kentucky before a ticket was named. He at once announced his intention of canvassing the State for his party's interests, and immense crowds assembled whenever he was announced to speak. He gained new laurels in this canvass and added very much to his reputation as an orator, being far the most able of the canvassers in the State upon either side.

He never wearied in the work, sometimes speaking twice a day during the hot months of August and September, so that when the exciting canvass was closed he was broken down, and it was but a few days until the icy hand of death touched his noble heart. The statesman and orator and the loving husband and devoted father was gone.

He was generous and brave, full of life, and for many years before his death was an earnest Christian, being a leader in the Baptist Church, delivering lectures to aid in paying the debt upon the church to which he belonged, and as his family grew up around him devoted much of his time to their improvement.

He believed in that stanza of the poet—

Home is not simply four straight walls  
Hung with frames and pictures gilded;  
Home is where affection calls,  
Home is where the heart has builded.

When his sudden death was announced, I determined to attend his funeral. A short ride of an hour from Newport, Ky., brought us to Sparta, a station upon the railroad, from whence the Congressional party in carriages started for Owenton, the home of Mr. SETTLE, 12 miles away.

Already the community showed evidences of sincere regret. A long line of vehicles were gathered, but the real evidence of mourning was not manifested until we approached the town. For many miles around from his own and from my district the best people had assembled by the thousand, in spite of inclement weather, to pay respect to his memory, because they admired, yes, loved him; men and women, black and white, were gathered there to do honor to this tribune of the people.

The laity mingled with the ministers of the gospel in praising the character of the deceased. For the usual church exercises on such occasions memorial services were instituted, and lawyers, politicians, and his associates in all the walks of life raised their voices in his praise. I have never seen such deep distress at a funeral. His loving family clung about the coffin with touching sorrow,

and his little son, as the lid was placed upon the casket, closing out his father's face forever, exclaimed "Good-bye, papa!" At that moment there was scarcely a dry eye in that assembled multitude, nor a heart that was not touched with the dramatic separation of father and son. It was heartrending, and I shall long remember the scene. We extend to his lonely widow and distressed family our profoundest sympathy and trust that Providence will smile upon this fatherless household.

Mr. GRIFFITH. Mr. Speaker, I do not arise for the purpose of giving a biographical sketch of Hon. EVAN E. SETTLE, of Kentucky. That the man was born; that he died; and that while living he was honored with public office by the people of his community is true of every man upon whom a eulogy is delivered in the halls of Congress. I want to send a message to the friends who loved him in his native State that we also loved him. I want to send a message, not of condolence, but of warm sympathy. EVAN E. SETTLE was a lawyer, a statesman, and an orator. He might have been even a greater lawyer, a greater statesman, and a more fervid orator, and yet have been less loved.

It is, therefore, not a tribute to the lawyer or the statesman, but one to the comrade and friend that I wish to deliver to-day. Throughout his early life as a boy in Frankfort, in his young manhood in Kentucky, and in middle life, until his lips were touched by the frosty fingers of the Angel of Death and his heart was stilled, no man ever yet went to EVAN E. SETTLE with an appeal to his friendship who appealed in vain. A foeman who might well be dreaded in the court room or on the hustings, yet a companion even to his opponents, anywhere and everywhere always welcome. Nature endowed him with a great brain, too great to discover the faults of his friends, too great to harbor enmity for those who opposed him.

His heart was so full of the love for others that there was no room for love of self, and at the close of an active life he died poor because he could not withhold any favor which might be asked of him or withstand the pleadings of others in distress.

This was EVAN E. SETTLE as the boy, it was EVAN E. SETTLE as a young man, and it was EVAN E. SETTLE as we knew him in the halls of Congress. We all remember how he referred to his early hatred of the doctrines of Cassius M. Clay and how earnestly he pleaded that the last days of the old veteran be made comfortable by financial recognition of his past services at the hands of the Federal Government. His portrayal of the financial condition of the old soldier, whose convictions were opposite to his own, will ever be remembered by all who heard him. He opposed the President of the United States in his policies, but he called with fervent tongue for us to stand by that President because he was the President. EVAN E. SETTLE was intensely American, and none loved his native State more dearly than he. He was first for the nation, then for his State of Kentucky, then for his people, and last for himself. The character of the man is best illustrated by one passage in his speech favoring the appropriation for the war with Spain. He said:

I come to you in this great crisis to pledge to you Kentucky, the first-born child of the American Union, which is now ready, as she has ever been in every great emergency, to send her gallant soldiers to the field. They poured out their rich lifeblood upon the early battlefields of the Republic; they stormed the heights of Chapultepec and incarnadined the plains of Buena Vista and of Molino del Rey. In the womb of her great mother, Virginia, she helped win the battlefields of the Revolution, and there has been no crisis in our nation's history when she has not shone forth, a chief star in all this magnificent constellation of States. There stood old Kentucky then, ever eager for the fray, and there stands old Kentucky to-day.

The lawyer's record has been made up, the orator's voice has been hushed, and it only remains for us to-day to send a message to those who knew him best that he was also known and loved in the Congress of the United States.

When the bill was passed removing Southern political disabilities, EVAN E. SETTLE electrified the House with a patriotic speech, in which he said:

I thank God that I have lived to see this day. We sometimes thought that the great war between the States was an unmitigated evil, but in the providence of God it, accompanied by other agencies, has proved a great blessing. That war was not of chance or of accident. It came as the winds come and as the storms come and as all things else come—in response to the eternal purposes and behests of Him who "holds the wind in His fist and the hearts of men in the hollow of His hand."

When valor and courage and endurance shall no longer command the praise of men, when tribute shall be denied to those who endured privation without complaint and suffered all manner of sacrifices without murmur, then we might hesitate to unroll the curtain of that past and let its scenes pass in panorama before us. But Heaven forbid in this day, when one touch of nature has made us all akin, that I should fear in this presence to hold up for admiration the prowess of the gallant boys in the trenches and in the fields, wearing the blue or wearing the gray, who gave to the cause of their country their lives, their fortunes, and their sacred honor.

Mr. Speaker, the district which I have the honor to represent in the State of Indiana lies near a portion of the district represented by Mr. SETTLE in the State of Kentucky. I knew Mr. SETTLE for many years before either of us became a member of this body. I

met him in the courts of Kentucky and Indiana. I knew his private life. As a friend he was true as steel. As a foe he was magnanimous and forgiving. At the bar he was ever fair and courteous, and a staunch adherent to the strictest ethics of his profession. He was a brave man; too brave a man to do an underhanded act. It was owing to his devotion to his political friends that he lost his life. During the exciting campaign in Kentucky he worked night and day, and, completely forgetting himself, he so labored in the cause of his friends that nature, unable to stand the strain, became prostrated. His death was directly caused by overwork, mental and physical. That work was not in his own behalf, but in the cause of his friends. The nation has lost an orator and a statesman while yet in his prime. His State has lost one of the most admirable of her citizens.

Mr. SMITH of Kentucky. Mr. Speaker, I had known EVAN E. SETTLE for more than twenty years before his death. Indeed, sir, our political lives were cast upon parallel lines. On the same day, in the year 1878, we were both elected to the offices of county attorney of our respective counties, and likewise we both laid down the duties and honors of that station to become members of the lower house of the Kentucky general assembly, and while these occurrences were at different dates, yet we were at one and the same time members of that body, he of one house and I of the other. We were of the same political faith and practice, and often met in party councils, and always fought in the same line when the conflict was raging. But the pleasure of serving in the same body with him was reserved for me until we were both, on the same date, elected for the first time to Congress, which was in 1896. His death, sir, therefore, was singularly sad to me because of my associations and connections with him.

He was born in the city of Frankfort, Ky., on the 1st day of December, 1848. There in the capital of his State, an historic city that nestles so serenely in the valleys upon either side the winding Kentucky River, encircled by a lofty and beautiful chain of hills, in the midst of a brave, generous, and cultured population, he received his early education and was baptized with high and hallowed inspirations.

In the calm of my unbroken reflections and undisturbed meditations upon the many admirable and noble qualities of mind and heart he possessed, I have often wondered to what extent they may have been traceable to the auspicious environments of his youthful days. But human genius has not yet given to the world the rule of correctly estimating the influences exerted by early surroundings upon the subsequent lives and characters of men; yet that their touch is too lasting to be eradicated by the evolutions of growth and is visible here and there in the career of all is an unchallenged truth.

He descended from a family eminently reputable in character, though limited in fortune. So far as I am advised, he could claim no distinguished ancestors within the reflected light of whose splendid achievements he could rise with ease to glory and fame. Without the aid of fortune, the prestige and potentiality of a great family name, by his own inherent and unfailing powers of mind and spirit, intensified and invigorated by the fortuitous circumstances mentioned, he triumphed in the struggles and conflicts of his advancing career. He was endowed by nature with more than usual intellectual ability, a zealous, noble heart, a happy, cheerful disposition, which, under the energizing effect of his literary and professional courses, developed him into the courtly gentleman, the able lawyer, the patriotic statesman, and the magnificent orator that he was.

In his young manhood he yielded to the promptings of his native fitness in the selection of his profession, and his brilliant successes and triumphs at the bar vindicated the wisdom and correctness of his choice. Before the courts he was always pleasing, learned, and forceful, but it was only when before a jury that he rose to the full majesty of his matchless eloquence and displayed the unrivaled splendors of his talents. With a sense of honor unswerving by the siren song of every tempter, he was ever mindful of the principles of fairness and observed the amenities that characterize the typical gentleman in every relation of life. He was as courteous, dignified, and honorable in the forum as he was gentle, charming, and lovable in his private life.

His official labors began in the office of county attorney of Owen County, to which he was elected in 1878, and closed at his death with a membership in the Fifty-sixth Congress. His long, faithful, and excellent record in public office has been so well stated by my colleagues [Mr. GAYLE and Mr. BERRY] that it need not now be reiterated. I shall, however, add that EVAN SETTLE, disliking no one, yet loved with unsurpassed devotion the great body of the people. He believed with a fixedness born of an intelligent and profound consideration of the question that a strong and independent citizenship was the surest, best hope and indispensable prerequisite to the perpetuity of our free institutions, and his whole official and political life was squared by this sound and wholesome doctrine. He was active and influential in every official

circle to which the vicissitudes of fortune had assigned him, and it is no exaggeration to say of him that there was not one amongst the many new members in the Fifty-fifth Congress who made a more distinctive and permanent impression upon his fellow-members than he. His resplendent virtues will be enshrined in the unfading memories of his appreciative colleagues.

As a public speaker, whether upon the lecture platform, before the select and élite, or on the hustings, before the enthused and indiscriminating multitudes, he swayed one and all by the magical powers of his efforts, and they loved to linger upon his poetic strains and revel in the pleasures of his sublime sentiments.

But the surest and safest test of the genuine nobility of any man's nature is to be found perhaps in the family circle. It is there that innumerable incidents and conditions arise that can appeal to and touch the kindest emotions of the truly good and great only. To know a man as he really is he must be seen, not under the glimmering of artifice so common in the public arena, but inspected rather under the searchlight and sheen of everyday life in his family relation.

Measured by this exalted standard, our deceased colleague was an illustrious example of Christian manhood worthy of the emulation of ourselves and all who shall live after him. In his home there was an inexhaustible fountain of love whose pure streams of peace, happiness, and pleasure nourished the highest and best aspirations of the human heart. Surrounded by a true and tenderly loving wife, bright, attractive, and happy-hearted children, his home to him was the gem of the earth and the companionship of these loved ones the essence of life itself. But the charm of that blessed relation has been broken.

Death is a silent and merciless reaper that with his trenchant blade gathers in a mysterious way from every field and in every season. The young, the middle-aged, and the old; the humble, the sturdy, and the proud, one and all, succumb to the cycle's touch and pass with the swiftness of a breath that is spent. But man was created for a destiny that transcends the possibilities of human life within this sphere, and death is not annihilation. There is that in the lives of such men as our deceased colleague that gives us indisputable assurance that beyond the gaze of mortal eyes there is a realm in which the pure and just will live and move in untrammelled progression forever.

Distressing and appalling, then, to his family and friends as was and has been the sad event of his transition, we doubt not that he has been crowned with honors the world could not give and wreathed with laurels that fade not away.

And then, the Speaker pro tempore [Mr. LANHAM], in pursuance of the resolution heretofore adopted, and as a further mark of respect to the memory of the deceased (at 2 o'clock and 15 minutes p. m.), declared the House adjourned until 12 o'clock m. on Monday next.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Interior, transmitting, with the draft of a bill, copy of a communication from the Commissioner of Indian Affairs relative to boundary of Yakima Indian Reservation, was taken from the Speaker's table, referred to the Committee on Indian Affairs, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. SMALL, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill of the Senate (S. 2356) to authorize the establishment, at some point in North Carolina, of a station for the investigation of problems connected with marine-fishery interests of the Middle and South Atlantic coast, reported the same without amendment, accompanied by a report (No. 1102); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. EDDY, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 9244) extending the provisions of section 2301 of the Revised Statutes of the United States to homestead settlers on the ceded Indian reservation in Minnesota, reported the same without amendment, accompanied by a report (No. 1103); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SHAFROTH, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 10451) for the preservation of prehistoric monuments, ruins, and objects on public lands, reported the same with amendment, accompanied by a report (No. 1104); which said bill and report were referred to the Committee of the Whole House on the state of the Union.



Mr. COOPER of Wisconsin, from the Committee on Insular Affairs, to which was referred the joint resolution of the House (H. J. Res. 241) to provide for the administration of civil affairs in Porto Rico pending the appointment and qualification of the civil officers provided for in the act approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," reported the same with amendment, accompanied by a report (No. 1105); which said joint resolution and report were referred to the House Calendar.

He also, from the same committee, to which was referred the joint resolution of the Senate (S. R. 116) to provide for the administration of civil affairs in Porto Rico pending the appointment and qualification of the civil officers provided for in the act approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," reported the same with amendment, accompanied by a report (No. 1106); which said joint resolution and report were referred to the House Calendar.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 1625) for the relief of Mary B. Douglass, widow of the late Col. Henry Douglass, Tenth United States Infantry—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3986) granting a pension to Sarah Stoner—Committee on Invalid Pensions discharged, and referred to the Committee on War Claims.

A bill (H. R. 3706) for the relief of Jerry S. Fish, of Cameron, Marshall County, W. Va.—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. KLUTTZ: A bill (H. R. 10900) to repeal the stamp-tax provisions of the war-revenue law of 1898—to the Committee on Ways and Means.

Also, a bill (H. R. 10901) to repeal the United States bankruptcy law, act approved July 1, 1898—to the Committee on the Judiciary.

By Mr. KITCHIN: A bill (H. R. 10902) to constitute Durham, N. C., a port of delivery in the customs collection district of Pannlico, and to extend the privileges of the seventh section of the act of Congress approved June 10, 1880, to said port—to the Committee on Ways and Means.

By Mr. DRISCOLL: A bill (H. R. 10917) to provide for the rental of temporary quarters for collector of internal revenue of the Twenty-first district—to the Committee on Appropriations.

By Mr. CURTIS: A bill (H. R. 10918) to ratify and confirm an agreement with the Cherokee tribe of Indians, and for other purposes—to the Committee on Indian Affairs.

Also, a bill (H. R. 10919) to ratify and confirm an agreement with the Muscogee or Creek tribe of Indians, and for other purposes—to the Committee on Indian Affairs.

By Mr. LIVINGSTON: A resolution (H. Res. 234) of inquiry as to legal proceedings against Benjamin D. Greene and others—to the Committee on the Judiciary.

#### PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 10903) granting a pension to James Irvine—to the Committee on Invalid Pensions.

By Mr. CUMMINGS: A bill (H. R. 10904) for the relief of George W. Quintard, of the Morgan Iron Works—to the Committee on War Claims.

By Mr. GILL: A bill (H. R. 10905) granting a pension to Susannah Feist—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10906) granting an increase of pension to Harvey Polen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10907) granting an increase of pension to Charles P. Maxwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10908) for the relief of James Starkey—to the Committee on Military Affairs.

Also, a bill (H. R. 10909) granting a pension to Theodore T. Bruce—to the Committee on Invalid Pensions.

By Mr. GRAFF: A bill (H. R. 10910) to vest title to certain

property in Leopold Luchs—to the Committee on the District of Columbia.

By Mr. HAMILTON: A bill (H. R. 10911) for the relief of Wesley C. Brant—to the Committee on Military Affairs.

By Mr. HEDGE: A bill (H. R. 10912) granting an increase of pension to John Whitmore—to the Committee on Invalid Pensions.

By Mr. LAWRENCE: A bill (H. R. 10913) to amend the record of John E. Utley—to the Committee on Naval Affairs.

By Mr. MONDELL: A bill (H. R. 10914) for the relief of John Ranald—to the Committee on Patents.

Also, a bill (H. R. 10915) for the relief of Hudson Maxim and W. H. Graham in connection with various inventions—to the Committee on Patents.

By Mr. RIDGELY: A bill (H. R. 10916) granting a pension to Samuel L. Keely—to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER: Paper to accompany House bill granting a pension to James Irvine—to the Committee on Invalid Pensions.

By Mr. BABCOCK: Petition of farmers and citizens of Greenfield, Sauk County, Wis., in favor of the Grout oleomargarine bill—to the Committee on Agriculture.

By Mr. BROMWELL: Papers to accompany House bill No. 10743, for the relief of Augusta Ullman—to the Committee on Pensions.

Also, petition of the Woman's Presbyterian Missionary Society and Woman's Christian Temperance Union of Wyoming, Ohio, urging the passage of House bill prohibiting the sale of liquor in Army canteens, etc.—to the Committee on Military Affairs.

Also, petitions of the Missionary Society of the Presbyterian Church and Woman's Christian Temperance Union of Wyoming, Ohio, relative to opium and gambling in the new possessions—to the Committee on Insular Affairs.

Also, petitions of the Woman's Christian Temperance Union and the Missionary Society of the Presbyterian Church of Wyoming, Ohio, to prohibit a polygamist holding any office in the Federal Government—to the Committee on the Judiciary.

By Mr. BURLEIGH: Resolutions of the Woman's Christian Temperance Union of South Deer Isle, Me., to prohibit the sale of intoxicants in our new possessions—to the Committee on the Territories.

By Mr. CLARKE of New Hampshire: Remonstrance of the Woman's Christian Temperance Union of Wilton, N. H., against the sale of liquor in Alaska—to the Committee on the Territories.

By Mr. CRUMP: Petitions of D. S. Kaylor and other farmers of Emmet County, Mich., and George Parry and others, of Standish, Mich., in favor of the Grout bill increasing the tax on oleomargarine—to the Committee on Agriculture.

Also, petitions of T. S. Glenn, of West Branch, and of retail druggists of East Tawas, Bay City, and Grayling, Mich., for the repeal of the tax on medicines, perfumery, and cosmetics—to the Committee on Ways and Means.

Also, petition of boiler makers and machinists of West Bay City, Mich., for the building of one or more new war ships in Government navy-yards—to the Committee on Naval Affairs.

By Mr. CUMMINGS: Petition of General George B. McClellan Post, No. 552, and John A. Andrew Post, No. 234, Department of New York, Grand Army of the Republic, in favor of House bill No. 7094, to establish a Branch Soldiers' Home at Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. DALZELL: Papers to accompany House bill No. 10010, increasing the pension of E. H. Brady—to the Committee on Invalid Pensions.

By Mr. EMERSON: Papers to accompany House bill to correct the military record of William Brown—to the Committee on Military Affairs.

Also, resolutions of William Collier Post and Charlie H. Bentley Post, Department of New York, Grand Army of the Republic, in favor of the establishment of a Branch Soldiers' Home near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. ESCH: Petitions of citizens of La Crosse County, Wis., urging the passage of the Grout bill to increase the tax on oleomargarine, etc.—to the Committee on Agriculture.

Also, petition of Brunswick Grange, No. 360, Patrons of Husbandry, Eau Claire County, Wis., relating to an act to regulate commerce, and suggesting amendments to the same—to the Committee on Interstate and Foreign Commerce.

By Mr. FOSS: Petition of employees of the Chicago (Ill.) post-office, Lakeview Station, urging the passage of House bill No. 9563, for the retirement of civil employees of the Government after long service and infirmity—to the Committee on Reform in the Civil Service.

By Mr. GREEN of Pennsylvania: Petition of Young Men's

Christian Association of Allentown, Pa., for the passage of a bill giving prohibition to our new possessions, and favoring the anticanteen law—to the Committee on Military Affairs.

By Mr. HAMILTON: Petition of David Oaks Post, No. 135, of Centerville, Mich., Grand Army of the Republic, in favor of a bill locating a Branch Soldiers' Home near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. MANN: Petition of citizens of Chicago, Ill., for the passage of a bill to forbid liquor selling in canteens and in the Army, Navy, and Soldiers' Homes—to the Committee on Military Affairs.

Also, petition of employees of the Chicago (Ill.) post-office, Hyde Park and Lawn stations, urging the passage of House bill No. 9565, for the retirement of civil employees of the Government after long service and infirmity—to the Committee on Reform in the Civil Service.

By Mr. MERCER: Resolution of North Platte Commercial Club, urging adequate appropriation for hydrographic survey in arid regions—to the Committee on Appropriations.

By Mr. NEEDHAM: Resolutions of the San Francisco Chamber of Commerce, favoring the passage of House bill No. 4346, to place Lake Tahoe Forest Reservation under the control of the University of California—to the Committee on the Public Lands.

Also, resolutions of the San Francisco Chamber of Commerce, favoring the improvement of Oakland Harbor under direction of board of United States engineers appointed by the Secretary of War—to the Committee on Rivers and Harbors.

By Mr. RIDGELY: Petition of New Albany Post, No. 119, Department of Kansas, Grand Army of the Republic, in favor of the establishment of a Branch Soldiers' Home near Johnson City, Tenn.—to the Committee on Military Affairs.

By Mr. THOMAS of North Carolina: Petition of J. H. Anderson and others, for the reestablishment of the United States Arsenal at Fayetteville, N. C.—to the Committee on Military Affairs.

## SENATE.

MONDAY, April 23, 1900.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

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

The PRESIDENT pro tempore. Without objection, the Journal stands approved.

### GROVES OF BIG TREES IN CALIFORNIA.

The PRESIDENT pro tempore. The Chair presents quite a lengthy communication from the Secretary of the Interior in relation to the proposed preservation of the Mammoth Tree Grove in California. The Chair is uncertain where it should go.

Mr. COCKRELL. To the Committee on Agriculture and Forestry.

The PRESIDENT pro tempore. The Chair is informed that the Committee on Public Lands has recently had charge of it.

Mr. COCKRELL. That committee would have jurisdiction of it.

The PRESIDENT pro tempore. The communication and accompanying papers will be referred to the Committee on Public Lands and printed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 9566) authorizing the establishment of a light and fog signal on the new breakwater, harbor of refuge, Delaware Bay.

A bill (H. R. 10450) making appropriations for the naval service for the fiscal year ending June 30, 1901, and for other purposes;

A bill (H. R. 10840) providing compensation to United States commissioners in Chinese deportation cases; and

A bill (H. R. 10097) to authorize the Atlantic and Gulf Short Line Railroad Company to build, construct, and maintain railway bridges across the Ocmulgee and Oconee rivers within the boundary lines of Irwin, Wilcox, Telfair, and Montgomery counties, in the State of Georgia.

The message also announced that the House had passed resolutions commemorative of the life, character, and public services of the Hon. EVAN E. SETTLE, late a member of the House of Representatives from the State of Kentucky.

### PETITIONS AND MEMORIALS.

Mr. TALIAFERRO presented memorials of sundry members of the bar of Alachua County, Brevard County, Madison County, and Suwanee County, all in the State of Florida, remonstrating against the enactment of legislation proposing to change the boundaries of the United States judicial districts of Florida and to

transfer the tier of counties from Madison to Duval, inclusive, from the southern to the northern district; which were referred to the Committee on the Judiciary.

Mr. CULLOM presented a petition of the Retail Merchants' Association Mutual Fire Insurance Company of Illinois, praying for the enactment of legislation to secure protection in the use of adulterated food products; which was referred to the Committee on Manufactures.

He also presented a petition of the Illinois Manufacturers' Association, of Chicago, Ill., praying for the enactment of legislation providing for a revision of the war-revenue tax; which was referred to the Committee on Finance.

He also presented the petition of W. M. Benton and 15 other citizens of Peoria, Ill., praying for the repeal of the stamp tax upon proprietary medicines, perfumeries, and cosmetics; which was referred to the Committee on Finance.

He also presented a petition of the Cattle Association of Elko County, Nev., praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

Mr. McBRIDE presented a memorial of 12 citizens of Creswell, Oreg., remonstrating against the passage of the so-called Loud bill, relating to second-class mail matter; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the congregation of the Methodist Episcopal Church; of the Methodist Episcopal Working Society; of the Epworth League of the Methodist Episcopal Church; of the Woman's Christian Temperance Union; of the J. B. Matthews Woman's Relief Corps, No. 11; of the Congregational Ladies' Working Society; of the congregation of the Christian Church; of the Holly Circle, No. 185, Women of Woodcraft; of the Ladies' Aid Society of the Christian Church, and of the Christian Endeavor Society of the Christian Church, all of Forest Grove, in the State of Oregon, praying for the enactment of legislation to prohibit the importation, manufacture, and sale of intoxicating liquors and opium in Hawaii; which was ordered to lie on the table.

He also presented a petition of the congregation of the Methodist Episcopal Church; of the J. B. Matthews Woman's Relief Corps, No. 11; of the Epworth League of the Methodist Episcopal Church; of the Woman's Christian Temperance Union; of the Congregational Ladies' Working Society; of the Holly Circle, No. 185, Women of Woodcraft; of the Ladies' Aid Society of the Christian Church; of the Methodist Episcopal Church Working Society, and of the Christian Endeavor Society of the Christian Church, all of Forest Grove, in the State of Oregon, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the newly acquired possessions of the United States, etc.; which was referred to the Committee on Military Affairs.

Mr. McCOMAS presented a petition of sundry citizens of Midland, Md., praying for the Government ownership and operation of railways, as well as telegraphs and telephones, etc.; which was referred to the Committee on Interstate Commerce.

Mr. WARREN presented the petition of J. Jackson and sundry other stockmen of Laramie County, Wyo., praying for a continuance of the free distribution by the Department of Agriculture of blackleg vaccine; which was referred to the Committee on Agriculture and Forestry.

Mr. FRYE presented the petition of Samuel F. Haskell and 6 other citizens of Auburn, Me., praying for the enactment of legislation granting an increase of pension to soldiers who have lost an arm or a leg; which was referred to the Committee on Pensions.

He also presented a petition of the American Philosophical Society, praying for the establishment of a national standards bureau, in connection with the United States Office of Standard Weights and Measures; which was referred to the Committee on Mines and Mining.

Mr. GEAR presented sundry papers to accompany the bill (S. 1220) for the relief of John A. Spielman; which were referred to the Committee on Military Affairs.

He also presented sundry papers to accompany the bill (S. 3799) to remove the charge of desertion from the military record of Herman C. Colby; which were referred to the Committee on Military Affairs.

### OSAGE TRUST FUNDS.

Mr. COCKRELL. I present a letter addressed to myself, in the nature of a memorial, signed by John F. Palmer, an Osage Indian, remonstrating against the payment of any portion of the principal of their trust funds. I move that the memorial be printed as a document and referred to the Committee on Indian Affairs.

The motion was agreed to.

### EASTERN CHEROKEE FUND.

Mr. COCKRELL. I present a supplemental paper, being a petition of the Eastern or Emigrant Cherokees, so called, praying for the payment to them, per capita, of the fund appropriated to them July 2, 1836, and pledged to them by the ninth article of the treaty